

**AMENDMENT No 1 TO CONTRACT FOR A PROJECT
DEVELOPMENT SERVICES WITH CONTRACT NUMBER
ELENA-2013-046**

between

EUROPEAN INVESTMENT BANK

and

**THE CAPITAL CITY OF THE SLOVAK REPUBLIC
BRATISLAVA**

AMENDMENT AGREEMENT

THIS AGREEMENT is dated 12 September 2018 and enters into force on the date mentioned at its ultimate provision.

PARTIES

- (1) **European Investment Bank** (hereinafter referred to as "**EIB**" or the "**Bank**") established at 98-100, boulevard Konrad Adenauer, L-2950 Luxembourg, Grand Duchy of Luxembourg, represented for the purposes of signature of this agreement by Mr. François Trévoux, Director and Ms. Sonja Malkki, Head of Division, and
- (2) **The Capital City of the Slovak Republic Bratislava** (hereinafter referred to as the "**Final Beneficiary**") established at Primaciálne nám. 1, 814 99 Bratislava, Slovakia, represented for the purposes of signature of this agreement by JUDr. Ivo Nesrovnal, Mayor.

EIB and the Final Beneficiary shall be individually referred to as a "**Party**" and collectively as the "**Parties**".

WHEREAS

- (A) EIB and the Final Beneficiary respectively signed on 26 November 2015 a contract for project development services – contract number ELENA-2013-046 - relating to the implementation of Project Development Services in the Project "Energy Efficiency Programme for Buildings and Facilities of Bratislava" (EE Bratislava) in the framework of the Elena Facility (the "**Contract**").
- (B) The parties hereto wish to amend the Contract on the terms and in the manner set out in this agreement (the "**Agreement**").

AGREED TERMS

1. DEFINITIONS AND INTERPRETATION

- 1.1 Terms defined in the Contract shall have the same meaning when used in this Agreement, unless defined below.
- 1.2 The rules of interpretation of the Contract shall apply to this Agreement.
- 1.3 Unless the context otherwise requires, references in the Contract to "this Contract" shall be to the Contract as amended by this Agreement.

2. AMENDMENTS

The following amendment is made to the Contract:

2.1 Article I.2 of the Contract - Duration:

"The contract shall enter into force on the day following its signature by the parties and its publication on the Final Beneficiary's website. The Contract shall remain in full force and effect for three years, unless terminated earlier in accordance with Article II.8."

Is deleted and replaced by the following hereto.

"The contract shall enter into force on the day following its signature by the parties and its publication on the Final Beneficiary's website. The Contract shall remain in full force and effect for four years, unless terminated earlier in accordance with Article II.8."

3. APPLICABLE LAW AND DISPUTE RESOLUTION

3.1 This Agreement is governed by its terms, the terms of the Contract and by EU law.

3.2 Any dispute between the parties as to the interpretation, application, or performance of this Agreement, including its existence, validity or termination, not settled amicably shall be submitted to the jurisdiction of the Court of Justice of the European Union.

This Agreement has been entered into force on the date signed by the last contracting party.

European Investment Bank

The Capital City of the Slovak Republic Bratislava
(Final Beneficiary)

Date: 17.10.2018

Date: 05.10.2018

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François Trévoux
Director

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JUDr. Ivo Nesrovnal
Mayor

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Sonja Malkki
Head of Division