**APPENDIX 1 Form of Tender / Certificate of Non-Collusion / FOI Certificate**

**FORM OF TENDER**

**The Royal Borough of Kensington and Chelsea – Cremorne Estate - Heating and Domestic hot and cold water, central plant services distribution Replacement Scheme.**

**External of dwellings phase 1a and 1b.**

We [………………………………….……………] [company registration number [………………….] Bidder to amend, insert name and company registration details as appropriate] and carrying on business at: ………………………………………………………………… [Bidder to insert address] (the “Bidder”).

having examined the ITT and all other documents supplied the Council with the ITT (collectively the "ITT Documents") undertake to execute and complete the Works and Services in conformity with the Contract Documents on the basis and at the tendered Rates set out in the Pricing Document and Schedule of Rates.

For the Form of Tender the Bid Price is £……………………… [Insert here the total figure from the Pricing Document].

We:

* 1. understand that the Council is not bound to accept the lowest or any tender it may receive, and the Council will not pay any expenses incurred by them in connection with the preparation and submission of this bid.
  2. confirm that, except as set out in the box below, all of the statements and representations given in our completed submission and any documentation submitted alongside it and all information, representations and other matters of fact referred to in our bid are true, complete and accurate in all respects at the time of submission of our bid and that we will notify the Council in writing of any changes to that information that occur before entry into the Contract Documents;

Details of any changes to ITT information [Bidder to write “None” if there are no changes]

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WE FURTHER AGREE that we will not adjust the amount of the proposed bid in accordance with any agreement or arrangement with any person other than the Council.

WE FURTHER AGREE that we will not communicate, under any circumstances, to any person other than the Council, the amount of our proposed bid.

WE FURTHER AGREE to hold this bid open for acceptance by the Council for a period of one hundred and eighty days from the date of submission.

WE FURTHER AGREE that until a contract is completed, this tender submission and acceptance thereof by the Council, signified by letter, shall constitute a binding contract.

WE DECLARE that this bid is submitted based on the information and terms and conditions contained in the ITT and on the understanding that by submitting this bid, the terms and conditions are accepted by us, and no variation or amendment will be made to any part of the bid documentation. WE UNDERTAKE to enter a Contract with the Council incorporating the ITT and the bid as detailed in the ITT documentation.

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| Signed: | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| Name (Print): | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| For and on behalf of: | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
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| For and on behalf of: | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
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**PLEASE UPLOAD THIS COMPLETED FORM INTO THE SPACE PROVIDED IN THE COMMERCIAL ENVELOPE ON THE capitalEsourcing PORTAL**

Please note:

1. If the bidder is a limited company, two Directors or a Director and the Secretary should sign the Form of Tender.
2. If the bidder is a partnership, two Partners should sign the Form of Tender.

**The Royal Borough of Kensington and Chelsea – Cremorne Estate - Heating and Domestic hot and cold water, central plant services distribution Replacement Scheme.**

**External of dwellings phase 1a and 1b.**

**BONA FIDE QUOTATION**

The essence of selective tendering is that the Council shall receive bona fide competitive quotations from all those bidding. In recognition of this principle, we certify that this is a bona fide bid; intended to be competitive and that we have not fixed or adjusted the bid by or in accordance with any agreement with any other person. We also certify that we have not done, and we undertake that we will not do, at any time before the hour and date specified for the return of this bid, any of the following: -

1. Communicate to a person other than the person calling for those bids the amount or approximate amount of the proposed bid or make up of the consortium except where the disclosure in confidence was necessary to obtain professional indemnity insurance.

2. Enter into any agreement or arrangement with any person that he shall refrain from bidding or as to the amount of any bid to be submitted.

3. Offer or pay or give or agree to pay or give any sum of money or valuable consideration directly or indirectly to any person for doing or having done or having caused to be done in relation to any other quotation.

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| Signed: | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
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| Name (Print): | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
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| For and on behalf of: | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
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**FREEDOM OF INFORMATION**

We have read and understand the ITT and acknowledge that the Council has obligations in relation to Freedom of Information.

In accordance with the provisions of sections 41 and 43 of the Freedom of Information Act (the Act) we \*wish/do not wish to request an exemption for the information provided to the Council in preparation and completion of our bid for consultancy services with the Council.

We understand that section 41 of the Act provides an absolute exemption for disclosure of information held by a public authority, which would constitute an actionable breach of confidence. During the bid process, the Council provides all information provided to the Council, by us under Table 1 (below), in confidence up to the date of the award of the contract.

We further believe that disclosure of the information referred to in Table 1 (below), after the contract is awarded would, or is likely to prejudice our commercial interests. In particular, the disclosure of this information would be likely to weaken our position in a competitive environment by revealing market-sensitive information or information of potential usefulness to our competitors.

If we were awarded this contract, we ask that the information in Table 1 be put in a commercially sensitive schedule to the contract.

Table 1: Confidential and commercially sensitive information

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| --- | --- | --- |
| Exemption(s)  Claimed | Information | Minimum  Period of  Exemption |
| Sections  41 and 43 |  |  |
| Sections  41 and 43 |  |  |

If for any reason the Council considers releasing any of the above confidential or commercially sensitive information, we ask in the first instance that you contact...................................

This will enable us to review the nature of the material under consideration for release and provides the opportunity to support the Council in its decision whether to disclose the information.

We will use all reasonable endeavours to review the commercial sensitivity of the information and inform the Council (in writing) whether we agree that the information should be released within 3 working days of receiving the request.

\* Delete where not applicable

+ Insert name of representative

Signed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name (Print): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

For and on behalf of: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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