

From: John Barnes, [REDACTED]

DEFFORM 8 (SC2)
(Edn 12/14)



HEADQUARTERS AIR COMMAND

Air Commercial Team

Tel: [REDACTED]

Email: [REDACTED]

MASS Consultants Limited



For the attention of: [REDACTED]

Your Reference:

Our Reference:
ACT/04537

Date: 29 September 2017

Dear Sirs,

Offer of Contract – ACT/04537 for the Supply of the Electronic Warfare Simulator & Maintenance for the Royal School of Signals at Blandford

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 Annex A (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 (SC2) 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.
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 faithfully

John Barnes



Ministry of Defence

Acceptance of Offer of Contract

We acknowledge receipt of your Department's Letter of Offer, reference **ACT/04537** dated **29 September 2017**, 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 unless we tick a preference for Scots Law.

Offer and Acceptance																					
<p>A) Offer</p> <p>Contract ACT/04537 constitutes an offer by the Authority for the supplier to supply the Deliverables. This is open for acceptance by the supplier until 13 October 2017. By signing below the Contractor agrees to be bound by the attached Contract terms and conditions.</p> <p>Name (Block Capitals): [REDACTED]</p> <p>Position: [REDACTED]</p> <p>For and on behalf of the Authority</p> <p>Authorised Signature: [REDACTED]</p> <p>Date: [REDACTED]</p>	<p>B) Acceptance of Offer of Contract</p> <p>I acknowledge receipt of the Departments contract letter reference ACT/04537.</p> <p>I confirm that I accept the Offer it contains and agree to be bound by its terms.</p> <p>Name (Block Capitals): [REDACTED]</p> <p>Position: [REDACTED]</p> <p>For and on behalf of the Contractor</p> <p>Authorised Signature [REDACTED]</p> <p>Date: [REDACTED]</p>																				
<p>C) Scots law to apply? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>																					
<p>D) Tier 1 Sub-Contractor data:¹</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%;">Name</td> <td style="width: 33%;">value of work (£ ex VAT)</td> <td style="width: 33%;">Location Of Work</td> <td style="width: 10%;">SME: Yes / No</td> </tr> <tr> <td>Name</td> <td>value of work (£ ex VAT)</td> <td>Location Of Work</td> <td>SME: Yes / No</td> </tr> <tr> <td>Name</td> <td>value of work (£ ex VAT)</td> <td>Location Of Work</td> <td>SME: Yes / No</td> </tr> <tr> <td>Name</td> <td>value of work (£ ex VAT)</td> <td>Location Of Work</td> <td>SME: Yes / No</td> </tr> <tr> <td>Name</td> <td>value of work (£ ex VAT)</td> <td>Location Of Work</td> <td>SME: Yes / No</td> </tr> </table>		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
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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-/index_en.htm