Volume Two (2) Applicant’s Offer

|  |
| --- |
| Tender for: Professional Services  Heritage Restoration of Falmouth's Ponsharden Cemeteries |

Invitation to Tender

Closing time and date for return of submission:

**12:00 hrs on 12.10.2020**

|  |
| --- |
| 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.

RETURN EMAIL ADDRESS

[director@falmouthartgallery.com](mailto:director@falmouthartgallery.com)

|  |
| --- |
| Contents |

Contents

[1. General Notes 3](#_Toc49790490)

[**2.** **Selection Questionnaire** 3](#_Toc49790491)

[3. Specification 9](#_Toc49790492)

[4. Price Schedule 15](#_Toc49790493)

[Price Validity Period 15](#_Toc49790494)

[Pricing Schedule Declaration 16](#_Toc49790495)

[5. Certificates 17](#_Toc49790496)

[Conditions of Tender 17](#_Toc49790497)

[Certificate of Undertaking and Absence of Collusion or Canvassing 18](#_Toc49790498)

[Certificate of Confidentiality 19](#_Toc49790499)

[Commercially Sensitive Information 19](#_Toc49790500)

[Conflict of Interest 19](#_Toc49790501)

## General Notes

This document should be read in conjunction with the supporting information contained within “Volume 1 - 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 submitting a compliant tender is done ahead of submitting any final response.

* 1. **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 Council 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 Council 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 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.

|  |  |  |  |
| --- | --- | --- | --- |
| **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): |  | |
| **Please note: A criminal record check for relevant convictions may be undertaken for the preferred suppliers and the Persons of Significant Control of them.** | | | |

|  |  |  |  |
| --- | --- | --- | --- |
| **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 Council 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 |  | |

|  |  |  |  |
| --- | --- | --- | --- |
| **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.** | | | |

|  |  |  |  |
| --- | --- | --- | --- |
| **Part 3: Selection questions** | | | |
| **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 = £5m | |  |  |
| Public Liability Insurance = £5m | |  |  |
| Professional Indemnity Insurance = £2m | |  |  |
| \* 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** | **Health and safety** | | |
| (Please indicate your answer by marking ‘X’ in the relevant box): | | **Yes** | **No** |
| Please self-certify that your organisation has a Health and Safety Policy that complies with current legislative requirements. | |  |  |
| Has your organisation or any of its Directors or Executive Officers been in receipt of enforcement/remedial orders in relation to the Health and Safety Executive (or equivalent body) in the last 3 years?  If your answer to this question was “Yes”, please provide details in a separate Appendix of any enforcement/remedial orders served and give details of any remedial action or changes to procedures you have made as a result.    The Council will exclude bidder(s) that have been in receipt of enforcement/remedial action orders unless the bidder(s) can demonstrate to the Council’s satisfaction that appropriate remedial action has been taken to prevent future occurrences or breaches. | |  |  |
| If you use sub-contractors, do you have processes in place to check whether any of the above circumstances apply to these other organisations? | |  |  |

## Specification

* 1. This section sets out the requirements for the actual Tender and responses will be evaluated in line with the Award Criteria. The Applicant attention is further made to the support and guidance details as set out in “Volume 1”.
  2. Stages 1: Preparation and Brief and 2: Concept design and 3: Developed Design as outlined in the RIBA Plan of Work have been undertaken include the submission / approval of applications for Planning Permission and Listed Building Consent. This work was lead as by PDP Green. Details of this work are included in the supporting details.
  3. The appointed design team will be required to provide design services of this project for RIBA stage 4-7

4 - Technical design.

5 - Construction.

6 - Handover and close out.

7 - In use.

* 1. The team should include the following personnel and deliver the following services:

Architect (and Principal Designer)

Landscape Architect

Conservation Architect

Structural Engineer

Quantity Surveyor

Archaeologist

* 1. Project Manager to be nominated and appointed by the Council
  2. Development of the project beyond each stage will depend on securing of grants from public and private sources and this will also determine the rate of progress. It is possible that the design team will be employed for the whole project but this will be for a later decision and will depend on satisfactory performance and on the Council securing sufficient funds to move to stages 4 to 7.
  3. The Council’s objectives are:
* Repair, restore, conserve the physical built heritage of the two cemeteries
* Create a secure, safe, natural green space for the community and visitors from the wider Cornish diaspora to access and enjoy
* Develop interpretation so that people learn about and engage with this heritage
* Use the historic themes of dissent and difference to tackle issues of anti-social behaviour with young people and bring about change
* Create opportunities to develop skills
* Create new opportunities for volunteering
  1. The below are pass fail questions, and in the event that you answer “no” to any of the questions then we will not evaluate your tender any further and will not be able to contract with you.

|  |  |  |
| --- | --- | --- |
| **Ref** | **PASS / FAIL QUESTIONS – Confirmation that Tender is submitted on the following understanding:** | **Please delete as appropriate** |
| 1 | The lead for the design team is required to be RIBA Chartered Architect and you can confirm that in submitting the Tender that you are Chartered Architect. | Yes / No |
| 2 | You will be appointed as Principal Designer as defined under the Construction Design Management (CDM) Regulations. | Yes / No |
| 3 | You will contract with the Council under the RIBA Standard Professional Services contract 2018. Other professionals will be expected to use the equivalent for their profession. | Yes / No |

|  |
| --- |
| **THE DESIGN TEAM:** |
| The design team is expected to comprise a lead Architect, Quantity Surveyor / Cost Consultant, Structural Engineer. In addition, the design team will be required to include the service of Archaeologist / relevant conservationist sympathetic to the buildings and surrounding area. The assembled design team will also be required to perform the project management.  For the historic building element of the scheme those selected to work on the project will be required to have full conservation accreditation with details of qualifications and experience included in the tender. Tenderers may offer any further services or may suggest any variations. However, any variations must be clearly stated, and any costs identified separately.  **WHAT DOES A STRONG RESPONSE LOOK LIKE?**  A strong response should indicate clear details for the design team to include the full range of professional advisers required to advance the project from stage 4 onwards to completion of the project to stage 7, in a manner that provides confidence and assurance around continuity of the team. Future stages may be dependent on funding sign off.  A strong response would clearly indicate that the proposed team has the right blend of professional experience, knowledge and expertise required to work on such a prestigious project. The response would clearly indicate the roles which the individual team members would bring to project and how this project would benefit from their experience, knowledge and expertise.  This experience, knowledge and expertise would also look to demonstrate a clear connection to work on similar projects of similar scale / reputation within a historic and conservation context and how this would benefit this project including experience of working on grant funded projects.  The response would provide detail on how the team would operate and provide assurance and confidence that the assembled team around how that team is set up robustly from a commercial / contractual basis, for example, Lead Practice and Associate model. A good response would also provide confidence that the design team is able to work effectively as a collaborative team, which may be supported by details on where / how those proposed have worked together on other successful projects.  Where the design team is established from across independent personal or companies the proposal would provide details on who the team is, what companies are involved.  We would be looking for details of the key individuals of the design teams CV’s and the demonstration through this that they have the right professional experience, knowledge and expertise, and that this is transferable and relevant to this project. This would include details on what projects that have been involved in and the role that they played. The individuals indicated should be those that will work on the project. Additional Skills and experience would include:   * the ability to deal effectively with a range of people; * excellent written communication skills; * a genuine interest in and understanding of the heritage sector, plus awareness of related current political and legislative agendas; * good awareness of planning, environmental and community issues * experience of multi funded projects including Historic England and National Lottery * negotiating and persuading skills; * administrative, time management and budgeting skills; * digital media and IT skills; * the ability to use your initiative and work well in a team; * experience of partnership and collaborative working; * flexibility and creativity; * project management and leadership qualities.   Short CV’s of the key personnel who will be working on the project should be submitted – no more than two pages of A4 per consultant. These should highlight key project the person has worked on and should show projects that are similar in type to the Ponsharden Project. CV’s should include qualifications and summary of experience CV’s should state the exact role the consultant had in the quoted project  A strong response would clearly demonstrate assurance that the characteristics (knowledge, skills and experience) of the professional design team are covered as set out in Appendix 1 which highlights the key elements required for each of the professions against the respective RIBA stages. In addition, the response would set out how the respective knowledge, skills and experience would be effectively utilised in delivery of any awarded contract. |
| **SUPPLIER RESPONSE:** |

|  |
| --- |
| **UNDERSTANDING THE BRIEF:** |
| The Invitation to Tender documents provides details of the services required and importantly the setting in which those services are to be provided. Accordingly, please provide your response to demonstrate your understanding of the brief and project and how you will meet the required timescales.  We would be looking for you to highlight procedures, major issues, constraints, risks etc., and demonstrate your approach to achieving the objectives and importantly understand the conservation principles to support a successful outcome.  **WHAT DOES A STRONG RESPONSE LOOK LIKE?**  A strong response would clearly evidence you understand the project and required outcomes, from both the overall aspirations of the Council to the stages required and complexities around things like funding, interest parties and importantly the role you will be expected to delivery in any awarded contract.  A strong response would include the submission of a methodology for undertaking the work which should include the following elements;   * How individual consultant team will work efficiently together with their team and others, identifying who is the lead consultant managing the day to day work; * What do you see as the main risks to the project success and how you will contribute to managing them; * What are the key objectives and elements of work and expertise you bring to them; * Any additional work that you anticipate and is clearly not covered in the current tender   In short, a strong response would demonstrate you fully understand what is required and know how you would go about your role in this project. |
| **SUPPLIER RESPONSE:** |

|  |
| --- |
| **DELIVERY METHOD AND PROGRAMME:** |
| Please provide details on how you intend to approach the design of the project and how this will be taken forward with the Council. This should include how you intend to secure the consolidation and repair of monuments and boundaries associated with a Scheduled Ancient Monument.  Please show how you envisage linking the building with its surroundings and enhancing its setting.  Please include an outline programme plan.  **WHAT DOES A STRONG RESPONSE LOOK LIKE?**  A strong response would clearly indicate an understanding of the requirements as set out and what is necessary to delivery high quality outcomes. It will clearly set out the approach to be taken in the design work including both sign off from the Council at key stages and wider effective engagement with key stakeholders (e.g. Planning Authority, National Lottery Heritage Fund, etc.).  A strong response would set out the approach around undertaking the required activity any previous experience in similar situations (e.g. design in historical and conservation settings) and how that knowledge and experience and expertise would be applied in the Contract delivery in relation to delivery the project.  A strong response would include an indicative programme and timeline which is credible in relation to the wider expectations of the Council’s vision and objectives. In addition, the response would provide clarity on expectations around response and delivery timescales for the services provided, as well as details on how issues would be escalated and resolved. It would set out key milestones with anticipated dates. Any variations with the submitted programme should be explained.  To support any response, it may also include concept drawings that set out what the Council what could expect as a delivered product. |
| **SUPPLIER RESPONSE:** |

|  |
| --- |
| **PARTNERING AND COLLABORATION:** |
| Progress on the project will need to build upon a long-term arrangement across partners, to deliver the overall vision and objectives. The appointed design team will play a critical part in supporting the Council and key stakeholders achieve the intended outcomes. As with all such projects it is vital to ensure the right partners who both share the ethos but also understand how to work with and advance the project in a way that effectively balances and takes account of the individual stakeholder needs and expectations.  Please provide details of your partnering ethos and experience and how you would look to bring your experience of working on complex collaborative projects to this project.  **WHAT DOES A STRONG RESPONSE LOOK LIKE?**  A strong response would be clear on how the design team members would work with both the Council and key stakeholders, the approach they would adopt and the experience and credentials they have elsewhere which they would bring to this project to make it a success.  A strong response would include also an indication of a strong track record regarding successful planning applications (satisfying and fulfilling the conditions of the Planning Authority), and success with funding authorities e.g. NHLF and working collaboratively with key stakeholders. It would provide confidence on how this track record could successfully be applied in relation to this actual Contract and the expertise which the team would bring to delivery of this in any awarded Contract.  It would also inspire confidence that any design to be provided for consideration to Planning / Funding parties (e.g. NHLF) is one which is likely to both attract favourable response as well as being able to be successfully translated into actual delivery onsite. This would likely include details on how the design team would support the Council in any necessary community engagement and community consultation.  Whilst recognising the commercial nature of any contracted appointment of the design team it would however also provide the Council with confidence and reassurance that the design team share the passion to deliver the vision and objectives and aspirations for the project to be a success. |
| **SUPPLIER RESPONSE:** |

## Price Schedule

* 1. Applicants are required to complete the Schedule 1 - Price. 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.
  2. Fees for work Stages 4 to 7 of the RIBA Plan of Work to include making applications for such as Listed Building Consent, this should include all necessary professional elements as outlined in the Applicants design team.
  3. Regarding any additional work, will be based on the fee scale for all consultants as set out in the Price Schedule 1.
  4. The fee proposal should include all members of the proposed design team. The team will need to work with the client to gain statutory consents for the scheme and be available to attend relevant meetings and presentations as necessary.
  5. Payments to be made on completion of satisfactory sign off on Milestones to stages as outlined in Schedule 1 – Price.

## Price Validity Period

* 1. As a minimum, all prices submitted must remain fixed and firm for twelve (12) months from date of Contract commencement. In support of this, please detail exactly how long your prices will remain fixed and firm for.

**Price Review Proposals**

* 1. The Council does not expect the Applicant to implement any price increases throughout the life of this Contract.

## 

## Pricing Schedule Declaration

I/We offer to supply the goods or services as per the pricing schedule above, in accordance with the Specification, terms and conditions and all other documents forming the Contract.

|  |  |
| --- | --- |
| Signed\*: | Date: |
| Name *(in block capitals)*: | |
| In the capacity of:  *(State official position, i.e. Director, Manager, etc.)* | |
| Organisation name and postal address: | |
| Telephone No: | Fax No: |
| *\*(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 he/she signs or is employed).* | |

## Certificates

## Conditions of Tender

|  |  |  |
| --- | --- | --- |
| **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 goods/works/services | |
| 2. | Having examined the tender documents for the provision of the above goods/works/services, we offer to provide the said goods/works/services in conformity, without qualification, therewith for the sum/sums enclosed at Schedule 5 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. 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

|  |  |
| --- | --- |
| **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 Authority 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 Authority 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

|  |  |
| --- | --- |
| **CERTIFICATE OF CONFIDENTIALITY** | |
| I/we hereby agree with the Authority 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 Authority 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 Authority 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.

|  |
| --- |
|  |

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

|  |
| --- |
|  |

## Conflict of Interest

|  |  |
| --- | --- |
| **CERTIFICATE OF CONFLICT OF INTEREST** | |
| I/we hereby notify the Authority 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 Authority 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).* | |