

DEFFORM 47 Annex B**Commercial Compliance Matrix**

The Tenderer shall indicate their compliance or otherwise with the terms of the ITT and the Terms and Conditions of the Draft Contract by completing the Compliance Statement below. Any proposed changes and the reasons for them must be clearly stated when completing the Compliance Statement, which you are required to return as part of your tender response:

CONDITIONS, DEFCONS & SPECIAL CONDITIONS - The Authority SHALL consider any non-compliance of the conditions listed below as a Commercially Non-Compliant bid.	
Condition	State "Yes "if Compliant
A – General Contract Provisions	
Interpretation	
Amendments to Contract	
Variation to Specification	
Precedence	
Severability	
Assignment of Contract	
Waiver	
Third Party Rights	
Governing Law	
Entire Agreement	
Disclosure of Information	
Publicity and Communications with the Media	
Protection of Personal Data	
Transparency	
Equality	
Child Labour and Employment Law	
Subcontracting	
Change of Control of Contractor	
Termination for Insolvency or Corrupt Gifts	
Consequences of Termination	
Dispute Resolution	
Termination for Convenience	
Contractor's Records	
Duration of Contract	

Contractor's Warranties	
B – The Contractor Deliverables	
The Supply of Contractor Deliverables and Quality Assurance	
Environmental Requirements	
Disruption	
C - Price	
Contract Price	
D – Intellectual Property	
Third Party Intellectual Property – Rights and Restrictions	
E – Facilities and Assets	
Access to Contractor's Premises	
F - Delivery	
Authority's Remedies for Breach of Contract	
G – Payment and Receipts	
Payment	
Value Added Tax	
Debt Factoring	
H – Contract Administration	
Progress Monitoring, Meeting and Reports	
Authority Representatives	
Notices	
J – Project Specific DEFCONS	
DEFCON 76 (SC3) (Edn 12/14) - Contractors personnel at Government Establishments	
DEFCON 601 (SC) (Edn 03/15) – Redundant Material	
DEFCON 611 (SC3) (Edn 02/16) – Issued Property	
DEFCON 630 (SC) (Edn 03/15) – Framework Agreements	
DEFCON 637 (Edn 05/17) – Defect Investigation and Liability	
DEFCON 694 (SC3) (Edn 03/16) – Accounting for property of the Authority	

DEFCON 812 (Edn 04/15) – Single Source Open Book	
DEFCON 815 (Edn 04/15) – Contract Pricing Statement	
K – Special Conditions	
K1. Certificate of Conformity	
K2. Marking of Contractor Deliverables	
K3. Supply of Hazardous Materials or Substances in Contractor Deliverables	
K4. Timber and Wood-Derived Products	N/A
K5.Rejection	
K6.Delivery / Collection	
K7.Self to Self Delivery	
K8.Acceptance	N/A
K9.Packaging and Labelling (Excluding Contractor Deliverables)	
K10.Overseas Expenditure	
K11.Import Licence	
K12. Export Licence	
K13.Key Performance Indicators and Performance Management	
K14.Diversion Orders	
K15.Copyright	
K16.Limitation of Contractors Liability	N/A
L - Processes	
L1.Scope of Contract	
L2.Authority To Work	
L3.Quality / Specification	
L4.Duration	
L5.Responsibility of the Contractor	
L6.Pricing	
L7. Deficiencies and Damage In Articles Issued for Repair	
L8.Notification of Discontinuation of Products	
L9. Contractor Deliverables Considered Beyond Economic Repair	
L10.Disposal of Redundant Parts, Materials etc	
L11. Warranty	
L12. Turn Round Time	
L13. Delivery Instructions	
L14. Non-Conforming Deliveries	

L15.Payment & Invoicing Procedure	
L16.Surge	
L17.Novation	
Schedules that Apply this Contract	
Schedule 1 Definitions of Contract	
Schedule 2 Schedule of Requirements for Services (including Annex A DEFFORM 111)	
Schedule 3 Contract Data Sheet	
Schedule 4 Contract Change Process	
Schedule 5 Statement of Work for Repair	
Schedule 6 Contractors Commercially Sensitive Information DEFFORM 539A	To be completed or a Nil Return submitted.
Schedule 7 Export Licence	
Schedule 8 Hazardous Articles, Material or Substances Supplied under the Contract	To be completed or a Nil Return submitted
Schedule 9 Purchase Order Template	Sample – For Information Only
Schedule 10 Discrepancy Report	Sample – For Information Only
Schedule 11 Repair Strip and Survey Report	Sample – For Information Only
Schedule 12 BR/BER Form	Sample – For Information Only
Schedule 13 Firm Pricing	
Schedule 14 Contract Novation Sample Agreement	Sample – For Information Only
Schedule 15 Contract Status Report	Sample – For Information Only
CONDITIONS - The Authority MAY consider any non-compliance of the conditions listed below as a Commercially Non-Compliant bid. Please add comments if non-compliant	
L9. Key Performance Indicators	
DEFFORMS and Documents	Tick to indicate completion/inclusion
DEFFORM 47(annex A)	
DEFFORM 539A (Edn 08/13) - Commercially Sensitive Information Form – (schedule 6 of contract conditions)	
Commercial Compliance Matrix – (DEFFORM 47 Annex B)	
DEFFORM 528 Import and Export Information	

***Where the document refers to the Authority this shall represent Babcock DSG who are acting as the Procurement Agent on behalf of the Authority.**