



The Science Inside

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FAO: REDACTED – FOI (Chief Executive Officer)

Our Reference: PA0000001699

Your Reference:

Date: 8 September 2023

## OFFER OF CONTRACT

Dear REDACTED – FOI ,

**Contract No: PA0000001699**

**Hire of Wind Tunnel for Dermal Aerosol Protection Assessments**

References:

A. Your quotation SO385 dated 6 Sep 23.

1. Please find enclosed a completed Purchase Order for the Hire of your wind tunnel as described in your Quotation at Reference A and in accordance with the terms of the attached Standard Conditions SC1B.

2. The Limit of Liability value of this Contract is estimated to be £193,720.00 (One Hundred and Ninety-Three Thousand, Seven Hundred and Twenty Pounds) Ex VAT. This is based on the assumption that the number of planned hire weeks are utilised over the three years. The first payment includes the £1.00 Consideration under DEFCON 630 and also for the first weeks hire.

3. Payment will be made in accordance with the information provided on the attached Purchase Order Number DSTL0000021783.

4. If you wish to accept this Offer, please complete and sign the attached Acceptance of Offer of Contract 10 returning one signed pdf copy to me at the address shown above by post within 10 working days of the date of this Offer. Your acceptance of the Authority's Offer must be unqualified. If you do not accept the Authority's Offer within the period specified, then the Authority's Offer will lapse.

5. No Contract will come into existence until you have accepted the Authority's Offer in accordance with paragraph 5 above. Accordingly, prior to your unconditional acceptance of this Offer, the Authority shall not be responsible in any way whatsoever for any:

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

6. When you have accepted the Authority's Offer in accordance with paragraph 4 above, you must proceed with the performance of the Contract.

7. The Authority may publish notification of the Contract and shall publish Contract documents under the FOI Act except where publishing such information would hinder law enforcement; would otherwise be contrary to the public interest; would prejudice the legitimate commercial interest of any person, or might prejudice fair competition in the supply chain.

8. If you wish to make a similar announcement you must seek approval from the named Commercial Officer.

9. Nothing contained in this Offer shall be construed as notifying or implying acceptance by the Authority 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.

10. If you have any queries regarding this Purchase Order please do not hesitate to contact me.

Yours sincerely,

**REDACTED – FOI**

CBR Commercial Manager (CTW)

Enclosures:

1. Purchase Order Form DSLT000021783
2. Acceptance of Offer of Contract Form
3. SC1B Terms and Conditions

Copy to:

REDACTED – FOI – Technical Lead, Dstl Porton Down

REDACTED – FOI – Authority's Project Manager, DSTL Porton Down

# Acceptance of Offer of Contract

We acknowledge receipt of your Authority's Letter of Offer, reference **PA0000001699** dated **8 September 2023**, with associated documents and confirm that we accept the offer contained therein. We understand that by accepting the Authority'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 (DEFCONs 529 and 530) unless we tick a preference for Scots Law (DEFCONs 529a and 530a).

Offer and Acceptance	
<b>A) Offer</b> Contract <b>PA0000001699</b> constitutes an offer by the Authority for the supplier to supply the Deliverables. This is open for acceptance by the supplier until <b>8 September 2023</b> . By signing below the Contractor agrees to be bound by the attached Contract terms and conditions.  Signed by: Name REDACTED – FOI Position: CBR Commercial Manager CTW For and on behalf of the Authority Authorised Signatory:  Date: 8 September 2023	<b>B) Acceptance of Offer of Contract</b> I acknowledge receipt of the Authority's Contract letter reference <b>PA0000001699</b> I confirm that I accept the Offer it contains and agree to be bound by its terms.  Signed by: Name (Block Capitals): Position: For and on behalf of Authorised Signatory:  Date <sup>1</sup> :
<b>C) Scots law to apply?</b> Yes      No <input checked="" type="checkbox"/>	
<b>D) Tier 1 Sub-Contractor data:</b> <sup>2</sup> Name ..... value of work (£ ex VAT) ..... Location Of Work .....SME: Yes / No Name ..... value of work (£ ex VAT) ..... Location Of Work .....SME: Yes / No	

<sup>1</sup> The date of unqualified acceptance by signature is the effective date of the Contract

<sup>2</sup> 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/growth/smes/business-friendly-environment/sme-definition/>

