20260401

技术服务合同书

项目名称：江苏省市场监管局2026年重点工业产品质量安全隐患风险动态监测技术服务

（包4燃气用具、消防产品、移动电源）

委托单位(甲方)：江苏省市场监督管理局

服务单位(乙方)：江苏省产品质量监督检验研究院

合同签订日期：2026年7月20日

合同签订地点：南京

服务期限：2026年7月20日 至2026年11月30日

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依照《中华人民共和国政府采购法》《中华人民共和国民法典》等有关法律法规的规定，江苏省市场监督管理局对2026年重点工业产品质量安全隐患风险动态监测技术服务（二次）（项目编号JSZC-320000-NJXY-G2026-0021号）进行公开招标采购，确定乙方为服务单位，双方经协商，签订本合同。

一、服务内容

甲方委托乙方进行服务内容如下：

1、在甲方要求的时间内，乙方应依据《中华人民共和国消费者权益保护法》《中华人民共和国产品质量法》《中华人民共和国标准化法》《检验检测机构监督管理办法》《产品质量监督抽查管理暂行办法》《江苏省省级产品质量监督抽查工作规范》相关要求，完成抽样、检验、抽检结果寄送并完成结果数据上报等工作。

2、在甲方要求的时间内，按甲方要求提交产品的检验检测数据、检验检测报告、产品质量分析报告、质量分析建议书、产品质量风险分析报告及其他相关材料。

3、按甲方要求协助甲方完成异议处理、样品保存及处置工作。

二、甲方的权利与义务

1、甲方应依照本合同向乙方提供所抽查产品的《产品质量监督抽查/风险监测任务委托书》《产品质量监督抽查通知书》、抽查实施细则。

2、甲方有权根据客观事实及工作实际要求对本合同进行调整和变更，调整和变更情况应当及时告知乙方，乙方如有不同意见应及时反馈，最终变更结果以双方商定结果为准。

3、甲方有权随时向乙方了解项目进度、开展随机检查，要求乙方提供项目相关资料。

4、甲方应当按照合同约定和验收结果及时向乙方支付相关服务费用。

三、乙方的权利与义务

1、乙方应当具备开展本合同委托内容的下列条件：

①乙方应具备一定抽样技术能力，人员配置、作业管理等应满足抽样技术要求，确保抽查工作的顺利开展。

②乙方应具有国家认证认可监督管理委员会或省级市场监督管理部门颁发的有效期内（有效期能覆盖本次任务的完成）的检验检测机构资质认定证书（CMA）。

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③具有必备的仪器设备、人员（须经培训符合要求）和检测能力；

2、乙方不得存在借承担江苏省省级产品质量监督抽查/风险监测工作之机为本机构拉客户、事先通知被抽查企业，直接或间接参与企业接待等违法违规行为。

3、乙方应当保证抽样、检验工作的合法合规性，对其抽取、检验的样品负责，所抽样品应满足相关产品抽查方案、抽查实施细则中检验要求，检验结果应反映对样品的真实评价，对抽样、检验过程及样品信息的准确性负责，做好检验数据的原始记录，不得隐瞒、毁损和伪造检验结果。

4、乙方应当严格按照本合同约定的内容承担相关工作，不得超范围开展产品质量监督抽查相关业务；不得与被抽查企业签订同类产品的有偿服务协议或者接受被抽查企业对同一产品的委托检验。

5、乙方应严格按照投标文件中人员配置方案进行人员安排，未经甲方同意不得擅自更换人员。对存在虚报人员或者未经甲方同意擅自更换人员的，甲方将视情况解除合同关系。

6、除甲方书面许可外，乙方不得以任何形式分包检验检测项目、不得租赁或者借用他人检测设备。

7、乙方应当在本合同约定时限内，保质保量完成抽查任务。如因遭遇不可抗力或其他因素影响项目任务的正常执行进度，致使承担任务需要调整时，乙方应当及时向甲方提交书面报告，经甲方确定处理意见后执行。

8、监督检查及风险监测任务中所购买样品的所有权归属甲方，乙方需对样品妥善保管，样品处置需符合《江苏省省级产品质量监督抽查工作规范》要求。

9、乙方应积极提供资料并配合甲方在任务实施期间开展随机检查和任务完成后开展验收检查。

10、服务费用尾款支付后，乙方仍应当按合同及甲方的要求协助甲方进行本次任务涉及产品的异议处理及样品处置工作。

四、双方约定因履行本合同应遵守的保密义务

1、乙方应严格保守产品质量江苏省省级产品质量监督抽查/风险监测信息，未经甲方同意，不得将抽查结果对外发布，不得将抽查结果提供给任何部门、单位及个人，同时不得外泄被抽查企业的商业秘密。

2、乙方在开展江苏省省级产品质量监督抽查/风险监测工作过程中，存在违法、违规和违反合同行为的，甲方可以随时解除合同，乙方需承担因其所造

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五、服务费用及支付方式

1、服务费用：[illegible]

备注：本服务报酬包括但不限于检测费、咨询费、差旅费、人员费用、交通费、住宿费、设备费、[illegible]、属性文本费（检测报告、质量分析报告等检测过程中产生的相关文件印刷费等）、[illegible]费等、税金等各项全部费用，除双方另有约定外，乙方开展[illegible]其他主体[illegible]甲方支付其他费用。

2、支付方式（付款进度和方式）：

合同签订后30个工作日内，甲方向乙方预付服务费用的50%，甲方确认乙方按合同约定完成全部、取得合格后30个工作日内，向乙方支付剩余服务费用。

3、乙方收款账号信息：

单位名称：江苏省产品质量监督检验研究院

账户名称：江苏省产品质量监督检验研究院

账　　号：[illegible]

开 户 行：[illegible]

六、违约责任及纠纷解决

1、甲方如未按时支付检测费，乙方有权暂停向甲方提出的[illegible]且甲方[illegible]

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责任。

（4）未经甲方许可减少或者调换抽样检验品种、批次、项目或者抽样区域、环节的。乙方所交付的服务内容、质量不符合合同规定及招标文件规定标准和投标文件响应内容的，甲方有权拒收该服务，乙方愿意更换服务但逾期交付的，按乙方逾期交付处理。乙方拒绝更换服务的，甲方可单方面解除合同，乙方应向甲方支付合同总价 5%的违约金。

3、对乙方出现的如下情形，造成不良结果的，甲方将不再委托检验任务、解除合同直至追究法律责任，并要求乙方退还甲方已预付的合同款项并赔偿甲方因此造成的所有损失：

（1）出具虚假、错误检验数据和报告的；

（2）违反保密规定，向甲方以外单位或被抽检方泄露检验结果的；

（3）超资质范围出具检验报告、未按规定时限出具检验报告；

（4）因运输、保存不当导致备份样品丢失或者损毁的。

4、因乙方虚假承诺而造成甲方损失或影响甲方整体抽样工作的，甲方有权单方面解除合同，过程中所产生的费用甲方将不予支付，禁止其 3 年内承担重点工业产品质量安全隐患风险动态监测任务。

5、乙方如出现出具虚假、错误检测数据或检验报告的，甲方将扣除相应的批次经费，乙方需承担后续可能出现的赔偿责任。

6、因乙方工作差错造成的样品损坏、检验结果偏差等工作质量问题导致撤销批次情况发生，甲方不支付撤销批次的相关费用，甲方视情况通报。

7、因履行本合同引起的或与本合同有关的争议，甲乙双方应首先通过友好协商解决，如果协商不能解决争议，任何一方均可向甲方所在地有管辖权的人民法院提起诉讼。其他违约责任，违约方应按违约行为对守约方造成的实际损失进行赔偿。

七、验收方法与验收标准

1、乙方应依据《产品质量监督抽查管理暂行办法》《江苏省省级产品质量监督抽查工作规范》、经江苏省市场监管局审定的监督抽查/风险监测实施方案、产品质量监督抽查实施细则等要求开展抽样检验工作，确保完成任务质量。

2、甲方在乙方完成抽检任务后应及时组织验收，并根据验收结论，确定是否可以付款。

3、验收结论分为通过、整改后通过、不予通过三类。验收结论为通过的，

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甲方按合同约定支付合同费用；验收后甲方认为需要整改的，乙方在经整改后能符合甲方要求的，为整改后通过，甲方在乙方完成整改后按合同约定支付合同费用；验收结论为不予通过的，则甲方有权扣除其部分或全部合同费用。

4、验收标准如下：

a、在委托书限定时间内完成任务并及时上传“江苏省产品质量安全监督管理系统”。

b、有效抽查批次数满足合同约定批次数的95%及以上。

c、未抽到样（终止抽样）情况说明表、抽样单、检验报告、质量分析报告等文书资料按要求编写并提交，且无重大错误。

d、履约期间无违规违纪情况。

八、服务期限

乙方服务期限：合同签订之日起至2026年11月30日。

九、备注

1、本合同与招标文件、乙方投标文件如有抵触之处，以本合同条款为准。

2、下列文件均为本合同的组成部分：

（1）招标文件、答疑及补充通知；

（2）投标文件；

（3）本合同执行中共同签署的补充与修正文件。

（4）联合体协议（如有）

十、合同书双方签章

本合同一式四份，经双方签字并盖章后生效。

	单位名称　江苏省市场监督管理局	

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委托单位(甲方)	委托单位（甲方） 代表（签字） 项目联系人 电子信箱 通讯地址：南京市鼓楼区草场门大街 107 号	（单位公章） 2026 年 1 月 20 日
服务单位(乙方)	中标单位名称　江苏省产品质量监督检验研究院 法人代表(或委托代理人)（签字 ） 项目联系人　吴桢 电子信箱 通讯地址　南京市秦淮区光华东街 5 号	（单位公章） 2026 年 1 月 20 日

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