

# Agreement / Power of Attorney

## Model 1

### (DESIGNATING ONE OF THE COMPANIES OF THE GROUP AS LEADER AND GIVING A MANDATE TO IT)

We the undersigned:

- Signatory 1 (Name, Function, Company, Registered address, VAT Number)
- Signatory 2 (Name, Function, Company, Registered address, VAT Number)
- .....
- Signatory N (Name, Function, Company, Registered 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 resulting from procurement procedure under reference No ..... (« **the Contract** ») to [provide name of the tendering group as used in the tender<sup>1</sup>], tendering group consisting of Company 1, Company 2, ..., Company N (« **the Group Members** »), based on the joint offer submitted by them on ... .. for the supply of ..... and/or the provision of services for ... (« **the Supplies and/or the Services** »).
- (2) As co-signatories of the Contract, all the Group Members:
  - (a) Shall be jointly and severally liable towards the European Commission for the performance of the Contract.
  - (b) Shall comply with the terms and conditions of the Contract and ensure the proper execution of their respective share of the Supplies and/or the Services.
- (3) To this effect, the Group Members designate Company X as **Group Leader**. [N.B.: The Group Leader has to be one of the Group Members]
- (4) Payments by the European Commission related to the Supplies or the Services shall be made through the Group Leader's bank account<sup>2</sup>. [Provide details on bank, address, account number, etc.].

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<sup>1</sup> The same name should be used in the Legal Entity Form provided by the tendering group.

<sup>2</sup> Exceptionally, subject to the European Commission's express approval, payments by the European Commission related to the Supplies or the Services could be made through the bank accounts of additional member/-s of the tendering group, in which case details on such bank accounts should be provided.

- (5) The Group Members grant to the Group Leader all the necessary powers to act on their behalf in connection with the Supplies and/or the Services. This mandate involves in particular the following tasks:
- (a) The Group Leader shall sign any contractual documents—including the Framework Contract, Specific Agreements and Amendments thereto.
  - (b) The Group Leader shall issue any invoices related to the Supplies or the Services on behalf of the Group Members<sup>3</sup>.
  - (c) The Group Leader shall act as single point of contact for the European Commission in connection with the Supplies and/or the Services to be provided under the Contract. It shall co-ordinate the provision of the Supplies and/or 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 Supplies and/or 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

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<sup>3</sup> Exceptionally, subject to the European Commission's express approval, invoices related to the Supplies or the Services on behalf of the Group Members could be issued by additional member/-s of the tendering group, in which case the names of those Group Members should be provided.