

European Stability Mechanism



Annex 2– PQ Ref. No.: HR/01/ERS/AA/21

## POWER OF ATTORNEY

The undersigned:

Signatory (Name, Function, Company, Registered address, VAT Number) having the legal capacity required to act on behalf of his/her company,

HEREBY AGREES TO THE FOLLOWING:

- 1) To submit a joint application/proposal as a member of a group of economic operators (the Group), constituted by Company 1, Company 2, Company N (Group members), and led by Company 1 (Group leader), in accordance with the conditions specified in the procurement document and the PQD to which this Power of attorney is attached.
- 2) If the *ESM* awards the contract resulting from this procurement procedure to the *Group* on the basis of the joint application/proposal to which this power of attorney is attached, all *Group members* shall be considered parties to the contract in accordance with the following conditions:
  - (a) All *Group members* shall be jointly and severally liable towards the *ESM* for the performance of the contract.
  - (b) All *Group members* shall comply with the terms and conditions of the contract and ensure the proper delivery of their respective share of the services and/or supplies subject to the contract.
- 3) Payments by the *ESM* related to the services and/or supplies subject to the Contract shall be made through the bank account of the *Group leader*.
- 4) The *Group members* grant to the *Group leader* all the necessary powers to act on their behalf in the submission of the application/proposal and the conclusion of the contract, including:
  - (a) The *Group leader* shall submit the application/proposal on behalf of all *Group members* including all relevant questions, clarification requests, notifications, etc., that may be received during the evaluation, award and until the contract signature.
  - (b) The *Group leader* shall sign any contractual documents — including the contract, and amendments thereto — and issue any invoices related to the performance of the contract on behalf of all *Group members*.
  - (c) The *Group leader* shall act as a single contact point with the *ESM* in the delivery of the services and/or supplies subject to the contract. It shall co-ordinate the delivery of the services and/or supplies by the *Group* to the *ESM*, and shall see to a proper administration of the contract.

Any modification to the present Power of attorney shall be subject to the *ESM's* express approval. This Power of attorney shall expire when all the contractual obligations of the *Group* have ceased to exist. The parties cannot terminate it before that date without the *ESM's* consent.

Place and date:

Name (in capital letters), function, company and signature: