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**MAR0043 Studio School Conversion**

**Tender for Design Team**

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| Volume 2 Applicant’s Offer Invitation to TenderThis document must be completed and returned in the published format.Failure to comply with this instruction may result in your Submission being discounted. |

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| Name of Applicant: |

Closing time and date for return of submission:

**12:00 hrs on Friday 18 August 2023**

Return email address: tenders@marjon.ac.uk

Derriford Road

Derriford

Plymouth

PL6 8BH July 2023

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## Section 1 - 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.

To ensure information is recorded correctly and bids can be fully evaluated please start any message header with **MAR0043 Studio consultant**

## Section 2 - Selection Questionnaire

**Notes for completion**

1. 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.
2. The University 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 University immediately of any change in the proposed arrangements.
3. Parts 1,2 & 3 are to be completed by the Lead consultant only.

The University 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 University 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. Small or Medium Enterprise (SME)
 |  |
| 1. Sheltered workshop
 |  |
| 1. Public service mutual
 |  |
| 1.1(m) | Are you a Small, Medium or Micro Enterprise (SME)? |  |
| 1.1(n) | Details of Persons of Significant Control (PSC), where appropriate (Please enter N/A if not applicable) |
| Name: |  |
| Date of birth: |  |
| Nationality: |  |
| Country, state or part of the UK where the PSC usually lives: |  |
| Service address: |  |
| The date they became a PSC in relation to the company (for existing companies the 06 April 2016 should be used): |  |
| Which conditions for being a PSC are met: |  |
| Over 25% up to (and including) 50% |  |
| More than 50% and less than 75% |  |
| 75% or more |  |
| 1.1(o) | Details of immediate parent company (Please enter N/A if not applicable) |
| Full name of the immediate parent company: |  |
| Registered office address (if applicable): |  |
| Registration number (if applicable): |  |
| Head office DUNS number (if applicable): |  |
| Head office VAT number (if applicable): |  |
| 1.1(p) | Details of ultimate parent company (Please enter N/A if not applicable) |
| Full name of the ultimate parent company: |  |
| Registered office address (if applicable): |  |
| Registration number (if applicable): |  |
| Head office DUNS number (if applicable): |  |
| Head office VAT number (if applicable): |  |
| **Please note: A criminal record check for relevant convictions may be undertaken for the preferred suppliers and the Persons of Significant Control of them.** |
| **Please provide the following information about your approach to this procurement.** |
| **Section 1** | **Bidding model** |  |
| **Question number** | **Question** | **Response** |
| 1.2(a) - (i) | Are you bidding as the lead contact for a group of economic operators?If **yes**, please provide details listed in questions 1.2(a) (ii), (a) (iii) and to 1.2(b) (i), (b) (ii), 1.3, Section 2 and 3. | **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: |  |
| **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 University 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. |
| **Section 2** | **Grounds for mandatory exclusion** |
| **Question No** | **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 University 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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| **Section 4** | **Economic and Financial Standing**  |
|  | **Question** | **Response** |
| **4.1** |  | **Yes** | **No**  |
| Are you able to provide a copy of your audited year-end accounts for the last two years, if requested? |  |  |
| Have your year-end accounts been qualified by your auditor? |  |  |
| If no, can you provide one of the following ((a), (b) or (c) below): |  |  |
| (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. |  |  |
| (b) A statement of the cash flow forecast for the current year and a bank letter outlining the current cash and credit position. |  |  |
| (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 the bank, charity accruals accounts or an alternative means of demonstrating financial status). |  |  |
| 4.2 | Where we have specified a minimum level of economic and financial standing and/ or a minimum financial threshold within the evaluation criteria for this procurement, please self-certify by answering ‘Yes’ or ‘No’ that you meet the requirements set out. |  |  |

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| **Section 5** | **If you have indicated in the Selection Questionnaire question 1.2 that you are part of a wider group, please provide further details below:**  |
| **Name of organisation(s)** |  |
| **Relationship to the Supplier completing these questions** |  |
|  |  | **Yes**  | **No**  |
| 5.1 | Are you able to provide parent company accounts if requested to at a later stage? |  |  |
| 5.2 | If yes, would the parent company be willing to provide a guarantee if necessary? |  |  |
| 5.3 | If no, would you be able to obtain a guarantee elsewhere (e.g. from a bank)?  |  |  |

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| **Section 6** | **Technical and Professional Ability**  |
| **6.1** | **For the Lead Consultant only provide details of relevant experience and contract examples as noted below.**Please provide details of 2 projects of similar scale, scope and type as that envisaged under this commission, completed within the last 5 years where the applicant has acted in the Lead Consultant role.Describe the role undertaken, design process, client liaison, procurement and contract administration.For each project, similar scale, scope and type are defined as:* Refurbishment of an existing Higher Education (HE) academic building or the conversion of a non-HE building to HE academic use.
* Minimum works contract value of £250,000 exc VAT
* Minimum Total floor area of 1,400m2. This must be a single building

In outlining the above in your response please include the relevant details * Name of customer organisation
* Point of contact in the organisation
* Position in the organisation
* E-mail address
* Description of contract
* Works Contract Start date
* Works Contract completion date
* Works Contract value

For clarifiction;* ‘Academic’ is defined as teaching/learning space, including classrooms and laboratories
* ‘Academic’ excludes sports facilities, libraries/resource centres and ancillary facilities such as cafeterias, kitchens, stores and offices. It is accepted that such facilities may be contained within an academic building but these must not constituent more than 20% of the floor area of the subject building
* ‘Completed’ means the date of issue of the Works Contract Practical Completion (PC) Certificate, or equivalent and;
* ‘within the last 5 years’ means the PC Certificate or equivalent, dated no earlier than 1 January 2018
* Projects which are not completed are not acceptable and will not be assessed
* Size is to be given in m2 and should be the Gross External Area (GEA)

Please note that each example response must not exceed 3,500 characters (with spaces).If an applicant has a query on whether a prospective project fulfils the criteria they should raise a clarification with the University. Once submitted, the University will use its discretion on whether a project satisfies the score criteria as set out in Volume 1.  |
| **Response** |  |

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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 = £2m |  |  |
| 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.**NOTE*** **The Professional Indemnity Insurance of the Lead consultant should include cover to act as Principal Designer**
* **If the Lead consultant is not undertaking the role of Principal Designer then the sub-consultant which is undertaking the role must confirm their Professional Indemnity Insurance provides cover to do so**
 |  |  |
| **8.5** | **Health and safety** |
| (Please indicate your answer by marking ‘X’ in the relevant box): | **Yes** | **No** |
| Please self-certify that your organisation has a Health and Safety Policy that complies with current legislative requirements.  |  |  |
| Has your organisation or any of its Directors or Executive Officers been in receipt of enforcement/remedial orders in relation to the Health and Safety Executive (or equivalent body) in the last 3 years? If your answer to this question was “Yes”, please provide details in a separate Appendix of any enforcement/remedial orders served and give details of any remedial action or changes to procedures you have made as a result. The University will exclude bidder(s) that have been in receipt of enforcement/remedial action orders unless the bidder(s) can demonstrate to the University’s satisfaction that appropriate remedial action has been taken to prevent future occurrences or breaches.  |  |  |
| If you use sub-contractors, do you have processes in place to check whether any of the above circumstances apply to these other organisations? |  |  |
|  | **Yes** | **No** |
| Is your organisation accredited to a SSIP accreditation scheme? |  |  |
| If Yes, please provide details e.g. Scheme / Registration Number |  |  |

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| **8.6** | **Equal Opportunity and Diversity Policy and Capability** |
|  | (Please indicate your answer by marking ‘X’ in the relevant box): | **Yes** | **No** |
| 8.6.1 | As an employer, do you meet the requirements of the positive equality duties in relation to the Equalities Act 2010? |  |  |
| 8.6.2 | Is it your policy as an employer to comply with anti-discrimination legislation, and to treat all people fairly and equally so that no one group of people is treated less favourably than others? |  |  |
| 8.6.3 | Does your organisation operate appropriate arrangements to ensure that equality and diversity is embedded within your organisation? |  |  |
| 8.6.4 | Do you actively promote good practice in terms of eliminating discrimination in all forms by providing: -* guidance to your employees/suppliers concerned with recruitment, training and promotion?
* guidance or policy documents concerning how the organisation embeds equality and diversity available to employees/sub-contractors, recognized trade unions or other representative groups of employees?
* appropriate recruitment advertisements or other literature?
 |  |  |
| **8.7** | **Modern Slavery Act 2015: Requirements under Modern Slavery Act 2015** |
|  | (Please indicate your answer by marking ‘X’ in the relevant box): | **Yes** | **No** |
| 8.7.1 | Are you a relevant commercial organisation as defined by section 54 ("Transparency in supply chains etc.") of the Modern Slavery Act 2015 ("the Act")? |  |  |
| 8.7.2 | If you have answered yes to question 7.1 are you compliant with the annual reporting requirements contained within Section 54 of the Act 2015?If Yes, please provide weblink/URLIf No, please provide an explanation |  |

**Section 3 - Quality Response Section**

**NOT USED – Price only award criteria used.**

**Section 4 – Certificates and Declarations**

**To ensure information is recorded correctly and bids can be fully evaluated please start any message header with MAR0043 Studio consultant**

**Pricing Schedule Declaration**

* 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. Regarding any additional work, this will be based on the fee scale for all consultants as set out in the Price Schedule 1.
	3. The fee proposal must include all members of the proposed design team.
	4. Payments to be made on completion of satisfactory sign off of stages as outlined in Schedule 1 – Price.
	5. As a minimum, all prices submitted must remain fixed for the duration of the contract.
	6. The University does not expect the Applicant to implement any price increases throughout the life of this Contract or any extension to it, see 4.7 below.
	7. As noted in Volume 1, the University may initiate an extension to the commission to include the refurbishment of a second Halls of residence in 2024. The decision to extend the contract beyond the original 2023 project lies solely with the University and no guarantee of extending is given or can be presumed. Should the University decide to extend the contract it will be on the same terms, including the Price submitted by the awarded consultant for the 2023 project.

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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 services |
| 2. | Having examined the tender documents for the provision of the above services, we offer to provide the said 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. |

**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.
 |
| 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.
 |

**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.

|  |
| --- |
|  |

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

|  |
| --- |
|  |

**Conflict of Interest**

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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**

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