

CONTRACTING PROCEEDINGS

ZARAGOZA LOGISTICS CENTER FOUNDATION

Article 175 b) of the Law 30/2007, dated the 30th of October, with regards to Public Sector Contracts (hereinafter Proceedings Law for Public Sector Contracts) establishes that for public sector corporate bodies considered as awarding powers, and with regards to the contracts not subject to harmonized regulation, the approval of a proceedings in which the recruiting procedures are regulated to guarantee the effectiveness, concurrence, transparency, confidentiality, equality and non-discrimination of the publicity principles, as well as that the contract being awarded to the person who presents the best economic tender.

Therefore, the Zaragoza Logistics Center Foundation, a private Foundation of public initiative that fulfils the characteristics of such awarding power and as a result of the criteria laid out in the Newsletter 1/2008, dated the 3rd of March, from the Consultancy Board for Administrative Contracting of the Government of Aragon, in compliance with the mandates laid out in the Law, on the 9th of December, 2008, approved for their Board of Trustees, the present Proceedings that shall govern all contracting procedures with regards to the contracts not subject to harmonized regulation, as contemplated in it.

To clarify the scope of application, the Proceedings indicates, in its first point, the contracts that are affected, and proceeds in point 2, to state the contracting procedure with regards to those not subject to harmonized regulation.

1- SCOPE APPLICABLE TO THESE PROCEEDINGS.

1.1 Contracts subject to the Proceedings.

These Proceedings shall apply to the contracting procedures of the contracts included within the scope of the Public Sector Contracts Law, which are not subject to harmonized regulation; contracts subject to harmonized regulation are understood as those laid out in article 13 of the aforementioned Law and which are explained, for information in Appendix 1 of these Proceedings.

As a consequence, these Proceedings are applicable to the following contracts whenever, due to the amount, the said contracts are not subject to harmonized regulation:

a/ Construction contracts.

b/ Public Works concession contracts

c/ Supply contracts.

d/ Services contract.

1.2 Definitions.

The concepts that define these contracts are those laid out in articles 6, 7, 9 and 10 of the Public Sector Contract Law.

In the case of mixed contracts that include the goods or services of one or several contracts, these shall be laid out in order based on the contract which corresponds to the largest in economic terms. For a mixed contract to be the object of these Proceedings, the largest economic amount must be goods or services for construction, public works concession, supplies or services.

2- CONTRACTING PROCEDURES

2.1. Objective and estimated value of the contracts

The objective of the contract must be determined and suitable to the needs to be covered, the suitability of the objective with regards to the needs to be covered being reflected in the preparatory documentation.

The estimated value of the contracts shall be calculated as the total sum of the objective of the contract. It is understood that this amount does not include value added tax (VAT), the amount of which shall be stated on a separate form.

2.2. Capacity and solvency of the contractor.

The following documents and accreditations shall be requested of the contractors in the procedures regulated by these Proceedings:

2.2.1. In the case of direct contracts, the requested documents shall be laid out in these Proceedings.

2.2.2 In the case of contracting procedures for amounts that do not exceed eighteen thousand euros (€ 18,000) in contracts for supplies or services and without exceeding fifty thousand euros (€ 50,000) in construction contracts, the only contractual documentation necessary shall be the invoice for the work, supply or service and, where relevant, the prior quotation.

Unless the Foundation so requires, the contractor shall not be asked for any type of accreditation about their capacity or professional qualification, provided they can prove and are known for their usual operation in the market that is the object of the contract.

2.2.3. For all other procedures, notwithstanding the number of details, complements or substitutions of some requirements for others could be established in the Invitation for Tenders, the contractors must present, in addition to their economic and technical offer, the following General Documentation, under separate cover:

Envelope with the General Documentation

1. Documents accrediting the character and the competence of the entrepreneur. If the company is a corporate body, the character of the firm should be accredited by presenting the company founding deed or modification, where relevant, duly registered with the Mercantile Register, when this requirement is necessary, according to the applicable mercantile legislation. If this requirement is not required, the accreditation of the work character shall be supplied in the form of the company foundation deed, bylaws or founding minutes, which states the framework for activity, duly registered with the corresponding public Register, according to the type of corporate body it is. In any case the founding statutes or bylaws must clearly state that the object of the contract is included within the aims, objectives or area of activity of the company.

For individual entrepreneurs, it shall be obligatory to present a photocopy, duly legalized by a notary public or approved by the competent administrative

organization, their ID or where relevant, any other legally accepted identification document.

2. Documents accrediting, as would be the case, the representation.

Those that appear or sign on behalf of others, must present suitable and sufficient power of attorney to that end, previously stamped and legalized photocopy by a notary public or approved by the competent Administrative body, their ID or as would be the case, a legally accepted identification document. If the company is a corporate body, the power of attorney must be registered, where relevant, in the Mercantile Register. If this is a power of attorney for this specific act, the entry in the Mercantile Register is not necessary, in accordance with article 94.5 of the Mercantile Register Rules and Regulations.

3. Economic, financial and technical solvency.

a) The economic and financial solvency shall be accredited by presenting:

- Declaration of the annual turnover, volume of assets and company funds for the last two fiscal years.

b) The technical solvency shall be accredited by presenting:

For works contracts:

- List of employees and materials that the company has to carry out the work, and must also include a formal commitment of those assigned to the work.

For service contracts:

- List of the main services or work carried out in the last year, in keeping with the objective of the tender.

For supply contracts:

- List of the main supplies carried out in the last year, in keeping with the objective of the tender.

Should a specific professional or business qualification be necessary, this shall be specifically stated in the offer request application or Invitation for Tenders, depending on the case.

4. Affidavit that the firm is not involved in prohibitions to contract according to article 49 of the Public Sector Contracts Law.

This affidavit shall expressly include, in a separate section, the circumstance of being up-to-date with regards to any tax liabilities to the State and to the Regional Government of Aragon and Social Security obligations imposed by the current dispositions, and that, notwithstanding, the accrediting certifications of such

requirements must be presented by the selected tenderer before the contract is awarded, should it not have been presented voluntarily instead of the corresponding declaration with regards to these objectives.

Appendix 2, of this these Proceedings, provides a copy of the Affidavit model.

5. Affidavit declaring that the firm/individual belongs, or does not belong to a group of corporations (article 42 of the Commerce Code) that shall comply as explained in **Appendix 3** of these Proceedings.

6. Affidavit declaring that the offer presented has taken into consideration all obligations derivative from the system protecting occupational safety and health. This Affidavit shall comply as explained in **Appendix 4** of these Proceedings.

7. Additional requirements. The requests for offers or Invitation for Tenders could establish additional requirements such as:

- Accreditation of professional qualification.
- Classification.
- Accreditation that the firm has implemented quality control systems.
- Accreditation of compliance with environmental rules and regulations
- Constitution of guarantees.
- Others.

8. Special documentation that foreign companies must present. Foreign companies must present the documentation described above, taking into consideration the specifications and specific documentation detailed below.

	Non Spanish companies from European Union Member States or that have signed an Agreement with regards to the European Economic Area	Other foreign companies
Documents accrediting the work capacity	This shall be accredited by means of the registration in the relevant Registers in accordance with the legislation of the Country where the firm is located, and must comply, in all cases, with the regulations for professional qualification of the said member state.	This shall be accredited by means of a Report issued by the Permanent Spanish Diplomatic Mission or Spanish Consulate of the location in where the firm is based, which must state that the country from which the foreign company comes allows, in turn, the participation of Spanish companies in the contracting by the Administration and those bodies, organizations and bodies from the public sector in an substantially analogous manner. This report shall not be necessary in the case of companies coming from countries that have signed the World Trade Organization Agreement for Public Contracting.
Economic, financial and technical solvency	The firm's economic, financial and technical solvency must be accredited in the same way as required for Spanish companies.	The firm's economic, financial and technical solvency must be accredited in the same way as required for Spanish companies.
Outlet in Spain and designation of powers of attorney		For construction contracts, it shall be necessary that the firm has a branch office in Spain , with designated powers of attorney or representatives for operations and that the firm is registered in the Mercantile Register .
Subject to Spanish Jurisdiction	Affidavit declaring the submission to the jurisdiction of the Spanish Courts and Tribunals of any type. For all incidences that may arise, either directly or indirectly from the contract, an affidavit must be presented renouncing, where relevant, any foreign jurisdiction that could correspond to the tenderer. Appendix 5 of these Proceedings offers an affidavit model.	
ALL THE DOCUMENTATION MUST BE PRESENTED IN SPANISH OR ENGLISH. ALL OTHER THE LANGUAGE TRANSLATIONS MUST BE PERFORMED BY F A SWORN TRANSLATOR.		

Should all or a part of the documentation to be presented by the tenderes already be in the hands of the Foundation, due to the fact that tenderer has presented it previously to cover another procedure and should the said documentation continue to be valid and unchanged, this fact should be brought to our attention in a document to that effect, which shall then be incorporated into the same Envelope for General Documentation and the tenderer shall be exempted from presenting the said documents.

If the **certification accrediting that the firm is listed with the Official Registration of Tenderers and Classified Companies of the State or of the Region of Aragon** is included in the General Documentation Envelope this, with no need for further documentation, shall accredit, before the contracting body, with regards to what is indicated in it and except where there is proof to the contrary, the conditions of the suitability of the company with regards to:

- 1 - Character and work capacity.
- 2 - Representation.
- 3 - Business or professional qualification.
- 4 - Economic and financial solvency.
- 5- Classification.
- 6 - Compliance or not with prohibitions from contracting.

Should the tenderers respond to the Invitation for Tenders as a **Temporary Company Merger (UTE)**, each of the companies involved must accredit its character, capacity and solvency, indicating in a private document the names and circumstances of the companies involved, the participation of each and the company's commitment to formally participating as a member company of the Temporary Company Merger, in the case of being the successful tenderer. The aforementioned document must be signed by the representatives of each of the component Companies included in the Temporary Merger. In the case of UTE companies, with regards to determining company solvency and classification, where relevant, the accumulated characteristics accredited for each one of the members shall be included.

2.3. Tender procedures

The procedures for tenders for construction contracts, public work concessions, supplies and services not subject to harmonized regulation shall be as follows:

a / Works of estimated value not exceeding twenty-five thousand euros (€ 25,000), Supplies and Services of an estimated value not exceeding ten thousand euros (€ 10,000).

Direct Contracting Procedure

This shall be contracted directly, without publicity, without the application of more than one offer being necessary.

The only contractual documentation necessary shall be the invoice for the work, supply or service and, where relevant, the prior estimate.

Notwithstanding that the Foundation should deem it necessary, no type of accreditation shall be required from the contractor with regards to its capacity or professional qualification, provided that the firm's normal business in the specific field is the object of the contract.

Phases of the procedure:

1 - The order for the responsibility for the work shall be sent the contractor.

2 - The contractor shall send, within the period of fifteen (15) days in the case of construction and six (6) days in the case of supplies and services, which could be reduced to seven (7) days in the event of urgency in the construction and two (2) days in the event of urgency in supplies and services, an estimate suited to the order and the project, and the technical documentation that, depending on the importance of the work, may be necessary according to the current laws in force.

3 – Once the estimate has been received, if it is suitable, the confirmation order for the work shall be sent out.

b/ Construction with an estimated value between twenty-five thousand and one euros (€ 25,001) and fifty thousand euros (€50,000), and Supplies and Services for an estimated value between ten thousand and one euros (€10,001) and fifty thousand euros (€50,000).

Limited Contracting Procedure

In this procedure, at least three offers shall be requested.

Phases of the procedure:

1- Each tenderer shall be sent an Invitation for Tenders.

2- The offer to apply must be answered by sending the economic and technical offer within the period of ten (10) natural days, which could be reduced to five (5) in the event of urgency.

3 – The winning tender will be chosen from among the tenders received, keeping in mind the price and the technical execution conditions. The tenderer selected shall be given a period of five (5) days, where relevant, to present the accrediting certifications with regards to the payment of all taxes and Social Security payments.

4 - The winning tender shall be explained; it shall be adopted within the maximum period of two (2) months following the finalization of the period for the receipt of offers, and all tenders shall be informed.

c/ Construction with an estimated value between fifty thousand and one euros (€ 50,001) and five million, one hundred and fifty thousand euros (€ 5,150,000), Supplies and Services of an estimated value between fifty thousand and one euros (€ 50,001) and two hundred and six thousand euros (€ 206,000), general Public Works Concessions.

Procedure of General Contracting

Phases of the procedure:

1 - The legal aspects and technical description in the Invitation for Tenders shall be drafted, and depending on the type of the contract, this could be a single Invitation for Tenders or two Invitations for Tenders, one with the legal clauses and the other with the technical descriptions. In any case, the criteria for awarding the bid shall appear within the legal clauses.

2 - The tender shall be advertised in the contracting profile and, should it be considered suitable, in a newspaper that is delivered throughout the entire area of the Region of Aragon. The tender advertisement inserted in the profile shall be accompanied by the Invitation or Invitations for Tenders.

3 - The advertisement shall state a 20-day period for the presentation of proposals, starting from the date the advertisement appears the contracting profile, this term may be reduced by half in the event of urgency.

4 - The proposals must be presented in the registers that are indicated in the tender advertisement and they must include the documentation detailed in the Invitation or Invitations or Tenders.

5 – Having received the proposals, these shall be examined by a Contracting Board made up of a President, a secretary with voice and vote, and three members.

6 – The said Board shall examine the general documentation and, in the event of excusable defects, a period of not less than three (3) days and not exceeding seven (7) days shall be granted to correct these defects.

7 – Once this correction period has passed, where relevant, the technical documentation from the accepted companies shall be examined.

8 – Having examined the documentation, the public reading of economic proposals of the companies not excluded from the tender shall be held on the day indicated in the advertisement.

9 - The proposals having been read by the Board, these shall then give them to the contracting body for the proposed awarding. The contract shall be

awarded within a maximum period of three (3) months following the reading of the economic proposals

10 – Once the contract has been awarded, all tenderers shall be notified.

d / Services from categories 17 to 27 (both inclusive) of estimated value of two hundred and six thousand euros (€ 206,000) and upwards.

Procedure of general contracting with tentative awarding

Phases of the procedure:

1 - The legal aspects and technical description in the Invitation for Tenders shall be drafted, and depending on the type of the contract, this could be a single Invitation for Tenders or two Invitations for Tenders, one with the legal clauses and the other with the technical descriptions. In any case, the criteria for awarding the bid shall appear within the legal clauses.

2 - The tender shall be advertised in the contracting profile and, should it be considered suitable, in a newspaper that is delivered throughout the entire area of the Region of Aragon. The tender advertisement inserted in the profile shall be accompanied by the Invitation or Invitations for Tenders.

3 - The advertisement shall state a 20-day period for the presentation of proposals, starting from the date the advertisement appears the contracting profile, this term may be reduced by half in the event of urgency.

4 - The proposals must be presented in the registers that are indicated in the tender advertisement and they must include the documentation detailed in the Invitation or Invitations or Tenders.

5 - Having received the proposals, these shall be examined by a Contracting Board made up of a President, a secretary with voice and vote, and three members.

6 – The said Board shall examine the general documentation and, in the event of excusable defects, a period of not less than three (3) days and not exceeding seven (7) days shall be granted to correct these defects.

7 - Once this correction period has passed, where relevant, the technical documentation from the accepted companies shall be examined.

8 - Having examined the documentation, the public reading of economic proposals of the companies not excluded from the tender shall be held on the day indicated in the advertisement.

9 - The proposals, having been read by the Board, will be given to the contracting body for the proposed awarding.

10 - The tentative awarding of the contract shall take place within the period of two (2) months. The Tenderers shall be notified, granting the successful tenderer a period of ten to twenty (10-20) days to comply with the requirements established in the Invitations for Tenders.

11 - Once this step has been carried out by the tentative successful tenderer, the final awarding of the contract shall take place within the period of one (1) month.

12 - Once the contract has been awarded, all tenderers shall be notified.

2.4 Possibility to declare the tender procedure inconclusive.

All tender procedures may be declared inconclusive, if no bids are presented or if the offers are unacceptable, in this last case the resolution shall be explained with reference to the Invitation for Tenders, request for the presentation of offers, or orders or request.

2.5 Possibility of withdrawal of offers.

Should the award not be granted within the periods indicated in these Proceedings, the tenders shall be entitled to cancel the offer, this being formally communicated to the Foundation.

2.6 - Procedure for the case that the general procedures for contracting are inconclusive.

2.6.1 Should the procedures of general concurrence go not awarded due to a lack of tenderers or because the presented offers are considered

unacceptable, they may be represented as defined contracting procedures, as established in these Proceedings and advertising in the contracting profile for the same period that shall be given to the tenderers from whom offers are requested directly, any interested party being able to present offers in addition to those directly invited, within this period.

Once the offers have been received, the corresponding procedures for defined contracting shall be followed according to the type of contract.

2.6.2. In the case of defined contracting procedures remaining **inconclusive** due to the same causes, they may be represented, once again reducing, where relevant, the number of invitations, if there were not even as many as three tenderers that were capable of taking charge of the contract.

3 - POSSIBILITY OF PROCEEDING TO THE DIRECT CONTRACTING PROCEDURE INDEPENDENT OF THE SUM OF THE CONTRACT

The direct contracting procedure may be applied independent of the amount of the contract when, due to technical or artistic reasons or due to reasons related to the contract's protection of exclusive rights; this can only be given to a specific company.

The application for direct contracting by virtue of this point of these Proceedings shall require an explanatory Report, which must be in line with the procedure.

4- DEADLINES

4.1 The deadlines of these Proceedings are always of natural days, the computation starting the day following that of the notification. In the case of months, these shall be computed from a specific date to specific date, the initial day of computation being that following its notification or publication and the final day of the computation being the equivalent day of the month following the notification or publication; if in the month of expiration there is no equivalent, it shall be understood that the period expires on the last day of the month.

4.2 If the last day of the period is a non-business day, the period shall be shall understood to be extended until the first following business day.

4.3 The deadlines may be reduced due to reasons of urgency, under the terms indicated in this Proceedings, and may also be extended, duly explained, to double the duration, this explanation must be founded, in any event and without prejudice to other considerations, in reasons favoring the concurrence.

5 – CONTRACTING BOARD

In the procedures in which the Contracting Board is designated, it shall be made up of a President, a Secretary with voice and vote and three members and their corresponding substitutes in the event of absence or incompatibility.

The main President shall be the Director of the Foundation and the main Secretary the Financial Director of the Foundation.

Among the members, which may or may not be personnel of the Foundation and who must, in any event, be designated by the President of the Board, at least one (1) of them must be personnel of the unit requesting the contract, or, should this not be possible, a technician who is competent in the matter that is the object of the contract or with experience in the type of contract.

The decisions shall be taken by majority of votes of the attendees; in the event of tie the President shall have the deciding vote.

For the valid constitution of the contracting Board, there must be a quorum consisting of the attendance of President, Secretary and, at least, two members.

6 - PUBLICITY.

Notwithstanding the advertising of the procedures indicated in these Proceedings any other of complementary type may be used.

Likewise, the contracting party, independent of the type of procedure, and with the objective of achieving greater participation, may approach any business inviting them to formulate an offer.

The contracting party profile can be found on the Foundation website: www.zlc.edu.es

7- AWARDING CRITERIA

The evaluation criteria of the offers in the procedures of general contracting which these Proceedings refer to, shall be determined in the Invitations for Tenders in accordance with the criteria indicated in Article 134.1 of the Public Sector Contracts Law and shall be detailed in the tender advertisement.

When, in the procedures of general contracting, only one criterion is used, this shall be that of the lowest price, although the Invitations for Tenders may establish criteria to determine dangerously low bids and the criteria of admissibility of these.

In the contracting procedures of defined, the evaluation criteria shall be indicated in the request for offers as well as, where relevant, the specific aspects to be negotiated.

8 – CONTRACTING BODY

The contracting organ shall be the Foundation Board without prejudice of the powers of attorney that could be conferred and the delegations that could be agreed.

9 – APPEALS

The contracts taking place within the reach established in point 2.2 of this Proceedings are private contracts.

Any claim relative to the preparation, awarding, effects and extinction of these shall be resolved before Civil Jurisdiction.

Nevertheless, in the case of contracts for services in categories 17 to 27 (both inclusive) of an estimated value equal or exceeding two hundred and six thousand euros (€ 206,000), with regards to the decisions that are adopted in the awarding procedures, these shall be governed by the special appeal established in article 37 of the Public Sector Contracts Law, and the regular Regional Minister responsible for the Department of Science, Technology and

University shall be the competent organ to resolve this appeal (article 37.4 of the Public Sector Contracts Law)

10- ENTRY INTO EFFECT

These present Proceedings shall come into effect from the same day as its publication in the contracting profile of the Zaragoza Logistics Center Foundation.

APPENDIX 1

Contracts subject to harmonized regulation.

Those contracts subject to harmonized regulation shall be governed by the mandates laid out in article 174 of the Public Sector Contracts Law, not being governed by those in these Proceedings.

Contracts subject to harmonized regulation are those determined in article 13 of the Public Sector Contracts Law.

With regards to that which concerns the Zaragoza Logistics Center Foundation, the said article can be summarized as follows:

Collaboration contract of between the public and private sector	Applicable in every case
Construction and Public Works Contract concession	Applicable to estimated values equal to or greater than € 5,150,000
Supply contract	Applicable to estimated values equal to or greater than € 206,000
Service contract	Applicable in categories from 1 to 16 and for an estimated value equal to or greater than € 206,000.

The amounts do not include Value Added Tax (VAT).

With regards to the categories of services that could be subject to harmonized regulation, depending on the amount, are as follows:

1- Maintenance and repair services.

2- Surface transport services, including armoured vehicle services and messenger services except for mail transport.

3 – Air transport services: passengers and cargo transport, except for mail transport.

- 4 – Surface mail transport.
- 5 - Telecommunication services.
- 6 - Financial services: a) Insurance Services, b) Bank and investment services.
- 7- IT Services and related services.
- 8 - Research and development services.
- 9 - Accounting, auditing of books and bookkeeping services.
- 10 - Public opinion studies, surveys and research services.
- 11 - Management consultant and related services.
- 12 - Architectural services; engineering services and services within engineering; urban planning services and architecture landscaping services. Services related to consultants in science and technology. Services of tests and technical analysis.
- 13- Advertising services.
- 14 – Building cleaning services and administration services for real estate.
- 15 - Editing and printing services, based on rates or contract.
- 16 - Services with regards to sewer systems and waste elimination: cleaning services and similar services.

APPENDIX 2

Responsible Declaration of no current prohibitions to contract.

Model A

Mr./Ms., with ID /Tax Number, acting in my own name and rights, declare that I am not currently subject to any of the prohibitions to contract referred to in article 49 of the Law 30/2007, of the 30th of October, with regards to Public Sector Contracts.

In addition, I declare that my obligations with regards to taxes to the national government and the Regional Government of Aragon are in good standing, as well as my Social Security payments

.....(day) of.....(month) of.....(year)

Signed:.....

Model B

In order to act in representation

Mr./Ms., with ID /Tax Number, and with the address....., acting in the name and representation of with ID /Tax Number, declare that as their representative, they are not currently subject to any of the prohibitions to contract referred to in article 49 of the Law 30/2007, of the 30th of October, with regards to Public Sector Contracts.

In addition, I declare that, as their representative, their obligations with regards to the payment of taxes to the national government and the Region of Aragon are in good standing, as well as their Social Security payments.

.....(day) of.....(month) of.....(year)

Signed:.....

APPENDIX 3

Responsible Declaration of a Business Group

Model A

Mr./Ms., with ID /Tax Number,
acting in the name and representation of, with
Tax ID number

DECLARE THAT this does not belong to any Business Group, according to the
mandates laid out in article 42 of the Commercial Code

.....(day) of.....(month) of.....(year)

Signed:.....

Model B

Mr./Ms., with ID /Tax Number, and
with the address....., acting in the name and
representation of, with Tax Number
.....

DECLARE THAT this, according to the mandates laid out in article 42 of the
Commercial Code, belongs to the following Business Group, made up of the
companies that are listed below:

GROUP:

LIST OF COMPANIES IN THE GROUP:

.....(day) of.....(month) of.....(year)

Signed:.....

APPENDIX 4

Declaration of compliance with the regulations for the protecting occupational safety and health

Model A

Mr./Ms., with ID /Tax Number, acting in my own name and rights, declare that the offer presented has taken into account and complies with the exact and correct specifications of the regulations for the prevention and protecting occupational safety and health at the work place.

.....(day) of.....(month) of.....(year)

Signed:.....

Model B

In order to act in representation

Mr./Ms., with ID /Tax Number, with address in..... acting in the name and representation of, with ID /Tax Number, declare that the offer presented has taken into account and complies with the exact and correct specifications regulations for the prevention and protecting occupational safety and health at the work place.

.....(day) of.....(month) of.....(year)

Signed:.....

APPENDIX 5

Declaration of submission to Spanish Jurisdiction

Modelo A

Mr./Ms., with ID /Tax Number, acting in my own name and rights, declare that, renouncing the Jurisdiction to which I could correspond, I submit myself to the Spanish Jurisdiction for any type of litigation related to the preparation, adjudication, effects and extinction deriving from the contracting procedure of.....(1) by the Zaragoza Logistics Center Foundation.....(day)

of.....(month) of.....(year)

Signed:

Model B

In order to act in representation

Mr./Ms., with ID /Tax Number, acting in the name and representation of, with NIF/CIF:.....declare that, renouncing the Jurisdiction to which we could correspond, we submit ourselves to the Spanish Jurisdiction for any type of litigation related to the preparation, adjudication, effects and extinction deriving from the contracting procedure of.....(1) by the Zaragoza Logistics Center Foundation.

.....(day) of.....(month) of.....(year)

Signature:

(1) Indicates the objective of the contract, indicating the serial number for its correct identification.