

Adjustments to the Tender Documents:

Tender Document, Section 4 - 4. ESTABLISHMENT AND OPERATION OF THE FRAMEWORK – Section 4.8 Pricing

Clause 4.8.1 – Delete the existing clause and replace with the following clause:

“4.8.1 The prices set out in this Agreement shall remain fixed for the first twelve (12) months from the Commencement Date.

Annual Indexation

Thereafter, on each annual anniversary of the Commencement Date, prices shall be adjusted by the annual percentage change in the Harmonised Index of Consumer Prices (HICP) for the Euro Area, as published by Eurostat.

Exceptional Adjustment

If in any given year the HICP increase is less than four percent (4%), but the Supplier can demonstrate, with reasonable supporting evidence, that its direct input costs (including but not limited to raw materials, energy, labour, or transportation) have increased by more than the published HICP, the Supplier may request an exceptional adjustment.

- Such an adjustment shall not exceed a total increase of four percent (4%) in that year.
 - The Supplier’s request must include verifiable data (e.g. supplier invoices, recognised commodity indices) to justify the claim.”
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Adjustments to the Tender Documents:

Appendix 3: DRAFT TERMS AND CONDITIONS OF THE FRAMEWORK AGREEMENT

Section 9.0 Pricing

First Paragraph – delete the following “Following the expiry of this twelve month period the maximum Price chargeable will be adjusted for inflation on each annual anniversary of the Commencement Date of the framework. This adjustment shall be in accordance (whether positive or negative) with the Consumer Price Index.”

Add the following to Section 9 after the 1st Paragraph:

“The prices set out in this Agreement shall remain fixed for the first twelve (12) months from the Commencement Date.

Annual Indexation

Thereafter, on each annual anniversary of the Commencement Date, prices shall be adjusted by the annual percentage change in the Harmonised Index of Consumer Prices (HICP) for the Euro Area, as published by Eurostat.

Exceptional Adjustment

If in any given year the HICP increase is less than four percent (4%), but the Supplier can demonstrate, with reasonable supporting evidence, that its direct input costs (including but not limited to raw materials, energy, labour, or transportation) have increased by more than the published HICP, the Supplier may request an exceptional adjustment.

- Such an adjustment shall not exceed a total increase of four percent (4%) in that year.
- The Supplier’s request must include verifiable data (e.g. supplier invoices, recognised commodity indices) to justify the claim.”