

FORM OF TENDER

DEPARTMENT FOR TRANSPORT (the "Department")

In relation to the procurement of a services concession contract (as that term is defined in the Concession Contracts Regulations 2016 for the East Midlands Franchise (the "**East Midlands Franchise**")

To: The Department for Transport
For the Attention of: Andrew McDonald, East Midlands Franchise, Project Director

Date¹:

Dear Sir/Madam,

TENDER FOR THE EAST MIDLANDS FRANCHISE

We, [INSERT NAME OF BIDDING ENTITY²], hereby tender to enter into a Franchise Agreement (and other associated Franchise Signature Documents) with the Secretary of State for the operation of the East Midlands Franchise pursuant to the invitation to tender supplied to us for the purpose of tendering for the provision of the East Midlands Franchise (the "**ITT**"). The defined terms used in this Form of Tender shall have the meaning given to them in Appendix 1 of the ITT except where inconsistent with the context.

Attached to this Form of Tender is our Bid for the East Midlands Franchise.

We confirm that we accept the Franchise Signature Documents as issued with the ITT and have completed those provisions therein marked "**Bidders to populate**".

We acknowledge that the Franchise Letting Process Agreement ("**FLPA**") continues in full force and effect without limiting any aspect of the ITT and confirm that we and our Associated Entities have complied and continue to comply with its terms. We undertake to immediately notify the Secretary of State of any changes to any information warranted under the terms of that Agreement and update such information as required.

We confirm that we are not subject to any actual or potential conflicts of interest save to the extent already expressly disclosed by us to the Department and undertake to notify the Secretary of State immediately should any arise.

1 **Note to Bidders:** To be populated by Bidders.
2 **Note to Bidders:** To be populated by Bidders.

We note that the paragraphs of the FLPA and the Pre-qualification Process Document dealing with changes to information and in circumstances, including changes in ownership or conflicts of interest, continue to apply.

We acknowledge and accept the terms and requirements of the ITT.

We confirm that this Bid will remain valid for 365 calendar days from the date of this Form of Tender.

We confirm that the undersigned is authorised to submit this Bid in accordance with and on the terms of the ITT.

SIGNED FOR AND ON BEHALF OF
[INSERT NAME OF BIDDER COMPANY³]

Bid Director⁴: _____

Printed Name⁵: _____

3 **Note to Bidders:** To be populated by Bidders.
4 **Note to Bidders:** To be populated by Bidders. The Bid Director will need to sign this Form of Tender.
5 **Note to Bidders:** To be populated by Bidders.