

DEFFORM 47 Annex B

Commercial Compliance Matrix

The Tenderer shall indicate their compliance or otherwise with the terms of the ITT and the Terms and Conditions of the Draft Contract by completing the Compliance Statement below. Any proposed changes and the reasons for them must be clearly stated when completing the Compliance Statement, which you are required to return as part of your tender response:

CONDITIONS, DEFCONS & SPECIAL CONDITIONS - The Authority SHALL consider any non-compliance of the conditions listed below as a Commercially Non-Compliant bid.	
Condition	State "Yes "if Compliant
A – General Contract Provisions	
Interpretation	
Amendments to Contract	
Variation to Specification	
Precedence	
Severability	
Assignment of Contract	
Waiver	
Third Party Rights	
Governing Law	
Entire Agreement	
Disclosure of Information	
Publicity and Communications with the Media	
Protection of Personal Data	
Transparency	
Equality	
Child Labour and Employment Law	
Subcontracting	
Change of Control of Contractor	
Termination for Insolvency or Corrupt Gifts	
Consequences of Termination	
Dispute Resolution	
Termination for Convenience	
Contractor's Records	
Duration of Contract	

Contractor's Warranties	
B – The Contractor Deliverables	
The Supply of Contractor Deliverables and Quality Assurance	
Environmental Requirements	
Disruption	
C - Price	
Contract Price	
D – Intellectual Property	
Third Party Intellectual Property – Rights and Restrictions	
E – Facilities and Assets	
Access to Contractor's Premises	
F - Delivery	
Authority's Remedies for Breach of Contract	
G – Payment and Receipts	
Payment	
Value Added Tax	
Debt Factoring	
H – Contract Administration	
Progress Monitoring, Meeting and Reports	
Authority Representatives	
Notices	
J – Project Specific DEFCONS	
DEFCON 76 (SC3) (Edn 12/14) – Contractors Personnel at Government Establishments	
DEFCON 91 (Edn 11/06) – Intellectual Property Rights in Software	
DEFCON 532A (SC) (Edn 02/17) Protection of Personal Data	
DEFCON 601 (SC) (Edn 03/15) – Redundant Materiel	
DEFCON 611 (SC3) (Edn 02/16) Issued Property	
DEFCON 637 (SC) (Edn 05/17) Defect Investigations and Liability	
DEFCON 694 (SC3) (Edn 03/16) – Accounting for Property of the Authority	

DEFCON 697 (SC3) (Edn 12/14) – Contractors on Deployed Operations	
K – Special Conditions	
Certificate of Conformity	
Marking of Contractor Deliverables	
Supply of Hazardous Materials or Substances in Contractor Deliverables	
Timber and Wood-Derived Products	
Rejection	
Delivery / Collection	
Self to Self Delivery	
Acceptance	
Packaging and Labelling (Excluding Contractor Deliverables)	
Overseas Expenditure	
Import Licence	
Export Licence	
Key Performance Indicators and Performance Management	
Diversion Orders	
Copyright	
Limitation of Contractors Liability	
L - Processes	
Scope of Contract	
Authority To Work	
Quality / Specification	
Duration	
Responsibility of the Contractor	
Pricing	
Open Book Accounting	
Notification of Discontinuation of Products	
Key Performance Indicators and Performance Management	
Deficiencies and Damage In Articles Issued for Repair	
Disposal of Redundant Parts, Materials etc	
Warranty	
Turn Round Time	
Payment & Invoicing Procedure	
Surge	

Novation	
Schedules that Apply this Contract	
Schedule 1 Definitions of Contract	
Schedule 2 Schedule of Requirements	
Schedule 3 Contract Data Sheet (including Annex A – DEFFORM 111)	
Schedule 4 Contract Change Process	
Schedule 5 Statement of Work	
Schedule 6 Contractors Commercially Sensitive Information	
Schedule 7 Export Licence	
Schedule 8 Acceptance	
Schedule 9 Hazardous Articles, Materials or Substances Supplied under the Contract	
Schedule 10 Delivery Quality Plan Evaluation Form	
Schedule 11 Purchase Order Template	
Schedule 12 Task Data Sheet	
Schedule 13 Firm Pricing	
Schedule 14 Contract Novation	
Schedule 15 Transfer of Undertakings (Protection of Employment) Regulations 2014 (TUPE) Entry and Exit & Appendix 1 & 2.	
CONDITIONS - The Authority MAY consider any non-compliance of the conditions listed below as a Commercially Non-Compliant bid. Please add comments if non-compliant	
L9. Key Performance Indicators	
DEFFORMS and Documents	Tick to indicate completion/inclusion
DEFFORM 47(Annex A)	
DEFFORM 539A (Edn 08/13) - Commercially Sensitive Information Form – (Schedule 6 of contract conditions)	
Schedule 9 – Hazardous Articles, Materials or substances supplied under the Contract	
Commercial Compliance Matrix – (DEFFORM 47 Annex B)	
DEFFORM 528 Import and Export Information	
Draft Quality Plan (to be evaluated in accordance with Schedule 10).	
Schedule 13 - Firm Pricing	

***Where the document refers to the Authority this shall represent Babcock DSG who are acting as the Procurement Agent on behalf of the Authority**