



SMS Service for the JANET Community Prequalification Documentation & Questionnaire

This document and the information it contains are provided solely for the purpose of allowing potential suppliers to provide a response to this prequalification questionnaire for the services being procured. It is issued under the Restricted Procedure of the European Procurement Services Directive.

Any supplier wishing to submit a response to this prequalification questionnaire must register its intent with JANET(UK) before submitting the proposal. JANET(UK) will not accept proposals from suppliers who have not registered according to the procedure described in this document.

JANET(UK) will not accept any registrations after 21 October 2009

Authorised by:	Name: Paula Smith Position: Chair of Procurement Panel	Signature: Date:
Authorised by:	Name: Sue Weston Position: Head of Procurement Unit	Signature: Date:

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Foreword

Potential suppliers should note that the information given at this stage may be subject to verification at later stages of the procurement process. If any error, omission or misrepresentation on the part of the potential supplier is discovered, JANET(UK) reserves the right to disqualify the potential supplier from participating in the procurement process no matter what stage in the process has been reached when the error, omission or misrepresentation is discovered.

1. Introduction

This document describes the process that initiates the first stage of the procurement for a SMS Service for the JANET community (branded JANET txt). The result of this procurement will be a framework contract with JANET(UK) for a period of four years from the service start date. The service is intended for organisational use within the JANET community, with individual contracts being established between the nominated supplier and user organisations.

The procurement will be managed according to the restricted procedure as specified by the European Procurement Services Directive, 2004/18/EC, and this document is an integral part of the restricted procurement announced by JANET(UK) in the Supplement to the Official Journal of the European Union.

If you wish to be short listed for participation in the remainder of the procurement and subsequent invitation to submit an Operational Requirement response, then the appended questionnaire must be completed and submitted in accordance with the instructions in this document.

Section 2 of this document provides an overview of the contract required by JANET(UK). The information contained in section 3 of this document provides details of the shortlisting process. The anticipated timetable for the procurement is outlined in section 4. Instructions for completion of this questionnaire are given in section 5.

The questionnaire itself can be found at the end of this document. Questions in Part A relate to the background of your company. Questions in Part B relate to your company's experience of providing services similar to those envisaged for this requirement. Part C contains a declaration which must be signed and returned with the questionnaire.

1.1. JANET

JANET is the wide-area network that was created in 1984 to serve the needs of the higher education and research sector in the United Kingdom.

JANET provides services to all Higher Education Institutions, Further Education and Specialist Colleges and Research Council establishments in the UK. JANET also provides services to many Local Authority education networks, in support of ICT provision in schools and in adult and community learning. JANET is an IP based network with more than 1,000 direct connections available to a community of 18 million users.

JANET(UK) is responsible for providing JANET through a service level agreement with the Joint Information Systems Committee (JISC) of: the Higher Education Funding Council for England; the Scottish Funding Councils; the Higher Education Funding Council for Wales; the Department for Children, Education, Lifelong Learning and Skills (Wales); and the Department for Employment and Learning in Northern Ireland.

JANET(UK) also receives funding, via the JISC and otherwise, from the Learning and Skills Council, the Research Councils, the Department for Children, Schools and the Family, the Scottish Executive and the Welsh Assembly Government for the provision of JANET.

1.2. Contracting Authority

The contracting authority will be the JNT Association, trading as JANET(UK).

2. Outline of Contract to be Placed

2.1. Scope of Contract

In response to the requirements of the JANET community, JANET(UK) procured a Short Messaging Service, JANET txt, in April 2007. The service is specifically for use within the education and research sector and was procured to meet their particular requirements.

The current contract for JANET txt expires in April 2010. JANET(UK) wishes to continue the JANET txt service. This procurement is to appoint a single supplier to provide such a service for up to a further four years, starting in May 2010 subject to mutual agreement.

This contract will form a framework agreement, which any JANET connected organisation may make use of through a contract between the supplier and the individual participating organisation. All administrative and invoicing activities are to be handled by the supplier, providing relevant message tracking & billing for each organisation.

Every JANET connected organisation is eligible to use this service. However, suppliers should note that, although a single supplier will be selected as a result of this procurement. JANET(UK) cannot guarantee the number of orders placed in any given year. However, there will be an association with the JANET brand which carries with it trusted values and reputation.

For further details on JANET connected organisations please refer to <http://www.ja.net/services/connections/janet-sites/index.html>

2.2. Outline of Requirement

2.2.1. Current Provision and Scope of the JANET txt service

The service has been popular with uptake steadily increasing and to date 192 organisations have subscribed to the JANET txt service as follows:

Sector	# of Organisations / Departments	% of Total
HE	77	40%
FE	72	37%
SCHOOLS	6	3.5%
6 th FORM COLLEGES	5	2.5%
ACLs	9	4.7%
COUNCILS / LAs	5	2.5%
GROUPS	7	3.6%
OTHER	11	5.7%

As mentioned earlier, JANET is an IP based network with more than 1,000 direct connections available to a community of 18 million users. Although every JANET connected organisation is eligible to use this service, JANET(UK) cannot guarantee the number of orders placed in any given year.

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The key benefits that JANET txt provides are:

- A single tariff for all with the benefit of economy of scale
- A recognised quality assurance mechanism
- Removal of the need for individual organisations to go through a time-consuming and resource intensive procurement process

For further details of the existing service please refer to <http://www.ja.net/services/janet-txt.html>

The service required should:

- offer a single tariff which provides economies of scale benefits on the unit cost per message including reducing unit costs as the usage increases
- provide high quality and consistent levels of functionality and service that reflects the JANET brand
- allow each organisation to purchase against its own needs in a simple and cost-effective manner

2.2.2. Required Functionality

- Capable of branding the SMS delivery by individual organisations.
- A facility for individual organisations to administer their user accounts and manage the message delivery.
- Web based application for location independent use.
- Integration with other relevant systems – specifically MIS, but also VLE, e-mail and e-registration.
- Two way communication with short code functionality.
- International use.
- Group delivery functionality – from 1 to 250,000 messages in one go.
- The facility to build templates and schedule messages.
- The ability to direct messages to one or any combination of alternative technologies/devices, specifically email and/or text-to-speech to a landline, and others if capable. Text to audio message conversion to land lines and mobiles (inclusion for all or specifically for visually impaired students).
- Logging and tracking for audit, all elements involving date & time stamps, replies, sender and receiver information.
- Re-charging on sub-organisational level
- System reliability, proof of delivery or receipt. Security – ensure platform security and integrity of data, and adhere to the Data Protection Act and other applicable UK legislation. JANET connectivity through a private peering or an alternative arrangement where appropriate.

The JANET Connection Policy defines the conditions under which any organisation may be connected to JANET. The present connection policy is available on the Procurement Policy Web page at:

<http://www.ja.net/company/invitations-to-tender/procurement-policy.html>.

2.3. Nature of Contract

JANET(UK) will contract with one supplier for this service. It would welcome expressions of interest from suppliers that can provide an SMS service with the required functionality described in section 2.2.2 above.

2.4. Duration of Contract

JANET(UK) wishes to award a framework contract providing four years of service.

2.5. Development of Contract Terms

Short listed suppliers will receive a copy of JANET(UK)'s standard form of agreement. JANET(UK) requires its standard form of agreement to be used. As part of their response to the operational requirement document, suppliers will be invited to consider the standard agreement and to note any area of material concern.

3. Evaluation Process

3.1. Evaluation of PQQs

This process of shortlisting will involve the evaluation of completed prequalification questionnaires against set criteria. These criteria are set out below.

The criteria are grouped into **three** bands. Each potential supplier's answers to the questions asked in Part A will be used to evaluate items within Bands 1 and 2. Any potential supplier whose answers to questions within these two Bands are other than satisfactory to JANET(UK) will be excluded from the shortlist at this stage.

Answers to the questions in Part B of the questionnaire will then be used to evaluate the items within Band 3. Each criteria area (7-15) will have equal weighting in this evaluation.

Band 1 (A3.1)

1. No criminal record (article 45 item 1(a), 1(b), 1(c), 1(d)) - criminal organisation, guilty of corruption, fraud, money laundering (personal situation of the candidate or tenderer)
2. Is bankrupt or is currently being placed into administration, convicted by a judgement which has the force of res judicata, guilty of grave professional misconduct (article 45, item 2(a),(b), (c) and (d))
3. Made no serious misrepresentation in supplying information article 45, item 2(g)).

Band 2

4. Economic and financial standing (article 47) (A3.2 – A3.6)
5. Relevant Quality Assurance standards (article 49) (A4)
6. Technical and professional ability (article 48) (A2, A5)

Band 3

7. Proven track record in the delivery of SMS services. JANET(UK) will also take into account any information it holds on the performance of current suppliers it uses when evaluating the tender responses (B1.1)
8. Mechanisms for maintaining a reliable SMS service (B1.2)
9. The ability to deliver messages on an international scale (B1.3)
10. Mechanisms for accurate invoicing (B1.4)

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11. Understanding of the data protection and operational security issues, and appreciation of the regulatory requirements when dealing with children under 16 years of age. (B1.5)
12. Proven record of effective support functions (B1.6)
13. Proven project management methods and planning processes (B1.7)
14. Processes or programmes in place to ensure the service remains up to date and remains competitive (B1.8)
15. Lessons learnt/experience gained of similar contracts in the past (B1.9)

3.2. Size of shortlist

Providing that there are a sufficient number of competent candidates, JANET(UK) will shortlist between a minimum of 3 and a maximum of 6 potential suppliers to receive the operational requirement document.

4. Indicative Timetable

Activity	Date
Notice of procurement in the EU journal	17 September 2009
Close of registration to take part in the shortlisting	21 October 2009
Final date for clarifications	15 October 2009
Prequalification questionnaire returns by	12:00 noon, 22 October 2009
Complete review of responses, shortlist suppliers to enter the procurement process and issue Operational Requirement and draft agreement	13 November 2009
Return of Operational Requirement responses	23 December 2009
Selection of preferred supplier	22 January 2010
Contract placed with preferred supplier	End February 2010
New service in place	April 2010

JANET(UK) reserves the right to vary this timetable if the need arises, within the constraints of the European Directive.

Responses to the prequalification questionnaire will be expected to remain valid for six months after submission.

5. Instructions for Completion of the Questionnaire

In this section, instructions are given for completion and submission of the Prequalification Questionnaire which may be found at the end of this document.

5.1. Registration

Each interested supplier is required to register its intention to submit a response to this PQQ via the JANET(UK) e-tendering opportunities portal at:

<https://tenders.ja.net>.

Note: if your company is not already registered as a user of the JANET(UK) portal it is necessary first to register as a user of the portal. Once this registration is accepted by JANET(UK), a username and password will be issued, and should be used for all future

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accesses to the portal. Note also that JANET(UK) will reject a supplier's registration if there is already a registration on the portal for that supplier. Please remember also that this initial registration is **not** a registration for a particular contract, it is **only** the registration of the supplier on the JANET(UK) portal. When the username and password are received, it is necessary then to login and register interest in a specific contract.

When registering, it is recommended that a generic mailbox (such as *sales@supplier*) is set up, so that information from the system can be sent to more than one representative at the company.

A detailed Supplier User Guide on how to use the JANET(UK) portal can be downloaded from the portal itself, or from the JANET website at:

<http://www.ja.net/company/invitations-to-tender/index.html>.

Please note that JANET(UK) will **not** accept any registration requests after the close of registration date given in the timetable in section 4.

5.2. Electronic copy

Electronic copies of this PQQ document are available to download from the JANET(UK) e-tendering opportunities portal at:

<https://tenders.ja.net>.

5.3. Clarifications to the questionnaire

Each registrant will be provided with clarification of JANET(UK) requirements in accordance with the European Directive.

Registrants should raise any issues of clarification via the JANET(UK) e-tendering opportunities portal at <https://tenders.ja.net>. Where issues of clarification arise which are relevant to more than one candidate, these will be made available via the JANET(UK) portal. Any clarification request should be submitted by no later than the date given in the timetable in section 4, as JANET(UK) cannot guarantee to answer any requests submitted after this date.

5.4. Completion and delivery of Questionnaire responses

In order to be considered for shortlisting each registrant must provide the information requested in both Part A and Part B of the Questionnaire.

If a registrant has previously supplied to the JANET(UK) e-procurement opportunities portal answers to Part A, and these answers are still correct and up-to-date, it may declare this in Part C of the Questionnaire, and return Part A uncompleted. However, it is the registrant's sole responsibility to ensure that JANET(UK) has for the shortlisting correct and up-to-date answers to both Parts of the Questionnaire. In case of doubt, it is recommended that Part A is completed anew for this shortlisting process.

In order to assist in the shortlisting process, please ensure that, unless otherwise requested in the Questionnaire, all pertinent information is included as concisely as possible within the Questionnaire proforma, rather than as annexed documents that procurement panel members need to read in addition to obtain the key facts.

Each registrant must submit its completed Questionnaire via the JANET(UK) e-tendering opportunities portal.

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The Questionnaire must be uploaded in PDF format with the exception of spreadsheets which must be uploaded in Microsoft Excel format. A PDF file of the signed declaration must also be included in the upload.

Registrants are requested not to attempt to upload a completed Questionnaire very close to the closing time of the procurement, because the tender boxes will be locked at 12:00 and any documents that are part way through being uploaded will be rejected.

6. Freedom of Information (FOI)

JANET(UK) is subject to the provisions of the Freedom of Information Act 2000 (the "FOIA"). If the supplier considers that any information supplied in its Tender is either commercially sensitive or confidential in nature, this must be clearly marked and the reasons for the sensitivity given.

In such cases, the relevant material will, in respect of any request for information made by a third party to JANET(UK), be examined in the light of the exemptions provided in the FOIA. However, by virtue of its submission of a PQQ response, the supplier accepts that the decision as to whether to disclose such marked parts of the submission will rest solely with JANET(UK).

7. Record Retention

By submitting a response to this Prequalification Questionnaire, a supplier accepts that JANET(UK) will keep a copy of the response and all other documentation and correspondence received from the supplier relating to this procurement for seven years. JANET(UK) will keep this information in order to maintain the records required for audit purposes. At the end of the seven year period JANET(UK) will destroy any information that it holds relating to this procurement.

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PREQUALIFICATION QUESTIONNAIRE

PART A: Company Information

A1.	Company Details	
A1.1	<p>Company name.</p> <p>State whether your company is acting as a sole company or as part of a consortium. If acting as part of a consortium, state the names of the other companies involved in the consortium; how long your company has been working with these other companies; and the nature of the services that these companies are providing to the consortium.</p>	
A1.2	Registered Office and address.	
A1.3	Address for correspondence (if different from A1.2).	
A1.4	Contact name.	
A1.5	Contact telephone number.	
A1.6	Contact facsimile number.	
A1.7	Contact e-mail address.	

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A1.8	Date of formation (and date of registration in relevant state if different from each other).			
A1.9	Registration number.(where appropriate)			
A1.10	Type of company.			
A1.11	Name and address of parent or holding company (if applicable).			
A1.12	Details of your company structure (e.g. an organisation chart) describing the corporate structure of the company and indicating the number of staff working in each function.			
A2.	Company Resources			
A2.1	Provide details of the average number of technical staff employed by your company for the last three years. In addition, state the number of management staff employed over the same period.	Financial Year ending:	Technical staff:	Management staff:
A2.2	Of the technical staff shown at A2.1 for the last Financial Year, state the number of staff involved directly in the provision of the type of service to which this questionnaire relates.	Full-time staff		Part-time staff
A2.3	Provide a summary of the relevant technical skills under the control of your company. Also state who owns the resource and the degree of control over the resource that your company has.			

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A3.	Financial and Economic Standing
A3.1	<p>Please warrant that none of the following circumstances set out in Article 45 item 1(a), (b), (c) and (d) of EU directive 2004/18/EC applies to your company or sub-contractors:</p> <ul style="list-style-type: none"> (a) has been the subject of a conviction for participation in a criminal organisation, as defined in Article 2(1) of Council Joint Action 98/733/JHA; (b) has been the subject of a conviction for corruption, as defined in Article 3 of the Council Act of 26 May 1972 and Article 3(1) of Council Joint Action 98/742/JHA3 respectively; (c) has been subject of a conviction for fraud within the meaning of Article 1 of the Convention relating to the protection of the financial interests of the European Communities; (d) been the subject of a conviction for money laundering, as defined in Article 1 of Council Directive 91/308/EEC of 10th June 1991 on prevention of the use of the financial system for the purpose of money laundering. <p>Please warrant that none of the following circumstances set out in Article 45 items 2(a), (b), (c), (d) and (g) of EU directive 2004/18/EC applies to your company or sub-contractors:</p> <ul style="list-style-type: none"> (a) is bankrupt or is being wound up, whose affairs are being administered by the court, who has entered into an arrangement with creditors, who has suspended business activities or who is in any analogous situation arising from a similar procedure under national laws and regulations; (b) is the subject of proceedings for a declaration of bankruptcy, for an order for compulsory winding-up or administration by the court or for an arrangement with creditors or of any other similar proceedings under national laws or regulations; (c) has been convicted by a judgement which has the force of res judicata in accordance with the legal provisions of the country of any offence concerning his professional conduct; (d) has been guilty of grave professional misconduct proven by any means which the contracting authorities can demonstrate; (g) is guilty of serious misrepresentation in supplying the information required under this Section or has not supplied such information.

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A3.2	Provide (as an annex to your response) your company's, and if applicable, your parent company's and ultimate holding company's audited accounts for the last 3 financial years.	
A3.3	A statement of overall turnover of the operations that your company judges relevant to an SMS Service for the last three financial years, together with a breakdown of overall turnover for the last three financial years in the UK, and the rest of the world. Please provide this in pounds sterling (£) and as a percentage of the total turnover of the company.	<p>Turnover relevant to SMS Services. (by financial year ending) in pounds sterling:</p> <p>Current year:</p> <p>Last year:</p> <p>Previous year:</p> <p>Turnover relevant to SMS Services as a percentage of the total turnover of the company (by financial year ending):</p> <p>Current year:</p> <p>Last year:</p> <p>Previous year:</p>
A3.4	A statement, as at the last reporting date, of any contingent liability or loss where not otherwise reported, which would require disclosure in accordance with International Accounting Standard 10.	

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A3.5	A statement of any material past, present/actual, pending or threatened litigation or other legal proceeding, or dispute or investigation against your company or its senior officers by or with either any regulatory or contracting authorities or criminal justice or fiscal agencies. [An up to date copy of form 10k should be provided by US companies].	
A3.6	Details of any significant financial or business factors (past, present or future) that may have an impact on your company (e.g. mergers, take-overs, rationalisation, change of ownership).	

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A4.	Auditing and Quality Assurance	
A4.1	Please provide details of your auditing and/or quality assurance programme including details of registration under any formal quality accreditation scheme. Please state whether the auditing and/or quality assurance programme extends to all areas of your organisations business. If it does not extend to all areas then please state clearly where it does and does not apply.	

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A5.	Contract Termination			
A5.1	Within the past five years, has your company had a contract for an SMS Service terminated? Please answer YES or NO and if YES, please give full details. Yes <input type="checkbox"/> No <input type="checkbox"/>			
	Contract with	Type	Value per annum	Reason for termination

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PART B: Experience and Understanding of the Requirement																	
B1.1	<p>It is essential that companies wishing to enter the procurement process have significant experience of providing SMS Service. Please list below similar services provided by your company during the last five years, with value, dates and recipients of the services. You should also indicate any parts of the services which either are or were sub-contracted and to whom.</p> <p>If you wish to provide details of multiple services then please provide separate responses to this question for each of the services.</p>																
	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 40%; padding: 5px;">Name of service.</td> <td style="width: 60%;"></td> </tr> <tr> <td style="padding: 5px;">Geographical area in which services provided</td> <td></td> </tr> <tr> <td style="padding: 5px;">Nature of services</td> <td></td> </tr> <tr> <td style="padding: 5px;">Extent to which your company's own SMS service was used</td> <td></td> </tr> <tr> <td style="padding: 5px;">Value of contract</td> <td></td> </tr> <tr> <td style="padding: 5px;">Start of contract</td> <td></td> </tr> <tr> <td style="padding: 5px;">Length of contract</td> <td></td> </tr> <tr> <td style="padding: 5px;">Contract awarding body</td> <td></td> </tr> </table>	Name of service.		Geographical area in which services provided		Nature of services		Extent to which your company's own SMS service was used		Value of contract		Start of contract		Length of contract		Contract awarding body	
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	<p>Describe the approach and solution used to integrate with other systems including MIS, VLE, e-mail and e-registration;</p> <p>And provide the following information:</p> <ul style="list-style-type: none"> • Largest number of messages delivered by your system in a single transaction, and any limitation in the number of recipients that can be handled simultaneously. • Type of recipients (staff, learners commercial, parent/guardians, children) and their age range, • Details of languages other than English that have been handled by your system. 	
	<p>If work was sub-contracted, details of the sub-contractors and the nature of the work that they undertook</p>	
	<p>Other aspects of the service that you consider relevant</p>	
<p>B1.2</p>	<p>Describe your company's mechanisms for maintaining a reliable SMS Service.</p>	
<p>B1.3</p>	<p>Describe your company's processes for the international delivery of messages.</p>	

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B1.4	Describe the mechanisms you have in place to ensure accurate invoicing for each implementation of the service. Provide information with regard to the ability to scale for the whole of the JANET community.	
B1.5	Describe the structures that your company has in place to ensure operational security, data security, the integrity of organisation / personal data taking into account the issue of “duty of care” when dealing with children under 16 years of age.	
B1.6	Provide a description of support functions you have in place. Please include details of numbers and type of people involved, and hours of coverage.	
B1.7	Please provide a brief overview, including project management methods and general planning processes, of how your company would typically deploy an SMS Service such as that envisaged here.	
B1.8	Provide details of any development programme your organisation has in place to ensure that the technology continues to remain competitive and responsive to customer requirements.	

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B1.9	From the experience outlined in response to B1.1 above, please highlight for each category (a-e) lessons learnt/experience gained of:	<ul style="list-style-type: none">a. Creation and maintenance of long-term relationships with clients, partners and suppliers.b. Meeting challenging delivery timescales.c. Introducing innovative approaches to assist in meeting client aspirations.d. Managing projects that have attracted significant Ministerial, Political and/or press interest.e. Any other factors.
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PART C: Declaration

When you have completed the Questionnaire, please read and sign the declaration below.

Potential suppliers should note that the information given in this Questionnaire may be subject to verification at later stages of the procurement process. If any material error, omission or misrepresentation on the part of the potential supplier is discovered, JANET(UK) reserve the right to disqualify the potential supplier from participating in the procurement process no matter what stage in the process has been reached when the error, omission or misrepresentation is discovered.

Declaration

I/We certify that the information supplied is accurate to the best of my/our knowledge and that I/we accept the conditions and undertakings requested in the Questionnaire. I/we understand that false information could result in my/our exclusion from further participation in the procurement process, no matter what stage in the process has been reached when the error, omission or misrepresentation is discovered.

[Delete the following if not applicable and you have completed Part A of the Questionnaire as well as Part B.]

I/we certify that the information that JANET(UK) currently holds on its e-procurement opportunities portal relating to my/our company in relation to Part A of the Questionnaire remains correct and up-to-date.

Signed:.....

Name:

Position in company:

For and on behalf of:

Date: