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## **Invitation to tender for Translation Framework Agreements**

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Issued:	Tuesday 4 June 2019
Deadline for receipt of request for clarification:	Wednesday 26 June 2019 at 12:00 noon
Deadline for receipt of tender responses:	Wednesday 10 July 2019 at 12:00 noon

## **Introduction**

This document invites tenders from individuals, companies and organisations interested in and capable of supplying to S4C **translation services** as more specifically described in the following pages.

This Invitation to Tender (ITT) is divided into the following parts:

- Part 1 Background Information
- Part 2 Contract Specific Information
- Part 3 Information to be included in Tender Responses
- Part 4 Outline of Tender Process and Requests for Further Information
- Part 5 Evaluation Criteria and Contract Award
- Part 6 Legal Notes

- Appendix 1 Contract
- Appendix 2 Evaluation Matrix
- Appendix 3 Information Form

**Please read this Invitation to Tender carefully. Tender responses that do not comply with the requirements set out in this Invitation to Tender may not be evaluated as part of this tender process.**

**Please note that this tender process, including this Invitation to Tender, is subject to the legal notes set out in Part 6.**

## **Part 1 Background Information**

### **1.1 S4C**

S4C is the only Welsh television channel in the world and one of the UK's five public service television broadcasters. It is an independent broadcasting authority established under the Broadcasting Act 1981, and is regulated by the Communications Act 2003 and the Broadcasting Act 1990.

S4C provides a broad range of high quality and diverse programming. The channel broadcasts over 115 hours of Welsh language programmes each week. S4C's programmes are available to watch on live on the S4C website via broadband and the on demand catch up service on the s4c.cymru website, through the BBC iPlayer and on YouView, smart TV, Sky, Freeview and many other platforms.

S4C is uniquely funded through a mixture of grant in aid, advertising and commercial revenue, and in addition ten hours a week of Welsh Language programming funded by the licence fee is provided to S4C by the BBC.

For further background information about S4C, please refer to the Annual Report 2018/19, available on the S4C website (s4c.cymru), or contact:  
or by contacting:

Viewers' Hotline  
S4C  
Unit 1  
Doc Fictoria  
Caernarfon  
Gwynedd LL55 1TH  
Tel: 0370 600 4141

### **1.2 The Communications Department**

This tender is offered by the S4C Communications Department. The Communications Department is responsible for promoting all aspects of S4C to the general public audience and has undertaken to support the S4C brand and promote creative excellence.

### **1.3 Contract Specific Background Information**

S4C's requirements for translation services are currently being provided under the terms of a framework contract that is due to terminate in August 2019. In letting a new contract S4C wishes to maintain the quality of the service currently being provided.

Further information about the contract and S4C's requirements is set out in Part 2.

## **Part 2 Contract Specific Information**

### **2.1 Scope of contract**

Applicants are invited to form part of a panel to supply translation services. S4C is tendering for framework agreements for translation services for letters, documents, reports, marketing materials, guidelines and policies, the Annual Report and Accounts and simultaneous translation. From time to time, S4C will also require the translation of legal documents. Translation from Welsh to English and also from English to Welsh will be required. Translators will be expected to provide a correction service where mistakes are found in the translated document.

We are looking for a limited number of suppliers (a maximum of 6) to form a framework of suppliers. Tenderers will be required to show extensive and successful experience in the field.

Suppliers may apply for the translation of specific documentation, e.g. legal documents, or for simultaneous translation only (if they have expertise in these fields).

Suppliers who form part of this framework will be offered translation work by S4C as the need arises. The work will be on a project or projects basis as required.

S4C intends to offer individual agreements to successful applicants in order to form the framework of suppliers. However, please note that being part of the framework does not guarantee that you will be offered any work. As the work under the contract is as required, the total work available to the suppliers is dependent upon S4C's internal workload and human and financial resources from time to time. Following the appointment of the framework of suppliers which are able to provide the services in the above fields, S4C intends to offer the work in the first place to the supplier who offers the best value for money considering the nature of the work. Where it is not possible for that supplier to complete the work within the timetable noted, then S4C will offer the work to the next supplier who offers the best value for money etc.

### **2.2 Contract Duration and Terms**

The draft contract is attached at Appendix 1.

The contract will be for a period of 3 years with an option to extend for an additional 12 months.

S4C will review the contract and the successful company's performance after the first year and retains the right to terminate the contract at the end of the first year following such a review. This review will be in addition to any regular reviews which are provided for in the contract.

S4C reserves the right to give work outside the contract in exceptional circumstances where the work requires specialist skills and/or experience.

S4C is conducting this tender process using the open procedure under the Public Contracts Regulations 2015 and therefore no negotiation of the draft contract is permissible. Amendments to the draft contract to reflect the successful tender response and/or to clarify the terms of the draft contract only are permitted. By submitting a tender response Tenderers are agreeing, if successful, to enter into a contract with S4C in the form set out in Appendix 1. Tenderers are asked to note in this context the provisions of Part 6.4.

### **2.3 Parent Company Guarantees and Consortia**

Please note that S4C may require the successful Tenderer to provide a parent company guarantee. If a consortium submits a tender response which is acceptable to S4C, S4C may in its discretion require: (i) the consortium to form a legal entity before entering into the contract; and/or (ii) joint and several liability of all consortium members; and/or (iii) guarantees and/or undertakings by some or all of the consortium members in respect of some or all other consortium members.

## Part 3 Information to be Included in Tender Responses

### 3.1 Required Information

Tenderers should provide the following information as part of the tender response in order to demonstrate in detail how S4C's requirements will be met:

- **Information Form** in the form included in Appendix 3.
- **Written Statement** noting its methodology in providing the service. Tenders should note:
  - a) **Systems:** how the Tenderer intends to plan and/or provide the requirements under the contract, including meeting any time restraints, dealing with requests to correct etc. Tenderers should explain how they intend to respond to a request for translation work from S4C;
  - b) **Translation Standards:** how the Tenderer ensures the linguistic standards of the translation is correct. Does the Tenderer have a document correction process before the translated documents are returned to S4C?
  - c) **Standards of Service:** the systems and measures used by the Tenderer to ensure the standards of service, including:
    - i. For text translation: how the Tenderer will seek to ensure the font and format of the original documents are correctly reflected in the translated documents and how it will ensure that S4C's house style is reflected; and
    - ii. For simultaneous translation: how the Tenderer will seek to ensure an expedient and effective service in meetings, public events and conferences, including ensuring a sufficient number of headsets or other suitable technology.
  - d) **The ability to respond at short-notice:** evidence of the Tenderer's ability to provide work at short notice.

Tenderers should also ensure they make the following clear in their application:

- i) Is the Tenderer applying to provide text translation services only, simultaneous translation only, or both;
- ii) Is the Tenderer applying to provide translation services for specific documents, e.g. legal documents only. Tenderers should note any specific expertise in the field;
- iii) The Tenderer's ability to provide simultaneous translation services throughout the whole of Wales, noting any associated costs.

Tenderers may include additional information where relevant to their tender responses, but tender responses should not include any extraneous information not specifically requested or required by the ITT including, for example, sales literature and standard terms of trading.

Tender responses must remain open for a period of 3 months from the date for submission of tender responses.

If at any time the Tenderer (or, in a tender response presented by a consortium, any member of that consortium) becomes aware that any information which it (or, in a tender

response presented by a consortium, any member of that consortium) has provided to S4C in connection with this tender process is incomplete, inaccurate or misleading in any respect or has ceased to be correct, S4C must be immediately notified thereof.

### 3.2 Maximum Pages

Tenderers should seek to be concise in drafting their response to this ITT. Tender responses should not exceed 3 A4 pages in length (excluding the Information Form) and the font size should be no smaller than Georgia 10. S4C retains the right to exclude from the tender process any tender response that does not conform with this requirement.

The above page limit does not include any documents annexed to the main tender document.

## Part 4 Outline of Tender Process and Requests for Further Information

### 4.1 Outline of Tender Process

The tender process will involve the following stages:

Stage 1	Deadline for requests for clarification	12.00 noon Wednesday 26 June 2019
Stage 2	Deadline for receipt of tender responses	12.00 noon Wednesday 10 July 2019
Stage 3	Commencement of evaluation of tender responses	Wednesday 10 July 2019*
Stage 4	Notification of results of evaluation	Thursday 18 July 2019*
Stage 5	Signature of contract	Friday 2 August 2019*

Please note that dates marked \* may be subject to change.

### 4.2 Submission of Tender Responses

Tenderers are required to submit a tender response in Welsh or English in accordance with the requirements of this ITT electronically by the deadline for receipt of tender responses set out in Part 4.1 above.

Tender responses should be clearly marked "**Translation Framework Tender**" and sent by e-mail to:

[tender.communications@s4c.cymru](mailto:tender.communications@s4c.cymru)

Tenders may be presented in Welsh or English. A tender that is presented in Welsh shall not be treated less favourably than a tender presented in English.

NO TENDER RESPONSES RECEIVED AFTER THE DEADLINE FOR RECEIPT OF TENDER RESPONSES SET OUT IN PART 4.1 ABOVE OR RECEIVED BY S4C AT AN ADDRESS OTHER THAN THAT SET OUT ABOVE WILL BE CONSIDERED AND ANY SUCH TENDER RESPONSES WILL BE EXCLUDED FROM THIS TENDER PROCESS.

S4C accepts no responsibility for the shortcomings of any delivery system or for any lost, delayed or defective tender responses. It is up to Tenderers to ensure that their tender responses (and any attachments) are prepared in good time (taking into account the possibility of staff absences or technical failures) and are submitted in advance of the deadline for receipt of tender responses set out in Part 4.1 above.

Please note that 20Mb is the maximum email size that S4C can accept and permissible file formats are Word, Excel, PDF and Jpeg. These file formats are acceptable as Zip Files. Tenderers should be aware that their own ISP (Internet Service Provider) may impose lower limits on the maximum email capacity and as such are advised to check the size limit with their own ISP or IT department well in advance of despatch and deadline.

Proof of despatching will not be deemed to be proof of delivery and Tenderers are advised to seek an acknowledgement of receipt in a separate email.

#### **4.3 Consideration of Tender Responses and Notification of Result**

S4C will consider all tender responses received by S4C in compliance with the requirements detailed in this ITT in accordance with the procedure and criteria detailed in Part 5 below. The award of the contract will be based on S4C's assessment of the tender response that is the most economically advantageous in accordance with the criteria set out in Part 5 below. All Tenderers who submitted a tender response will be notified of the outcome of S4C's evaluation by email. See further Part 5.4 below.

#### **4.4 Clarification of Tender Responses**

S4C may require Tenderers to provide further information and/or clarification of any matters contained in their tender responses. However, the expectation is that Tenderers include any information which they wish S4C to consider in their tender response.

#### **4.5 Requests for Further Information**

All contact in relation to this tender process including any requests for further information and/or guidance in completing tender responses must be made by email to S4C at [tenderquestions@s4c.cymru](mailto:tenderquestions@s4c.cymru)

Tenderers must not in any way canvass or solicit information relating to this tender process from any other officer, employee, agent or adviser of S4C.

Tenderers are encouraged to identify any further information and/or guidance that they may require in connection with this tender process as early as possible. The deadline for submission of requests for further information and/or guidance is **Wednesday 26<sup>th</sup> of June 2019 at 12:00 noon**. Any requests received after this deadline will not be considered. S4C will endeavour to deal promptly with all requests received before this deadline.

In the interests of fairness and transparency please note that all requests for further information and/or guidance in respect of this tender process and S4C's responses to such requests will be disclosed to all Tenderers. Such disclosures will be made by posting such responses on the S4C website at [http://www.s4c.cymru/production/e\\_tenders.shtml](http://www.s4c.cymru/production/e_tenders.shtml)

If Tenderers consider any request for further information and/or guidance which they make to be commercially sensitive, they must clearly mark the request as "commercially sensitive" and supply the reasons why they consider it to be commercially sensitive. Please note, however, that S4C will determine, in its sole discretion, whether it considers any such request to be commercially sensitive. If S4C determines that a request is commercially sensitive S4C will not disclose the request or its response to such request to other Tenderers. If S4C determines that a request is not commercially sensitive it will inform the Tenderer. If the Tenderer agrees that the request is not commercially sensitive S4C will respond to the request and will be entitled to disclose the request and its response thereto to all Tenderers. If the Tenderer does not agree that the request is not commercially sensitive or does not inform S4C whether or not it so agrees within a period of one working day, the request shall be deemed to be withdrawn and S4C will not respond to it. Nothing in this paragraph will be interpreted or construed as limiting in any way S4C's ability to disclose any information to any person in complying with its freedom of information obligations as outlined in Part 6.6 below.

Any requests and any responses thereto which are disclosed to all Tenderers will be deemed to form part of this ITT.

## Part 5 Evaluation Criteria and Contract Award

### 5.1 Compliance Testing

Prior to commencing formal evaluation of tender responses, S4C will check tender responses to ensure that they are fully compliant with the requirements of the ITT. Non-compliant tender responses may be rejected. Fully compliant tender responses will be evaluated by S4C in accordance with the provisions set out in this Part 5.

### 5.2 Evaluation

The contract will be awarded on the basis of the most economically advantageous tender. To assess which tender response is the most economically advantageous, a panel of S4C representatives will evaluate and score all responses to this ITT in accordance with the following criteria and weightings:

#### Compliance Questions:

	Evaluation Criteria	Evaluation Method
<b>Information Form:</b>		
Section 1	Basic Information about the Tenderer	Not scored, but must be completed
Section 2	Basis for Mandatory Exclusion	<b>Acceptable</b> – Completed with each response being positive or negative with evidence of acceptable remedial action <b>Unacceptable</b> – Incomplete or any one or more negative response without evidence of acceptable remedial action.
Section 3	Basis for Discretionary Exclusion	<b>Acceptable</b> – Completed with each response being positive or negative with evidence of acceptable remedial action <b>Unacceptable</b> – Incomplete or any one or more negative response without evidence of acceptable remedial action.
Section 7	Additional Modules Insurance	<b>Acceptable</b> – Completed with each response being positive <b>Unacceptable</b> – Incomplete or any one or more responses being negative.
	Equality	<b>Acceptable</b> – Completed with each response to C1 and C2 being negative or positive with evidence of acceptable remedial action. <b>Unacceptable</b> – Incomplete or positive response to C1 and/or C2 without evidence of acceptable remedial action.
	Environmental Management	<b>Acceptable</b> – Completed with each response to C1 being negative or

		positive with evidence of acceptable remedial action <b>Unacceptable</b> – Incomplete or positive response to C1 without evidence of acceptable remedial action.
	Health and Safety	<b>Acceptable</b> – Self-certification completed and response to C2 being negative or positive with evidence of acceptable remedial action <b>Unacceptable</b> – Self-certification incomplete or positive response to C2 without evidence of acceptable remedial action.
Section 8	Declaration	Not scored, but must be completed

### Qualitative Questions:

S4C will assess tenders to provide simultaneous translation and text translation separately. If relevant, S4C will also assess any tenders to provide translation of specific documents only (e.g. legal documents) separately.

Award Criteria	Information to be Assessed	Evaluation Questions (How will S4C evaluate the response)	Weighting
<b>Information Form:</b>			
Section 4: Relevant Experience	Details of three contracts, within the last 3 years, demonstrating experience of providing services similar to those required by this tender.	Has the Tenderer provided evidence that it has relevant experience of providing services similar to the services required under this tender within the last 3 years?	<b>20%</b>
Section 5: Qualifications and ability	The qualifications and ability of the staff who will be providing the services	Do the staff who will be providing the services have the relevant qualifications and ability?	<b>20%</b>
<b>Written Declaration:</b>			
Systems	How does the tenderer intend to plan and/or provide	Does the tenderer's response demonstrate evidence of effective and robust systems to cope with ad-	<b>5%</b>

	what is required in line with the contract, including meeting any time constraints, dealing with requests to correct etc? The tenderer should explain how it intends to respond to a request for translation work from S4C.	hoc requests for translation work from S4C?	
		Does the tenderer have in place effective systems for dealing with requests to correct work already translated?	<b>5%</b>
Translation standards	How does the tenderer ensure that the linguistic standards of translation are correct? Does the tenderer have a process in place to verify translated documents before they are returned to S4C?	Does the tenderer’s response demonstrate that they have effective systems in place to ensure that the linguistic standard of the translation is correct in terms of meaning and expression?	<b>10% (for simultaneous translation)</b>
		Text translation only: Does the tenderer have a process in place to verify translated documents before they are returned to S4C?	<b>5% (for text translation)</b>
Formatting Standard (relevant to text translation only)	How does the tenderer ensure the original documents’ font and layout are accurately reflected in the translated documents and how does it ensure that S4C’s house style is reflected?	Does the tenderer’s response demonstrate that it has effective systems in place to ensure that the original documents’ font and layout are accurately reflected in the translated documents?	<b>5% (relevant to text translation only)</b>
		Does the tenderer’s response demonstrate that it has effective systems in place to ensure S4C’s house style is reflected?	<b>5% (relevant to text translation only)</b>
Standard of Simultaneous translation (relevant to	How will the Tenderer seek to ensure an expedient and effective service in meetings, public events and	Does the tenderer’s response show that it has effective systems and measures in place to ensure an expedient and effective service in	<b>5% (relevant to simultaneous</b>

simultaneous translation only)	conferences, including ensuring a sufficient number of headsets or other suitable technology?	meetings, public events and conferences.	<b>translation only)</b>  <b>5% (relevant to simultaneous translation only)</b>
		Does the tenderer’s response show that it has a sufficient number of headsets or other suitable technology?	
Ability to respond at short notice	Evidence of the tenderer’s ability to provide the work at short notice.	Does the tenderer’s response indicate that it has effective and robust systems in place to enable it to respond to S4C’s translation requests at short notice?	<b>10%</b>

**Fee Evaluation**

S4C will assess the fees provided for text translation and simultaneous translation separately. In order to evaluate tenders to provide simultaneous translation, S4C will use the average of the example costings provided by you for the 3 different locations (in Section 6 of the Basic Information Form).

S4C will evaluate the fee provided by all tenderers using the following formula: lowest fee provided as part of the tender divided by the tenderer’s submitted fee. S4C may exclude responses that have provided abnormally low fees. The fee will be weighted at **20%**.

Please find attached at Appendix 2 the matrix setting out how the information required at part 3.1 above will be evaluated in accordance with these criteria.

**5.3 Disqualification of Tender Responses/Tenderers**

S4C reserves the right to disqualify a tender response and/or a Tenderer from this tender process at any time if:

- (a) a tender response does not comply in any respect with the requirements of this ITT;
- (b) any information provided to S4C by the relevant Tenderer (or, in the case of a consortium, any of its members) is incomplete, inaccurate or misleading in any respect or ceases to be correct;
- (c) the Tenderer has colluded with any person (excluding, where the Tenderer is a consortium, collusion between consortium members in relation to the consortium’s tender response) in relation to or in connection with its or any other Tenderer’s tender response.

Disqualification of any tender response or Tenderer will be without prejudice to any other rights or remedies of S4C.

#### **5.4 Contract Award**

Subject to the provisions of Part 6.1 below and following completion of the evaluation of tender responses, S4C will inform Tenderers of the results of the evaluation. The Tenderer whose tender response has been successful will be required to enter into an agreement with S4C in the form of the draft contract. No contract will be formed unless and until S4C executes the agreement. No oral or written acceptance of any tender or notification that a Tenderer has been successful will constitute a contract.

## **Part 6 Legal Notes**

### **6.1 No Obligation to Offer the Contract**

Nothing contained in this ITT nor any communication between S4C and a Tenderer regarding the tendering process or the tender response shall constitute a contract for the provision of any service covered by this tender process nor a warranty or a representation that any contract will or may be awarded.

S4C reserves the right to withdraw from and/or abandon and/or defer this tender process at any time, not to award any contract as a result of this tender process, to supplement, revise and/or clarify the terms and conditions of this ITT and/or to require Tenderers to clarify their tender responses and/or to provide additional information in relation thereto.

### **6.2 Conflict of Interest**

Tenderers are required to provide details if it is envisaged that there may be a conflict of interest between individuals involved in the application and S4C staff, this is to enable S4C to ensure that it assigns staff to the tender process that have no personal relationship with any Tenderer or consortium member of relevant staff.

### **6.3 Draft Contract**

The draft contract for the provision of the services is set out in Appendix 1.

By submitting a response to this ITT, Tenderers are deemed to have accepted the terms and conditions of the draft contract. S4C reserves the right to amend the draft contract after publication once the details of the winning bid are known to conform with the deal specific terms agreed with the successful Tenderer.

### **6.4 Codes of Practice and Guidelines**

The successful Tenderer will be required to comply with the following codes of practice, legislation and guidelines (amongst others):

- The Association of Welsh Translators and Interpreters' Code of Professional Conduct
- Glossary of S4C Terms
- Health and Safety Legislation and GDPR
- S4C Statement of Commitment to Diversity

Each Tenderer should include the cost of complying with the above (including the cost of appropriate advice) within the application. Many of these guidelines are available on the S4C Production Website which is available at [www.s4c.cymru/production](http://www.s4c.cymru/production).

### **6.5 Freedom of Information**

S4C is subject to the provisions of the Freedom of Information ("FOI") Act 2000. If any Tenderer considers that any information supplied by it to S4C pursuant to this invitation is commercially sensitive or confidential in nature, this should be highlighted explicitly and the reasons for its sensitivity set out in full in the tender response. S4C will consider this when deciding whether to release information in response to FOI requests. However, applicants must accept that S4C will release such information if it receives legal advice that it must do so in order to comply with the FOI act. S4C retains the discretion to decide whether or not particular information is exempt from disclosure.

### **6.6 Data Protection**

By submitting a response you confirm that you have informed all individuals identified in the tender response that you will share their personal data in this way. You acknowledge

that S4C will process all personal information provided as part of your response in accordance with the General Data Protection Regulation 2016 and the Data Protection Act 2018. S4C's Privacy Notice is available at [www.S4C.cymru](http://www.S4C.cymru), and you will inform every individual whose personal details are provided to S4C of this 6.6 clause. S4C will process any personal data provided in your tender response on the basis that it is in yours and S4C's legitimate interest to process all data provided by you as part of the tender response for the purpose of evaluating the tender response.]

### **6.7 Confidentiality and Publicity**

By submitting a response to this tender, Tenderers agree to keep confidential any information which is disclosed or otherwise made available to them by S4C in any medium whatsoever during or in connection with this tender process. Tenderers shall not use such information for any purpose other than the preparation of the tender response and shall not to disclose such information to any person other than in confidence and on a need to know basis to those persons who are directly involved in the preparation of the tender response. Such obligations of confidentiality shall not apply to documents already in the public domain at the time it is disclosed or made available to them by S4C.

By submitting a response to this tender Tenderers agree not to, and agree to ensure that their employees do not, issue any publicity of any kind (including but not limited to notices via social networking sites such as Facebook or Twitter or otherwise) regarding the subject of this tender or any decision of S4C in relation to any element of this tender unless S4C has provided prior written consent to such communication.

### **6.8 Disclaimer**

S4C gives no warranty or representation regarding the completeness or accuracy of any information contained in this ITT and any reliance placed on any such information by you is at your own risk.

### **6.9 Tender Costs**

Each Tenderer shall be responsible for its own costs and expenses incurred in connection with this tender process. S4C will not under any circumstances contribute towards any such costs and expenses.

### **6.10 Amendments to Tender Documents**

S4C reserves the right to make changes to the tender documents prior to the deadline set out in Part 4.1 above. To allow time for such amendment to be taken into account S4C may, at its discretion, extend the dates set out in Part 4.1 above.

### **6.11 Copyright**

S4C owns the copyright in the ITT and any other materials issued or made available by S4C. Tenderers are not permitted to copy, reproduce, use or issue copies of the ITT or such materials (or any part thereof) other than as and to the extent strictly required for the preparation and submission of their tender responses.

### **6.12 Non-Collusion**

By submitting a response to this ITT, each Tender certifies that:

1. the tender response is bona fide and intended to be competitive;
2. the Tenderer has not fixed or adjusted the response by or under or in accordance with any agreement or arrangement with any other person (other than in

connection with a consortium, with other members of the consortium) or required any other Tenderer to do the same; and

3. the Tenderer has not communicated to any person other than S4C the amount or approximate budget or price of the tender response, except where the disclosure, in confidence, was necessary to obtain insurance premium or other quotations required for the preparation of the tender response.

### **6.13 Inappropriate Conduct**

If a Tenderer or an appointed advisor to a Tenderer makes any attempt to inappropriately influence this tender process or the award of the contract in any way, S4C may disqualify that Tenderer's tender response in S4C's absolute discretion. Any direct or indirect canvassing by a Tenderer or an appointed advisor to a Tenderer in relation to this procurement or any attempt to obtain information from any of the employees or agents of S4C concerning another tendering organisation may result in disqualification at S4C's sole discretion.

### **6.14 Governing Law**

This ITT shall be governed by the laws of England and Wales and each Tenderer agrees, by returning a tender response, to submit to the exclusive jurisdiction of the courts of England and Wales.

**APPENDIX 1**

**CONTRACT DOCUMENT**

**SUBJECT TO CONTRACT**

(See the attached document)



## APPENDIX 2

### EVALUATION MATRIX

Score	Category	Profile
0	Zero Response/ Very poor	Failure to address S4C's requirements or no evidence has been provided to address S4C's requirements.
1	Poor	A poor proposal in terms of addressing S4C's requirements or supported by poor evidence that such proposals will be delivered, which has major gaps, and is not convincing in many respects or seriously lacks credibility.
2	Below satisfactory	A proposal that is below satisfactory in terms of addressing S4C's requirements, or supported by below satisfactory evidence, which has moderate gaps or is unconvincing or irrelevant.
3	Satisfactory	A satisfactory proposal in terms of addressing S4C's requirements or supported by satisfactory evidence that such proposals will be delivered, but which has minor gaps or which to a small extent is unconvincing or lacks credibility.
4	Good	A good proposal to address S4C's requirements supported by good evidence that such proposals will be delivered that is sufficient (in qualitative terms), convincing and credible.
5	Excellent	An excellent proposal which addresses and exceeds S4C's requirements in a way that S4C considers offers deliverable and cost-effective additional functionality, services or standards (as applicable) and which is supported by excellent evidence that such proposals will be delivered which is consistent, comprehensive and compelling.

**APPENDIX 3**

**INFORMATION FORM**

(See the attached document)