

Date: 19/11/21

Dear Sir or Madam,

TENDER FOR THE SUPPLY OF peat dams

Period January 2022 to March 2025

You are invited to tender in competition with others to provide the goods and/or services specified above to the RSPB.

The following documents are enclosed and must be, where applicable, completed and signed on behalf of the supplier.

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| --- | --- |
| Document A | Instruction and Information |
| Document B | RSPB: A Brief Introduction |
| Document C | Specification of Goods / Services |
| Document D | Company Information |
| Document E | Form of Offer |
| Document F | Terms and Conditions |
| Document G | Certificate of Bona Fide Offer |

Your tender response should be emailed to jon.bird@rspb.org.uk by 10/12/21 at 9am

Only tenders submitted in accordance with the RSPB’s Terms and Conditions will be considered. Any tenders that are incomplete or received after the time indicated may be disregarded.

If you wish to discuss any aspect of this tender prior to tendering, please email [jon.bird@rspb.org.uk](mailto:jon.bird@rspb.org.uk)..

Suppliers should ensure that their tenders are clear and concise and are advised that any approaches to the RSPB following the opening of tenders could lead to disqualification. If you do not wish to tender on this occasion please let us know, but do not forward the documents to another contractor as their tender would not be accepted.

Yours faithfully



Jon Bird

Warden Dove Stone

RSPB

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|  | **Document A**  **Instructions and information** |

1. This document is designed to be completed electronically. You are required to mark boxes, insert information or submit additional documentation in response to the questions herein. Whilst the text boxes should expand as you add text, if there is insufficient space for your response please attach a separate document clearly marked with the name of your Company, the reference number and the number(s) of the question(s) to which it relates. Please ‘sign’ this document by adding your name to the end of Document G.
2. If you are unable to comply with a request for information or provide documentation requested then a written account explaining the absence of the information must accompany the return of this tender. Please be aware that the failure to respond to any of the questions, without a written reason, may result in a negative evaluation of that element within the overall evaluation of this questionnaire.
3. The RSPB may require supplementary information or clarification or further evidence of the information given. The RSPB may wish to visit reference sites given as evidence of relevant experience.
4. The RSPB may request interviews with all or a selection of applicants or none. Applicants will be notified in due course. The ability of suppliers may also be determined by, amongst other factors, references, certification, site visits and ‘mystery shopping’.
5. Please answer the questions specifically for your company, NOT for the group if you are part of a group of companies. Please note the term “Company” refers to: Sole proprietor, partnership, incorporated company, co-operative, or voluntary organisation as appropriate.
6. During the term of this agreement and for 1 year thereafter, neither party shall solicit to work for it any person who is or was employed by the other party and who has been involved in the provision of the Services at any time during the preceding 12 months. For the avoidance of doubt, if a person who is or was employed by the other party at the relevant time responds to a publicly advertised recruitment campaign, the recruiting party shall not be deemed to have solicited that person from the other party. If either party is in breach of this it shall pay to the other party an amount equivalent to the gross salary paid by that other party to the relevant employee for the final 12 months of employment.
7. No charge will be made to the RSPB by applicants for any preparation costs accrued during the tender process, whether the applicant was successful or not.
8. You are invited to submit your best offer for the work as detailed below. The RSPB reserves the right to undertake post-tender negotiations.
9. If you require any further information or clarification regarding this tender please email jon.bird@rspb.org.uk. Correspondence must be received by 26/11/21. Contractors wishing to submit tenders will be expected to attend a site visit with an RSPB representative to look at access routes and site conditions (see para 12 Document C). All questions and subsequent answers that are relevant to all suppliers will be shared by 2/12/21
10. It should be noted that in any formal contract that is subsequently entered into, reference will be made to the detailed information provided in the formal response to this tender document provided by the successful organisation. Thus answers and information given in your reply will become a binding part of the contractual relationship between yourselves and the RSPB.
11. Timetable

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| --- | --- |
| Invitation to Tender document sent out | 19/11/21 |
| Site visits | 22/11 – 2/12/21 |
|  |  |
| Tender documents to be returned | 10/12/21 |
| Award of contract | 15/12/21 |
| Commencement of services / orders for goods | 15/12/21 |
| End of contract\* | 2/2/25 |

\* Three-year contracts may be extended for a further year.

1. The RSPB does not bind itself to accept the lowest or any Tender, and reserves the right to accept part only of a Tender. RSPB reserves the right to procure individual elements of the required solution from one or more supplier as appropriate.

Whilst the RSPB aims to provide feedback on failed submissions this may not always be possible, and the RSPB is under no obligation to do so.

1. Tender Evaluation Process

Tenders that fail to meet essential requirements may be excluded from consideration.

Tenders that fulfil essential requirements will be evaluated on the basis of the most economically advantageous tender, weightings as detailed below.

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| --- | --- |
| **Criterion** | **Weighting** |
| Service Delivery | 30% |
| Price & Price Related | 10% |
| Relevant experience | 60% |

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|  | **Document B**  **A Brief Introduction** |

For details on the RSPB’s challenges and achievements in the previous financial year please go to

<https://ww2.rspb.org.uk/about-the-rspb/about-us/how-we-are-run/annualreview/>

For details on the RSPB Mission please go to

<https://ww2.rspb.org.uk/about-the-rspb/about-us/our-mission/>

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|  | **Document C**  **Specification** |

**Overview of what is called for:**

The RSPB are proposing to install peat dams to act as gully blocks on areas of Crowden and Arnfield United Utilities plc farm tenancies. The work is part of the Nature for Climate Peatland restoration works programme being delivered by the RSPB/United Utilities partnership.

The aim of installing the dams is to increase the water retention on the peat soil and reduce the speed of run-off. This will help re-wet the peat, promote an improved bog surface habitat and create suitable conditions for sphagnum re-introduction. The work area is entirely within the Dark Peak SSSI, South Pennines SPA, and is a drinking water catchment for United Utilities PLC.

**The successful supplier will supply a service to which the following points will apply:**

The peat dams will be gully blocks constructed from the peat soil, using a low ground pressure 360 excavator to handle the material. The method for installing peat dams will be the same that has become frequently used as part of a suite of techniques for restoring hydrology on peatlands, especially in the South Pennines. A fact sheet produced by Moors for the Future is attached which outlines the technique. It is envisaged that multiple machines will work on site at the same time.

It is proposed that the work will be carried out as quickly as possible during the period early August and the end of March each year of the contract i.e. outside the bird breeding season. Access and ability to carry out the works will be constrained primarily by the weather.

The aim will be to complete the works while ground conditions are suitable.

Conditions will be monitored regularly to ensure the safety of the contractors and that no damage occurs to the peat soils as a result of machinery movements. It is likely that ground conditions will be difficult during the work season so work may have to stop and start depending on prevailing conditions.

The gullies to be blocked across the sites are generally shallow features that are well vegetated former grips and erosion gullies on a relatively flat plateau. The size of the dams will vary between small 2-3 m across, to medium dams of 3-4 metres and up to larger dams of 4-6m across flat gully bottoms. All dams will be on gentle gradients.

**Please see the attached NFC specification and maps for more details**.

It is envisaged that during the second year of the contract the delivery will be adapted to include peat bunds as well as dams. The design and extent are yet to be finalised and will also require consent from Natural England.

Overland flow monitoring during year one will help determine the need and extent for bunds The contractor will work with the RSPB team to successfully transition the works between the two techniques within the budget and work programme contract.

Contractors will be regularly consulted, particularly at the beginning of the contract to ensure best practice is being adhered to and especially during the accessing or leaving the site.

Due to the timing of operations and the nature of the soil it will be important to monitor weather and ground conditions and if necessary, postpone or cancel operations if both or either deteriorate to avoid damage to surface vegetation and the peat substrate.

The RSPB is given consent by Natural England for these works to be carried out and this consent must be adhered to by the contractor.

The information below is a statement of minimum requirements and is not intended to limit creative or original thinking in the preparation of proposals.

1. Must install 10,000 peat dams or bunds over the period September 2021 to March 2025 on United Utilities’ and RSPBs’ Dove Stone estate, focusing specifically on the Crowden and Arnfield tenancies, within the mapped polygons attached

*Are you able to meet this specification in full? If so please give details below*

*If not please state any differences in service offered*

|  |
| --- |
| Specification met? Yes /Part met  / No (tick as appropriate)  Details |

1. Work must be delivered during the periods Sept 2021 to August 2022 (Year One), September 2022 to August 2023 (Year Two), September 2023 to August 2024 (Year Three), September 2024 to March 2025 (Year Four). Year One must see 3000 peat dams installed. Year Two must see 2000 peat dams and 2000 peat bunds installed. Year Three must see 3000 peat bunds installed. The ratio of dams to bunds will depend on the results of overland flow monitoring in years one and two. The contractor must have experience installing peat bunds as well as peat dams on an upland blanket bog and be flexible to RSPB and United Utilities’ needs based on results of the overland flow monitoring and NE’s decision.

*Are you able to meet this specification in full? If so please give details below*

*If not please state any differences in service offered*

|  |
| --- |
| Specification met? Yes /Part met  / No (tick as appropriate)  Details |

1. Must follow the specification attached to this document for dams, and work with new specifications for bunds when appropriate

*Are you able to meet this specification in full? If so please give details below*

*If not please state any differences in service offered*

|  |
| --- |
| Specification met? Yes /Part met  / No (tick as appropriate)  Details |

1. Must be flexible during installation, and be open to change based on discussion with RSPB and UU staff, to account for site specific variables, and changes in specification around dams and bunds as the project moves forward

*Are you able to meet this specification in full? If so please give details below*

*If not please state any differences in service offered*

|  |
| --- |
| Specification met? Yes /Part met  / No (tick as appropriate)  Details |

1. The RSPB will work with the contractor to locate and map the gully locations and agree a work schedule prior to the work commencing. Guidance on the exact locations of the dams will be discussed at the prestart meeting, and the precise location of the dams will be the contractors’ responsibility.

*Are you able to meet this specification in full? If so please give details below*

*If not please state any differences in service offered*

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| Specification met? Yes /Part met  / No (tick as appropriate)  Details |

1. The contractor will provide GPS data on a regular basis of the location of each dam, plus GPS data for all of the main access routes that are used.

*Are you able to meet this specification in full? If so please give details below*

*If not please state any differences in service offered*

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| Specification met? Yes /Part met  / No (tick as appropriate)  Details |

1. Preferred machines are 5 – 8 tonne diggers with wide tracks, maximum ground pressure 3 psi, and will carry bog mats for crossing or working on soft areas

*Are you able to meet this specification in full? If so please give details below*

*If not please state any differences in service offered*

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| Specification met? Yes /Part met  / No (tick as appropriate)  Details |

1. Any significant ground disturbance will be made good by the contractor in agreement with the site team and NE before the contract is finished

*Are you able to meet this specification in full? If so please give details below*

*If not please state any differences in service offered*

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| Specification met? Yes /Part met  / No (tick as appropriate)  Details |

1. Machines will work minimum as a pair, and it is expected that each machine will install 20 – 30 dams per day

*Are you able to meet this specification in full? If so please give details below*

*If not please state any differences in service offered*

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| --- |
| Specification met? Yes /Part met  / No (tick as appropriate)  Details |

1. Must adhere to all SSSI and UU restrictions in attached document especially with respect to environmental damage and water quality, particularly when tracking on and off the site when refuelling machines.

*Are you able to meet this specification in full? If so please give details below*

*If not please state any differences in service offered*

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| Specification met? Yes /Part met  / No (tick as appropriate)  Details |

1. Should add value to the contract by working with the site team to explore innovation and new ways of working

*Are you able to meet this specification in full? If so please give details below*

*If not please state any differences in service offered*

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| Specification met? Yes /Part met  / No (tick as appropriate)  Details |

1. Must have completed a site visit with the RSPB site team prior to tender submission, to assess access routes and work site conditions

*Are you able to meet this specification in full? If so please give details below*

*If not please state any differences in service offered*

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| --- |
| Specification met? Yes /Part met  / No (tick as appropriate)  Details |

1. Must provide full and appropriate risk assessments and method statements

*Are you able to meet this specification in full? If so please give details below*

*If not please state any differences in service offered*

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| Specification met? Yes /Part met  / No (tick as appropriate)  Details |

1. Must supply £10million public liability insurance and £10million employers’ liability insurance. Must also supply all qualifications for machine operators

*Are you able to meet this specification in full? If so please give details below*

*If not please state any differences in service offered*

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| --- |
| Specification met? Yes /Part met  / No (tick as appropriate)  Details |

1. Must demonstrate experience successfully installing peat dams in remote and difficult to access peatland systems. Machine operators must have at least 2 seasons’ worth of experience

*Are you able to meet this specification in full? If so please give details below*

*If not please state any differences in service offered*

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| Specification met? Yes /Part met  / No (tick as appropriate)  Details |

1. Must provide 3 references for peat dam installation on an upland blanket bog

*Are you able to meet this specification in full? If so please give details below*

*If not please state any differences in service offered*

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| Specification met? Yes /Part met  / No (tick as appropriate)  Details |

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|  | | | **Document D**  **Company Information** |
| **1.0** | **General** | | |
|  |  | | |
| **1.1** | **Registered Name**    **Trading Name (if different)** | | |
|  |  | | |
| **1.2** | **Correspondence Details**  **Name of person applying on behalf of the company**    **Address:**    **Telephone:**    **Mobile:**    **Email:** | | |
|  | **Registered office Address (if different from above)** | | |
|  |  | | |
| **1.3** | **Company Registration No (if applicable)**    **VAT registration number (if applicable)** | | |
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|  |  | | |
| **1.5** | **Date company was founded (if a limited company, date of incorporation)** | | |
|  |  | | |
| **1.6** | **Company structure and nature of company**  Please outline the nature of the company, whether it is a partnership, sole trader, plc etc.    Is the company proposed as party to the contract part of a larger organisation? If so please explain the relationship between the various parts of the organisation, up to the ultimate holding company.    Current number of full time equivalent staff currently employed by the company (not larger parent company) | | |
|  |  | | |
| **1.7** | **Accreditation by / Membership of Trade Association(s)**  **Is your Company registered with any industry accreditation body? YES  NO**  **If yes, please provide details:**    **Is your Company on any public sector Framework agreements? YES NO**  **If yes, please provide details:**    **Please state membership of any professional bodies/ other associations below:** | | |
| **1.8** | **Quality Assurance**  **Is all / part of your company ISO9001 Quality Assured? YES NO**  **Is all / part of your company ISO14001 Quality Assured? YES NO**  **If yes please provide copy of certification**  **Do you have any other Quality Assurance? If Yes, please summarise details below** | | |

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| **2.0** | **Financial & Business Probity** |
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| **2.1** | | **Judgements etc.**  **Are there any judgements, claims or suits pending or outstanding against your company?**  **Yes  No** If Yes, please provide full details  **Has your company ever failed to complete a contract?**  **Yes  No** If Yes, please provide full details |
| **2.2** | | Please answer all of the following questions as they apply to your Company’s circumstances. Please confirm that:  1) being a company, no resolution has been passed or Order of the Court made for the company’s winding up otherwise than for the purposes of bona fide reconstruction or amalgamation, nor has a receiver, manager or administrator on behalf of a creditor been appointed in respect of the company’s business or any part thereof, nor is it the subject of any proceedings for any of the above procedures, nor is it the subject of similar procedures under the law of any other state.  **Confirmed  Not confirmed  Non-applicable**  2) being a partnership, it has not granted a trust deed or become otherwise apparently insolvent, or it is not the subject of a petition presented for sequestration of its estate.  **Confirmed  Not confirmed  Non-applicable**  3) being an individual, you are not bankrupt, or have not had a receiving order or administration order made against you, or have not made a composition or arrangement or trust deed with or for the benefit of your creditors, or have not made any conveyance or assignment for the benefit of your creditors, or have not had a petition presented for sequestration of your estate or do not appear to be able to pay or to have no reasonable prospect of being able to pay a debt within the meaning of the Insolvency Act or any similar procedure under the law of any EC member state.  **Confirmed  Not confirmed  Non-applicable**  4) no Directors, Partners, Associates or the Company Secretary have been involved in any Company which has been liquidated or gone into receivership.  **Confirmed  Not confirmed  Non-applicable**  5) none of the Directors, Partners, Associates or the Company Secretary have been convicted of a criminal offence relating to the conduct of their business or profession.  **Confirmed  Not confirmed  Non-applicable**  6) neither the Company nor any of the Directors, Partners, Associates or Company Secretary has committed an act of grave misconduct in the course of their business or profession.  **Confirmed  Not confirmed  Non-applicable**  7) all obligations relating to the payment of taxes under the law of any part of the United Kingdom or the EC member state in which the Company is established has been fulfilled  **Confirmed  Not confirmed  Non-applicable**  8) all obligations relating to the payment of social security contributions under the law of any part of the United Kingdom or the EC member state in which the Company is established have been fulfilled.  **Confirmed  Not confirmed  Non-applicable**  If you have ticked **‘Not confirmed’** for any questions above please give details here |

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| **2.3** | Please list the names of any Director, Partner, Associate or Company Secretary who have been employed by the RSPB, giving department and dates.    Please give details of any Director, Partner, Associate or Company Secretary who have a relative who is employed by the RSPB at a senior level.    Please list the names of any Director, Partner, Associate or Company Secretary who have any involvement in other Companies who provide services to the RSPB    Is any work being undertaken or likely to be undertaken during the next three years by the Company or staff within it which could give rise to a conflict of interest through acting for third parties or otherwise? If yes, please explain the actual or likely circumstances and how such potential conflicts of interest would be handled. |

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| **2.4** | **Insurances (please supply a scanned copy of each certificate)** | | | | |
|  |  | **Insurer** | **Policy No** | **Value of Cover** | **Expiry Date** |
|  | Employers Liability |  |  |  |  |
|  | Public Liability |  |  |  |  |
|  | Prof. Indemnity |  |  |  |  |
|  | All Risks  (if applicable) |  |  |  |  |

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| **2.5** | **Has your company (or any building/project you have undertaken) won any awards, accolades or recognition?**  **YES  NO** If yes please provide full details. |

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| **3.0** | **Health & Safety and Environment** |
|  |  |
| **3.1** | Has your company been served with any enforcement or prohibition notices or been prosecuted in the past 5 years for breaches of health & safety legislation?  **YES**  **NO** If yes please provide full details. |
| **3.2** | Has your company been served with any enforcement or prohibition notices or been prosecuted in the past 5 years for breaches of environmental legislation?  **YES  NO** If yes please provide full details. |
| **3.3** | Has your company been served with any enforcement or prohibition notices or been prosecuted in the past 5 years for breaches of data protection legislation?  **YES  NO** If yes please provide full details. |
| **3.4** | Have any restrictive clauses in relation to your company’s Employer’s Liability, Public Liability or Professional Indemnity Insurance policies been enforced in the last 5 years due to past Health & Safety performance?  YES  NO  If yes please provide full details. |

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|  | **Document E**  **Form of Offer** |

**Cost**

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| Cost for providing goods/services, as outlined in specifications (Document C) | £      + VAT |
| Cost for extra work for special events etc | £      /hour + VAT |

**Added Value**

As well as any charity rate that you may be able to offer, the RSPB is always open to corporate partnerships that deliver benefit to your organisation, the RSPB and nature. Working as part of your CSR agenda we can provide opportunities for fundraising, secondments, interns and volunteering, offering your staff both personal and career development opportunities. We also welcome all forms of gifts in kind as valuable contributions to our work to [Give Nature a Home.](http://homes.rspb.org.uk/)

Suppliers should provide details of any associated added value features/services/gifts in kind available to the RSPB under the terms of this Tender. (Attach separate document if needed).

Please note, added value donations will not be part of the criteria we use to decide on which supplier to choose.

**References**

Suppliers are requested to provide details of three references from their existing clientele, supplying full name, address, telephone number, fax number, email address, contact name, period of Contract and the estimated annual value of the Contract. In supplying this information, Suppliers shall have granted the RSPB permission to seek such information as deemed necessary, in relation to the Suppliers performance with their nominated references.

Reference 1

|  |  |  |
| --- | --- | --- |
| Company Name |  | |
| Address |  | |
| Telephone No |  | Ext |
| Email |  | |
| Contact |  | Dates of work |
| Nature of work done |  | Value of contract |

Reference 2

|  |  |  |
| --- | --- | --- |
| Company Name |  | |
| Address |  | |
| Telephone No |  | Ext |
| Email |  | |
| Contact |  | Dates of work |
| Nature of work done |  | Value of contract |

Reference 3

|  |  |  |
| --- | --- | --- |
| Company Name |  | |
| Address |  | |
| Telephone No |  | Ext |
| Email |  | |
| Contact |  | Dates of Work |
| Nature of work done |  | Value of contract |

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|  | **Document F**  **RSPB Terms and Conditions** |

The basis of the contractual agreement between RSPB and the applicant is detailed in the [‘RSPB Terms and Conditions of Purchase of Goods and Services’](https://www.rspb.org.uk/about-the-rspb/about-us/how-the-rspb-is-run/supplier-terms-and-conditions/) – please click on this link to download. In applying for this tender you are explicitly agreeing to be bound by these Terms and Conditions for the duration of the contract. If you require any alterations to these Terms and Conditions please state your issues below. (Attach separate document if needed)

The RSPB expects that all suppliers it works with to adhere to certain ethical and environmental standards. Please download the [RSPB Ethical and Environmental Procurement Policy](https://www.rspb.org.uk/about-the-rspb/about-us/how-the-rspb-is-run/supplier-terms-and-conditions/) and tick this box if you agree to be bound by its terms and conditions 

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|  | **Document G**  **Certificate of Bona Fide Offer** |

We certify that this offer is made in good faith, and that we have not fixed or adjusted the amount of the offer by or under or in accordance with any agreement of arrangement with any other person. We also certify that we have not, and we undertake that we will not:

1 a) communicate to any person other than the person inviting these offers the amount or approximate amount of the offer or proposed offer, except where the disclosure, in confidence, of the approximate amount of the offer was necessary to obtain insurance quotations required for the preparation of the offer;

b) enter into any agreement with any other person that he shall refrain from making an offer or as to the amount of any offer to be submitted;

2 pay, give or offer or agree to pay or to give any sum of money or other 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 offer or proposed offer for the goods/services any act or thing of the sort described in 1 a) or 1 b) above.

We acknowledge that if we acted or shall act in contravention of this certificate, the RSPB will be entitled to cancel the agreement and to recover from ourselves the amount of any loss and expense resulting from such cancellation.

I state that everything in this tender submission is truthful, that if found to be untruthful the RSPB can terminate any agreement between the RSPB and the company formed on the basis of this tender, and we will pay to the RSPB any loss or expenses the RSPB suffers as a result of such untruthfulness, whether an agreement is entered into or not.

In this certificate, the word “person” includes any persons and any body or association, corporate or unincorporated; “any agreement or arrangement” includes any transaction, formal or informal, and whether legally binding or not.

|  |  |
| --- | --- |
| Signed |  |
| On behalf of |  |
| Date |  |

**Please note: a name added in an electronic document is functionally equivalent to a signature.**