## APPENDIX 4 – CERTIFICATE of NON-COLLUSIVE TENDERING

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| **CERTIFICATE**  **NON-COLLUSIVE TENDERING** |

**Nottingham University Hospitals NHS Trust**

The essence of the tendering process is that NUH shall receive bona fide competitive tenders from all Tenderers. We, the undersigned, hereby certify that this is a bona fide tender and we have not;

1. entered into any agreement with any other person with the aim of preventing tenders being made or as to the fixing or adjusting of the amount of any tender or the conditions on which any tender is made; or
2. informed any other person, other than the person calling for this tender, of the amount or the approximate amount of our tender except where the disclosure, in confidence, of the approximate amount of our tender was necessary to obtain quotations necessary for the preparation of our tender, for insurance purposes, for performance bonds and/or parent company guarantees or for professional advice required for the preparation of our tender; or
3. caused or induced any person to enter into such an agreement as is mentioned in paragraph 1 above or to inform us of the amount or the approximate amount of any rival tender for the Services; or
4. committed any offence under the Prevention of Corruption Acts 1889 to 1916; or
5. offered or agreed to pay or give any sum of money, inducement or valuable consideration directly or indirectly to any person for doing or having done or causing or having caused to be done in relation to any other tender or proposed tender for the Services any act or omission; or
6. canvassed any person referred to in paragraph 1 above in connection with the Services.

We also undertake that we shall not procure the doing of any of the acts mentioned in paragraphs 1 to 6 above before the hour and date specified for the return of the tender nor shall we do so:

(1) before the contract award is announced; or

(2) in the event of our tender being accepted or our being appointed a preferred bidder, prior to completion of a contract between us and NUH.

In this certificate, the word “person” includes any person, body or association, corporate or unincorporated and “agreement” includes any arrangement whether formal or informal and whether legally binding or not.

We acknowledge that if we have acted or act in contravention of this Certificate of Non-Collusive Tendering then NUH shall be entitled to reject our tender, or after award of any contract pursuant to this tender process may rescind that contract, and that if such rejection or rescission occurs we will indemnify NUH in full against all loss and expense arising out of or in connection with such rejection or rescission.

Signed: Signed:

Position: Position:

For and on behalf of For and on behalf of

Dated: Dated: