

Tender for Tender for Tennis Centre – Replacement of inflatable AIr Domes

**Tender – Document Four**

**Response Document: To be Completed and Returned**

|  |
| --- |
| This Response Document has been returned by |
| Bidder to insert Company name here |

To assist you in this, four documents have been provided:

* Document One – Information and instructions (including the timetable)
* Document Two – Specification (this document)
* Document Three – Construction Phase, Health and Safety Plan, Construction Method
* Document Four – Tender Response Document

When completed, please return **two hard copies and a copy electronically saved on a CD** ofthe response document (Document Four).

Please ensure that Appendices 1, 2 and 3 are completed.

Please mark envelopes/packages with only “Tender Response: Tender for Tennis Centre – Replacement of inflatable Domes (Private and Confidential)” and with no company markings or anything else which might identify your organisation e.g. personalised franking, and return to:

Democratic Services Manager

Corby Borough Council

Democratic Services Department

Corby Cube

Parklands Gateway

George Street

Corby, Northamptonshire

NN17 1QG

|  |
| --- |
| **To be received not later than Midday 18th September 2017 [18/09/2017].****Late submissions will be disregarded.** |

**Tender – Document Three**

**Tender Response Document**

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**STANDARD SELECTION Questionnaire**

**1 POTENTIAL SUPPLIER INFORMATION**

|  | **Question** | **Response** |
| --- | --- | --- |
| 1.1 (a) | Full name of the potential supplier submitting the information | Click here to enter text. |
| 1.1 (b) i | Registered Office Address (if applicable) | Click here to enter text. |
| 1.1 (b) ii | Registered Website Address (if applicable) | Click here to enter text. |
| 1.1 (c) | Trading Status | Choose an item. |
| Click here to enter text. |
| 1.1 (d) | Company / charity registration number (if applicable) | Click here to enter text. |
| 1.1 (e) | Are you a Small, Medium or Micro Enterprise (SME)? | Choose an item. |
| 1.1 (f) | Contact details for person completing the form: | 1. **Name:**
 | Click here to enter text. |
| 1. **Position:**
 | Click here to enter text. |
| 1. **Phone Number:**
 | Click here to enter text. |
| 1. **Email:**
 | Click here to enter text. |

**2 GROUNDS FOR EXCLUSION**

|  |  | **Question** | **Response** |
| --- | --- | --- | --- |
|  |  | **MANDATORY EXCLUSION** |  |
|  |  | Regulations 57(1) and (2):The detailed grounds for exclusion 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 has been convicted anywhere in the world of any of the offences within the summary below and listed on the [web page](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List_of_Mandatory_and_Discretionary_Exclusions.pdf). |
| 2.1 |  | Participation in a criminal organisation | Choose an item.*If yes, please provide details in 2.3* |
| 2.1 |  | Corruption | Choose an item.*If yes, please provide details in 2.3* |
| 2.1 |  | Fraud | **Choose an item.** *If yes, please provide details in 2.3* |
| 2.1 |  | Terrorist offences or offences linked to terrorist activities | Choose an item. *If yes, please provide details in 2.3* |
| 2.1 |  | Money laundering or terrorist financing | Choose an item. *If yes, please provide details in 2.3* |
| 2.1 |  | Child labour and other forms of trafficking in human beings | Choose an item.*If yes, please provide details in 2.3* |
| 2.2 | (a) | 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 | Choose an item. *If yes, please provide details in 2.2 (b)* |
| 2.2 | (b) | If ‘yes’, please also confirm that 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. | Click here to enter text. |
| 2.3 | (a) | If you have answered ‘yes’ to any of the above, explain what measures have been taken to demonstrate the reliability of the organisation despite the existence of a relevant ground for exclusion (self cleaning). | Click here to enter text. |

Please Note: The authority 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.

|  |  | **Question** | **Response** |
| --- | --- | --- | --- |
|  |  | **DISCRETIONARY EXCLUSION** |  |
| 2.4 |  | Breach of environmental obligations | Choose an item.*If yes, please provide details in 2.5* |
| 2.4 |  | Breach of social obligations | Choose an item.*If yes, please provide details in 2.5* |
| 2.4 |  | Breach of labour law obligations | Choose an item.*If yes, please provide details in 2.5* |
| 2.4 |  | 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 an arrangement with creditors, where its business activities are suspended or it is in any analogous situation arising from a similar procedure under the law and regulations of any State | Choose an item.*If yes, please provide details in 2.5* |
| 2.4 |  | Guilty of grave professional misconduct | Choose an item.*If yes, please provide details in 2.5* |
| 2.4 |  | Entered into agreements with other economic operators aimed at distorting competition | Choose an item.*If yes, please provide details in 2.5* |
| 2.4 |  | Aware of any conflict of interest within the meaning of regulation 24 due to the participation in the procurement procedure | Choose an item.*If yes, please provide details in 2.5* |
| 2.4 |  | Been involved in the preparation of the procurement procedure | Choose an item.*If yes, please provide details in 2.5* |
| 2.4 |  | 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 | Choose an item.*If yes, please provide details in 2.5* |
| 2.5 |  | 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) | Click here to enter text. |

**3** **ECONOMIC AND FINANCIAL STANDING**

|  |  | **Question** | **Response** |
| --- | --- | --- | --- |
| 3.1 |  | Are you able to provide a copy of audited accounts for the last two years, if requested? | Choose an item. If no, can you provide one of the following |
| 3.1 | (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. | Choose an item. |
| 3.1 | (b) | A statement of the cash flow forecast for the current year and a bank letter outlining the current cash and credit position | Choose an item. |
| 3.1 | (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 bank, charity accruals accounts or an alternative means of demonstrating financial status). | Choose an item. |
| 3.2  |  | NOT USED |  |
| 3.3 |  | If applicable, are you able to provide parent company accounts if requested at a later stage? | Choose an item. |
| 3.4 |  | If applicable, would the parent company be willing to provide a guarantee if necessary? | Choose an item. |
| 3.5 |  | If no, would you be able to obtain a guarantee elsewhere (e.g. from a bank)? | Choose an item. |

**4 TECHNICAL AND PROFESSIONAL ABILITY**

4.1 Please provide details of up to three contracts, in any combination from either the public or private sector; voluntary, charity or social enterprise (VSCE) that are relevant to our requirement. VCSEs may include examples of grant funded work. Contracts for supplies or services should have been performed during the last three years. Works contracts may be from the last five years.

 The named contact provided should be able to provide written evidence to confirm the accuracy of the information provided below.

|  |  |  |  |
| --- | --- | --- | --- |
|  | **Contract 1** | **Contract 2** | **Contract 3** |
| Name of customer organisation | Click here to enter text. | Click here to enter text. | Click here to enter text. |
| Point of contact in customer organisation | Click here to enter text. | Click here to enter text. | Click here to enter text. |
| Position in the organisation | Click here to enter text. | Click here to enter text. | Click here to enter text. |
| E-mail address | Click here to enter text. | Click here to enter text. | Click here to enter text. |
| Description of Contract | Click here to enter text. | Click here to enter text. | Click here to enter text. |
| Contract start date | Click here to enter text. | Click here to enter text. | Click here to enter text. |
| Contract completion date | Click here to enter text. | Click here to enter text. | Click here to enter text. |
| Estimated Contract Value | Click here to enter text. | Click here to enter text. | Click here to enter text. |

Where you cannot provide at least one example for question 4.1, 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 contract.

|  |
| --- |
| Click here to enter text. |

|  |  | **Question** | **Response** |
| --- | --- | --- | --- |
| 4.2 |  | 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 not be limited to, details of your supply chain management tracking systems to ensure performance of the contract and prompt payment or membership of the UK Prompt Payment Code (or equivalent)* | Click here to enter text. |

**5 REQUIREMENTS UNDER MODERN SLAVERY ACT 2015**

|  |  | **Question** | **Response** |
| --- | --- | --- | --- |
| 5.1 |  | Are you a relevant commercial organisation as defined by section 54 (Transparency in supply chains etc.) of the Modern Slavery Act 2015 | Choose an item. |
| 5.2 | (a) | If you have answered ‘yes’ to question 5.1, are you compliant with the annual reporting requirements contained within section 54 of the Modern Slavery Act 2015 | Choose an item. |
| 5.2 | (b) | If you answered ‘yes’ to question 5.2 please provide the relevant URL, if you answered ‘no’ please provide an explanation | Click here to enter text. |

**6 ADDITIONAL QUESTIONS**

|  |  | **Question** | **Response** |
| --- | --- | --- | --- |
| **6.1** |  | **Insurance** |  |
| 6.1 |  | 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: |
| 6.1 |  | Employer’s (Compulsory) Liability Insurance\* = £10,000,000 | Choose an item. |
| 6.1 |  | Public Liability Insurance = £5,000,000 | Choose an item. |
| 6.1 |  | Professional Indemnity Insurance = £1,000,000  | Choose an item. |
| 6.1 |  | Product Liability Insurance = £5,000,000 | Choose an item. |
| \* 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. |

|  |  | **Question** | **Response** |
| --- | --- | --- | --- |
| **6.2** |  | **Health & Safety** |  |
| 6.2 |  | Does your company have a formal health and safety policy or statement? | Choose an item. |
| 6.2 |  | Does your company have a health and safety system accredited to BS8800 or equivalent? | Choose an item. |
| 6.2 |  | Does your company have a specific director, partner or other person responsible for the implementation of your company’s health and safety policy. | Choose an item. |
| If ‘yes’, please provide details | Click here to enter text. |
| 6.2 |  | Does your company employ a full time health and safety professional or health and safety consultant? | Choose an item. |
| If ‘yes’, please provide details of the qualifications, experience and any membership of an appropriate professional body. If ‘no’, please indicate who provides advice on health and safety | Click here to enter text. |
| 6.2 |  | Does your organisation provide health and safety training to: i) staff?ii) sub-contractors? | Choose an item. |
| If ‘yes’, please provide details of the content and type of training, e.g. induction, management, task specific etc | Click here to enter text. |
| 6.2 |  | Does your company maintain accident records? | Choose an item. |
| 6.2 |  | Do you consult staff on health and safety matters? | Choose an item. |
| If ‘yes’, please describe how | Click here to enter text. |
| 6.2 |  | Do you undertake risk assessments? | Choose an item. |
| If ‘yes’, please provide details? | Click here to enter text. |
| 6.2 |  | Has your organisation, over the past 5 years, been or is in the process of being investigated/ prosecuted for any health and safety offence? | Choose an item. |
| If ‘yes’, please provide details | Click here to enter text. |
| 6.2 |  | Has your organisation, over the past 5 years, been or is in the process of having any civil action brought against it for any health and safety offence? | Choose an item. |
| If ‘yes’, please provide details | Click here to enter text. |
| 6.2 |  | Has your organisation been served with any prohibition/ improvement notices for breaches of health and safety legislation in the past 3 years? | Choose an item. |
| If ‘yes’, please provide details including subsequent action taken by the organisation | Click here to enter text. |

|  |  | **Question** | **Response** |
| --- | --- | --- | --- |
| **6.3** |  | **Environmental Management** |  |
| 6.3 |  | Does your organisation have a policy regarding the safe management of the environment? | Choose an item. |
| If ‘yes’, please provide its key features in relation to the delivery of this contract. | Click here to enter text. |

|  |  | **Question** | **Response** |
| --- | --- | --- | --- |
| **6.4** |  | **Equal Opportunities** |  |
| 6.4 |  | Do you have an Equality and Diversity / Human Rights Policy or statement which complies with your statutory obligation under UK / EU equalities and discrimination legislation (or equivalent legislation and regulations in the countries where you employ staff)? | Choose an item. |
| If ‘yes’, please describe the details of this policy as they relate to the treatment of **customers / service users as well as employees?** | Click here to enter text. |
| 6.4 |  | In the past 3 years has any claim or finding of unlawful discrimination or harassment been made against your organisation by any court or industrial tribunal or equivalent body? | Choose an item. |
| If ‘yes’, please give details | Click here to enter text. |
| 6.4 |  | In the past 3 years has your organisation been the subject of formal investigation by the Equality and Human Rights Commission or equivalent body? | Choose an item. |
| If ‘yes, please give details. | Click here to enter text. |
| 6.4 |  | Does your organisation have a grievance process and practice that covers complaints made in respect of equalities and diversity? | Choose an item. |
| If ‘yes’, please provide details | Click here to enter text. |
| 6.4 |  | Does your organisation hold any Equality awards or is it working towards achieving any this year? | Choose an item. |
| If ‘yes’, please provide details. | Click here to enter text. |

**7** **DECLARATION**

I declare that to the best of my knowledge the answers submitted to these questions are correct. 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, and I am signing on behalf of [Insert name of supplier].

I understand that the Council may reject my submission if there is a failure to answer all relevant questions fully or if I provide false / misleading information.

I also declare that there is no conflict of interest in relation to the Council’s requirement.

|  |
| --- |
| **Standard Selection Questionnaire completed by** |
| 7.1 | Name | Click here to enter text. |
| 7.2 | Role in Organisation | Click here to enter text. |
| 7.3 | Date | Click here to enter a date. |
| 7.4 | Signature |  |

**TENDER SUBMISSION**

**Please note that only those organisations which pass the Standard Selection Questionnaire (SSQ) will have their Tender submissions evaluated.**

Please see Document One for details on how responses will be evaluated.

**8 QUALITY**

| **Training and Qualifications** |
| --- |
| **Question 1:** | **Max Score Available:** | 5% | **Word Limit:** | [250] words |
| Do you have a formal or certified quality management system? If so please provide details. |
| **Answer:** |
| Click here to enter text. |
| **Word Count:** |  |

| **Training and Qualifications** |
| --- |
| **Question 2:** | **Max Score Available:** | 5% | **Word Limit:** | [250] words |
| Please explain your approach to training of your staff and site operatives. |
| **Answer:** |
| Click here to enter text. |
| **Word Count:** |  |

| **Training and Qualifications** |
| --- |
| **Question 3:** | **Max Score Available:** | 5% | **Word Limit:** | [250] words |
| Please provide details of the key personnel who will be managing this contract, as well as their relevant skills, qualifications and experience.  |
| **Answer:** |
| Click here to enter text. |
| **Word Count:** |  |

| **Implementation and Quality** |
| --- |
| **Question 4:** | **Max Score Available:** | 5% | **Word Limit:** | [750] words |
| Please detail your installation methodology for this contract. {please also see Appendix 1 of the Construction Statement and Management Plan and associated drawings.} |
| **Answer:** |
| Click here to enter text. |
| **Word Count:** |  |

| **Implementation and Quality** |
| --- |
| **Question 5:** | **Max Score Available:** | 5% | **Word Limit:** | [500] words |
| Please provide a detailed implementation strategy or master programme of works explaining how you will deliver this contract. Please refer to the specification provided.  |
| **Answer:** |
| Click here to enter text. |
| **Word Count:** |  |

| **Implementation and Quality** |
| --- |
| **Question 6:** | **Max Score Available:** | 3% | **Word Limit:** | [250] words |
| Please provide your approach or Code of Conduct to liaising with neighbours, members of the public and personnel involved in the contract.  |
| **Answer:** |
| Click here to enter text. |
| **Word Count:** |  |

| **Implementation and Quality** |
| --- |
| **Question 7:** | **Max Score Available:** | 2% | **Word Limit:** | [250] words |
| Please provide details as to how your approach delivers or exceeds best practice principles in relation to this contract for added value.  |
| **Answer:** |
| Click here to enter text. |
| **Word Count:** |  |

| **Equipment** |
| --- |
| **Question 8:** | **Max Score Available:** | 5% | **Word Limit:** | [250] words |
| What is the warranty or replacement security against your equipment or machinery used in the course of this contract? Should you have any warranty in place, please list below. |
| **Answer:** |
| Click here to enter text. |
| **Word Count:** |  |

|  |
| --- |
| **Answer:** |
| **[Equipment]** | **[Warranty]** |
| Click here to enter text. | Click here to enter text. |
| Click here to enter text. | Click here to enter text. |
| Click here to enter text. | Click here to enter text. |
| Click here to enter text. | Click here to enter text. |
| Click here to enter text. | Click here to enter text. |
| Click here to enter text. | Click here to enter text. |
| Click here to enter text. | Click here to enter text. |

| **Equipment** |
| --- |
| **Question 9:** | **Max Score Available:** | 5% | **Word Limit:** | [250] words |
| Should any equipment fail what are your control procedures to remedy or replace the equipment/machinery? And what is your methodology or procedures to result in minimum disruption to the project programme?  |
| **Answer:** |
| Click here to enter text. |
| **Word Count:** |  |

| **Technology and Systems** |
| --- |
| **Question 10:** | **Max Score Available:** | 3% | **Word Limit:** | [250] words |
| What systems or software applications do you have or propose to implement to ensure swift communication between all parties?  |
| **Answer:** |
| Click here to enter text. |
| **Word Count:** |  |

| **Technology and Systems** |
| --- |
| **Question 11:** | **Max Score Available:** | 5% | **Word Limit:** | [250] words |
| What are your procedures for monitoring your performance and quality on site in line with the programme to a critical path?  |
| **Answer:** |
| Click here to enter text. |
| **Word Count:** |  |

| **Technology and Systems** |
| --- |
| **Question 12:** | **Max Score Available:** | 2% | **Word Limit:** | [250] words |
| What are your preferred methods or software applications that would ensure project information is issued and kept up to date to the latest revision to all parties? |
| **Answer:** |
| Click here to enter text. |
| **Word Count:** |  |

## 9 Price

Please complete the following Pricing Schedule, ensuring that you have provided a cost in each of the relevant boxes and please complete the Price Breakdown below and list all your costs. All prices quoted should exclude VAT.

Please note the total of all your additional costs must be identified and insert in row 9.3 of the table below, additional costs which are not identified at this stage cannot be charged for during the Contract Term unless by the express agreement of the Council.

| **Cost Area** | **Cost** |
| --- | --- |
| 9.1 | Equipment | Click here to enter text. |
| 9.2 | Installation | Click here to enter text. |
| 9.3 | Additional | Click here to enter text. |
| 9.4 | **Total** | Click here to enter text. |

Please complete the Price Breakdown below and include the cost of each item of equipment, your installation costs, including labour, materials, skip hire / licences and so on as appropriate and also any additional costs.

All your costs for the contract must be included in your tender, Any costs which are not included will not be met by the Council.

Please add or remove rows to form the Price Breakdown table as necessary.

| **Price Breakdown** |
| --- |
| **9.1** | **Equipment** | **Cost** |
|  | Item: |  |
|  | Click here to enter text. | Click here to enter text. |
|  | Click here to enter text. | Click here to enter text. |
|  | Click here to enter text. | Click here to enter text. |
|  | Click here to enter text. | Click here to enter text. |
|  | Click here to enter text. | Click here to enter text. |
|  | Click here to enter text. | Click here to enter text. |
|  | Click here to enter text. | Click here to enter text. |
|  | Click here to enter text. | Click here to enter text. |
|  | Click here to enter text. | Click here to enter text. |
|  | Click here to enter text. | Click here to enter text. |
|  | **Sub-Total** | Click here to enter text. |
| **9.2** | **Installation** | **Cost** |
|  | Item: |  |
|  | Click here to enter text. | Click here to enter text. |
|  | Click here to enter text. | Click here to enter text. |
|  | Click here to enter text. | Click here to enter text. |
|  | Click here to enter text. | Click here to enter text. |
|  | Click here to enter text. | Click here to enter text. |
|  | Click here to enter text. | Click here to enter text. |
|  | Click here to enter text. | Click here to enter text. |
|  | Click here to enter text. | Click here to enter text. |
|  | Click here to enter text. | Click here to enter text. |
|  | Click here to enter text. | Click here to enter text. |
|  | **Sub-Total** | Click here to enter text. |
| **9.3** | **Additional Costs** | **Cost** |
|  | Item: |  |
|  | Click here to enter text. | Click here to enter text. |
|  | Click here to enter text. | Click here to enter text. |
|  | Click here to enter text. | Click here to enter text. |
|  | Click here to enter text. | Click here to enter text. |
|  | Click here to enter text. | Click here to enter text. |
|  | Click here to enter text. | Click here to enter text. |
|  | Click here to enter text. | Click here to enter text. |
|  | Click here to enter text. | Click here to enter text. |
|  | Click here to enter text. | Click here to enter text. |
|  | Click here to enter text. | Click here to enter text. |
|  | **Sub-Total** | Click here to enter text. |
|  | **Grand Total** | Click here to enter text. |

**Appendix 1: Form of Tender**

Date: Click here to enter a date.

Tender for Corby Borough Council - Tender for Tennis Centre – Replacement of inflatable Domes

I/We the undersigned, hereby tender and offer to provide the Contract as listed above which is more particularly referred to in the Invitation to Tender supplied to me/us for the purpose of tendering for the provision of the Contract and upon the terms thereof.

I/We undertake in the event of acceptance of our Tender to execute the Contract within 15 business days of such acceptance and if required in the interim provide the Contract in accordance with the Contract if necessary.

I/We understand that the Council reserves the right to accept or refuse this Tender whether it is lower, the same, or higher than any other Tender.

I/We confirm that the information supplied to you and forming part of this Tender including (for the avoidance of doubt) any information supplied to you as part of my/our initial expression of interest in tendering, was true when made and remains true and accurate in all respects.

I/We confirm that this Tender will remain valid for 90 days from the date of this Form of Tender.

I/We confirm and undertake that if any of such information becomes untrue or misleading that I/we shall notify you immediately and update such information as required.

I/We confirm that the undersigned are authorised to commit the Bidder to the contractual obligations contained in the Invitation to Tender and the Contract.

Signed by:

NAME: Click here to enter text.

POSITION: Click here to enter text.

NAME: Click here to enter text.

POSITION: Click here to enter text.

for and on behalf of Click here to enter text.

 (Bidder)

**APPENDIX 2: COLLUSIVE TENDERING CERTIFICATE**

We certify that this is a bona fide tender, and that 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. We also certify that we have not done so and we undertake that we will not do so at any time before the hour and date specified for the return of this tender any of the following acts:

1. Communicating to a person other than the person calling for these 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;
2. Entering into agreement or arrangement with any other person that he shall refrain from tendering or as to the amount of any tender to be submitted;
3. Offering or paying or giving or agreeing to 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 of any tender or proposed tender for that said work or thing of any sort described above.

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

SIGNED:

NAME: Click here to enter text.

ON BEHALF OF: Click here to enter text.

DATE: Click here to enter a date.

**Appendix 3: Confidential and Commercially Sensitive Information**

**The following form should be submitted with all bids to indicate areas of the submission that are considered to be either *confidential* or *commercially sensitive*.**

**Confidential material** is as defined in Section 41 of the Freedom of Information Act 2000 (FoI) where the disclosure of the information would constitute an actionable breach of confidence.

**Commercially sensitive** material is as defined in Section 43 of the FoI Act and relates to *‘information, the disclosure of which would be likely to prejudice the commercial interests of any person’*.

Bidders should make themselves aware of the definition of each term as well as the circumstances in which FoI & Environmental Information Regulations 2004 (EIR) exemptions apply.

**Confidential Material Checklist**

|  |  |
| --- | --- |
| **Name of Organisation:** | Bidder to insert Company name here |

Confidential documents not for disclosure to third parties under the FoI & EIR. The Council may be obliged to disclose information in or relating to this bid following a request for information under FoI or EIR therefore please outline in the table below all items which you consider are genuinely confidential and which are not for disclosure in respect of your application.

|  |  |  |
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| **Information / Document**  | **Reference / Page No.** | **Reasons for non-disclosure**  |
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The applicant acknowledges that the confidential information listed in this schedule is of indicative value only and the Council may be obliged to disclose it following a request under FOI or EIR.

The Council shall act reasonably and use its discretion, ensuring that the latest guidance/case law is taken into account, when making a decision to release or withhold information pertaining to the above if it is requested. By indicating what information believed to be confidential the Council will consider those views however the Council will make the final decision to disclose information or not.

**Commercially Sensitive Material Checklist**

**Commercially sensitive documents not for disclosure to third parties under FoI or EIR**

|  |  |
| --- | --- |
| **Name of Organisation:** | Bidder to insert Company name here |

The Council may be obliged to disclose information in or relating to this bid exercise following a request for information under FoI or EIR therefore please outline in the table below items which are considered genuinely commercially sensitive and which are not for disclosure in respect of this bid.

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| Information / Document | Reference / Page No. | Reasons for non-disclosure (cite exemption(s) to be considered) | Duration of confidentiality |
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The applicant acknowledges that the commercially sensitive information listed in this schedule is of indicative value only and the Council may be obliged to disclose it pursuant to a request under FOI or EIR.

The Council shall act reasonably and use its discretion, ensuring that the latest guidance/case law is taken into account, when making a decision to release or withhold information pertaining to the above if it is requested. By indicating what information is believed to be commercially sensitive the Council will consider those views however the Council will make the final decision to disclose information or not.