

**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 – Refer to L12	
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 117 (SC3) (Edn 09/15) Supply of Information for NATO Codification and Defence Inventory Introduction	
DEFCON 601 (SC) (Edn 03/15) – Redundant Materiel	
DEFCON 611 (SC3) (Edn 02/16) Issued Property	
DEFCON 630 (SC) (Edn 03/15) Framework Agreements	
DEFCON 637 (SC) (Edn 05/17) Defect Investigations and Liability	
DEFCON 694 (SC3) (Edn 03/16) – Accounting for Property of the Authority	
K – Special Conditions	
Certificate of Conformity	

Marking of Contractor Deliverables	
Supply of Hazardous Materials or Substances in Contractor Deliverables	
Timber and Wood-Derived Products	N/A
Rejection	
Delivery / Collection	
Self to Self Delivery	N/A
Acceptance	
Packaging and Labelling (Excluding Contractor Deliverables)	N/A
Overseas Expenditure	
Import Licence	
Export Licence	
Key Performance Indicators and Performance Management	
Diversion Orders	
Copyright	
Limitation of Contractors Liability	N/A
L - Processes	
Scope of Contract	
Authority To Work	
Quality / Specification	
Duration	
Responsibility of the Contractor	
Pricing	
Notification of Discontinuation of Products	
Key Performance Indicators and Performance Management	
Deficiencies and Damage In Articles Issued for Repair	
Contract Deliverables Considered Beyond Economical Repair	
Disposal of Redundant Parts, Materials etc	
Warranty	
Delivery Instructions	
Payment and Invoicing Procedure	
Surge	
Contract Novation	
Schedules that Apply this Contract	
Schedule 1 Definitions of Contract	
Schedule 2 Schedule of Requirements	
Schedule 3 Contract Data Sheet (including Annex A – DEFFORM 111)	

Schedule 4 Contract Change Process	
Schedule 5 Statement of Work	
Schedule 6 Contractors Commercially Sensitive Information	
Schedule 7 Export Licence	
Schedule 8 Acceptance	
Schedule 9 Hazardous Articles, Materials or Substances Supplied under the Contract	
Schedule 10 Purchase Order Template – Sample only	
Schedule 11 Discrepancy Report	
Schedule 12 Strip Survey Report	
Schedule 13 Contract Novation Sample Agreement example	
Schedule 14 BR/BER Form	
Schedule 15 Contract Status Report	
Schedule 16 Firm Pricing (Labour Rates and Spares Mark-Up) Lots 1-4	
Schedule 17 Quality Plan Evaluation Form	
Schedule 18 DEFFORM 528 Import and Export Controls	
Schedule 19 Beyond Economic Repair Form	
Schedule 20 Pricing for spares consumables LOT 5 ONLY	
<b>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</b>	
K13. Key Performance Indicators	
<b>DEFFORMS and Documents</b>	<b>Tick to indicate completion/inclusion</b>
DEFFORM 47(Annex A)	
DEFFORM 539A (Edn 08/13) - Commercially Sensitive Information Form – (Schedule 6 of contract conditions)	
Schedule 9 – Hazardous Articles, Materials or substances supplied under the Contract	
Commercial Compliance Matrix – (DEFFORM 47 Annex B)	
Schedule 18 DEFFORM 528 Import and Export Information	
Schedule 16 Firm Pricing for Labour Rates and Parts Mark-Up Lots 1-4 inclusive	SPECIFY THE RELEVANT LOT
Schedule 19 Pricing for Spares Lot 5 only	

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