**VOLUME TWO – APPLICANTS OFFER (2)**

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| **Reference Number: NTCTOWNTEAM2022**  **Contract for: Newquay Town Development Framework and Investment Plan** |

Closing time and date for return of submission:

12:00hrs (noon) 21 February 2022

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| **Name of Applicant:** |

This document must be completed and returned in the published format. Failure to comply with this instruction may result in your Submission being discounted.

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## General Notes

This document should be read in conjunction with the supporting information contained within Volume 1 “Invitation to Tender - Background Information, Instructions and Conditions of Tender” and associated documents also referenced.

This document and associated documents will form the basis of the Applicants formal tender response. Care should be taken to ensure that it is completed accurately, and all information required to submit a compliant tender is done ahead of submitting any final response.

## Selection Questionnaire

**Notes for completion**

1. The “Council” means the contracting authority, or anyone acting on behalf of the contracting authority, that is seeking to invite suitable candidates to participate in this procurement process.
2. “You” / “Your” refers to the potential supplier completing this standard Selection Questionnaire i.e. the legal entity responsible for the information provided. The term “potential supplier” is intended to cover any economic operator as defined by the Public Contracts Regulations 2015 (referred to as the “regulations”) and could be a registered company; the lead contact for a group of economic operators; charitable organisation; Voluntary Community and Social Enterprise (VCSE); Special Purpose Vehicle; or other form of entity.
3. Please ensure that all questions are completed in full, and in the format requested. If the question does not apply to you, please state ‘N/A’. Should you need to provide additional information in response to the questions, please submit a clearly identified annex.
4. The Council recognises that arrangements set out in section 1.2 of the standard Selection Questionnaire, in relation to a group of economic operators (for example, a consortium) and/or use of sub-contractors, may be subject to change and will, therefore, not be finalised until a later date. The lead contact should notify the authority immediately of any change in the proposed arrangements and ensure a completed Part 1 and Part 2 is submitted for any new organisation relied on to meet the selection criteria. The authority will make a revised assessment of the submission based on the updated information.
5. For Part 1 and Part 2 every organisation that is being relied on to meet the selection must complete and submit the self-declaration.
6. For answers to Part 3 -If you are bidding on behalf of a group, for example, a consortium, or you intend to use sub-contractors, you should complete all of the questions on behalf of the consortium and/ or any sub-contractors, providing one composite response and declaration.

The Council confirms that it will keep confidential and will not disclose to any third parties any information obtained from a named customer contact, other than to the Cabinet Office and/or contracting authorities defined by the regulations, or pursuant to an order of the court or demand made by any competent authority or body where the Council is under a legal or regulatory obligation to make such a disclosure.

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| **Part 1: Potential supplier information**  Please answer the following questions in full. Note that every organisation that is being relied on to meet the selection must complete and submit the Part 1 and Part 2 self-declaration. | | | |
| **Section 1** | **Potential supplier information** |  | |
| **Question number** | **Question** | **Response** | |
| 1.1(a) | Full name of the potential supplier  submitting the information |  | |
| 1.1(b) – (i) | Registered office address (if applicable) |  | |
| 1.1(b) – (ii) | Registered website address (if applicable) |  | |
| 1.1(c) | Please mark ‘X’ in the relevant box to indicate your trading status | 1. a public limited company |  |
| 1. a limited company |  |
| 1. a limited liability partnership |  |
| 1. other partnership |  |
| 1. sole trader |  |
| 1. other (please specify) |  |
| 1.1(d) | Date of registration in country of origin |  | |
| 1.1(e) | Company registration number (if applicable) |  | |
| 1.1(f) | Charity registration number (if applicable) |  | |
| 1.1(g) | Head office DUNS number (if applicable) |  | |
| 1.1(h) | Registered VAT number |  | |
| 1.1(i) - (i) | If applicable, is your organisation registered with the appropriate professional or trade register(s) in the member state where it is established? |  | |
| 1.1(i) - (ii) | If you responded yes to 1.1(i) - (i), please provide the relevant details, including the registration number(s). |  | |
| 1.1(j) - (i) | Is it a legal requirement in the state where you are established for you to possess a particular authorisation, or be a member of a particular organisation in order to provide the services specified in this procurement? |  | |
| 1.1(j) - (ii) | If you responded yes to 1.1(j) - (i), please provide additional details of what is required and confirmation that you have complied with this. |  | |
| 1.1(k) | Trading name(s) that will be used if successful in this procurement |  | |
| 1.1(l) | Please mark ‘X’ in the relevant box to indicate whether any of the following classifications apply to you | 1. Voluntary, Community and Social Enterprise (VCSE) |  |
| 1. Small or Medium Enterprise (SME) |  |
| 1. Sheltered workshop |  |
| 1. Public service mutual |  |
| 1.1(m) | Are you a Small, Medium or Micro Enterprise (SME)? |  | |
| 1.1(n) | Details of Persons of Significant Control (PSC), where appropriate (Please enter N/A if not applicable) | | |
| Name: |  | |
| Date of birth: |  | |
| Nationality: |  | |
| Country, state or part of the UK where the PSC usually lives: |  | |
| Service address: |  | |
| The date they became a PSC in relation to the company (for existing companies the 06 April 2016 should be used): |  | |
| Which conditions for being a PSC are met: |  | |
| Over 25% up to (and including) 50% |  | |
| More than 50% and less than 75% |  | |
| 75% or more |  | |
| 1.1(o) | Details of immediate parent company (Please enter N/A if not applicable) | | |
| Full name of the immediate parent company: |  | |
| Registered office address (if applicable): |  | |
| Registration number (if applicable): |  | |
| Head office DUNS number (if applicable): |  | |
| Head office VAT number (if applicable): |  | |
| 1.1(p) | Details of ultimate parent company (Please enter N/A if not applicable) | | |
| Full name of the ultimate parent company: |  | |
| Registered office address (if applicable): |  | |
| Registration number (if applicable): |  | |
| Head office DUNS number (if applicable): |  | |
| Head office VAT number (if applicable): |  | |

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| **Please provide the following information about your approach to this procurement.** | | | |
| **Section 1** | **Bidding model** |  | |
| **Question number** | **Question** | **Response** | |
| 1.2(a) - (i) | Are you bidding as the lead contact for a group of economic operators?  If **yes**, please provide details listed in questions 1.2(a) (ii), (a) (iii) and to 1.2(b) (i), (b) (ii), 1.3, Section 2 and 3.  If **no**, and you are a supporting bidder please provide the name of your group at 1.2(a) (ii) for reference purposes, and complete 1.3, Section 2 and 3. | **Please indicate your answer by marking ‘X’ in the relevant box.** | |
| **Yes** | **No** |
|  |  |
| 1.2(a) - (ii) | Name of group of economic operators (if applicable) |  | |
| 1.2(a) - (iii) | Proposed legal structure if the group of economic operators intends to form a named single legal entity prior to signing a contract, if awarded. If you do not propose to form a single legal entity, please explain the legal structure. |  | |
| 1.2(b) - (i) | Are you or, if applicable, the group of economic operators proposing to use sub-contractors? | **Yes** | **No** |
|  |  |
| 1.2(b) - (ii) | If you responded yes to 1.2(b)-(i) please provide additional details for each sub-contractor in the following table: we may ask them to complete this form as well. | | |
| Name: |  | |
| Registered address: |  | |
| Trading status: |  | |
| Company registration number: |  | |
| Head Office DUNS number (if applicable): |  | |
| Registered VAT number: |  | |
| Type of organisation: |  | |
| SME (Yes/No): |  | |
| The role each sub-contractor will take in providing the works and /or supplies e.g. key deliverables: |  | |
| The approximate % of contractual obligations assigned to each sub-contractor: |  | |
| **Contact details and declaration** | | | |
| I declare that to the best of my knowledge the answers submitted and information contained in this document are correct and accurate.  I declare that, upon request and without delay I will provide the certificates or documentary evidence referred to in this document.  I understand that the information will be used in the selection process to assess my organisation’s suitability to be invited to participate further in this procurement.  I understand that the authority may reject this submission in its entirety if there is a failure to answer all the relevant questions fully, or if false/misleading information or content is provided in any section.  I am aware of the consequences of serious misrepresentation. | | | |
| **Section 1** | **Contact details and declaration** |  | |
| **Question number** | **Question** | **Response** | |
| 1.3(a) | Contact name |  | |
| 1.3(b) | Name of organisation |  | |
| 1.3(c) | Role in organisation |  | |
| 1.3(d) | Phone number |  | |
| 1.3(e) | E-mail address |  | |
| 1.3(f) | Postal address |  | |
| 1.3(g) | Signature (electronic is acceptable) |  | |
| 1.3(h) | Date |  | |

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| **Part 2: Exclusion grounds**  Please answer the following questions in full. Note that every organisation that is being relied on to meet the selection must complete and submit the Part 1 and Part 2 self-declaration. | | | |
| **Section 2** | **Grounds for mandatory exclusion** | | |
| **Question number** | **Question** | **Response** | |
| 2.1(a) | **Regulations 57(1) and (2)**  The detailed grounds for mandatory exclusion of an organisation are set out on this [web page](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List_of_Mandatory_and_Discretionary_Exclusions.pdf), which should be referred to before completing these questions.  Please indicate if, within the past five years you, your organisation or any other person who has powers of representation, decision or control in the organisation been convicted anywhere in the world of any of the offences within the summary below and listed on the [webpage](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List_of_Mandatory_and_Discretionary_Exclusions.pdf). |  | |
| **Please indicate your answer by marking ‘X’ in the relevant box.** | |
|  | **Yes** | **No** |
| Participation in a criminal organisation  If Yes please provide details at 2.1(b) |  |  |
| Corruption  If Yes please provide details at 2.1(b) |  |  |
| Fraud  If Yes please provide details at 2.1(b) |  |  |
| Terrorist offences or offences linked to terrorist activities  If Yes please provide details at 2.1(b) |  |  |
| Money laundering or terrorist financing  If Yes please provide details at 2.1(b) |  |  |
| Child labour and other forms of trafficking in human beings  If Yes please provide details at 2.1(b) |  |  |
| 2.1(b) | If you have answered yes to question 2.1(a), please provide further details.  Date of conviction, specify which of the grounds listed the conviction was for, and the reasons for conviction,  Identity of who has been convicted  If the relevant documentation is available electronically please provide the web address, issuing authority, precise reference of the documents. |  | |
| 2.2 | If you have answered Yes to any of the points above have measures been taken to demonstrate the reliability of the organisation despite the existence of a relevant ground for exclusion ? (Self Cleaning) | **Yes** | **No** |
|  |  |
| 2.3(a) | **Regulation 57(3)**  Has it been established, for your organisation by a judicial or administrative decision having final and binding effect in accordance with the legal provisions of any part of the United Kingdom or the legal provisions of the country in which the organisation is established (if outside the UK), that the organisation is in breach of obligations related to the payment of tax or social security contributions? |  |  |
| 2.3(b) | If you have answered yes to question 2.3(a), please provide further details. Please also confirm you have paid, or have entered into a binding arrangement with a view to paying, the outstanding sum including where applicable any accrued interest and/or fines. |  | |
| **Please Note: The Council reserves the right to use its discretion to exclude a potential supplier where it can demonstrate by any appropriate means that the potential supplier is in breach of its obligations relating to the non-payment of taxes or social security contributions.** | | | |
| **Section 3** | **Grounds for discretionary exclusion** | | |
| **Question number** | **Question** | **Response** | |
| 3.1 | **Regulation 57 (8)**  The detailed grounds for discretionary exclusion of an organisation are set out on this [web page](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List_of_Mandatory_and_Discretionary_Exclusions.pdf), which should be referred to before completing these questions.  Please indicate if, within the past three years, anywhere in the world any of the following situations have applied to you, your organisation or any other person who has powers of representation, decision or control in the organisation. |  | |
| **Please indicate your answer by marking ‘X’ in the relevant box.** | |
| **Yes** | **No** |
| 3.1(a) | Breach of environmental obligations?  If yes please provide details at 3.2 |  |  |
| 3.1 (b) | Breach of social obligations?  If yes please provide details at 3.2 |  |  |
| 3.1 (c) | Breach of labour law obligations?  If yes please provide details at 3.2 |  |  |
| 3.1(d) | Bankrupt or is the subject of insolvency or winding-up proceedings, where the organisation’s assets are being administered by a liquidator or by the court, where it is in an arrangement with creditors, where its business activities are suspended or it is in any analogous situation arising from a similar procedure under the laws and regulations of any State?  If yes please provide details at 3.2 |  |  |
| 3.1(e) | Guilty of grave professional misconduct?  If yes please provide details at 3.2 |  |  |
| 3.1(f) | Entered into agreements with other economic operators aimed at distorting competition?  If yes please provide details at 3.2 |  |  |
| 3.1(g) | Aware of any conflict of interest within the meaning of regulation 24 due to the participation in the procurement procedure?  If yes please provide details at 3.2 |  |  |
| 3.1(h) | Been involved in the preparation of the procurement procedure?  If yes please provide details at 3.2 |  |  |
| 3.1(i) | Shown significant or persistent deficiencies in the performance of a substantive requirement under a prior public contract, a prior contract with a contracting entity, or a prior concession contract, which led to early termination of that prior contract, damages or other comparable sanctions?  If yes please provide details at 3.2 |  |  |
| 3.1(j) | Please answer the following statements |  | |
| 3.1(j) - (i) | The organisation is guilty of serious misrepresentation in supplying the information required for the verification of the absence of grounds for exclusion or the fulfilment of the selection criteria.  If Yes please provide details at 3.2 |  |  |
| 3.1(j) - (ii) | The organisation has withheld such information.  If Yes please provide details at 3.2 |  |  |
| 3.1(j) –(iii) | The organisation is not able to submit supporting documents required under regulation 59 of the Public Contracts Regulations 2015.  If Yes please provide details at 3.2 |  |  |
| 3.1(j)-(iv) | The organisation has influenced the decision-making process of the contracting authority to obtain confidential information that may confer upon the organisation undue advantages in the procurement procedure, or to negligently provided misleading information that may have a material influence on decisions concerning exclusion, selection or award.  If Yes please provide details at 3.2 |  |  |
| 3.2 | If you have answered Yes to any of the above, explain what measures been taken to demonstrate the reliability of the organisation despite the existence of a relevant ground for exclusion? (Self Cleaning) |  | |

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| **Part 3: Selection questions** | | | | | | | | | | |
| **Section 4** | | **Economic and financial standing** | | | | | | | | |
| **Question number** | | **Question** | | | | | **Response** | | | |
| 4.1 | |  | | | | | **Please indicate your answer by marking ‘X’ in the relevant box.** | | | |
| **Yes** | | **No** | |
| Are you able to provide a copy of your audited accounts for the last two years, if requested?  If no, can you provide **one** of the following: | | | | |  | |  | |
| (a) A statement of the turnover, Profit and Loss Account/Income Statement, Balance Sheet/Statement of Financial Position and Statement of Cash Flow for the most recent year of trading for this organisation. | | | | |  | |  | |
| (b) A statement of the cash flow forecast for the current year and a bank letter outlining the current cash and credit position. | | | | |  | |  | |
| (c) Alternative means of demonstrating financial status if any of the above are not available (e.g. forecast of turnover for the current year and a statement of funding provided by the owners and/or the bank, charity accruals accounts or an alternative means of demonstrating financial status). | | | | |  | |  | |
| **Section 5** | | **If you have indicated in the Selection Questionnaire question 1.2 that you are part of a wider group, please provide further details below** | | | | | | | | |
| **Question number** | | **Question** | | | | | **Response** | | | |
|  | | Name of organisation | | | | |  | | | |
| Relationship to the Supplier completing these questions | | | | |  | | | |
|  | | | | | | | **Please indicate your answer by marking ‘X’ in the relevant box.** | | | |
| **Yes** | | **No** | |
| 5.1 | | Are you able to provide parent company accounts if requested to at a later stage? | | | | |  | |  | |
| 5.2 | | If yes, would the parent company be willing to provide a guarantee if necessary? | | | | |  | |  | |
| 5.3 | | If no, would you be able to obtain a guarantee elsewhere (e.g. from a bank)? | | | | |  | |  | |
| **Section 6** | | **Technical and professional ability** | | | | | | | | |
| **Question number** | | **Question** | | | | | **Response** | | | |
| 6.1 | | Please provide details of three contracts, in any combination from either the public or private sector; voluntary, charity or social enterprise (VCSE) that are relevant to our requirement. VCSEs may include samples of grant-funded work. Contracts for supplies or services should have been performed during the past three years. Works contracts may be from the past five years.  The named contact provided should be able to provide written evidence to confirm the accuracy of the information provided below.  Consortia bids should provide relevant examples of where the consortium has delivered similar requirements. If this is not possible (e.g. the consortium is newly formed or a Special Purpose Vehicle is to be created for this contract) then three separate examples should be provided between the principal member(s) of the proposed consortium or Special Purpose Vehicle (three examples are not required from each member).  Where the Supplier is a Special Purpose Vehicle, or a managing agent not intending to be the main provider of the supplies or services, the information requested should be provided in respect of the main intended provider(s) or sub-contractor(s) who will deliver the contract.  If you cannot provide examples see question 6.3 | | | | | | | | |
|  | | | Contract 1 | Contract 2 | | Contract 3 | | | | |
| Name of customer organisation | | |  |  | |  | | | | |
| Point of contact in the organisation | | |  |  | |  | | | | |
| Position in the organisation | | |  |  | |  | | | | |
| E-mail address | | |  |  | |  | | | | |
| Contract Start date | | |  |  | |  | | | | |
| Contract completion date | | |  |  | |  | | | | |
| Estimated contract value | | |  |  | |  | | | | |
| Description and detail of each Contract (max 250 words per contract) | | | | | | | | | | |
| Contract 1: | | | | | | | | | | |
| Contract 2: | | | | | | | | | | |
| Contract 3: | | | | | | | | | | |
| 6.2 | | Where you intend to sub-contract a proportion of the contract, please demonstrate how you have previously maintained healthy supply chains with your sub-contractor(s)  Evidence should include, but is not limited to, details of your supply chain management tracking systems to ensure performance of the contract and including prompt payment or membership of the UK Prompt Payment Code (or equivalent schemes in other countries) | | | | | | | | |
| Response: | | | | | | | | | | |
| 6.3 | | If you cannot provide at least one example for questions 6.1, in no more than 500 words please provide an explanation for this e.g. your organisation is a new start-up or you have provided services in the past but not under a contract. | | | | | | | | |
| Response: | | | | | | | | | | |
| **Section 8** | | **Additional questions** | | | | | | | | |
| **Question number** | | **Question** | | | | | **Response** | | | |
| **8.1** | | **Insurance** | | | | |  | | | |
| Please self-certify whether you already have, or can commit to obtain, prior to the commencement of the contract, the levels of insurance cover indicated below(Please indicate your answer by marking ‘X’ in the relevant box): | | | | | | | **Yes** | | **No** | |
| Employer’s (Compulsory) Liability Insurance = £5million | | | | | | |  | |  | |
| Public Liability Insurance = £5million | | | | | | |  | |  | |
| Professional Indemnity Insurance = £2million | | | | | | |  | |  | |
| \* It is a legal requirement that all companies hold Employer’s (Compulsory) Liability Insurance of £5 million as a minimum. Please note this requirement is not applicable to Sole Traders. | | | | | | |  | |  | |
| **8.2** | **Compliance with Equality legislation** | | | | | | | | |
| For organisations working outside of the UK please refer to equivalent legislation in the country that you are located. (Please indicate your answer by marking ‘X’ in the relevant box): | | | | |  | | | | |
| **Yes** | | | **No** | |
| In the last three years, has any finding of unlawful discrimination been made against your organisation by an Employment Tribunal, an Employment Appeal Tribunal or any other court (or in comparable proceedings in any jurisdiction other than the UK)? | | | | |  | | |  | |
| In the last three years, has your organisation had a complaint upheld following an investigation by the Equality and Human Rights Commission or its predecessors (or a comparable body in any jurisdiction other than the UK), on grounds or alleged unlawful discrimination?  If you have answered “yes” to one or both of the questions in this module, please provide, as a separate Appendix, a summary of the nature of the investigation and an explanation of the outcome of the investigation to date.  If the investigation upheld the complaint against your organisation, please use the Appendix to explain what action (if any) you have taken to prevent unlawful discrimination from reoccurring.  You may be excluded if you are unable to demonstrate to the Authority’s satisfaction that appropriate remedial action has been taken to prevent similar unlawful discrimination reoccurring. | | | | |  | | |  | |
| If you use sub-contractors, do you have processes in place to check whether any of the above circumstances apply to these other organisations? | | | | |  | | |  | |
| If you use sub-contractors, do you have processes in place to check whether any of the above circumstances apply to these other organisations? | | | | |  | | |  | |
| **8.3** | **Project Specific Questions** (max word limit 500 words per question) | | | | | | | | |
| a) | Describe your experience of engaging with stakeholders and the community to achieve positive outcomes in project delivery. | | | | | | | | |
|  | | | | | | | | | |
| b) | Describe your experience of creating a spatial framework, which may include; land use, design and management, principles and development opportunities, taking account of land availability and other outputs. | | | | | | | | |
|  | | | | | | | | | |
| c) | Describe your experience of creating an economic and investment plan. | | | | | | | | |
|  | | | | | | | | | |

## Price Schedule

Applicants are required to complete and submit the Pricing Schedule with the Tender response. These costs will form the basis of the Bid submission. All prices shall be stated in pounds sterling and exclusive of VAT.

If there is no charge for an item, please state none.

## Price Validity Period

As a minimum, all prices submitted must remain fixed and firm for the period of the contract.

## Method Statements (award questions)

In order to demonstrate how you will deliver the service as detailed in the specification the Applicant is required to include the following Method Statements with their tender submission. Please answer all of the questions detailed below in the order in which they appear.

The tenderer will be required to submit a detailed submission of their methodology to undertake a Town Development Framework and Town Investment Plan for Newquay Town Centre to meet the requirements set out on the accompanying project brief and associated suite of documents.

Each submission will be assessed against the following criteria.

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| --- | --- | --- |
|  | **Methodology**  Please detail your approach and methodology for delivering the services in particular how you will ensure the requirements in the specification are achieved. | 35% |
| Guidance:  It is expected as a minimum that your answer will include   * A clear understanding of the issues presented and the specific requirements of the commission. * How the project requirements will be met using both tested and innovative techniques including any techniques used on similar projects (such as those referenced at section 6.1 above) and any lessons learned * Appropriateness of the methods applied. * Completion of the stakeholder engagement plan provided in the Appendices * Your submission should demonstrate your appreciation of the key issues, challenges, and opportunities afforded by this commission including what you believe are the 3 most important aspects and how your methodology will ensure these are accounted for taking into account any lessons learned from similar projects.   **max 2000 words** | | |
| Response: | | |
|  | **Proposed Team**  Please provide a team composition statement outlining its leadership and governance structure, explaining how it is suited to meet the project objectives; please include a project structure diagram together with CVs of the proposed project lead and key personnel for each discipline. (Max 6 CVs of no more than 2 pages each) | 15% |
| Guidance:  Your response should include   * a resource strategy that provides confidence in the allocation of staff to meet the projects requirements and objectives * CVs of key consultants * Explanation of why those consultants have been chosen for this project with reference to previous experience on similar projects * Evidence of any prior collaborations   **max 1000 words excluding CVs** | | |
| Response: | | |
|  | **Quality Assurance and Project Management**  Please describe the project management approach you will take to meet the requirements of this commission | 8% |
| Guidance:  Your response should include   * A project strategy that outlines how you will ensure delivery to time and within budget highlighting any key milestones and activities * A description of how you will ensure the effectiveness of quality assurance procedures to deliver high quality outputs and outcomes * A proposed method of communicating and reporting to the client throughout the contract period   **max 1000 words** | | |
| Response: | | |
|  | **Alignment to Guiding Principles and awareness of factors relevant to Newquay**  Please describe the approach you will take to reflect the importance of the guiding principles of Community Engagement, Sustainability and the Environment and your awareness of issues that face Newquay and/or similar Coastal Towns. | 12% |
| Guidance:  Your response should include   * How you will address the importance of stakeholder/community engagement at the beginning and throughout the project * How you will ensure the guiding principles of the project are incorporated within your approach * Your understanding of the key issues facing Newquay and/or a similar coastal town and how you will address these within your approach   **max 1000 words** | | |
| Response: | | |

## Conditions of Tender

|  |  |  |
| --- | --- | --- |
| **Newquay Town Council**  **CONDITIONS OF TENDER** | | |
| **Reference number and Title of Contract:** Shall be as per the Reference Number and Title of Contract as detailed on page one (1) of this Volume Two (2) Applicant’s Offer | | |
| 1. | By submitting a Tender, Applicants are agreeing to be bound by the terms and conditions without further negotiation or amendment.  I/We fully accept the terms and conditions of contract for the provision of consultancy services | |
| 2. | Having examined the tender documents for the provision of the above works, we offer to provide the said works in conformity, without qualification, therewith for the sum/sums enclosed in the Pricing Schedule of this Bid. | |
| 3. | The Council does not bind itself to accept the lowest or any Tender, and reserves the right to accept a Tender either in whole or in part, for such item or items specified in the Invitation to Tender, and for such place or places of delivery as it thinks fit, each item and establishment being for this purpose considered as tendered for separately. | |
| 4. | I/We the undersigned DO HEREBY UNDERTAKE on the acceptance by the Council of my/our Tender either in whole or in part, to supply (*or perform the services*), on such terms and conditions and in accordance with such specifications *(if any)*, as are contained or incorporated in the Invitation to Tender and Applicants Offer. I/We agree and declare that the acceptance of this Tender by letter on behalf of the Council, whether for the whole or part of the items included therein, will constitute a Contract for the supply of such items, I/We agree to enter into a further agreement for the due performance of the Contract, and I/We declare that I am/We are acting as the delegated authority for the purposes of signing off this Tender, and therefore, the Contract. | |
| Signed\*: | | Date: |
| Name *(in block capitals)*: | | |
| In the capacity of:  *(State official position, i.e. Director, Manager, etc.)* | | |
| *\*(It must be clearly shown whether the Applicant is a limited company, statutory corporation, partnership or single individual, trading under his own or another name, and also if the signatory is not the actual Applicant, the capacity in which they sign or are employed).* | | |

## Certificate of Undertaking and Absence of Collusion or Canvassing

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| **CERTIFICATE OF UNDERTAKING AND ABSENCE OF COLLUSION OR CANVASSING** | |
| The Applicant shall sign the below Certificate of Undertaking and Absence of Collusion clearly indicating whether they sign as a Consortium or Member of Consortium (Box A), or as a single body and/or individual (Box B) by striking through Box A or B, whichever does not apply. | |
| Box A – Consortium  I/We the undersigned do hereby certify that:-   1. the consortium’s tender is bona fide and intended to be competitive; 2. the consortium has not entered into any agreement with any person outside the consortium with the aim of preventing Tenders being made or asked the amount of another Tender of the conditions or which the Tender is made; 3. the consortium has not informed any person outside the consortium other than the person calling for the Tenders the amount or approximate amount of the Tender except where the disclosure in confidence of the approximate amount of the Tender was necessary to obtain insurance premium or other quotations necessarily required for the preparation of the Tender; 4. the consortium has not caused or induced any person to enter into such an agreement as is mentioned in (b) above or to inform the consortium of the amount or the approximate amount of any rival Tender for the Contract. 5. the consortium has not and will not canvass or solicit any Member, Officer or employee of the Council in connection with the preparation, submission and evaluation of this Tender or award or proposed award of the Contract and that to the best of my knowledge and belief, no person employed by the consortium or acting on the consortium’s behalf has done or will do such an act. 6. I/We further undertake that the consortium will not do any of the acts mentioned in (b), (c), (d) and (e) above before the hour and date specified for the return of the Tender. | |
| Box B – Single Body and/or Individual  I/We the undersigned do hereby certify that:-   1. My/our Tender is bona fide and intended to be competitive and I/we have not fixed or adjusted the amount of the Tender by or under in accordance with any agreement or arrangement with any other person; 2. I/we have not indicated to any person other than the person calling for the Tender amount or approximate amount of the proposed Tender except where the disclosure in confidence of the approximate amount of the Tender was necessary to obtain insurance premium or other quotations necessarily required for the preparation of the Tender; 3. I/we shall have not entered into any agreement or arrangement with any other person that they shall refrain from Tendering or asked the amount of any Tender to be submitted; 4. I/we have not offered to pay or give any sum of money or valuable consideration directly or indirectly to any person for doing or having done or causing or having caused to be done in relation to any other Tender or proposed Tender for the said work any act or thing of the nature specified and described above. 5. I/we hereby certify that I/we have not and will not canvass or solicit any Member, Officer or employee of the Council in connection with the preparation, submission and evaluation of this Tender or award or proposed award of the Contract and that to the best of my knowledge and belief, no person employed by me/us or acting on my/our behalf has done or will do such an act. 6. I/we further undertake that I/we will not do any of the acts mentioned in (b), (c) and (d) above before the hour and date specified for the return of the Tender. | |
| Signed\*: | Date: |
| Name *(in block capitals)*: | |
| In the capacity of: *(State official position, i.e. Director, Manager, etc.)* | |
| *\*(It must be clearly shown whether the Applicant is a limited company, statutory corporation, partnership or single individual, trading under his own or another name, and also if the signatory is not the actual Applicant, the capacity in which they signs or are employed).* | |

## Certificate of Confidentiality

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| **CERTIFICATE OF CONFIDENTIALITY** | |
| I/we hereby agree with the Council that I/we shall not at any time divulge or allow to be divulged to any person any information, confidential or otherwise, relating to information passed to me regarding this project.  It is appreciated by the parties that in the event of negotiations in respect of the proposed Contract being entered into between the Council and my organisation that it may be necessary to share information with colleagues within my organisation. In this event this confidentiality clause may be waived to allow such information sharing to take place but not further or otherwise. | |
| Signed\*: | Date: |
| Name *(in block capitals)*: | |
| In the capacity of: *(State official position, i.e. Director, Manager, etc.)* | |
| *\*(It must be clearly shown whether the Applicant is a limited company, statutory corporation, partnership or single individual, trading under his own or another name, and also if the signatory is not the actual Applicant, the capacity in which they signs or are employed).* | |

## Commercially Sensitive Information

The Council may be obliged to disclose information in or relating to this Bid following a request for information under the Freedom of Information Act (FOIA) or Environmental Information Regulations (EIR). Please outline in the table below items which you consider are confidential and genuinely commercially sensitive and which should not be disclosed in respect of your Bid.

I declare that I wish the following information to be designated as Commercially Sensitive.

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The reason(s) it is considered that this information should be exempt under Freedom of Information Act FOIA) or Environmental Information Regulations (EIR) is:

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## Conflict of Interest

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| **CERTIFICATE OF CONFLICT OF INTEREST** | |
| I/we hereby notify the Council that I/we consider the following declaration to be a conflict of interest (Applicant to insert details of the conflict of interest): | |
| I/we hereby understand that in accordance with Article 24 of the Public Contract Regulations 2015 that the Council is obliged to take appropriate measures to effectively prevent, identify and remedy conflicts of interest arising in the conduct of procurement procedures so as to avoid any distortion of competition and to ensure equal treatment of all economic operators. | |
| Signed\*: | Date: |
| Name *(in block capitals)*: | |
| In the capacity of: *(State official position, i.e. Director, Manager, etc.)* | |
| *\*(It must be clearly shown whether the Applicant is a limited company, statutory corporation, partnership or single individual, trading under his own or another name, and also if the signatory is not the actual Applicant, the capacity in which they sign or are employed).* | |