

Defects liability guarantee

The Contractor

Name and registered office of the Contractor:

and the Employer

Name of the Employer:

**Amprion GmbH
Robert-Schuman-Straße 7
D-44263 Dortmund**

have concluded the following contract:

Order no:

Date:

Designation of the service:

Under the terms of this contract, the Contractor shall provide security for the fulfillment of claims for defects identified on acceptance as well as claims for defects arising after acceptance on the basis of performance obligations under this contract, including additional and amended services (changes of scope [*Leistungsänderungen*]) and claims for damages. The purpose of this guarantee does insofar not include claims for the fulfillment of claims for defects identified up to acceptance, as the Employer has made a claim against the guarantor of the contract performance guarantee for these.

Having said this, we, the

Name and address of the guarantor:

hereby provide the Contractor with a directly enforceable, unconditional (not on first demand) and irrevocable guarantee [*selbstschuldnerische, unbedingte (nicht auf erstes Anfordern) und unwiderrufliche Bürgschaft*] to secure the aforementioned claims of the Employer against the Contractor and undertake to pay any amount up to a total of

Amount

Amount in words:

to the Employer. Claims can only be made against us for payment of money.

We waive the right of deposit [*Verzicht auf das Recht zur Hinterlegung*] as well as the defenses of failure to pursue remedies, of voidability and set-off [*Einreden der Vorausklage, der Anfechtung und der Aufrechenbarkeit*] (Sections 771, 770 (1), (2) BGB). However, the defense of set-off shall be admissible if the counterclaim is undisputed or final and absolute under a Court judgement.

Claims arising from this guarantee expire five years after the end of the year in which these claims become due. The guarantee is unlimited in time; it expires when this guarantee certificate is returned to us.

The place of jurisdiction is Dortmund. German law shall apply.

Place, date

Signatures