**Attachment 2b (iii) – Evidence of Contract Example - for Lot 3**

Please complete the certificate below as part of your bid for **Lot 3** of the Crown Commercial Service **RM6240 Public Sector Legal Services** procurement.

You must provide **one (1)** example using Attachment 2b (iii) as a template for **Lot 3**

**Instructions**

You (the Supplier) are required to complete Table A below.

Your Customer Referee must verify that the information you have provided is true and accurate by completing and signing Table B below.

For the avoidance of doubt, if a Customer Referee selects OPTION B when completing Table B of this certificate, your bid will be awarded a FAIL and you will be excluded from this competition.

You (the Supplier) must not:

* complete Table B on behalf of your Customer Referee; or
* state that the details of your Customer Referee are confidential; or
* submit an incomplete certificate.

Failure to submit the Contract Example Certificate in accordance with these instructions will result in your bid being awarded a FAIL and excluded from further participation in the competition for this Lot.

**Mandatory Criteria**

* Each certificate of performance must have been delivered and completed either for a central government client, a wider public sector client or in relation to a public sector project for a private sector client.
* must relate to contracts performed during the past 7 years, prior to publication of the contract notice to be valid;
* must clearly and unambiguously fall within the scope of the Lot 3 requirements set out in Framework Schedule 1 (Specification).

CCS requires you to provide a contract example covering legal advice and services in relation to the following specialism:

* All aspects of transport and rail law, including but not limited to:
  + Rail transport law;
  + Rolling stock;
  + Planning and authorisation (Rail)
  + Projects and infrastructure (Rail)
* may cover situations where your organisation was acting as prime contractor, key subcontractor or part of a consortium.

Please note:

* examples of contracts awarded under other frameworks via call-off contracts will be considered valid, but framework contracts themselves will NOT be considered valid; and
* the Customer Referee provided must not have been employed or appointed by your organisation (or your associated group of companies), within the past 3 years prior to the publication of the contract notice.

Failure to provide the information we have asked for in this certificate, or if the information provided does not clearly and unambiguously fall within the scope of the Lot 3 requirements set out in Framework Schedule 1 (Specification), your bid may be deemed not compliant and you will be excluded from this competition.

**Table A**

This contract example certificate will be assessed in accordance with the mandatory criteria provided in this certificate and Attachment 2 – How to Bid.

Where you relied on other entities (including key subcontractors or consortium members) to perform the contract, please set out the function that each entity performed in the contract example description below.

| Name of Entity Providing Certificate  (Supplier Name): | *[insert your organisation name]* |
| --- | --- |
|  | |
| **Performance Certificate – Contract Header Information (details of the contract to be certified)** | |
| Name of Contract Customer ("Customer"): | *[Registered Name]* |
| Name of Contracted Supplier ("Supplier"): | *[Registered Name]* |
| Contract Title ("Contract"): | *[Agreed Contract Name for Contract]* |
| Contract Value: | *[Value of the Contract,]* |
| For Public Sector Contracts Only - OJEU Award Notice Reference (if applicable): | *[OJEU reference e.g. 2011/S 239-387260]* |
|  | |
| **Contact Details for the Customer**  **(with whom further queries, if any, can be raised to verify)** | |
| Customer RefereeName: | *[Name of referee authorised by Customer providing Certificate]* |
| Customer Referee Contact Address: | *[Authorised referee business address]* |
| Customer Referee Contact Direct Line: | *[Authorised referee direct telephone line]* |
| Customer Referee Contact Email: | *[Authorised referee email]* |
|  | |
| **Further Contract Detail** | |
| Contract Example description:  **Description max 2000 words**  You must not exceed the word count. Responses must include spaces between words. The response must utilize Font Type Arial and Font Size 10.  Please make sure you have read and understood the response and evaluation guidance contained in the eSourcing Suite for this question at 1.35.  ***If you do not provide the contract examples we have asked for, your bid may be excluded from this procurement.*** | *INSERT YOUR CONTRACT DESCRIPTION HERE:* |
| Consideration received: | *[Monetary value or equivalent]* |
| Deliverables start date: | *[dd/mm/yyyy]* |
| Deliverables end date: | *[dd/mm/yyyy]* |

**Table B**

Please verify as the Customer Referee, that the information provided by the Supplier in Table A above is true and accurate, by completing and signing the table below.

| **Performance (Please submit either Option A or B)** | | |
| --- | --- | --- |
| **OPTION A:** | | |
| We hereby certify that, to the best of our knowledge and belief, the Supplier has satisfactorily supplied the goods and/or services described in the table above in accordance with the Contract, and that all of the requirements of this form have been satisfied. | | |
| Signature of Contract Referee: | *[Customer Referee signature]* |
| **OR** | | |
| **OPTION B:** | | |
| We are unable to certify that the Supplier has satisfactorily supplied the deliverables described in the table above in accordance with the Contract for the following reasons:  \**please see guidance below* | *[Insert Reason 1; 2; 3; 4; or other etc.]* | |
| Signature of Customer Referee: | *[Customer Referee signature]* | |
| **Liability of any Customer certifying:** | | |
| *Whilst the information in this Certificate has been provided in good faith in the belief that it is truthful and accurate, the Customer does not assume any responsibility or any liability nor make any guarantee, representation or warranty as to the contents of this Certificate. The Customer shall not be liable for and hereby excludes liability for any loss, damage (including any special, exemplary, indirect, incidental, consequential damages, costs or associated legal fees) that may be suffered as a result of use of the Certificate and its content, to the fullest extent permitted by law.*  *Nothing in this Certificate shall affect, or constitute a waiver of, the Customer's rights or remedies in relation to the Contract.* | | |

| **Guidance for Entities providing Certificates** |
| --- |
| *If you are unable to certify that the Supplier has satisfactorily supplied the goods and/or services in accordance with the Contract, please provide the reason or reasons why performance was not in accordance with the Contract. These may include the following or other reasons:*   1. *delays in supplying the deliverables;* 2. *failures to supply all the deliverables in accordance with the scope set out in the Contract;* 3. *failures to meet any service levels and/or supply the deliverables in accordance with quality standards;* 4. *4. any other failure by the Supplier to comply with its obligations under the Contract.* |