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Volume Two (2) Applicant’s Offer

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| Tender for Retained Professional Human Resources (HR) and Staffing Advisory Services |

Invitation to Tender

Closing time and date for return of submission:

**12:00 hrs on 31/01/2023**

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| Name of Applicant: |

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

RETURN EMAIL ADDRESS

tenders@camborne-tc.gov.uk

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## 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.

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| **Part 1: Potential supplier information**Please answer the following questions in full. Note that every organisation that is being relied on to meet the selection must complete and submit the Part 1 and Part 2 self-declaration. |
| **Section 1** | **Potential supplier information** |  |
| **Question number** | **Question** | **Response** |
| 1.1(a) | Full name of the potential suppliersubmitting 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. 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.** |

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

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| **Part 2: Exclusion grounds**Please answer the following questions in full. Note that every organisation that is being relied on to meet the selection must complete and submit the Part 1 and Part 2 self-declaration. |
| **Section 2** | **Grounds for mandatory exclusion** |
| **Question number** | **Question** | **Response** |
| 2.1(a) | **Regulations 57(1) and (2)**The detailed grounds for mandatory exclusion of an organisation are set out on this [web page](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List_of_Mandatory_and_Discretionary_Exclusions.pdf), which should be referred to before completing these questions.Please indicate if, within the past five years you, your organisation or any other person who has powers of representation, decision or control in the organisation been convicted anywhere in the world of any of the offences within the summary below and listed on the [webpage](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List_of_Mandatory_and_Discretionary_Exclusions.pdf). |  |
| **Please indicate your answer by marking ‘X’ in the relevant box.** |
|  | **Yes** | **No** |
| Participation in a criminal organisationIf Yes please provide details at 2.1(b) |  |  |
| CorruptionIf Yes please provide details at 2.1(b) |  |  |
| FraudIf Yes please provide details at 2.1(b) |  |  |
| Terrorist offences or offences linked to terrorist activitiesIf Yes please provide details at 2.1(b) |  |  |
| Money laundering or terrorist financingIf Yes please provide details at 2.1(b) |  |  |
| Child labour and other forms of trafficking in human beingsIf 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 convictedIf 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.** |

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| **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 = £10m |  |  |
| 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. |  |  |

## Specification

**Core Requirements**

* 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. The Council is seeking a partner provider for the provision of professional human resources (HR) and staffing advisory services as a single prime contractor, or a consortium with a lead supplier acting as prime contractor, to work with the Council on an on-call basis to provide a range of high-quality HR services and solutions.
	3. A bespoke solution tailored to complement the Authority’s in-house resources. The Council have employed a part-time HR Assistant to deal with some of the administration and support.
	4. The Council is seeking the support for duration of 3 years plus 1-year optional extension.
	5. The Supplier shall be able to provide timely, competent, and professional HR and staffing advice and support based on the following specialisms listed below to the required standard:
1. Project Management – The management and delivery of HR related programmes and projects designed to enhance the effectiveness of the Council, for example assisting the Council on organisational review of services to implementing new HR related policy or strategies
2. Cultural transformation – Supporting the Council in cultural change programmes to aid and improve people related performances
3. HR Advice and support – For example advice and support on restructuring, reorganisation & staff surplus (redundancy)
4. Proactively identify areas where HR can add value and ensure effective solutions
5. Dispute management – Both support at a collective level in respect of Council / Employee management disputes through to engagement as required with Unions (in particular Unison / GMB and / or legal representatives)
6. Disciplinary advice – Support and advice on complex and sensitive disciplinary matters, including where required attendance when dealing with disciplinary, capability and grievance hearings / processes. Advice and support where required to include employment tribunals and dismissals including assisting in the preparation of statements of case and presentation of cases
7. Employee relations and communications - Advice and support on complex & sensitive employee relations issues (e.g. absence management, sickness, capability issues, grievances, misconduct, suspensions, early retirement, etc), to include coaching, mentoring and mediation to deliver successful resolutions
8. HR Policy and Strategy - Human resource processes and design and as required development of terms and conditions of employment, policies including health and safety, employment contracts, recruitment policy and company handbook and related HR strategies
9. Legislative advice: Providing specific advice as necessary on Employment Laws, in to include but not limited to:
10. Employment Relations Act 1999
11. Employment Rights At 1996
12. Maternity and Parental Leave etc. Regulations 1999
13. National Minimum Way Act 1998
14. Part-time Worker Regulations 2000 (including IR35)
15. Transfer of Undertakings (Protection of Employment) Regulations 2006
16. Equality Act 2010
17. The Working Time (Amendment) Regulations 2003
18. Organisational training and development including talent management including support delivery of leadership development and succession planning, change management, organisational development.
19. Performance management (including pay, reward and benchmarking) and where required capability support
20. Providing reports and attending Staffing Committee meetings when required to guide the committee on staffing and outstanding HR projects
21. Recruitment support – Advice and support to include but not limited;
22. Advice and guidance on filling vacancies.
23. Advising and supporting recruitment campaigns including advertising / search support, along with support on selection, interviews and as required appointments as required
24. Advice on the drafting and placing of advertisements.
25. Advice and assistance on the preparation of job descriptions and person specifications
26. Advice on the appropriate grading of staff, including the job evaluation of support staff in accordance with the Council’s job evaluation scheme.
27. Supporting on panel interviews if required
	1. In addition to the above the appointed supplier would have a working knowledge and experience of support in a comparable public sector setting, such as supporting Town Council(s), Green Book Employers and / or Local Government and be able to bring this knowledge and experiences to the benefit of the Council.

**Service Levels, Standards and Service Availability**

* 1. For general specific ad hoc queries:
1. Acknowledgement by end of next working day.
2. Substantive response within 7 working days.
3. Where it is considered that further research is required to support providing a substantive response, Supplier would be required to inform within 3 working days as to situation and an estimated timeframe around response (typically would seek to ensure a full response is provided by no later than 10 working days or as agreed between the Council and the Supplier).
	1. For advisory support on a specific project, the Council would seek a formal estimate which considers the likely nature of the needs required and complexity.
	2. In the case of urgent matters (for example consideration on suspension / misconduct) an initial response within 24 hours would be required.
	3. The Supplier to ensure key personnel remain suitably qualified and experienced HR professional(s) who can provide technical and specialised advice and support on a broad variety of situations.
	4. The Supplier will be responsible for providing access to the Council a key point of contact or service desk.
	5. Supplier to provide a monthly summary report of the programme of work undertaken, including time spent / associated costs aligned to specific allocated work / projects, and include issues and risks. Report to be provided within 10 working days of end of each calendar month.
	6. Individual Projects to have individual Highlight Report based on standard Project Management Tools.
	7. To maximise time spent when working on the account for the Council, generally wherever possible the support and advice can be provided by remote means, e.g. virtual calls, phone, emails, etc. It is however likely that in certain situations where support is required onsite at Council locations. In such circumstances, cost and reimbursements would be expected to be contained within the quoted rates of the Supplier.
	8. The following Service Credits will be payable and due to the Client in event of failures by the Supplier

|  |  |
| --- | --- |
| **Service Credit** | **Service Credit Due:** |
| Acting on inaccurate advice as provided by the Supplier | Recovery of Costs included by the Council based on inaccurate advice by the Supplier to a point where failing is able to be remedied, in addition to any loss claims made through the Supplier’s professional indemnity insurance |
| Failure to delivery within set response times - Required target 97.5% and above responses within set standards:Minor failures* Response within 95 to 97.5%
* Response within 90 to 95%

Significant failure* Below 90%
 | 3 Minor failures in 6 month period deemed a Significant Failure2 Significant failures in 12 month period deemed Material Breach |

## Quality Criteria

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| **THE PROFESSIONAL SERVICES TEAM TO SUPPORT THE COUNCIL:** |
| The Council is seeking a Supplier who can provide the Council with the necessary and proportional advisory support on a call off retained basis. The Supplier would be able to provide professional services either individually or as part of a team, demonstrating they have proven capability in delivery of support and advice to deliver the core requirements as set out in the specification.In addition, the Council would be seeking assurance from the Supplier that they have the necessary capacity to support the Council over the duration of the framework and the proposed Team member(s) have the appropriate proven experience and qualifications to advise against the core requirements as set out in the specification.**WHAT DOES A STRONG RESPONSE LOOK LIKE?**A strong response should indicate clear details for the individuals to be engaged in providing the relevant advisory support and the assurance that the Professional Services Team to include the necessary range of professional advisers required to provide the necessary advice and support as set out in the specification, in a manner that provides confidence and assurance around capacity and continuity of the team. A strong response would clearly indicate that the supplier has access to the necessary professional insight required with the individual or proposed team having the right blend of professional experience, knowledge and expertise required to support the Council. 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 contracts and settings and how this would benefit this contract, ideally with experience of working within public sector local government.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.Where the 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 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 requirement. 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;
* an awareness of related current political and legislative agendas;
* strong awareness of Regulatory employment law
* negotiating and persuading skills;
* administrative, time management and budgeting skills;
* digital media and IT skills;
* the ability to use initiative and work well in a matrix team;
* experience of partnership and collaborative working;
* flexibility and creativity;

Short CV’s of the key personnel who will be working on the project should be submitted – no more than three pages of A4 per consultant. These should highlight key project the person has worked on and should show contracts that are similar in type to this requirement. CV’s should include qualifications and summary of experience CV’s should state the exact role the consultant had in the quoted contract(s).A strong response would clearly demonstrate assurance that the characteristics (knowledge, skills and experience) of the professional team. 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:** |

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| **CONTRACT MANAGEMENT AND ADMINISTRATION:** |
| Please provide details on how you intend to approach the advisory support in context to the overall contract management and administration and how this will be taken forward with the Council. Please outline how you ensure that any support and advisory work is delivered on time, within budget and to the required quality. In addressing this question your response should include your approach to contract management and administration, methodologies adopted by your organisation to manage required quality and successful performance outcomes. As highlighted, the support and advise required needs to proportional and timely support to the Council. Some elements such as certain elements of the advice and support required by the Professional Services Team would be expected to be light tough, working with the Council in a manner to provide the necessary support in a sustainable way. Likewise, there may well be other cases or circumstances where there will be periods where support required would be more intensive than other stages where little or no resource would be required.Accordingly, please provide your response to demonstrate your understanding of the aims of the scheme, the brief and the role that you would be expected to perform if appointed.We would be looking for you to highlight procedures, major issues, constraints, risks etc., and demonstrate your approach to achieving the objectives and principles to support a successful outcome.Please outline how you will ensure that support on any engagements placed is proportional in respect of the time spend as well as timely in delivery of the support provided.**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 at the respective stages of contract management and administration to deliver successfully quality outcomes for clients. It will clearly set out the approach to be taken in the respective stages including both sign off from the Council at key stages and wider effective engagement with key stakeholders.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.A strong response would clearly evidence you understand the role and support which the appointed Professional Services Team would be expected to undertake, the scope and complexity of the overall scheme, the engagement with other contractors and required outcomes.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

A strong response would also indicate an understanding of the proportional nature of the support required and how resources would be flexed appropriately to manage periods of more intense support versus other periods during the scheme duration where little or no active resource input would be needed. 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.Likewise a strong response would also indicate how the supplier would build capacity and capability within the Council in a sustainable way to transfer knowledge and experience. |
| **SUPPLIER RESPONSE:** |

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| **STAKEHOLDER ENGAGEMENT AND COLLABORATION:** |
| It will be important that as part of any resulting Contract with the Professional Services Team will need to build upon a long-term arrangement with the Council, Members and employees to deliver the overall vision and objectives. This will be in both working with individuals and it will be vital to ensure the right partners who both share the ethos but also understand how to work with other stakeholders in a matrix team setting 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 / matrix collaborative projects to this project.Please outline your approach to dealing with the various stakeholders who may be involved in a Project. In addressing this question your response should include:• How you typically engage, communicate and keep stakeholders informed at all stages of a project and how you intend to deal with any conflict.**WHAT DOES A STRONG RESPONSE LOOK LIKE?**A strong response would be clear on how the Professional Services Team members would work with both the Council and key stakeholders and other key stakeholders such as Unions, the approach they would adopt and the experience and credentials they have elsewhere which they would bring to this contract to make it a success.A strong response would also include an indication of a strong track record regarding successful working and 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.This would likely include details on how the Professional Services Team would bring the necessary people skills and support to support the Council in resolving conflicts and delivering successful outcomes in a timely and expedient manner.  |
| **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. Any retained work will be based on the fee scale for all consultants as set out in the Price Schedule 1.
	3. The fee proposal should include all members of the proposed team.
	4. Payments to be made on completion of satisfactory sign off in respect of advice provided based on 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.
	2. **Certificates and Declarations**

**Conditions of Tender**

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| **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 Authority 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 Authority 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 Authority, 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. |

**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.

**Certificate of Undertaking and Absence of Collusion or Canvassing**

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| **CERTIFICATE OF UNDERTAKING AND ABSENCE OF COLLUSION OR CANVASSING** |
| The Applicant shall sign the below Certificate of Undertaking and Absence of Collusion clearly indicating whether they sign as a Consortium or Member of Consortium (Box A), or as a single body and/or individual (Box B) by striking through Box A or B, whichever does not apply. |
| Box A – ConsortiumI/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.
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| Box B – Single Body and/or IndividualI/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.
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**Certificate of Confidentiality**

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| **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. |

**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.

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

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**Conflict of Interest**

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

**Signatures**

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| 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).* |