ANNEX 4

FOR INFORMATION:

THIS FORM WILL ONLY HAVE TO BE COMPLETED BY THE WINNING TENDERER* AT THE END OF THE PROCEDURE

* ONLY FOR JOINT TENDERERS, NOT FOR SUB-CONTRACTORS.

MODEL OF AGREEMENT / POWER OF ATTORNEY

We the undersigned :

- *Mr/Ms XXX, function, company name, address, VAT number*

- *Mr/Ms XXX, function, company name, address, VAT number*

- *Mr/Ms XXX, function, company name, address, VAT number*

….

Each of them having the legal capacity required to act on behalf of his/her company,

HEREBY AGREE AS FOLLOWS:

1. The European Commission has awarded (*Framework*) Contract …. (« **the Contract** ») to *Company names* (« **the Group Members** »), based on the joint tender submitted by them on XX/XX/XXXX for the provision of services for ……. («**the Services** »).
2. As participants of the Contract, all the Group Members :

    - Shall be jointly and severally liable towards the European Commission for the performance of the Contract, even when subcontractors, mentioned in the tender, are performing the work.
    - Shall comply with the terms and conditions of the Contract and ensure the proper execution of their respective share of the Services.

3. To this effect, the Group Members designate, *Company Name* and address as **Group Leader**.
4. The Group Members shall bear exclusive liability for proper performance of the Contract when subcontractors, mentioned in the tender, are acting.
5. Payments by the European Commission related to the Services shall be made through the Group Leader's bank account *(name of the bank, address and account number).*

6. The Group Members grant to the Group Leader all the necessary powers to act on their behalf in connection with the Services. This mandate involves in particular the following tasks :

- The Group Leader shall sign any contractual documents —including the Framework Contract, Specific Contracts and Amendments thereto— and issue any invoices related to the Services on behalf of the Group Members.
- The Group Leader shall act as single point of contact for the European Commission in connection with the Services to be provided under the Contract. It shall co-ordinate the provision of the Services by the Group Members to the European Commission, and shall see to a proper administration of the Contract.

Any modification to the present agreement / power of attorney shall be subject to the European Commission's express approval.

This agreement / power of attorney shall expire when all the contractual obligations of the Group Members towards the European Commission in connection with the Services to be provided under the Contract have ceased to exist. The parties cannot terminate it before that date without the Commission's consent.

Signed in on

Name
Function
Company

Name
Function
Company

Name
Function
Company

Name
Function
Company

…

ANNEX 5

LETTER OF INTENT FOR SUB-CONTRACTORS[1]

[COMPLETE title of the call for tenders]

The undersigned**:** …….

*[Name of the company/organisation]***:** ……

Address: ……

Declares hereby that, in case the contract is awarded to *[name of the tenderer]*,

[the company/organisation that he/she represents, intends to collaborate]

[he/she intends to collaborate in an individual capacity as an external expert],

in the execution of the tasks subject to this call for tender, in accordance with the Tender Specifications and the tender to which the present form is annexed, and is available to carry out its part of the tasks during the period foreseen for the execution of the contract.

Declares hereby taking note of Art. II.10 regarding subcontracting and Art. II.24 in relation with checks and audits of the Service Contract.

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[1] See section 1.7