

NGESO Black Start Tender – Expression of Interest Contract Declaration

Acceptance of terms

If, having read the terms and conditions for the Black Start service, including the annexures and schedules (*conditions of contract*), a tenderer has identified any issues that would prevent their specific service offering from being delivered, the tenderer must complete 'Appendix 4 – Contract Deviation Table' detailing the issues that have been identified with the specific clause of the *conditions of contract*, the proposed amendment and the justification for the requested change.

All tenderers are required to sign the declaration below confirming that they do not have any issues with the *conditions of contract* other than those raised in the schedule. Where the tenderer is a consortium, the declaration must be signed by the lead party on behalf of itself and the other consortium member (or members).

Please note the following:

1. If any provision in the *conditions of contract* is unacceptable, the tenderer should explain what would make a particular provision acceptable or set out alternative wording for consideration.
2. Requests for simply deleting provisions will not be accepted, please provide alternative drafting to reflect the requirements of the tenderer.
3. Any changes proposed to the *conditions of contract* are subject to acceptance by NG ESO who shall not be bound to make any amendments or negotiate any of the changes proposed by the tenderer.
4. Any changes submitted after the date of the tenderer's declaration will not be considered unless they are as a result of any change or addition to the *conditions of contract* introduced subsequently by NG ESO.

Declaration:

On behalf of _____ I declare that I have read and understood the conditions of contract. I declare that the tenderer accepts the conditions of contract and is participating on that basis. The tenderer has requested any changes and provided justification for each of these within the table below. The tenderer will negotiate in good faith with NG ESO with a view to resolving any disagreements on the requested changes and finalising the conditions of contract. The tenderer acknowledges that NG ESO is not obliged to make any changes proposed within this table.

I confirm that I am authorised on behalf of [the tenderer] [each party participating in the tenderer consortium] (delete as appropriate) to make this declaration.

Print name

Signed.....

Date.....