

**Attachment 2bi – Lot 5, sub-Lot 5.2 COTPA Addendum**

**Defence - 2D Turnkey Solutions**

**RM6184 – Offsite Construction Solutions**

**Guidance**

This document is to be used as an addendum to Attachment 2b – Lot 5, sub-Lot 5.2 Certificate of Technical and Professional Ability in the single circumstance where a bidder is unable to provide, in full, a Certificate of Technical and Professional Ability that clearly and unambiguously falls within the scope of a design and construction defence project, or a design and construction project of comparable complexity, utilising MMC Category 1.

Specifically, in the event that the MMC Category 1 project does not fall within the scope of a design and construction **defence** project or a project that requires **security clearances and handling of sensitive information**, supported evidence of such capability can be provided via this Addendum document.

In the above circumstance, the bidder is required to provide their customer signed Attachment 2b – Lot 5, sub-Lot 5.2 Certificate of Technical and Professional Ability together with this Addendum document which provides details of a project which is either:

1. a design and construction defence project utilising MMC or traditional methods of construction

or

1. a design and construction project utilising MMC or traditional methods of construction which required security clearances and handling of sensitive information

For the avoidance of doubt, you must still provide a Certificate of Technical and Professional Ability which meets ALL the remaining mandatory requirements stated within the Certificate of Technical and Professional Ability and have delivered the Scope of Works Package in full. The Addendum must not be submitted without an accompanying Certificate of Technical and Professional Ability.

The customer must verify that the information you have provided in Section A1 is true and accurate by completing and signing Section B2 within this COTPA Addendum (highlighted blue).

**Mandatory requirements of the COTPA Addendum**

* The project must have been a defence project or required Security clearances and handling of sensitive information
* Examples of call-off contracts awarded under framework contracts will be considered valid, but framework contracts themselves will not be valid.
* No attachments other than the certificates are permitted. Any additional documents submitted will be disregarded.
* Customer contacts provided must not have been employed or appointed by your organisation, or from within your associated group of companies, within the past 18 months prior to the publication of the contract notice.
* Section B2 must be completed in full. If a customer wishes to remain anonymous or you have a non-disclosure agreement with them please do not use this as or your certificate
* Electronic/DocuSign signatures will be accepted for Section B2 but typed signatures will not.

**The COTPA Addendum will be marked PASS/FAIL**

You may fail Part 11 – Technical and Professional Capability of the selection questionnaire and be excluded from the competition if:

* Your Addendum does not meet all the mandatory requirements set out above.
* Your Addendum does not qualify as design and construction defence project utilising MMC or traditional methods of construction or a design and construction project utilising MMC or traditional methods of construction which required security clearances and handling of sensitive information.
* You have not completed all of the information requested in the COTPA Addendum.
* Your customer has not provided the required certification information in section B2 of the COTPA Addendum.
* We contact the customer to verify the information provided and they cannot or will not verify the information. It is vital that you select a customer that is prepared to verify the information you have provided and be contactable in the event that clarification is required.

Provision of a compliant addendum but a non-compliant Attachment 2b – Lot 5, sub-Lot 5.2 Certificate of Technical and Professional Ability (or vice versa) will result in your bid failing for Lot 5, sub-Lot 5.2.

If we determine that you have failed Part 11 – Technical and Professional Capability of the selection questionnaire we will notify you and tell you the reasons for this.

**COTPA Addendum**

**RM6184 – Offsite Construction Solutions – Lot 5, sub-Lot 5.2**

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| **Section A1 To be completed by the bidder** | |
| **Lot Title: Lot 5, sub-Lot 5.2 Defence - 2D Turnkey Solutions** | |
| **Name of bidder:** | [bidder’s name] |
| **Certificate of Technical and Professional Ability - details of the contract, to be certified by the customer in Section B.** | |
| **Name of customer:** | [customer name] |
| **Name of supplier:** | [supplier name] |
| **Contract title:** | [contract title] |
| **FTS Award Notice reference or**  **Contracts Finder reference:**  *(for Public Sector Contracts only – enter N/A if not applicable)* | FTS Award Notice or Contracts Finder reference:  [e.g. 2011/S 239-387260] |
| **I hereby confirm that the above-named project meets the criteria of a design and construction defence project utilising MMC or traditional methods of construction.** | |
| **I hereby confirm that the above-named project meets the criteria of a design and construction project utilising MMC or traditional methods of construction which required security clearances and handling of sensitive information.** | |

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| **Section B2 - To be completed by the customer** | |
| **Certificate of Technical and Professional Ability Addendum - Customer contact details** | |
| **Customer contact name:** | [name of customer contact] |
| **Customer address:** | [customer address] |
| **Customer direct line:** | [customer telephone number] |
| **Customer email:** | [customer email] |
| **Customer confirmation:** | |
| We hereby certify that, to the best of our knowledge and belief, the supplier has satisfactorily supplied the services and delivered the deliverables and the outcomes described above at Section A1 in accordance with the contract. | Authorised signature (either double-click on the signature box below to digitally sign or copy & paste in an image file of your signature): |
| **Liability for customer certifying Certificate of Technical and Professional Ability:** | |
| In signing this Certificate of Technical and Professional Ability Addendum I confirm that I have the necessary authority to do so on behalf of the organisation for which the works and services were provided.  Whilst the information in this certificate has been provided in good faith in the belief that it is truthful and accurate, the customer does not assume any responsibility or any liability nor make any guarantee, representation or warranty as to the contents of this certificate. The customer shall not be liable for and hereby excludes liability for any loss, damage (including any special, exemplary, indirect, incidental, consequential damages, costs or associated legal fees) that may be suffered as a result of use of the certificate and its content, to the fullest extent permitted by law.  Nothing in this certificate shall affect, or constitute a waiver of, the customer's rights or remedies in relation to the contract. | |