

POWER OF ATTORNEY

mandating one of the partners in a joint tender as lead partner and lead contractor¹

Procurement Procedure PS/SRV/KPI/006/2023

Invitation to tender no.: *[insert identification data of the invitation for tenders by number and short title or subject matter]*

The undersigned:

– Signatory (*insert 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 tender as a partner in the group of partners constituted by *[insert the name of Company 1, Company 2, Company N, and led by Company X]*, in accordance with the conditions specified in the tender specifications and the terms specified in the tender to which this power of attorney is attached.
- 2) If the Permanent Secretariat of the Transport Community awards the Contract to the group of partners constituted by *[Company 1, Company 2, Company N, and led by Company X]* on the basis of the joint tender to which this power of attorney is attached, all the partners shall be co-signatories of the Contract in accordance with the following conditions:
 - (a) All partners shall be jointly and severally liable towards the Permanent Secretariat of the Transport Community for the performance of the Contract.
 - (b) All partners 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.
- 1) Payments by the Permanent Secretariat of the Transport Community related to the services and/or supplies subject to the Contract shall be made through the lead partner's bank account: *[Provide details on bank, address, account number]*.
- 2) The partners grant to the lead partner all the necessary powers to act on their behalf in the submission of the tender and conclusion of the Contract, including:
 - (a) The lead partner shall submit the tender on behalf of the group of partners.
 - (b) The lead partner shall sign any contractual documents — including the Contract, and Amendments thereto — and issue any invoices related to the Services on behalf of the group of partners.
 - (c) The lead partner shall act as a single contact point with the Permanent Secretariat of the Transport Community 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 of partners to the Permanent Secretariat of the Transport Community and shall see to a proper administration of the Contract.

¹ To be filled in and signed by each partner in a joint tender except the lead partner.

Any modification to the present power of attorney shall be subject to the Permanent Secretariat of the Transport Community's express approval. This power of attorney shall expire when all the contractual obligations of the group of partners towards the Permanent Secretariat of the Transport Community for the delivery of the services and/or supplies subject to the Contract have ceased to exist. The parties cannot terminate it before that date without the Permanent Secretariat of the Transport Community's consent.

Signed in on [insert dd/mm/yyyy]

Place: [insert]

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