|  |  |
| --- | --- |
| To | *[Name and address of Tenderer]* |
| Re Invitation to Tender | *[Name of Contract]* |
| OJEU Contract Notice Reference No. | *[Insert reference no. e.g. 2013/s-xx/xxxxx]* |
| Date[[1]](#footnote-1) |  |
| By[[2]](#footnote-2) | Email/fax/post/hand |

SUBJECT TO CONTRACT/CONTRACT DENIED

A Dhaoine Uaisle

I refer to your tender for the above contract. I am pleased to inform you that your company has been identified as having submitted the *[lowest price/most economically advantageous tender]*[[3]](#footnote-3) for this project. *[Your tender scored the following marks against each criterion]*[[4]](#footnote-4)

This is not a Letter of Acceptance. *[Insert name of contracting authority]* has not accepted your tender. Please note that this letter does not purport to create binding legal relations.

I would be obliged if you would forward the following by *[insert date]*:

*[insert required documents such as Tax Clearance/Notification of Determination, confirmation of bond, insurance details, etc.][[5]](#footnote-5)*

*[insert required documents such as Tax Clearance Certificate, Professional Indemnity Insurance Certificate (MF2.1), any other insurances, Safety and Health Declarations (MF2.4, MF2.5, MF2.6 as appropriate), collateral warranties for sub-consultants (MF2.3), appointment as PSDP, etc.][[6]](#footnote-6)*

Subject to satisfactory compliance with the above, [and to *[insert and other conditions such as the need to seek Departmental approval]*][[7]](#footnote-7) it is our intention to issue a Letter of Acceptance to you, following the expiry of the standstill period applicable to this contract (conditional on there being no legal challenge). The exact standstill period applicable is *[insert 14 or 16 days as set out below, depending on how the letter is sent]*.

* [14 calendar days from the day following the day this letter was emailed to you]
* [16 calendar days from the day following the day this letter was posted to you]

Is mise, le meas

Signed \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

On behalf of *[Name of Contracting Authority]*

1. Ensure issued on same date as all Letters to Unsuccessful Tenderer and not before those to non-compliant tenderer letters. Failure to do so may mean the standstill period has not commenced. [↑](#footnote-ref-1)
2. Delete as appropriate [↑](#footnote-ref-2)
3. Delete as appropriate [↑](#footnote-ref-3)
4. If it is “the most economically advantageous tender” the criteria and marks should be listed in the space provided otherwise this should be deleted. [↑](#footnote-ref-4)
5. For public works contracts [↑](#footnote-ref-5)
6. For consultancy contracts [↑](#footnote-ref-6)
7. Delete as appropriate [↑](#footnote-ref-7)