**Appendix C: Form of Tender (including Certificate of Bona Fide Offer)**

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| DATE: [DATE] |
| PROVISION OF: Insourcing of Elective Care Clinical Services |
| REFERENCE NUMBER: [insert Atamis project reference] |
| I/We agree:(1) that the information contained in our response to the above tender response is correct and accurate and that we will inform Manchester University NHS Foundation Trust (MFT) forthwith if this position changes prior to an award of contract being made;(2 ) by submitting a tender response, to be bound by the terms and conditions of the Contract found in Section 5 of the Invitation to Tender (ITT) for Insourcing Arrangement for Elective Care without further negotiation or amendment;(3) that this tender response and any contract arising from it shall be subject to and bound by the provisions of the ITT Pack; (4) to supply the health care services of the exact quality and sort specified in the ITT Pack and for the price set out in our completed in Appendix B Commercial Schedule in full compliance with the Specification in Section 4 of the ITT Pack. (5) that the prices offered are fixed and not capable of amendment for the period of the contract, including any extension to that period provided for in the Contract(6) with the intent to be legally bound, and as a condition of and in consideration of our participation in this tender competition to comply with the provisions of confidentiality set out in the ITT Pack; and(7) that this offer remains open for acceptance by MFT until 90 days from the deadline for the receipt of tender responsesIf this offer is accepted, we will execute such documents in the form of the Contract within 90 days of being called on to do so.We further undertake and it shall be a condition of any Contract, that:* The commercial element of the tender has not been calculated by agreement or arrangement with any provider and that the content of our tender has not been communicated to any person until after the closing date for the submission of tenders and in any event not without the consent of MFT.
* We have not canvassed and will not at any time, whether before or during the evaluation process or otherwise, canvass or solicit any member or officer, employee or agent of MFT in connection with the award of the Contract and that no person employed by us has done or will do any such act.

I warrant that I have all requisite authority to sign this tender and confirm that I have complied with all the requirements of the ITT Pack. |
| Signature | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| Name and status | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| For and on behalf of | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| Date | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |

**The Form of Tender (including the Certificate of Bona Fide Offer below) must be signed by an authorised signatory: in the case of a partnership, by a partner for and on behalf of the firm; in the case of a limited company, by an officer duly authorised, the designation of the officer being stated.**

## Certificate of Bona Fide Offer

I/We certify that this offer is made in good faith and that we have not fixed or adjusted the amount of the offer in accordance with any agreement or arrangement with any other person. We also certify that we have not, and we undertake that we will not:

1. communicate to any person other than the person inviting these offers the amount or the approximate amount of the offer except where the disclosure, in confidence, of the amount or approximate amount of the offer was necessary to obtain professional advice and/or quotations required for the preparation of the offer, for insurance purposes or for a contract guarantee bond;
2. enter into any arrangement or agreement with any other person that he or any other person shall refrain from making an offer or as to the amount of any offer to be submitted;
3. pay give or offer or agree to pay or give any sum of money or other valuable directly or indirectly to any person for doing or having done or causing or having caused to be done in relation to any offer or proposed offer for the health care services any act or thing of the sort described in (i) or (ii) above.

The provisions of (i) (ii) and (iii) above shall not prevent you entering into arrangements or discussing the offer, to the extent necessary, with another party that forms part of a consortium bid.

In this certificate, the word ‘person’ includes any person, any body or association, corporate or unincorporated; and ‘any agreement or arrangement’ includes any transaction, formal or informal and whether legally binding or not.

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| Signature | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| Name and status | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| For and on behalf of | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| Date | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |