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Wales and Borders Rail Service and

South Wales Metro

Final Tender for [insert Bidder name]

Volume 1: ITSFT

CONFIDENTIAL

[Insert date]

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1. **R1.0 Populated ODP Grant Agreement – Template of Matters**

1.1 [Insert file name; file to be provided separately]

2. **R1.1 Executive summary**

2.1 [Insert file names; file to be provided separately]

3. **R1.2 Competition Matters**

a) Confirm whether award of the ODP Grant Agreement requires notification to the EC under EUMR

3.1 [Insert response]

[If you have provided positive confirmation to R1.2a above then please provide responses to the following three questions]

i) Do you propose to request pursuant to Article 4(4) EUMR that the transaction is referred back to the CMA for consideration?

3.2 [Insert response]

How do you view the prospects of such a request being accepted?

3.3 [Insert response]

ii) What is the likelihood of the CMA requesting referral back to the UK pursuant to Article 9 EUMR?

3.4 [Insert response]

b) Reasoned analysis of the likely competition assessment of the transaction

3.5 [Insert response]

c) Strategy to minimise any delay

i. Approach to pre-notification discussions with the CMA and/or EC

3.6 [Insert response]

ii. Co-operating with the EC and/or the CMA during their investigations

3.7 [Insert response]

iii. Likely timetable for securing competition clearance

3.8 [Insert response]

iv. Confirmation of willingness to offer undertakings or commitments to the CMA or the EC in order to avoid a second phase investigation

3.9 [Insert response]

v. Confirmation that any such undertakings or commitments given would not impact on the ability to operate any other UK rail service of which it is the franchisee, or to the extent that they would, a detailed assessment of such impact;

3.10 [Insert response]

vi. Indicative timetable for securing required competition clearance,

3.11 [Insert response]

Any other strategy required (not covered above)

3.12 [Insert response]

d) Reasoned assessment of the likelihood of the CMA imposing an interim order

3.13 [Insert response]

e) Confirm commitment to the Authority to offer such undertakings or commitments to the CMA or the EC as may be required

3.14 [Insert response]

f) Confirmation that you are prepared to comply with the undertakings or commitments identified in your analysis.

3.15 [Insert response]

4. R1.3 Legal and Regulatory ORR CVL Questionnaire

4.1 [Insert file name; file to be provided separately]

5. R1.4 Estimated RPS pension contributions

Estimated RPS Baseline Contributions

5.1 [Insert response]

Method and assumptions used to calculate Baseline Contributions

5.2 [Insert response]