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## **CONTRACT NOTICE**

### **SECTION I: CONTRACTING AUTHORITY**

#### **I.1) NAME, ADDRESSES AND CONTACT POINT(S)**

**Official name:** [Insert name of local authority] on behalf of itself and the following contracting authorities: see Section VI.3

**Postal address:** [Insert details]

Town: [Insert details]

Postal code: [Insert details]

Country: United Kingdom

**Contact point(s):** [Insert details]

Telephone: [Insert details]

For the attention of: [Insert details]

Email:

Fax: [Insert details]

**Internet address(es) (if applicable)**

General address of the contracting authority (*URL*):

Address of the buyer profile (*URL*):

**Further information can be obtained at:**

- ☒ As in above-mentioned contact point(s)
- ☐ Other: please complete Annex A.I

**Specifications and additional documents (including documents for competitive dialogue and a dynamic purchasing system) can be obtained at:**

- ☒ As in above-mentioned contact point(s)
- ☐ Other: please complete Annex A.II

**Tenders or requests to participate must be sent to:**

- ☒ As in above-mentioned contact point(s)
- ☐ Other: please complete Annex A.III

**I.2) TYPE OF THE CONTRACTING AUTHORITY AND MAIN ACTIVITY OR ACTIVITIES**

- ☐ Ministry or any other national or federal authority, including their regional or local sub-divisions
- ☐ National or federal agency/office
- ☒ Regional or local authority
- ☐ Regional or local agency/office
- ☐ Body governed by public law
- ☐ European institution/agency or international organisation
- ☐ Other

*(please specify):*

- ☒ General public services
- ☐ Defence
- ☐ Public order and safety
- ☐ Environment
- ☐ Economic and financial affairs
- ☐ Health
- ☐ Housing and community amenities
- ☐ Social protection
- ☐ Recreation, culture and religion
- ☒ Education
- ☐ Other

*(please specify):*

The contracting authority is purchasing on behalf of other contracting authorities

- ☒ yes
- ☐ no

## SECTION II: OBJECT OF THE CONTRACT

### II.1) DESCRIPTION

#### II.1.1) Title attributed to the contract by the contracting authority

[Insert] Building Schools for the Future

#### II.1.2) Type of contract and location of works, place of delivery or of performance

(Choose one category only - works, supplies or services - which corresponds most to the specific object of your contract or purchase(s))

##### (a) Works ☐

- ☐ Execution
- ☐ Design and execution
- ☐ Realisation, by whatever means of work, corresponding to the requirements specified by the contracting authorities

##### (b) Supplies ☐

- ☐ Purchase
- ☐ Lease
- ☐ Rental
- ☐ Hire purchase
- ☐ A combination of these

##### (c) Services ☒

Service category: No11

(For service categories 1-27, please see Annex II of Directive 2004/18/EC)

Main site or location of works

Main place of delivery

Main place of performance

[Specify] and adjacent areas

NUTS code

#### II.1.3) The notice involves

☒ A public contract

☐

The setting up of a dynamic purchasing system (DPS)

☐

The establishment of a framework agreement

#### II.1.4) Information on framework agreement (if applicable)

Framework agreement with several operators ☐

Framework agreement with a single operator ☐

Number , OR, if applicable, maximum number of participants to the framework agreement envisaged

#### Duration of the framework agreement:

Duration in year(s):

or month(s):

Justification for a framework agreement, the duration of which exceeds four years:

**Estimated total value of purchases for the entire duration of the framework agreement (if applicable; give figures only):**

Estimated value excluding VAT:

Currency:

OR Range: between and

Currency:

Frequency and value of the contracts to be awarded: (if known) :

**II.1.5) Short description of the contract or purchase(s)**

The contracting authorities are seeking an innovative private sector partner or partners to participate and invest in a new Public Private Partnership vehicle (a "Local Education Partnership" or "LEP") to be established jointly with some or all the contracting authorities. The LEP will provide (or arrange for the provisions of) "Partnering Services", which will include (but not limited to) the development of a strategic investment programme for: (a) educational facilities; (b) [Specify any other facilities as appropriate e.g community, health, social care][Note 1:When completing this section refer to BSF Guidance Notes - General Procurement Note and Guidance on the completion of the BSF standard form OJ Notice (based on the new OJEU forms introduced by Commission Regulation 1564/2005 of 7 September 2005) - on the limitations to widening the scope of your BSF programme beyond an educational focus and the detailed information which will need to be set out in the OJEU and all other procurement documents if this is the intention]; and] (c)[any other facilities to be provided by one or more of the contracting authorities [in the exercise of the powers contained in Section 2(1) of the Local Government Act 2000][Note 2 - See Note 1 above regarding extending the scope of BSF. Also note reference to the Section 2 power will not be applicable for contracting authorities who are not local authorities.] (together the "Relevant Facilities") in the contracting authorities area. These Partnering Services will also comprise of the following services: (a) strategy advisory services; (b) programme management services; (c) project development services; (d) procurement consultancy services; and (e) procurement and delivery or management of all services required to deliver the strategic investment programme for the Relevant Facilities (including through the provision, integration and management of supply chain arrangements). It is anticipated that such services may include: (i) architectural services; (ii) engineering services; (iii) construction services; (iv) technical services; (v) building services; (vi) hard facilities management services; (vii) soft facilities management services; (viii) information communication and technology ("ICT") services; (ix) educational support services; (x) education programme development services; (xi) educational strategy services; and (xii)[insert any Additional Services which the LEP will provide in accordance with the LEP Partnering Proposals], for a period of up to 15 years. The Relevant Facilities, which may be a mixture of new build and refurbished facilities, will be delivered under the Private Finance Initiative (PFI) and/or design and build arrangements. This may include the delivery of the Relevant Facilities through separate SPVs established by the LEP. Where an SPV is established, the shareholders in such SPV may include the LEP, third party equity providers and supply chain members. The contracting authorities may contract directly with the LEP or where an SPV is established, with the SPV. [The LEP may also be required to provide for, or arrange for the provision (through supply chain arrangements) of, the management and/or integration of the Partnering Services, design and build and construction contracts, facilities management services, support services and ICT services (this list is not exhaustive) where the authorities existing arrangements are either transferred or expire]. Further details are contained in the Descriptive Document and pre qualification questionnaire (PQQ)(see section VI.3 for details of how to obtain these).

**II.1.6) Common procurement vocabulary (CPV)**

	Main vocabulary	Supplementary vocabulary <i>(if applicable)</i>
Main object	79400000	
Additional object(s)	45000000	
	45111000	
	45210000	
	45214000	
	45214200	
	45314000	
	45453100	
	50700000	
	51610000	
	55524000	
	70000000	
	71240000	
	71315000	
	71541000	
	72222300	
	72500000	
	72514300	
	75200000	
	77314000	
	77320000	
	79411000	
	79418000	
	79420000	
	79710000	
	79993000	
	80000000	
	90911200	
	92610000	
	98341140	

**II.1.7) Contract covered by the Government Procurement Agreement (GPA)**

☒ yes ☐ no

**II.1.8) Division into lots** *(for information about lots, use Annex B as many times as there are lots)*

☐ yes ☒ no

**If yes,** tenders should be submitted for *(tick one box only)*

☐ one lot only ☐ one or more lots ☐ all lots

**II.1.9) Variants will be accepted**

☒ yes ☐ no

## **II.2) QUANTITY OR SCOPE OF THE CONTRACT**

### **II.2.1) Total quantity or scope** *(including all lots and options, if applicable)*

The estimated capital value of the initial projects covered by this procurement is in the region of £[x] million GBP. Further projects arising in the first [x] year period may result in the total estimated capital value (including the initial projects) being approximately £[x] million GBP. [Add estimate in GBP of total value for the whole period if possible] [Note 3 - The figure quoted in the above text should be inserted in the boxes applicable to range below i.e the estimated value for the initial projects is the bottom end of the range and the figure for the BSF programme overall at the top end]

*If applicable*, estimated value excluding VAT *(give figures only)*:

Currency:

OR Range: between and

Currency:

### **II.2.2) Options** *(if applicable)*

☒ yes ☐ no

**If yes**, description of these options:

The partnering contract between the private sector and the contracting authorities will be for a period of 10 years with an option (exercisable during the initial 10 year term) for a further 5 years.

*If known*, provisional timetable for recourse to these options:

in months: or days: (from the award of the contract)

Number of possible renewals *(if any)*: or Range: between and

*If known*, in the case of renewable supplies or service contracts, estimated timeframe for subsequent contracts:

in months: or days: (from the award of the contract)

## **II.3) DURATION OF THE CONTRACT OR TIME-LIMIT FOR COMPLETION**

Duration in months: 180 or days: (from the award of the contract)

OR Starting (dd/mm/yyyy)

Completion (dd/mm/yyyy)

## SECTION III: LEGAL, ECONOMIC, FINANCIAL AND TECHNICAL INFORMATION

### III.1) CONDITIONS RELATING TO THE CONTRACT

#### III.1.1) Deposits and guarantees required (if applicable)

The contracting authorities reserve the right to require deposits, guarantees, bonds and other forms of appropriate security. [Note - if there are specific or special requirements relating to the provision of parent company guarantees or third party guarantees - see note at Appendix A to the PQQ Evaluation Matrix - then these must be referred to here or cross referred to in VI.3 Other Information - if there is insufficient space in this section]

#### III.1.2) Main financing conditions and payment arrangements and/or reference to the relevant provisions regulating them

See sections III.1.3 and VI.3. Some projects may be delivered using the UK government's private finance initiative (PFI).

Where the contracting authority is able to demonstrate eligibility for the provision of debt finance from the HM Treasury Infrastructure Finance Unit (TIFU), it may use this for funding its PFI project(s) in addition to or in the absence of acceptable private sector funding.

#### III.1.3) Legal form to be taken by the group of economic operators to whom the contract is to be awarded (if applicable)

The contracting authorities are seeking a private sector partner or partners to participate and invest in the LEP which will take responsibility for and manage a supply chain of providers. The contracting authorities reserve the right to require groupings of contractors to take a particular legal form or to require a single contractor to take primary liability or to require that each party undertakes joint and several liability irrespective of the form of the LEP. This may include the LEP establishing a special purpose vehicle (SPV) which will contract directly with the contracting authorities for the delivery of specific projects. Where an SPV is established the shareholders in such SPV may include the contracting authorities, the LEP, third party equity providers [and supply chain].

#### III.1.4) Other particular conditions to which the performance of the contract is subject (if applicable)

☒ yes

☐ no

If yes, description of particular conditions

[If there are particular social or environmental contract conditions then these should be specified here. For example the following text could be added "Under this project the LEP and its supply chain will be required to actively participate in the achievement of social and/or environmental policy objectives relating to [recruitment and training and supply chain initiatives]. Accordingly contract performance conditions may relate in particular to social and environmental considerations" If this is not a requirement then this box can be left blank and the response "no" rather than "yes" inserted]

### III.2) CONDITIONS FOR PARTICIPATION

#### III.2.1) Personal situation of economic operators, including requirements relating to enrolment on professional or trade registers

Information and formalities necessary for evaluating if requirements are met:

In accordance with Articles 45 to 50 of Directive 2004/18/EC and Regulations 23 to 25 of the Public Contracts Regulations 2006 and as set out in the pre qualification questionnaire available from the address in section I.1

#### III.2.2) Economic and financial capacity

Information and formalities necessary for evaluating if requirements are met:

In accordance with Article 47 of Directive 2004/18/EC and Regulation 24 of the Public Contracts Regulations 2006 and as set out in the pre qualification questionnaire available from the address in section I.1

Minimum level(s) of standards possibly required (if applicable):

As set out in the pre qualification questionnaire [Note if minimum (pass/fail) standards are set such as a financial turnover threshold requirement or minimum levels of insurance then these must be set out/cross referred to here and picked up in section VI.1 Other Information, cross referring where necessary to the pre qualification documents]

#### III.2.3) Technical capacity

Information and formalities necessary for evaluating if requirements are met:

Minimum level(s) of standards possibly required

In accordance with Articles 48 to 50 of Directive 2004/18/EC and Regulation 25 of the Public Contracts Regulations 2006 and as set out in the pre qualification questionnaire available from the address in section I.1

*(if applicable):*

As set out in the pre qualification questionnaire. [Note if minimum (pass/fail) standards are set then these must be set out/cross referred to here and picked up in section VI.1 Other Information, cross referring where necessary to the pre qualification documents



**III.2.4) Reserved contracts** *(if applicable)*

☐ yes ☒ no

The contract is restricted to sheltered workshops ☐

The execution of the contract is restricted to the framework of sheltered employment programmes ☐

**III.3) CONDITIONS SPECIFIC TO SERVICES CONTRACTS**

**III.3.1) Execution of the service is reserved to a particular profession**

☐ yes ☒ no

**If yes,** reference to the relevant law, regulation or administrative provision:

**III.3.2) Legal entities should indicate the names and professional qualifications of the staff responsible for the execution of the service**

☒ yes ☐ no

## SECTION IV: PROCEDURE

### IV.1) TYPE OF PROCEDURE

#### IV.1.1) Type of procedure

- ☐ Open
- ☐ Restricted
- ☐ Accelerated restricted
- ☐ Negotiated

Justification for the choice of accelerated procedure:

Candidates have already been selected

- ☐ yes
- ☐ no

**If yes, provide names and addresses of economic operators already selected under Section VI.3)**  
*Additional information*

- ☐ Accelerated negotiated
- ☒ Competitive dialogue

Justification for the choice of accelerated procedure:

#### IV.1.2) Limitations on the number of operators who will be invited to tender or to participate (restricted and negotiated procedures, competitive dialogue)

Envisaged number of operators

OR Envisaged minimum number 3 and , if applicable, maximum number 3

Objective criteria for choosing the limited number of candidates:

Partnering experience – overall weighting is 35%

Design, development, operations and ICT – overall weighting is 25%

Financial and economic standing – overall weighting is 20%

Commercial matters – overall weighting is 10%

Quality, health and safety, environmental protection, employees and equality in the workplace – overall weighting is 10%

[Note: Any pass/fail or minimum requirements relating to the selection criteria (which are not already specified in section III.2 of the OJ) should be set out here. If the Local Authority is using any sub-criteria or additional evaluation methodology, this must be set out in the PQQ evaluation matrix]

Please also see the pre qualification questionnaire and pre qualification questionnaire evaluation matrix available from the address set out in Section I.1

#### IV.1.3) Reduction of the number of operators during the negotiation or dialogue (negotiated procedure, competitive dialogue)

Recourse to staged procedure to gradually reduce the number of solutions to be discussed or tenders to be negotiated

- ☒ yes
- ☐ no

## IV.2) AWARD CRITERIA

### IV.2.1) Award criteria *(please tick the relevant box(es))*

Lowest price ☐

OR

The most economically advantageous tender in terms of ☒

☐ the criteria stated below *(the award criteria should be given with their weighting or in descending order of importance where weighting is not possible for demonstrable reasons)*

☒ the criteria stated in the specifications, in the invitation to tender or to negotiate or in the descriptive document

Criteria	Weighting	Criteria	Weighting
1.		6.	
2.		7.	
3.		8.	
4.		9.	
5.		10.	

### IV.2.2) An electronic auction will be used

☐ yes ☒ no

If yes, additional information about electronic auction *(if appropriate)*

## IV.3) ADMINISTRATIVE INFORMATION

### IV.3.1) File reference number attributed by the contracting authority *(if applicable)*

### IV.3.2) Previous publication(s) concerning the same contract

☐ yes ☐ no

If yes,

☐ Prior information notice ☐ Notice on a buyer profile

Notice number in OJ:     / S     -     of     (dd/mm/yyyy)

Other previous publications *(if applicable)* ☐

### IV.3.3) Conditions for obtaining specifications and additional documents *(except for a DPS) or descriptive document (in the case of a competitive dialogue)*

Time limit for receipt of requests for documents or for accessing documents

Date:                      (dd/mm/yyyy)                      Time:

Payable documents

☐ yes ☐ no

If yes, price *(give figures only)*:                      Currency:

Terms and method of payment:

**IV.3.4) Time-limit for receipt of tenders or requests to participate**

Date: 01/10/2008 (dd/mm/yyyy)

Time:

**IV.3.5) Date of dispatch of invitations to tender or to participate to selected candidates (if known)**  
(in the case of restricted and negotiated procedures, and competitive dialogue)

Date: (dd/mm/yyyy)

**IV.3.6) Language(s) in which tenders or requests to participate may be drawn up**

ES	CS	DA	DE	ET	EL	EN	FR	IT	LV	LT	HU	MT	NL	PL	PT	SK	SL	FI	SV
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Other:**

**IV.3.7) Minimum time frame during which the tenderer must maintain the tender (open procedure)**

Until: (dd/mm/yyyy)

OR Duration in month(s):

or days: (from the date stated for receipt of tender)

**IV.3.8) Conditions for opening tenders**

Date: (dd/mm/yyyy) Time:

Place (if applicable):

Persons authorised to be present at the opening of tenders (if applicable)

☐ yes

☐ no

**SECTION VI: COMPLEMENTARY INFORMATION**

**VI.1) THIS IS A RECURRENT PROCUREMENT** *(if applicable)*

☐ yes ☒ no

If **yes**, estimated timing for further notices to be published:

**VI.2) CONTRACT RELATED TO A PROJECT AND/OR PROGRAMME FINANCED BY EU FUNDS**

☐ yes ☒ no

If **yes**, reference to project(s) and/or programme(s):

**VI.3) ADDITIONAL INFORMATION** *(if applicable)*

There will be an open day held on [insert date] at [insert]. If you wish to attend this open day please contact [insert] at the address shown in Section I.1] Section I.1 [Insert local authority name] is acting as lead contracting authority on behalf of the following contracting authorities (and their statutory successors and organisations created as a result of re-organisation or organisational changes): BSF Investments LLP [insert address] and [insert additional contracting authorities see guidance note on naming Neighbouring local authorities: School Governing Bodies; Voluntary Aided Schools; Diocesan authorities; Academies (Note: if an Academy cannot be specifically identified at the time of issue of the OJEU (e.g because it has yet to be established) the following generic reference should be included "Academies established or to be established in the areas of [insert local authority name]; City Technology Colleges; Foundation Schools; Foundation Partnerships; Learning and Skills Council; Local Health Organisations]. BSF Investments LLP has been established by the Department of Education and Skills (now Department of Children Schools and Families) and Partnerships UK as the body which will invest equity in the LEP. More information on BSF initiative is set out in the [prospectus] available from [insert address]. Section I.2 - Additional types of contracting authority; national agency/office, body governed by public law. Section II.2(c) - Additional service categories: 7, 12, 14, 17, 23, 24, 25, 26, 27. [Section II.1.9 - Variants will be accepted in addition to a compliant bid (as set out in the tender/contract documents) providing the contracting authorities' core requirements are met and provided that they are in accordance with the tender/contract documents.] Sections II.2.2 and II.3 - The partnering contract between the private sector and the contracting authorities will be for a period of 10 years commencing on [insert date or approximate date] with an option to extend for a further 5 years (such option being exercisable during the initial 10 year term. The term of any design and build, PFI, facilities management, management services or ICT agreements or other agreements flowing from the partnership may extend beyond this period. [Following introduction of the Minimum Design Standard (MDS) within the BSF programme from 13th May 2009 the contracting authorities require that the final designs for sample school schemes (sample school schemes being the representative selection of the types of schools to be rebuilt or refurbished as part of the contracting authorities BSF project) meet the MDS. The MDS has been jointly developed by the DCSF, PFS and the Commission for Architecture and the Built Environment (CABE). Bidders' designs submitted during the procurement process will be assessed by the CABE Design Review Panel against the MDS grading criteria at the following intervals: (i) submission of initial bids; (ii) final bids; and (iii) at the planning application stage (when the selected bidder has been appointed but before the planning application has been determined). Designs which do not meet the MDS will need to be amended or developed further until they meet the MDS "pass" or "very good" grading criteria. PFS will not approve the selected bidder's final business case until the MDS is achieved. Where appropriate, non-sample schemes will also be required to meet the MDS as part of the process for approving and developing new projects. Further information on the MDS grading criteria and MDS generally can be found at [www.cabe.org.uk](http://www.cabe.org.uk). Further information is also available within the Descriptive Document and Invitation to Participate in Dialogue.] [Note: PFS expect that the MDS will apply to all sample school schemes and where appropriate, non sample school schemes. The Local Authority will need to confirm this with PFS before finalising their OJ Notice]

Section IV.3.3 - The PQQ and Descriptive Document are available upon request from the address specified in section I.1 (portal) from the date of despatch of this notice [insert PQQ closing day and time]. The [xx] extranet portal will be used through the procurement process][For access to the portal or] for non electronic copies of the PQQ please use the contact address in section I.1. It is anticipated that the invitation to participate in the dialogue be sent to short listed bidders by [insert date]. Section IV.3.4 - Expressions of interest must be by way of completion and return of the PQQ by the date and time specified in Section IV.3.4 Section IV.3.4 - Economic Operators wishing to participate should obtain a Pre Qualification Questionnaire from the address specified in Section I.1, complete it and return it to that address by the date and time specified in Section IV.3.4

### VI.4) PROCEDURES FOR APPEAL

#### VI.4.1) Body responsible for appeal procedures

Official name: [Insert same details of lead local authority as for Section I.1]  
Postal address: [Insert same details of lead local authority as for Section I.1]  
Town: [Insert same details of lead local authority as for Section I.1] Postal code: [Insert same details of lead local authority as for Section I.1]  
Country: United Kingdom  
Email: Telephone: [Insert same details of lead local authority as for Section I.1]  
Fax:  
Internet address (URL):

#### Body responsible for mediation procedures (if applicable)

Official name:  
Postal address:  
Town: Postal code:  
Country:  
Email: Telephone:  
Fax:  
Internet address (URL):

#### VI.4.2) Lodging of appeals (please fill heading VI.4.2 OR if need be, heading VI.4.3)

Precise information on deadline(s) for lodging appeals:

In accordance with Regulation 32 (Information about contract award procedures and the application of standstill period prior to contract award) and Regulation 47 (Enforcement of Obligations) of the Public Contracts Regulations 2006.

**VI.4.3) Service from which information about the lodging of appeals may be obtained**

Official name:

Postal address:

Town:

Postal code:

Country:

Email:

Telephone:

Fax:

Internet address  
(URL):

**VI.5) DATE OF DISPATCH OF THIS NOTICE:**

*The dispatch date will be automatically updated when the notice is submitted for publication*

**ANNEX A**

**ADDITIONAL ADDRESSES AND CONTACT POINTS**

**I) ADDRESSES AND CONTACT POINTS FROM WHICH FURTHER INFORMATION CAN BE OBTAINED**

Official name:

Postal address:

Town:

Postal code:

Country:

Contact point(s):

Telephone:

For the attention of:

Email:

Fax:

Internet address (URL):

**II) ADDRESSES AND CONTACT POINTS FROM WHICH SPECIFICATIONS AND ADDITIONAL DOCUMENTS (INCLUDING DOCUMENTS FOR COMPETITIVE DIALOGUE AS WELL AS A DYNAMIC PURCHASING SYSTEM) CAN BE OBTAINED**

Official name:

Postal address:

Town:

Postal code:

Country:

Contact point(s):

Telephone:

For the attention of:

Email:

Fax:

Internet address (URL):

**III) ADDRESSES AND CONTACT POINTS TO WHICH TENDERS/REQUESTS TO PARTICIPATE MUST BE SENT**

Official name:

Postal address:

Town:

Postal code:

Country:

Contact point(s):

Telephone:

For the attention of:

Email:

Fax:

Internet address (URL):



**ANNEX B (1)**

**INFORMATION ABOUT LOTS**

**LOT NO      TITLE**

**1) SHORT DESCRIPTION**

**2) COMMON PROCUREMENT VOCABULARY (CPV)**

**3) QUANTITY OR SCOPE**

*If known, estimated cost excluding VAT (give figures only)*

Currency:

OR Range: between                      and

Currency:

**4) INDICATION ABOUT DIFFERENT DATE FOR DURATION OF CONTRACT OR STARTING/COMPLETION**  
*(if applicable)*

Duration in months:                      or days:                      (from the award of the contract)

OR Starting                      (dd/mm/yyyy)

Completion                      (dd/mm/yyyy)

**5) ADDITIONAL INFORMATION ABOUT LOTS**