



## **Crowborough Town Council Owlsbury Allotment Site – New Perimeter Fence**

### **Invitation to Tender**

Crowborough Town Council is seeking quotes for the installation of a new, suitable perimeter fence for its Owlsbury allotment site.

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Crowborough Town Council manages and maintains three allotment sites within the town. The largest of these is Owlsbury allotment site which opened to its first tenants in 2009 and has over 300 plots. This allotment site is located within a rural valley outside of the town boundary. Due to its location, it is susceptible to wildlife and is protected by a perimeter fence.

The existing fence is coming to the end of its life and Crowborough Town Council is seeking the best option for the removal of the existing fence and the installation of a suitable replacement perimeter fence to protect the allotment site. The new fence must be able to withstand advances from differing types of wildlife – specifically deer, badgers and rabbits.

Crowborough Town Council intends to enter into a contract with a suitably qualified and experienced contractor to undertake this project.

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# Invitation to Tender Document

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# INSTRUCTIONS FOR TENDERING

## 1. Invitation to Tender

Crowborough Town Council, hereinafter referred to as CTC, invites tenders for the best option for the removal of the existing fence and the installation of a suitable replacement perimeter fence to protect the allotment site. The new fence must be able to withstand advances from differing types of wildlife – specifically deer, badgers and rabbits.

**TENDERS MUST BE SUBMITTED IN ACCORDANCE WITH THE FOLLOWING INSTRUCTIONS  
TENDERS NOT COMPLYING WITH THESE INSTRUCTIONS IN ANY PARTICULAR WAY MAY  
BE REJECTED BY THE COUNCIL WHOSE DECISION IN THE MATTER SHALL BE FINAL.**

While every attempt has been made to provide all the necessary and correct information, it is the responsibility of the tenderer to satisfy themselves that during site visits, discussions and examination of all the documents, they understand and take account of the full extent and nature of the works as described.

CTC will not accept liability for any incorrect or missing information.

The council's **Contact Officer** for this tender is:

Melanie Street

Assistant Town Clerk

Crowborough Town Council, Council Offices,

Pine Grove, Crowborough, East Sussex, TN6 1DH

[www.crowboroughtowncouncil.gov.uk](http://www.crowboroughtowncouncil.gov.uk)

Email: [Assistant.clerk@crowboroughtowncouncil.gov.uk](mailto:Assistant.clerk@crowboroughtowncouncil.gov.uk)

Tel: 01892 652907

## 2. Tender Submission Closing Date and Time

Tenders should be sent by registered post, recorded delivery, or delivered by hand using an addressed envelope as below and marked **Allotment Fence Tender** in the top left corner of the envelope so as to arrive:

**NOT LATER THAN 12noon ON FRIDAY 9<sup>th</sup> JULY 2021**

### **Tender Delivery Address**

Melanie Street

Assistant Town Clerk

Crowborough Town Council, Council Offices,

Pine Grove, Crowborough, East Sussex, TN6 1DH

Where tenders are delivered other than by post to the tender delivery address stated above, they must be delivered during normal working hours which are **09:30 to 16:30 Monday to Friday**, and a tender delivery receipt should be obtained.

### **3. General Tendering Information**

Tenders shall be submitted in accordance with these instructions. Any Tenders that do not comply may be rejected.

This Invitation to Tender does not constitute an offer or contract, and the council does not undertake to accept the lowest tender or any other tender.

The council reserves the right to accept a tender in part, rather than in full.

The council will not reimburse any costs incurred in completing and submitting tenders.

Any queries arising from the tender documents which may have a bearing on the offer to be made should be raised with the Contact Officer as soon as possible. If the Contact Officer considers any question or request for clarification to be of material significance, both the question and the response will be communicated, in a suitably anonymous form, to all tenderers on the tender list.

### **4. Confidential Nature of Tender Documentation**

Documentation in relation to this Invitation to Tender and any tenders received by the council in response to it shall be treated as private and confidential.

Tenderers shall not:

- Discuss the invitation or the tender they intend to make or release any information relating to the invitation and/or the tender that they intend to make; other than with professional advisers who need to be consulted with regards to the preparation of the tender.
- The tenderer shall not canvass for the acceptance of their tender with any other supplier, councillor, council officer, or any consultant employed by the council connected with the tender or its preparation.
- Failure to comply with the above instructions will result in the council rejecting the tender. Furthermore, the council may decide not to invite the supplier to tender for future work.

### **5. Preparation and Completion of Tender**

No alteration or addition shall be made by tenderers to any part of the Invitation to Tender.

Tenders shall not be subject to any pre-condition or otherwise qualified or accompanied by statements which might be construed as rendering the tender equivocal. Only unconditional tenders will be considered. The council's decision as to whether or not a tender is in an acceptable form will be final and the tenderer concerned will not be consulted.

Tenders and supporting documents shall be written in English and any Agreement subsequently entered into and its formation, interpretation and performance shall be subject to and in accordance with the laws of England and Wales.

## **6. Contract Price**

Pricing must be a fixed price and be fully inclusive of all overheads, general risks, liabilities and obligations.

All items are to be individually priced expressed to 2 decimal places.

Tenderers should note that due to financial constraints it may be necessary to reduce or remove elements of the proposed works. Any such adjustments shall be notified to the tenderers prior to award of contract.

All rates and prices must be, and will deem to have been, tendered exclusive of VAT.

## **7. Site Visits**

Tenderers shall be deemed to have visited the site and to have satisfied themselves as to the nature of any operational limitations of the site that affect execution of the works. Tenderers must consider any limitations in delivering plant, equipment and materials to the site and within the site in a safe manner without damage to the existing fabric of the site.

No claims will be entertained due to unfamiliarity with the site and the site access and restrictions on the size of delivery vehicles.

Tenderers wishing to carry out site visits shall only gain access to the site by prior arrangement with the Contact Officer.

## **8. Mandatory Additional Tender Information**

In support of your tender, you are required to give a detailed response indicating:

- The methods of work and safety procedures you will employ on site
- The resources you will employ for this contract including sub-contractors details and intended work scopes
- A proposed programme of works

The work should be programmed to commence as soon as the site conditions allow.

*Failure to supply the additional tender information detailed above may result in the council rejecting the tender.*

## **9. Tender Evaluation**

Tenderers are advised that all tenders will be evaluated by the Allotments and Cemeteries Committee.

All Tenders shall be assessed for price, quality, experience and health & safety consideration.

## **10. Acceptance of Tender**

Until the execution of a formal agreement, Crowborough Town Council's written acceptance of a tenderers signed offer on the Form of Tender shall form a binding agreement between Crowborough Town Council and the successful tenderer.

If and when CTC accepts a tender, written notification will be sent to each of the Tenderers.

## **11. Tender Validity**

Tenderers are required to state that your tender will remain open and valid for acceptance by CTC for a period of **60 days** after the closing date of submission of tenders.

## **12. Contract Start / Completion Dates**

The contract start date and completion dates will be agreed as a programme of works with CTC at tender award or as soon as practicable thereafter.

The start date should be as soon as conditions allow.

## **13. Submission of Tender**

The following documents must be submitted with your tender:

- Specification and Schedule of Works Pricing Sheets
- Additional tender information including examples of work and references
- Completed certificates (Appendices A, B and C)

## PART D

### Appendix A

#### **CERTIFICATE AS TO CANVASSING OF MEMBERS, EMPLOYEES AND ADVISERS**

#### **Tender for the installation of a new, suitable perimeter fence at Owlsbury allotment site, Crowborough, East Sussex.**

We hereby certify that I/we have not canvassed any Members, employee or adviser of Crowborough Town Council in connection with the award of the contract to perform the Service and that no person employed by us or acting on our behalf has done any such act.

We further hereby undertake that I/we will not canvass any Member, employee or adviser of Crowborough Town Council in connection with the award of the contract to perform the Service and that no person employed by us or acting on our behalf has done any such act.

Signature .....

Firm or Company .....

Dated .....2021

## PART D

### **Appendix B - TENDER CERTIFICATE**

To: Chairman of the Council

Crowborough Town Council  
Council Offices  
Pine Grove  
Crowborough  
East Sussex  
TN6 1DH

Dear Sir,

#### **Tender for the installation of a new, suitable perimeter fence at Owlsbury allotment site, Crowborough, East Sussex.**

I/We recognise that the essence of this tendering exercise is that Crowborough Town Council shall receive bona-fide competitive tenders from all those tendering.

In recognition of this principle, I/we certify that this is a bona-fide tender, intended to be competitive, and that I/we have not fixed or adjusted the amount of the Tender by or under or in accordance with any agreement or arrangement with any other person. I/We also certify that I/we have not done and we undertake that we will not do at any time before the hour and date specified for the return of this tender any of the following acts:

- (a) Communicate to a person other than the person calling for those tenders the 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 quotations required for the preparation of the tender.
- (b) Enter into any agreement or arrangements with any other person that he shall refrain from tendering or as to the amount of any tender to be submitted
- (c) Offer or pay or give or agree to pay any sum or valuable consideration directly or indirectly to any person for doing or having done or causing to be done in relation to any other tender or proposed tender for the said work any act or thing of the sort described above.

In this certificate, the word "person" includes any persons or any body or association, corporate or non- corporate, and "any agreement or arrangement" includes such transaction, formal or informal, and whether legally binding or not.

Signature .....

Firm or Company .....

Dated ..... 2021

## PART D

### **Appendix C - Form of Tender instruction**

Contractors are required to express their tender in the following terms:

“To Crowborough Town Council”

re: **Tender for the installation of a new, suitable perimeter fence at Owlsbury allotment site, Crowborough, East Sussex.**

Having carefully examined and considered the Invitation to Tender including, without limitation, the Works Specification, the instructions for tendering and the conditions of contract and in consideration of the Council considering this Tender, we:

1. Offer to provide the works required to meet the Works Specification and to enter an agreement with the Council in the Council’s form of Contract for the **FIXED PRICE SUM OF:**

£ \_\_\_\_\_

(amount in word) \_\_\_\_\_

2. Confirm that we are able to provide the works required to meet the Works Specification and that we have read all of the conditions of contract and are satisfied as to our abilities and experience to satisfy the requirements of the Contract Documents.
3. Confirm that, if our Tender is accepted, we will upon demand:  
Produce evidence that the relevant insurances and compliance certificates with relevant legislation and policy are held and are in force; and  
Execute and deliver the required contract documents to the Council as set out in the Invitation to Tender;
4. Agree that this Tender shall constitute an irrevocable, unconditional offer which may not be withdrawn for a period of three (3) months from the date of this Tender without the Council’s prior written consent and if the Council accept this Tender we will be bound to contract with the Council on the basis of the submissions made in this Tender.
5. Agree that in consideration of the Invitation to Tender being sent to us and by submitting our Tender we confirm we are bound by the conditions of this Tender as set out in the Invitation to Tender including but not being limited to the obligations of confidentiality.

We understand that the Council is not bound to accept any Tender that it receives.

**Signed for the Contractor**

**Signed for the Contractor**

**Name:**

**Name:**

**Title:**

**Title:**

**Company:**

**Company:**

**Date:**

**Date:**