



EuroHPC JOINT UNDERTAKING
DECISION OF THE GOVERNING BOARD OF THE EuroHPC JOINT
UNDERTAKING No 14/2019
Approving the Hosting Agreement to be concluded between the EuroHPC Joint
Undertaking and a Hosting Entity of a Petascale Supercomputer

THE GOVERNING BOARD OF THE EUROHPC JOINT UNDERTAKING,

Having regard to Council Regulation (EU) 2018/1488 of 28 September 2018 establishing the European High Performance Computing Joint Undertaking (hereinafter "Regulation")¹, and in particular Articles 8, 9 and 10 thereof,

Having regard to the Statutes the European High Performance Computing Joint Undertaking annexed to the Regulation (hereinafter "Statutes") and in particular to Articles 7(4)(d), 6(4) and 9 (5) (d) thereof,

Having regard to the Governing Board Decision No 3/2019 of 15 January 2019 approving the model Hosting Agreement to be annexed to the Call for Expression of Interest for the selection of Hosting Entities for the Petascale Supercomputer,

Having regard to the Governing Board Decision No 6/2019 of 4 June 2019 on the selection of the Hosting Entities of the Petascale Supercomputers,

Having regard to the Governing Board Decision No 9/2019 of 12 July 2019 adopting the amended EuroHPC Joint Undertaking Work Plan for the year 2019,

Having regard to the Governing Board Decision No 11/2019 of 3 October 2019 adopting the first amendment of the Joint Undertaking's Budget for 2019,

WHEREAS

- (1) The Joint Undertaking shall launch, jointly with the contracting authorities of the Participating State where the Hosting Entity is established or with the contracting authorities of Participating States in the hosting consortium, calls for tenders for the acquisition of Petascale Supercomputers and acquire, jointly with these contracting authorities petascale supercomputers. They shall sign a Joint Procurement Agreement in that regard.
- (2) The operation of each individual petascale supercomputer owned by the EuroHPC Joint Undertaking and the other co-owners shall be entrusted to a Hosting Entity.

¹ OJ L 252, 08.10.2018, p. 1.

- (3) Five (5) Hosting Entities for the Petascale supercomputers have been selected following a call for expression of interest for or the selection of Hosting Entities for Petascale supercomputers (REF: EUROHPC-2019-CEI-PT-01).
- (4) A Hosting Agreement with each selected Hosting Entity shall be concluded prior to launching the procedure for the acquisition of a Petascale supercomputers.
- (5) The Governing Board shall approve the Hosting Agreement to be concluded with each Hosting Entity of a Petascale supercomputer.
- (6) Following the selection of the Hosting Entities of the Petascale supercomputers, the former entered into negotiations with the EuroHPC Joint Undertaking. These negotiations were based on (1) the Model Hosting Agreement that was annexed to the Call for Expression of Interest for the selection of Hosting Entities for the Petascale Supercomputers, (2) the applications of the selected Hosting Entities submitted to the respective Call for Expression of Interest (REF: EUROHPC-2019-CEI-PT-01), (3) the available budget for the EuroHPC supercomputers, in accordance with the Budget of the Joint Undertaking for 2019.
- (7) The above mentioned Model Hosting Agreement had to be modified to: (i) better define the obligations and responsibilities of the parties considering the subject matter of the agreement and industry practice, (ii) reflect to the extent necessary the changes brought to Hosting Agreement to be signed with the Hosting Entities of the Precursor to Exascale Supercomputers and (iii) define applicable law and settlement of disputes procedures in accordance with the Regulation. Taking into account the innovative and specific nature of this Hosting Agreement, the legal service of the European Commission has scrutinised the document to ensure compliance of the final document with the applicable legal framework. The legal experts of the Hosting Entities have also provided their feedback and their input has been taken into account as reflected in the document.
- (8) The EuroHPC Joint Undertaking and the Hosting Entities of a Petascale supercomputer have concluded the discussions on the Hosting Agreement.

HAS ADOPTED THIS DECISION:

Article 1

The Governing Board approves the Hosting Agreement to be concluded between the EuroHPC Joint Undertaking and each Hosting Entity of a Petascale Supercomputer, as found in Annex 1 to this decision.

Article 2

The Governing Board invites the Executive Director *ad interim*, to take all necessary actions for the conclusion of the Hosting Agreement with each selected Hosting Entity of a Petascale Supercomputer individualising it for each selected Hosting Entity and taking into account the available budget for the acquisition of the each Petascale Supercomputer in accordance with Annex 2, within the total available budget for the EuroHPC supercomputers in accordance with the Budget of the Joint Undertaking.

Article 3

This Decision shall enter into force upon its adoption by the Governing Board.

Done at Luxembourg, on 22nd October 2019

For the Governing Board

[signed]

Herbert Zeisel

The Chair

Annex 1: Hosting Agreement to be concluded between the EuroHPC Joint Undertaking and a Hosting Entity of a Petascale Supercomputer.

Annex 2: Available budget envelope for each respective EuroHPC Petascale Supercomputer

Annex 2: Available budget envelope for each respective EuroHPC supercomputer

Application Ref.	Hosting Consortium / Coordinator	Maximum Union financial contribution to the acquisition costs [€]
Ares(2019)2781396	Deucalion – Portugal	6.925.000
Ares(2019)2673366	Euro-IT4I – Czech Republic	5.130.000
Ares(2019)2673978	Meluxina - Luxembourg	10.500.000
Ares(2019)2722882	PetaSC-BG – Bulgaria	4.090.000
Ares(2019)2673507	Vega ESR – Slovenia	5.900.000