**Annex A to**

**Booklet 1**

**Ministry of Defence**

Tender Submission Document (Offer) – Ref Number ITT - 704212450

**To the Secretary of State for Defence of the United Kingdom of Great Britain and Northern Ireland (hereafter called “the Authority”)**

The undersigned Tenderer, having read the ITT Documentation and ITT Material, offers to supply the Contractor Deliverables at the stated price(s), in accordance with any referenced drawings and/or specifications, subject to the Conditions of Tendering. It is agreed that only the Contract Terms & Conditions or any amendments issued by the Authority shall apply.

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Applicable Law** | | | | | |
| I agree that any Contract resulting from this competition shall be subject to English Law | | | | Yes / No | |
| **Total Value of Tender (excluding VAT)** | | | | | |
| ……………………………………. | | | | | |
| **UK Value Added Tax (n/a)** | | | | | |
| If registered for Value Added Tax purposes, insert:   1. Registration No 2. Total amount of Value Added Tax payable on this Tender (at current rate(s)) £ | | | | | |
| **Location of work (town / city) where Contract will be performed by Prime: Not Applicable** | | | | | |
| Where items which are subject of your Tender are not supplied or provided by you, state location in town / city to be performed column (continue on another page if required) | | | | | |
| Tier 1 Sub-Contractor Company Name | Town / city to be Performed | Contractor Deliverables | Estimated Value | | SME  Yes / No |
|  |  |  |  | |  |
|  |  |  |  | |  |
|  |  |  |  | |  |
| **Mandatory Declarations** (further details are contained in Appendix 1 to DEFFORM 47 Annex A (Offer)): | | | **Tenderer’s Declaration** | | |
|  | | |  | | |
| Have you completed a Supplier Assurance Questionnaire on the Supplier Cyber Protection Service? | | | Yes\* / No / N/A | | |
| Have you completed the compliance matrix / matrices? | | | Yes / No / N/A | | |
| Are you a Small Medium Sized Enterprise (SME)? | | | Yes / No | | |
| Have you and your Sub-Contractors registered with the Prompt Payment Code with regards to SMEs? | | | Yes / No | | |
| Have you completed and attached a DEFFORM 68 - Hazardous Articles, Deliverables materials or substances statement? | | | Yes\*/No | | |

|  |  |  |
| --- | --- | --- |
| Have you completed and attached Tenderer’s Commercially Sensitive Information Form? | | Yes\* / No |
| If you have not previously submitted a Statement Relating to Good Standing within the last 12 months, or circumstances have changed have you attached a revised version? | | Yes\* / No / N/A |
| Have you completed all Mandatory Requirements (as per paragraph F18) stated in this ITT? | | Yes / No |
| \*If selecting Yes to any of the above questions, attach the information detailed in Appendix 1 to DEFFORM 47 Annex A (Offer). | | |
| **Tenderer’s Declaration of Compliance with Competition Law** | | |
| We certify that the offer made is intended to be genuinely competitive. No aspect of the price has been fixed or adjusted by any arrangement with any Third Party. Arrangement in this context includes any transaction, or agreement, private or open, or collusion, formal or informal, and whether or not legally binding. In particular:   1. the offered price has not been divulged to any Third Party; 2. no arrangement has been made with any Third Party that they should refrain from tendering; 3. no arrangement with any Third Party has been made to the effect that we will refrain from bidding on a future occasion; 4. no discussion with any Third Party has taken place concerning the details of either’s proposed price; and 5. no arrangement has been made with any Third Party otherwise to limit genuine competition.   We understand that any instances of illegal cartels or market sharing arrangements, or other anti-competitive practices, suspected by the Authority will be referred to the Competition and Markets Authority for investigation and may be subject to action under the Competition Act 1998 and the Enterprise Act 2002.  We understand that any misrepresentations may also be the subject of criminal investigation or used as the basis for civil action.  We agree that the Authority may share the Contractor’s information/documentation (submitted to the Authority during this Procurement) more widely within Government for the purpose of ensuring effective cross-Government tender processes, including value for money and related purposes. We certify that we have identified any sensitive material in the Tenderer’s Commercially Sensitive Information Form (DEFFORM 539A). | | |
| **Dated this..................day of Year** | | |
| **Signature: In the capacity of**  (Must be scanned original) (State official position e.g. Director, Manager, Secretary etc.) | | |
| **Name:** (in BLOCK CAPITALS)  **duly authorised to sign this Tender for and on behalf of:**  (Tenderer's Name) | **Postal Address:**  **Telephone No:**  **Registered Company Number:**  **Dunn And Bradstreet number:** | |

**Appendix 1 to**

**Annex A**

**(Offer)**

**Edn 11/20**

**Information on Mandatory Declarations**

**Cyber Risk**

1. Cyber risk has been considered and in accordance with the Cyber Security Model resulted in a Cyber Risk Profile of ‘very low’. The Risk Assessment Reference is RAR-959968209 Tenderers are required to complete the Suppliers Assurance Questionnaire on the Supplier Cyber Protection Service and submit this as part of their Tender response, together with a Cyber Security Implementation Plan as appropriate

**Small and Medium Enterprises**

2. The Authority is committed to supporting the Government’s Small and Medium-sized Enterprise (SME) initiative; its ambitious target is that every £1 in every £3 that the Government spends should be with small businesses by 2020. Our goal is that 25% of the Authority’s spending should be spent with SMEs by 2022; this applies to the money which the Authority spends directly with SMEs and through the supply chain. SMEs are defined in the EU recommendation 2003/361.

3. A key aspect of the Government’s SME Policy is ensuring that its suppliers throughout the supply chain are paid promptly. All suppliers to the Authority and their Sub-Contractors are encouraged to make their own commitment and register with the Prompt Payment Code.

4. Suppliers are also encouraged to work with the Authority to support the Authority’s SME initiative, however this is not a condition of working with the Authority now or in the future, nor will this issue form any part of the Tender evaluation. Information on the Authority’s purchasing arrangements, our commercial policies and our SME Action Plan can be found at Gov.UK and the DCO.

5. The opportunity also exists for Tenderers to advertise any Sub-Contract valued at over £10,000 in the MOD Contracts Bulletin and further details can be obtained directly from:

BiP Solutions Ltd

Web address: www.contracts.mod.uk

Tel No: 0845 270 7099

**Transparency, Freedom of Information and Environmental Information Regulations**

6. The Authority shall publish notification of the Contract and publish Contract documents where required following a request 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 between suppliers.

7. The Authority may publish the contents of any resultant Contract in line with government policy set out in the Prime Minister’s letter of May 2010 (Government Transparency and Accountability) and in accordance with the provisions of either DEFCON 539, SC1B Conditions of Contract Clause 5 or SC2 Conditions of Contract Clause 13.

8. Before publishing the Contract, the Authority will redact any information which is exempt from disclosure under the Freedom of Information Act 2000 (“the FOIA”) or the Environmental Information Regulations 2004 (“the EIR”).

9. You must complete the attached Tenderer’s Commercially Sensitive Information Form (DEFFORM 539A, SC1B Schedule 4 or SC2 Schedule 5) explaining which parts of your Tender you consider to be commercially sensitive. This includes providing a named individual who can be contacted with regard to FOIA and EIR.

10. You should note that while your views will be taken into consideration, the ultimate decision whether to publish or disclose information lies with the Authority. You are advised to provide as much detail as possible on the form. It is highly unlikely that a Tender will be exempt from disclosure in its entirety. Should the Authority decide to publish or disclose information against your wishes, you will be given prior notification.

**Electronic Purchasing**

11. Tenderers must note that use of the Contracting, Purchasing and Finance (CP&F) electronic procurement tool is a mandatory requirement for any resultant Contract awarded following this Tender. By submitting this Tender, you agree to electronic payment. You may consult the service provider on connectivity options. Failure to accept electronic payment will result in your Tender being non-compliant and excluded from the tender process.

**Change of Circumstances**

12. In accordance with paragraph A31, if your circumstances have changed, please select ‘Yes’ to the appropriate question on DEFFORM 47 Annex A and submit a Statement Relating to Good Standing with your Tender.

**Defence Safety Authority (DSA) Requirements**

13. There are no DSA Requirements.

**Bank or Parent Company Guarantee**

14. You will be informed whether you are required to provide a Bank or Parent Company Guarantee. In the event that you are selected to join the Framework you must provide your Bank or Parent Company Guarantee (in the form of DEFFORM 24/24A as appropriate) during the standstill period. No Contract will be awarded until a suitable Bank or Parent Company Guarantee, as appropriate, is in place. Failure to provide a Bank or Parent Company Guarantee during the standstill period, will result in you being de-selected as the winning Tenderer. The Authority reserves the right to re-evaluate the Tenders, (if necessary) to take into account the absence of the de-selected Tenderer, enabling the Authority to establish the next winning Tenderer and award a Contract.