**ANNEX 03**

**Declaration on the Acceptance of**

**Contractual Conditions**

*[Instructions:*

* *Please, remember to insert the number of the procedure in the header;*
* *Text in yellow means that text needs to be entered;*
* *Text between [ ] and in yellow means that there are options of which one shall be chosen;*
* *Text between [ ], in italics and in green are instructions/clarifications.*

*Ensure that all instructions and optional text which is not applicable is deleted before issuing the document.]*

**Declaration on the Acceptance of**

**Contractual Conditions**

The undersigned: insert name, surname and position within the economic operator, duly authorised to represent and act on behalf of:

Name of the economic operator: ……………………………………………………………………………………………………………

Address of registered office or domicile:.………………………………………………………………………………………………

Hereby confirms:

1. that all provisions laid down in the draft contract and associated annexes included as Annex 01 to the Invitation to Tender for procurement procedure F4E-XXX-0000, and including the [Management Specification (Annex A) and] *[reference to Annex A should be deleted in case of QA class 4 items]* Technical Specification (Annex B), have been read, understood and accepted [and may only be modified within the limits stipulated in the Procurement Documents] *[only for a negotiated procedure, competitive dialogue or competitive procedure with negotiation]*,
2. that the tenderer waives its own general or specific terms and conditions,
3. that it is understood that this acceptance is an essential requirement of this procurement procedure and that failure to confirm acceptance of the draft contract and associated annexes, to otherwise seek to vary the terms or conditions of the draft contract or to impose alternative general or specific terms and conditions [over and above what is allowed in accordance with the Procurement Documents] *[only for a negotiated procedure, competitive dialogue or competitive procedure with negotiation]* will result in this tender being eliminated.[, and]
4. [that the tenderer acknowledges that in accordance with the Procurement Documents, Fusion for Energy may freely reject a request for deviation from the draft contract when it considers the request invalid, inappropriate or unacceptable] *[only for a negotiated procedure, competitive dialogue or competitive procedure with negotiation]*

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| Name and position .……….……………….…………………………………………………  Duly authorised to represent and act on behalf of the tenderer:  Name of the company/organisation .……….……………….…………………………………………………  Date and signature .……….………………… .……….……………….………………………………………………… |