



The Science Inside

t Redacted under FOI Exemption
e Redacted under FOI Exemption
w dstl.gov.uk

Commercial Services

Building 5, G02
Porton Down
Salisbury
Wiltshire
SP4 0JQ
United Kingdom

[Redacted under FOIA Section 40, Personal Information]
NiTech Solutions Limited
Unit 37, 4-5 Lochside Way
Edinburgh EH12 9DT

Our Ref: DSTLX1000164407

Date: 11th November 2021

Dear [Redacted under FOIA Section 40, Personal Information]

ACC2023395 OFFER OF CONTRACT for Continuous Manufacturing Process for Energetic Materials

1. You are hereby informed of the Department's requirement and you are invited to accept the Offer of Contract, detailed in the attached Schedule 2 (Schedule of Requirements). The Schedule describes the requirements and sets out the Contract Conditions which will take effect on acceptance by you of the Department's offer.

2. If you wish to accept this offer, please complete and sign both copies of the DEFFORM 10 (SC) returning one copy to me at the address shown above by post within 10 working days of the date of this Offer. Your acceptance of the Department's offer must be unqualified. If you do not accept the Department's offer within the period specified, then the Department's offer will lapse.

3. No contract will come into existence until you have accepted the Department's offer in accordance with paragraph 2 above. Accordingly, prior to your unconditional acceptance of this offer, the Department shall not be responsible in any way whatsoever for any :

- a. work undertaken by you; or
- b. incurred by you.

4. When you have accepted the Department's offer in accordance with paragraph 2 above, you must proceed with the performance of the Contract.



Ministry
of Defence

5. Where no price is stated in the price column of the Schedule of Requirements:

a. You must submit your quotation (supported where appropriate by a Certified Statement of Costs) as soon as practicable so that prices can be fixed in accordance with the provisions for price fixing contained in the Contract. In order to assist with pricing, your quotation must include an analysis showing the way in which you have built up your price(s). The analysis should show the amounts included under such headings as: Direct Labour (man hours and wage rates); Overheads; Materials; Bought out parts; Sub-contracted work; Special Jigs, tools etc; and Profit.

b. You must identify separately amounts in respect of work placed with subsidiary companies or firms. You must also identify separately any other relevant information or explanations, e.g. of amounts included for contingencies, and provide explanations of these. In particular, if the wage rates or overhead rates are not those last agreed with the Department, you must give an explanation of the basis on which they have been calculated.

6. Nothing contained in this Offer and in the attached Schedule shall be construed as notifying or implying acceptance by the Department of any estimated or suggested price or of any condition of contract which may have been referred to orally or in writing in any previous discussion or correspondence.

Yours sincerely,

[Redacted under FOIA Section 40, Personal Information]

[Redacted under FOIA Section 40, Personal Information]

Ministry of Defence

Acceptance of Offer of Contract

To:

We acknowledge receipt of your Department's Letter of Offer, reference [DSTLX1000164407] dated 11/11/2021, with associated documents and confirm that we accept the offer contained therein. We understand that by accepting the Department's offer, we are entering into a legally binding contract. We agree that any other terms and conditions or any general reservations, which may be printed on any of our correspondence in connection with this work, shall not be applicable to the contract. We confirm that we are proceeding with the work.

We agree that the contract shall be subject to English Law.

Offer and Acceptance	
<p>A) Offer</p> <p>Contract DSTLX1000164407 constitutes an offer by the Authority for the supplier to supply the Deliverables. This is open for acceptance by the supplier until 19/11/2021. By signing below the Contractor agrees to be bound by the attached Contract terms and conditions.</p> <p>Signed by:</p> <p>Name (Block Capitals): [Redacted under FOIA Section 40, Personal Information]</p> <p>Position: [Redacted under FOIA Section 40, Personal Information]</p> <p>For and on behalf of the Authority</p> <p>Authorised Signature:</p> <p>[Redacted under FOIA Section 40, Personal Information]</p> <p>Date: 11/11/2021</p> <p>[Redacted under FOIA Section 40, Personal Information]</p>	<p>B) Acceptance of Offer of Contract</p> <p>I acknowledge receipt of the Authority's contract letter reference [insert].</p> <p>I confirm that I accept the Offer it contains and agree to be bound by its terms.</p> <p>Signed by:</p> <p>Name (Block Capitals):</p> <p>Position:</p> <p>For and on behalf of the Contractor</p> <p>Authorised Signature:</p> <p>Date:</p>

C) Tier 1 Sub-Contractor data:¹

Name	value of work (£ ex VAT)	Location Of Work	SME: Yes / No
Name	value of work (£ ex VAT)	Location Of Work	SME: Yes / No
Name	value of work (£ ex VAT)	Location Of Work	SME: Yes / No
Name	value of work (£ ex VAT)	Location Of Work	SME: Yes / No
Name	value of work (£ ex VAT)	Location Of Work	SME: Yes / No

¹ The MOD is required to report to the Government any spend with Small and Medium-sized Enterprises (SMEs) including Sub-contractors (Tier 1). SMEs are defined by the EU on http://ec.europa.eu/enterprise/policies/sme/facts-figures-analysis/sme-definition/index_en.htm