

### Conflicts of Interest (COI) Marking Scheme

The COI information (as laid out in Sections D and F of the DEFFORM 47) will be marked first on a confidence basis with possible numerical scores of 0, 3, 7 or 10 for each key area. In the event that the Authority has low or no confidence in the Compliance Regime then the Tender will be deemed non-compliant and excluded from further participation in the competition. The remainder of the bid will not be marked. As a guide the following applies:



0 – No confidence:

- Irreconcilable COI or COI Compliance Regime with no mitigation measures demonstrated;
- COI not identified; or
- COI risks undermining fair and open competition in the procurement process

3 – Low level of confidence:

- COI not satisfactorily managed through an appropriate mitigation strategy;
- Nature and extent of COI not fully identified; or
- Apparent residual COI risk to fair and open competition.

7 – Acceptable level of confidence:

- Nature and extent of potential COI fully identified; and
- Compliance Regime details strategy to mitigate COI risk and fully satisfy MOD policy

10 – High level of confidence:

- Nature and extent of potential COI fully identified;
- Compliance Regime details strategy to mitigate COI risk going beyond the minimum to fully satisfy MOD policy;
- Evidence of proven effectiveness of proposed Compliance Regime in mitigating COI risk; and
- Evidence demonstrates supplier's experience of mitigating COI risk when operating on both the client and supply side of acquisition projects.

The areas that will be assessed are:

- a. Identification of nature and extent of COI
- b. Manner of operation and management
- c. Roles and Responsibilities
- d. Standards of integrity and fair dealing
- e. Levels of access to and protection of competitors sensitive information and Government Furnished Information
- f. Confidentiality / non-disclosure agreements (e.g. DEFFORM 702)
- g. The Authority's rights of audit
- h. Management and operation of the Compliance Regime

Firewalls including:

- i. Physical and managerial separation
- j. Protection of information
- k. Control of personnel

In order to be compliant Tenders must score a minimum of 7 in each of the Compliance Regime areas marked.

The level of confidence allocated is at the sole discretion of the Authority and should the Authority believe that any COI exists in addition to those identified by the Tenderer then this will be taken into account. Therefore, it is critical that the Tenderer identifies fully and openly any COI it believes may exist.

Should the Authority have an acceptable or high level of confidence in the Compliance Regime then the remainder of the bid will be marked as described in Section D of the DEFFORM 47.