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| **Document 4**  **Appendix 1 to Document 3** |
| Tenderer Declarations |
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| Version v1.3, 1 May 2024 |

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| Classification: Official |
| Publication reference: C298418 |

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| **Name of Contracting Authority** | **NHS England** |
| **Tender for** | **Patient safety review of Advanced Practice**  **ePortfolio (supported) Route** |
| **Contract reference** | **C298418** |
| **Return Deadline** | **12 Noon 28 February 2025** |

*[Guidance Note: The Tenderer to enter the detail required where text is highlighted in green]*

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| **Supplier name** | Enter details |
| **Tender name** | Patient safety review of Advanced Practice ePortfolio (supported) Route |
| **Tender reference** | C298418 |

1. Acceptance of Terms and Conditions
2. Confirmation that our organisation accepts the Terms and Conditions as set out in Document 5 Terms and Conditions of Contract. This is a pass/fail question. YES = Pass, NO = Fail.

By answering YES, Tenderers are confirming that these documents have been downloaded and read and that they accept the terms set out in these documents as published by NHS England, in full and without amendment.

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| **Response** |
| Yes No |

NHS England are however interested in knowing the reasons for Tenderers declining to accept these terms. Tenderers can therefore be asked to provide their rationale in a separate attachment. It must be made clear to Tenderers, however, that if such feedback is requested this will not affect the outcome of the evaluation of this question, and a response of NO will result in a score of ‘Fail’, irrespective of any additional rationale provided.

1. Conflicts of interest
2. Tenderers and their officers have a continuing duty to disclose actual or potential conflicts of interest in respect of themselves and any staff of the Tenderer, any consortium member, and/or any sub-contractor relating to this tender process and/or the performance of the Contract if the Tenderer were a Service Provider.
3. Please describe any (actual or potential) conflicts of interest that the Tenderer has identified and how these will be managed. In the event that no actual or potential conflicts of interest are included in this section of the document, the Tenderer will be deemed to have warranted and represented that no actual or potential conflicts of interest exist.

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| **Response (maximum 2000 Characters)** |
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Tenderers are reminded that failure to identify material conflicts of interest (actual or potential) may lead to rejection of its tender response.

For the avoidance of doubt the circumstances where a conflict of interest arise include (but are not limited to) where the Tenderer and/or any relevant body or person connected with the Tenderer and/or this procurement process and/or the Tenderer’s Tender submission have, directly or indirectly, a financial, economic or other personal interest which might be perceived to compromise their impartiality and independence in the context of this procurement procedure.

Where NHS England becomes aware of any conflict of interest arising or at risk of arising in respect of a Tenderer, any staff of the Tenderer, any consortium member, and/or any sub-contractor relating to this tender process and/or the performance of the Contract if the Tenderer were a Service Provider (whether as notified by a Tenderer in accordance with these Tender Declarations or otherwise) then NHS England shall:

* + - 1. assess such conflict of interest and consider if it distorts competition or otherwise undermines the equal treatment of Tenderers; and
      2. where, in its absolute discretion, NHS England considers that a conflict of interest does distort competition or otherwise undermines the equal treatment of Tenderers it may direct a Tenderer to take such measures as NHS England shall determine as a condition of continued participation in the tender process or may exclude that Tenderer from further participation in this procurement process.

1. Is there information included within their Tender submission that the Tenderer considers to be confidential and commercially sensitive and exempt from disclosure under the Freedom of Information Act 2000?

For further guidance Tenderers are referred to Section 2.9 of Document 1 of the ITT Pack.

1. Commercially sensitive information:

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| **Information considered confidential** | **Reason for FoIA exemption sought**  **(Include paragraph reference)** | **Period exemption is sought**  **(Months)** |
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1. Declaration of Completion

Please complete the following. Tenderers must ensure that all requested information is fully completed and in the format required (if permitted formats are specified). Failure to do so may result in the Authority rejecting this Tender:

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| **I certify that the information supplied in these Tender Declarations are accurate to the best of my knowledge and belief.**  **I also declare that I am authorised by the under mentioned organisation to supply the information given above and that, at the date of signing, the information given is a true and accurate record.** | |
| **Name** |  |
| **Date** |  |
| **Company Name** |  |
| **Signature** |  |

**Tenderers are reminded that NHS England may reject this Tender if there is a failure to answer all relevant questions fully or false/misleading information is provided or information is not provided in the format required (if permitted formats are specified).**

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