

ERIEC Consortium Agreement – Amendment Agreement n°1

## **ERIEC**

**Amendment Agreement n°1 to the Consortium Agreement for the  
evaluation of the EUROPEAN RESEARCH INFRASTRUCTURE  
CONSORTIUM (ERIC)**

ERIEC Consortium Agreement – Amendment Agreement n°1

Amendment Agreement N°1 to the Consortium Agreement for the evaluation of the EUROPEAN RESEARCH INFRASTRUCTURE CONSORTIUM (ERIC), dated as of October 22<sup>nd</sup>, 2019 (the “Effective date of the Amendment”)

## **BETWEEN**

### **HAUT CONSEIL DE L'ÉVALUATION DE LA RECHERCHE ET DE L'ENSEIGNEMENT SUPÉRIEUR**

Whose registered office is situated at 2, rue Albert Einstein, 75013 Paris (France), represented by Professor Michel Cosnard, President, and hereinafter referred to as “Hcéres”.

### **AGENCIA ESTATAL DE INVESTIGACIÓN**

Whose registered office is situated at calle Torrelaguna núm. 58, 28027 Madrid (Spain), represented by Professor Enrique Playán Jubillar, Director, hereinafter referred to as “AEI”.

### **AGENZIA NAZIONALE DI VALUTAZIONE DEL SISTEMA UNIVERSITARIO E DELLA RICERCA**

Whose registered office is situated at Via Ippolito Nievo 35, 00153 Rome (Italy), represented by Professor Paolo Miccoli, President, hereinafter referred to as “ANVUR”.

Hereinafter, jointly or individually, referred to as “Original Parties”

WHEREAS, the Original Parties have formed a Consortium Agreement, dated as of April 1<sup>st</sup> 2019, the “Existing Agreement”;

WHEREAS, pursuant to the Section 6.3.1.1 “Evolution of the Consortium” the General Assembly decided as of October 22<sup>nd</sup> 2019 the entry of two (2) new parties in the Existing Agreement :

### **QUALITY ASSURANCE NETHERLANDS UNIVERSITIES**

Whose registered office is situated at Catharijnesingel 56, 3511 GE Utrecht (The Netherlands), represented by Victor Rutgers, acting director, hereinafter referred to as “QANU”

### **EVALUATION AGENCY BADEN-WÜRTTEMBERG**

Whose registered office is situated at M7, 9a-10, 68161 Mannheim (Germany), represented by Dr. Anke Rigbers, Chief Executive Officer, hereinafter referred to as “evalag”

WHEREAS, the Original Parties hereto desire to amend the Existing Agreement to reflect the entry of QANU and evalag as Parties to the Existing Agreement, on the terms and subject to the conditions set forth herein;

NOW, THEREFORE, in consideration of the foregoing and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

## **Section 1 Definitions**

Capitalized terms used and not defined in this Amendment have the respective meanings assigned to them in the Existing Agreement.

## **Section 2 Amendments to the Existing Agreement**

As of the Effective Date of the Amendment (defined below), the Existing Agreement is hereby amended or modified as follows:

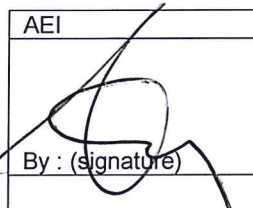
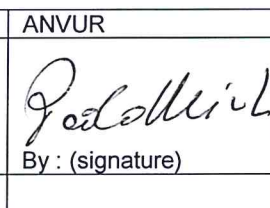
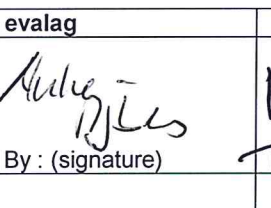
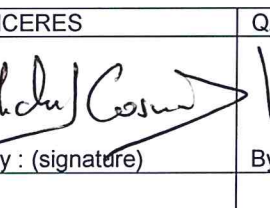
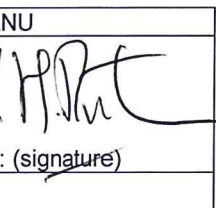
(a) The definition of “Party” or “Parties” now appearing in this Amendment and in the Existing Agreement is hereby amended in its entirety to mean “Hcéres”, “AEI”, “ANVUR”, “QANU” and “evalag”.

(b) Section 11 Miscellaneous of the Existing Agreement is hereby amended by inserting at the end of such Section the following new Section 11.8. “Amendment and Modification: This Consortium Agreement may only be amended, modified, or supplemented by an agreement in writing signed by each Party hereto”.

### Section 3 Date of Effectiveness - Limited Effect

This Amendment will be effective as of the “**Effective Date of the Amendment**”. Except as expressly provided in this Amendment, all of the terms and provisions of the Existing Agreement are and will remain in full force and effect and are hereby ratified and confirmed by the Parties. Without limiting the generality of the foregoing, the amendments contained herein will not be construed as an amendment to or waiver of any other provision of the Existing Agreement or as a waiver of or consent to any further or future action on the part of either Party that would require the waiver or consent of the other Party. On and after the Effective Date of the Agreement, each reference in the Existing Agreement to “this Agreement,” “the Agreement,” “hereunder,” “hereof,” “herein,” or words of like import, and each reference to the Existing Agreement in any other agreements, documents, or instruments executed and delivered pursuant to, or in connection with, the Existing Agreement, will mean and be a reference to the Existing Agreement as amended by this Amendment.

Signed on October 22<sup>nd</sup>, 2019 in Paris

AEI	ANVUR	evalag	HCERES	QANU
 By : (signature)	 By : (signature)	 By : (signature)	 By : (signature)	 By : (signature)
Prof. Enrique Playán Jubillar	Prof. Paolo Miccoli	Dr. Anke Rigbers	Prof. Michel Cosnard	M. Victor Rutgers
Director	President	Chief Executive Officer	President	Acting Director