

Standby agreement

Implementation, Hosting, Maintenance and Support of Midpoint - CN-00759

The undersigned:

Stichting Fontys, located in Eindhoven, The Netherlands, Rachelsmolen 1, legally represented by T.M.G.A. Rutten, director Fontys I&T,

and

<Bidder's name>, located in <name city/country>, legally represented by <name><function>,

considering that:

- Fontys needs a Contractor for the Implementation, Hosting, Maintenance and Support of Midpoint;
- Fontys has issued a Public European Tender for this purpose on <date> under number TNXX.
- Fontys awarded the tendered contract to a different bidder than <bidder's name> on <date>.
- Fontys also wishes to conclude a standby agreement with the second-place bidder;
- The standby agreement allows for the possibility to replace the agreement with the first-place bidder with an agreement with the second-place bidder during the first two years of the tendered contract (for the remaining contract terms)

agree to the following:

- <Bidder's name> is eligible for the contract, based on the tender 'Implementation, Hosting, Maintenance and Support of Midpoint', if the current contract is terminated.
- <Bidder's name> hereby confirms its bid for the duration of two years after the effective date of the contract, which is <date>.
- Fontys has the right, but not the obligation, to award the contract for the remaining term to <Bidder's name>.
- <Bidder's name> has the right, but not the obligation, to accept the awarded contract.
- The contract terms applicable to the to-be-concluded agreement shall be considered as if the agreement effected on <date>.

Thus drawn up in duplicate and signed:

Place:

Place:

Dated:

Dated:

For approval,

For approval,

.....
<<name>>

.....
T.M.G.A. Rutten

<<function>>

Director Fontys I&T