

SCHEDULE 12

NPS SPECIFIC TERMS

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Mandatory Supplier Rebate

Tenderers are expected to confirm in the Qualification questionnaire their ability to meet the requirements set out in this Clause.

The NPS is obliged to recover its costs and the Suppliers will be required to pay a retrospective MSR (the "Mandatory Supplier Rebate") to the NPS of 0.45% value of the Suppliers' agreement / contract turnover.

Payment will be made in arrears at quarterly intervals following the commencement of the agreement and will be based upon the overall actual value of business conducted against the agreement (fees actually paid) by all Clients during the preceding period.

The Mandatory Supplier Rebate shall be exclusive of VAT. The Suppliers shall pay an amount in respect of VAT on the Mandatory Supplier Rebate at the rate and in the manner prescribed by law from time to time.

For the avoidance of doubt the Mandatory Supplier Rebate shall be payable to the NPS throughout the life of this agreement and be applied to all orders placed during the full lifecycle of this agreement.

The NPS will be entitled to submit invoices to the Tenderers in respect of the Mandatory Supplier Rebate due every quarter based upon the Management Information provided pursuant to this clause herein.

The Suppliers will pay electronically the amount of Mandatory Supplier Rebate stated in the invoice within thirty (30) calendar days of the date of issue of the invoice.

Interest shall be payable on any late payments of the Mandatory Supplier Rebate in accordance with the Late Payments of Commercial Debts (Interest) Act 1998

If the Mandatory Supplier Rebate remains unpaid for a period of 3 months then the NPS may terminate this agreement forthwith on giving notice in writing to the Supplier.

Without prejudice to any other remedies available, the NPS reserves the right to recover from the Supplier any reasonable administration fees incurred in pursuing unpaid Mandatory Supplier Rebates at a rate of 3.5% above the base lending rate of the bank of England.

Management Information for NPS

In order for NPS to track uptake, benefits and trends/patterns, the Supplier(s) will be required to submit management information reports as requested by NPS, detailing Agreement take up by the various Organisations, monthly expenditure per organisation, spend, etc.

Upon award of the Agreement, the Category Forum consisting of representatives of the Organisations, together with the successful Supplier(s), will establish the Framework KPI's to be used for the life of the Agreement and will be reviewed on a regular basis or as and when required.

At the start of each financial year (April – March), the successful Supplier(s) will be provided with two Excel spreadsheets for completion on a regular basis.

The first spreadsheet will require the Supplier(s) to record spend information, exclusive of VAT, for Organisations across the Welsh public sector and must be returned to the Category Manager on a monthly basis by the 10th day of each month.

The second will detail key performance indicators on the performance of the Agreement and Community Benefits activity. However, this may be subject to change during the lifetime of the Agreement and must be returned on a quarterly basis and, as a general rule, a week prior to any review meetings.