**APPENDIX 4 - Council Information Requirements**

The following documents must be completed and returned with your response to tender. Any incomplete or not returned items may lead to your tender being disqualified.

**ANNEX 1: NON-COLLUSIVE TENDERING CERTIFICATE**

I / WE certify that in preparing and submitting this Tender we have not offered or agreed to offer to any person any gift or consideration of any kind as an inducement or reward for doing or forbearing to do or having done or forborne to do any action in relation to obtaining this Contract.

I / WE have not canvassed any person or offered any inducement in order to obtain confidential information in relation to the Contract and the Services to be undertaken either directly or indirectly.

I / WE certify that no one has been permitted to act on our behalf to offer such inducements or perform such acts set out above.

By this Certificate the word “person” includes any persons and any body or association corporate or non-corporate and offer or agreement includes any transaction formal or informal and whether legally binding or not.

|  |  |
| --- | --- |
| Print Name(s) in full: |  |
| Signed: |  |
| Date: |  |

|  |  |
| --- | --- |
| Print Name(s) in full: |  |
| Signed: |  |
| Date: |  |

|  |  |
| --- | --- |
| For and on behalf of (Registered Company Name) |  |
| Registered Address |  |

**ANNEX 2: NON-CANVASSING CERTIFICATE**

I / We certify that in preparing and submitting this Tender that we have not canvassed any member, officer or anyone in the employment of the Council.

In this Certificate:

“Person” includes any person and any body or association, corporate or non-corporate.

|  |  |
| --- | --- |
| Print Name(s) in full: |  |
| Signed: |  |
| Date: |  |

|  |  |
| --- | --- |
| Print Name(s) in full: |  |
| Signed: |  |
| Date: |  |

|  |  |
| --- | --- |
| For and on behalf of (Registered Company Name) |  |
| Registered Address |  |

**ANNEX 3: BONA-FIDE TENDER CERTIFICATE**

In recognition of the principle that the essence of Selective Tendering is that the clients shall receive bona-fide competitive tenders from all those tendering **I / WE** certify that:

1. The Tender submitted herewith is a bona-fide Tender intended to be competitive.

2. We have not fixed or adjusted the amount of the Tender under or in accordance with any Agreement or arrangement with any other person.

3. We have not done and we undertake that we will not do at any time before the hour specified for the return of the Tender any of the following acts: -

a) Communicating to a person other than the person calling for this Tender the amount or approximate amount of the proposed Tender (except where the disclosure in confidence of the approximate amount of the Tender was essential to obtain insurance premiums quotations required for the preparation of the Tender).

b) Entering into any Agreement with any other person that he shall refrain from Tendering or as to the amount of any Tender to be submitted.

c) Offering or paying or giving or agreeing to 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 any act or thing of the sort described above.

In this Certificate: -

1. “Person” includes any person and any body or association, corporate or non-corporate.

2. “Any Agreement or arrangement” includes any transaction of the sort described above formal or informal and whether legally binding or not.

|  |  |
| --- | --- |
| Print Name(s) in full: |  |
| Job Title(s) |  |
| Signed: |  |
| Date: |  |

|  |  |
| --- | --- |
| Print Name(s) in full: |  |
| Job Title(s) |  |
| Signed: |  |
| Date: |  |

|  |  |
| --- | --- |
| For and on behalf of (Registered Company Name) |  |
| Registered Address |  |

**ANNEX 4: FREEDOM OF INFORMATION AND TRANSPARENCY**

The Council is committed to transparency and meeting its legal responsibilities under the Freedom of Information Act 2000 (“The Act”), and all information submitted may need to be disclosed in response to a request.

Organisations are asked to consider if any of the information supplied in this tender should not be disclosed because of its sensitivity under the Act and, if this is the case, provide the information, identifying specific reasons for its sensitivity. The Council will endeavour to consult with organisations about sensitive information before making a decision on any Freedom of Information request received.

Please detail pages that are exempt from disclosure and include reasons:

|  |
| --- |
|  |

The Council shall be responsible for determining in its absolute discretion whether any part of the Agreement or its Schedules is exempt from disclosure in accordance with the provision of the Act and the Council’s transparency commitments.

**ANNEX 5: CONFIDENTIALITY CERTIFICATE**

Please sign this document to confirm that the organisation agrees to keep all matters relating to the tender confidential.

|  |  |
| --- | --- |
| Print Name(s) in full: |  |
| Job Title: |  |
| Signed: |  |
| Date: |  |

**Annex 6: Mandatory Question Set**

1. **Supporting Information**

|  |  |  |
| --- | --- | --- |
| 1.1 **Supplier Details** | **Answer** | |
| Full name of the Supplier completing the ITT: |  | |
| Registered company address: |  | |
| Registered company number: |  | |
| Registered charity number: |  | |
| Registered VAT number: |  | |
| Name of immediate parent company: |  | |
| Name of ultimate parent company: |  | |
| Please mark “Yes” or “No” in the relevant box to indicate your trading status. | 1. a public limited company | **Yes / No** |
| 1. a limited company | **Yes / No** |
| 1. a limited liability partnership | **Yes / No** |
| 1. other partnership | **Yes / No** |
| 1. a sole trader | **Yes / No** |
| 1. other (please specify) | **Yes / No** |
| Please mark “Yes” or “No” in the relevant boxes to indicate whether any of the following classifications apply to you | 1. Voluntary Community and Social Enterprise (VCSE) | **Yes / No** |
| 1. Small or Medium Enterprise (SME)[[1]](#footnote-1) | **Yes / No** |
| 1. Sheltered workshop | **Yes / No** |
| 1. Public service mutual | **Yes / No** |

|  |  |
| --- | --- |
| 1.2 **Bidding Model** | |
| Please mark “Yes” or “No” in the relevant box to indicate whether you are: | |
| 1. Bidding as Prime Contractor and will deliver 100% of the key contract deliverables yourself. | **Yes / No** |
| 1. Bidding as a Prime Contractor and will use third parties to deliver some of the services   If Yes, please provide details of your proposed bidding model that includes members of the supply chain, the percentage of work being delivered by each sub-contractor and the key contract deliverables each sub-contractor will be responsible for. | **Yes / No** |
| 1. Bidding as Prime Contractor but will operate as a Managing Agent and will use third parties to deliver all of the services.   If yes, please provide details of your proposed bidding model that includes members of the supply chain, the percentage of work being delivered by each sub-contractor and the key contract deliverables each sub-contractor will be responsible for. | **Yes / No** |
| 1. Bidding as a consortium but not proposing to create a new legal entity.   If yes, please include details of your consortium in the next column and use a separate Appendix to explain the alternative arrangements i.e. why a new legal entity is not being created.  Please note that the authority may require the consortium to assume a specific legal form if awarded the contract, to the extent that it is necessary for the satisfactory performance of the contract. | **Yes / No**  **Consortium members**  **Lead member** |
| 1. Bidding as a consortium and intend to create a Special Purpose Vehicle (SPV).   If yes, please include details of your consortium, current lead member and intended SPV in the next column and provide full details of the bidding model using a separate Appendix. | **Yes / No**  **Consortium members**  **Current lead member**  **Name of Special Purpose Vehicle** |

|  |  |
| --- | --- |
| 1.3 **Contact Details** | |
| Supplier contact details for enquiries about this ITT | |
| Name: |  |
| Postal address: |  |
|  |
|  |
| Country: |  |
| Phone: |  |
| Mobile: |  |
| Email: |  |

|  |  |  |
| --- | --- | --- |
| 1.4 **Licensing and Registration (please mark “Yes” or “No” in the relevant box)** | | |
| 1.4.1 | Registration with a professional body.  If applicable, is your business registered with the appropriate trade or professional register(s) in the EU member state where it is established (as set out in Annex XI of directive 2014/24/EU) under the conditions laid down by that member state). | **Yes / No**  If Yes, please provide the registration number in this box. |
| 1.4.2 | Is it a legal requirement in the state where you are established for you to be licensed or a member of a relevant organisation in order to provide the requirement in this procurement? | **Yes / No**  If Yes, please provide additional details within this box of what is required and confirmation that you have complied with this. |

1. **Grounds for Mandatory Exclusion**

You will be excluded from the procurement process if there is evidence of convictions relating to specific criminal offences including, but not limited to, bribery, corruption, conspiracy, terrorism, fraud and money laundering, or if you have been the subject of a binding legal decision which found a breach of legal obligations to pay tax or social security obligations (except where this is disproportionate e.g. only minor amounts involved).

If you have answered “yes” to question 2.2 on the non-payment of taxes or social security contributions, and have not paid or entered into a binding arrangement to pay the full amount, you may still avoid exclusion if only minor tax or social security contributions are unpaid or if you have not yet had time to fulfil your obligations since learning of the exact amount due. If your organisation is in that position please provide details using a separate Appendix. You may contact the authority for advice before completing this form.

|  |  |  |  |
| --- | --- | --- | --- |
| 2.1 | **Within the past five years, has your organisation (or any member of your proposed consortium, if applicable), Directors or partner or any other person who has powers of representation, decision or control been convicted of any of the following offences?** | **Please indicate your answer by marking “X” in the relevant box** | |
| **Yes** | **No** |
| (a) | conspiracy within the meaning of section 1 or 1A of the Criminal Law Act 1977 or article 9 or 9A of the Criminal Attempts and Conspiracy (Northern Ireland) Order 1983 where that conspiracy relates to participation in a criminal organisation as defined in Article 2 of Council Framework Decision 2008/841/JHA on the fight against organised crime; |  |  |
| (b) | corruption within the meaning of section 1(2) of the Public Bodies Corrupt Practices Act 1889 or section 1 of the Prevention of Corruption Act 1906; |  |  |
| (c) | the common law offence of bribery; |  |  |
| (d) | bribery within the meaning of sections 1, 2 or 6 of the Bribery Act 2010; or section 113 of the Representation of the People Act 1983; |  |  |
| (e) | any of the following offences, where the offence relates to fraud affecting the European Communities’ financial interests as defined by Article 1 of the Convention on the protection of the financial interests of the European Communities: |  |  |
| (i) | the offence of cheating the Revenue; |  |  |
| (ii) | the offence of conspiracy to defraud; |  |  |
| (iii) | fraud or theft within the meaning of the Theft Act 1968, the Theft Act (Northern Ireland) 1969, the Theft Act 1978 or the Theft (Northern Ireland) Order 1978; |  |  |
| (iv) | fraudulent trading within the meaning of section 458 of the Companies Act 1985, article 451 of the Companies (Northern Ireland) Order 1986 or section 993 of the Companies Act 2006; |  |  |
| (v) | fraudulent evasion within the meaning of section 170 of the Customs and Excise Management Act 1979 or section 72 of the Value Added Tax Act 1994; |  |  |
| (vi) | an offence in connection with taxation in the European Union within the meaning of section 71 of the Criminal Justice Act 1993; |  |  |
| (vii) | destroying, defacing or concealing of documents or procuring the execution of a valuable security within the meaning of section 20 of the Theft Act 1968 or section 19 of the Theft Act (Northern Ireland) 1969; |  |  |
| (viii) | fraud within the meaning of section 2, 3 or 4 of the Fraud Act 2006; or |  |  |
| (ix) | the possession of articles for use in frauds within the meaning of section 6 of the Fraud Act 2006, or the making, adapting, supplying or offering to supply articles for use in frauds within the meaning of section 7 of that Act; |  |  |
| (f) | any offence listed— |  |  |
| (i) | in section 41 of the Counter Terrorism Act 2008; or |  |  |
| (ii) | in Schedule 2 to that Act where the court has determined that there is a terrorist connection; |  |  |
| (g) | any offence under sections 44 to 46 of the Serious Crime Act 2007 which relates to an offence covered by subparagraph (f); |  |  |
| (h) | money laundering within the meaning of sections 340(11) and 415 of the Proceeds of Crime Act 2002; |  |  |
| (i) | an offence in connection with the proceeds of criminal conduct within the meaning of section 93A, 93B or 93C of the Criminal Justice Act 1988 or article 45, 46 or 47 of the Proceeds of Crime (Northern Ireland) Order 1996; |  |  |
| (j) | an offence under section 4 of the Asylum and Immigration (Treatment of Claimants etc.) Act 2004; |  |  |
| (k) | an offence under section 59A of the Sexual Offences Act 2003; |  |  |
| (l) | an offence under section 71 of the Coroners and Justice Act 2009 |  |  |
| (m) | an offence in connection with the proceeds of drug trafficking within the meaning of section 49, 50 or 51 of the Drug Trafficking Act 1994; or |  |  |
| (n) | any other offence within the meaning of Article 57(1) of the Public Contracts Directive— |  |  |
| (i) | as defined by the law of any jurisdiction outside England and Wales and Northern Ireland; or |  |  |
| (ii) | created, after the day on which these Regulations were made, in the law of England and Wales or Northern Ireland. |  |  |
| 2.2 | **Non-payment of taxes**  **Has it been established 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 your organisation is established (if outside the UK), that your organisation is in breach of obligations related to the payment of tax or social security contributions?**  If you have answered “yes” to this question, please use a separate Appendix to provide further details. Please also use this Appendix to confirm whether you have paid, or have entered into a binding arrangement with a view to paying, including, where applicable, any accrued interest and / or fines? |  |  |

**Appendix 5 - TENDER RETURN LABEL**

Tenders must be returned in a plain, sealed envelope which should not bear any name or mark indicating the sender (including any mark from a franking machine).

Tenders must be addressed using the following form below which should be printed in colour, at A5 or A4 size, and securely attached to the tender return packaging.

If you utilise a courier, you must ensure that the courier does not cover this form with their own delivery information.

Your tender may be rejected if the control information contained on this form is not visible.

**----------------------------------------------------**

**DEMOCRATIC SERVICES – TENDER RETURNS**

**WOKINGHAM BOROUGH COUNCIL**

**CIVIC OFFICES, SHUTE END**

**WOKINGHAM**

**BERKSHIRE**

**RG40 1BN**

|  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **TENDER**  **INSURANCE**  **To be returned NO LATER THAN:**  **12:00 noon**  On **5th February 2018** | **OFFICIAL USE ONLY:**   |  |  | | --- | --- | | Date Received |  | | Time Received |  | | Received By (Print) |  | | Received By (Sign) |  | |

**THIS DOCUMENT IS ONLY TO BE OPENED BY AUTHORISED OFFICERS**

**Appendix 6 – Tender Check List**

|  |  |  |
| --- | --- | --- |
|  | **Returned** | |
|  | ✔ | **X** |
| Lot 1 – Property Tender |  |  |
| Lot 2 – Casualty Tender |  |  |
| Lot 3 – Motor Tender |  |  |
| Lot 4 – Personal Accident & Travel Tender |  |  |
| ANNEX 1: NON-COLLUSIVE TENDERING CERTIFICATE |  |  |
| ANNEX 2: NON-CANVASSING CERTIFICATE |  |  |
| ANNEX 3: BONA-FIDE TENDER CERTIFICATE |  |  |
| ANNEX 4: FREEDOM OF INFORMATION AND TRANSPARENCY |  |  |
| ANNEX 5: CONFIDENTIALITY CERTIFICATE |  |  |
| Annex 6: Mandatory Question Set |  |  |
| Tender Return Label Affixed to Envelope |  |  |

1. See EU definition of SME: <http://ec.europa.eu/enterprise/policies/sme/facts-figures-analysis/sme-definition/> [↑](#footnote-ref-1)