

OFFICIAL-SENSITIVE



Ministry
of Defence

[REDACTED]
Commercial Officer

Merlin Commercial, Heli OC
Leonardo Helicopters, Centenary House
Building 100, Box 146
Lysander Road
Yeovil
BA22 2YB

Tel: [REDACTED]

Email: [REDACTED]

Cranfield Aerospace Solutions

[REDACTED]
Safety and Suitability Technologies
Cranfield
Bedford
MK43 0AL

Your Reference:
SST-19-1452 Issue 3
Merlin Mk4a DAS
Our Reference:
700187318
Date: 09 March 2020

FAO: [REDACTED]

Dear [REDACTED],

Offer of Contract for the Counter Measure Dispensing System (CMD5) Instrumented Trial Contract number 700187318

1. You are hereby informed of the Authority's requirement and you are invited to accept the Offer of Contract, detailed in the attached Schedule of Requirements. The Schedule describes the requirements and sets out the Contract terms and conditions which will take effect on acceptance by you of the Authority's Offer.
2. If you wish to accept this Offer, please complete and sign both copies of the DEFFORM 10 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 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.
3. No Contract will come into existence until you have accepted the Authority's Offer in accordance with paragraph 2 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.
4. When you have accepted the Authority's Offer in accordance with paragraph 2 above, you must proceed with the performance of the Contract in accordance to Proposal SST-19-1452 Issue 3 Merlin Mk4a DAS dated 28 February 2020.

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5. 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
6. If you wish to make a similar announcement you must seek approval from the named Commercial Officer.
7. Under no circumstances should you confirm to any third party the fact of your acceptance of this Offer of Contract prior to informing the Authority of your acceptance, and / or ahead of the Authority's announcement of the Contract award.
8. Nothing contained in this Offer and in the attached Schedule 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.
9. In accordance with DEFCON 660. The security Aspects Letter (SAL) will follow.

Yours sincerely,



Merlin Commercial Officer

Ministry of Defence

Acceptance of Offer of Contract

To: Rebecca Pickford

We acknowledge receipt of your Authority's Letter of Offer, reference 700187318 dated 9th March 2020, 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																					
<p>A) Offer</p> <p>Contract 700187318 constitutes an offer by the Authority for the supplier to supply the Deliverables. This is open for acceptance by the supplier until 23rd March 2020 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]</p> <p>Position: Commercial Officer</p> <p>For and on behalf of the Authority</p> <p>Authorised Signatory:</p> <p>[REDACTED]</p> <p>Date: 09th March 2020</p>	<p>B) Acceptance of Offer of Contract</p> <p>I acknowledge receipt of the Authority's Contract letter reference 700187318.</p> <p>I confirm that I accept the Offer it contains and agree to be bound by its terms.</p> <p>Signed by: [REDACTED]</p> <p>Name (Block Capitals): [REDACTED]</p> <p>Position: [REDACTED]</p> <p>For and on behalf of <i>CRANFIELD AEROSPACE SOLUTIONS LTD</i></p> <p>Authorised Signatory:</p> <p>Date¹: <i>9th March 2020</i></p>																				
<p>C) Scots law to apply? Yes <input type="checkbox"/> No <input type="checkbox"/></p>																					
<p>D) Tier 1 Sub-Contractor data:²</p> <table border="0"> <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> <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 date of unqualified acceptance by signature is the effective date of the Contract

² 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/>