**TO BE RETURNED**

****

**Durham County Council**

**Contract for Supply of Operated Hired Plant and Equipment**

**Dynamic Purchasing System**

**Pro Contract Reference - DN263001**

**Invitation to Tender**

**Document 3:**

**Tender**

**Notice to Bidding Organisations**

Before completing this Tender please ensure that you have read and fully understood the instructions set out in **ITT Document 1 - “Instructions to Bidders”**, as this contains important information and guidance on how you should complete this tender document.

**SECTION A: ORGANISATION INFORMATION**

**A1 Bidding organisation(s) details**

|  |  |
| --- | --- |
| Name of Bidding organisation: |  |
| Registered address: |  |
| Company registration number: |  |
| Contact name: |  |
| Contact telephone number: |  |
| Email address: |  |

**A2 Additional bidding organisations**

Please complete this section naming any additional bidding organisations including guarantor(s) you identified in your SQ.

|  |  |
| --- | --- |
| Name of additional Bidding Organisation: |  |

Note that, as per the notice in section 1.5 of Document 1 – Instructions to Bidders, you must inform us if any of the organisations you named in your Selection Questionnaire have changed. This includes deletions, additions and substitutions of named bidding organisations and/or guarantors. Please refer to the confirmation of SQ information certificate in Section C.

**SECTION B: TENDER PRICE**

You should refer to **ITT Document 1 – “Instructions to Bidders”** to understand how you should complete this section.

**Please complete, in full, Pricing Schedule – Appendix 1**

**SECTION C: CERTIFICATES AND DECLARATIONS**

**FORM OF TENDER**

**Durham County Council**

Invitation to Tender for Supply of Operated Hired Plant and Equipment **(The “Contract”)**

To Durham County Council

I/We hereby offer and agree to execute the whole of the work required in carrying out the above project in accordance with the following:

* The Contract Terms and Conditions as set out in ITT Document 2 - Contract
* Our Agreement to Form of Tender, Confirmation of SQ Information and Certificate of Non Collusion and Non Canvassing of ITT Document 3 - Tender
* Completed Pricing Schedule
* Relevant Clarifications

I/We acknowledge that the parties will not enter into a Contract unless and until they execute and complete a Contract incorporating the above mentioned documents

I/We certify that this is a bona fide Tender and that I/we have not fixed or adjusted the amount of the Tender by or under or in accordance with any agreement or arrangement with any other person.

I/We also certify that we have not done and I/we undertake that I/we will not do at any time before the hour and date specified for the return of this Tender any of the following acts: -

(a) Communicate 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 necessary to obtain insurance premium quotations required for the preparation of the Tender;

(b) Enter into any agreement or arrangement with any other person to the effect that such person shall refrain from tendering or as to the amount of any tender to be submitted;

(c) 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 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 sort described above.

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

|  |  |
| --- | --- |
| Signed: |  |
| In the capacity of: |  |
| Duly authorised to sign Tenders and give such Certificate for an on behalf of (IN BLOCK CAPITALS): |  |
| Address: |  |
| Email address: |  |
| Date: |  |

Great care should be taken in the preparation of this tender because after it has been submitted, the Council shall not entertain any request for its alteration on the grounds that an error has been made. No pledge is given to accept the lowest or any tender.

**CONFIRMATION OF SQ INFORMATION**

**Durham County Council**

Invitation to Tender for Supply of Operated Hired Plant and Equipment **(The “Contract”)**

To Durham County Council

I/We hereby confirm the following in relation to our Bid Response to the ITT:-

1. That the information supplied in our Selection Questionnaire response to *OJEU notice reference/Pro-Contract reference*: 2017/S 088-172314/ DN263001 (“the SQ Response”) remains unchanged in all material respects OR material changes are detailed below (delete as appropriate).
2. That in the event of any material change to any of the information contained in our SQ Response between the date of this certificate and the date that the Council informs Bidders of whether or not they have been selected, then we shall immediately notify the Council in writing of such change.

**Notification of Material Changes since SQ Response**

Please provide full details. The Council will consider whether such changes have an impact on the decision to shortlist the Bidder for this ITT stage and will notify the Bidder of its decision as soon as possible.

|  |
| --- |
|  |

|  |  |
| --- | --- |
| Signed: |  |
| In the capacity of: |  |
| Duly authorised to sign Tenders and give such Certificate for an on behalf of (IN BLOCK CAPITALS): |  |
| Address: |  |
| Email address: |  |
| Date: |  |

**CERTIFICATE OF NON-COLLUSION AND NON-CANVASSING**

**Durham County Council**

Invitation to Tender for the Supply of Operated Hired Plant and Equipment **(The “Contract”)**

To Durham County Council

Statement of non-canvassing

I/we hereby certify that I/we have not and will not offer any inducement, fee or reward to any member or officer of the Council or any person acting as an adviser for the Council in connection with the proposed award of the Contract and further that I/we have not done or will do anything in relation to the proposed Contract which would constitute a breach of the Prevention of Corruption Acts 1889 to 1916 or the Bribery Act 2010.

I/we hereby certify that I/we have not canvassed any member, Officer, employee, representative or adviser of the Council in connection with the proposed award of the Contract by the Council, and that no person employed by me/us or acting on my/our behalf, or advising me/us, has done any such act.

I/we further hereby undertake that I/we will not canvass any member, Officer, employee, representative or adviser of the Council in connection with the award of the Contract and that no person employed by me/us or acting on my/our behalf, or advising me/us, will do any such act.

**Statement of non-collusion**

The essence of selective tendering for the Contract is that the Council shall receive bona fide competitive Tenders from all Bidders.

In recognition of this principle, I/we certify that this is a bona fide offer, intended to be competitive and that I/we have not fixed or adjusted the amount of the offer in accordance with any agreement or arrangement with any other person (except any sub-contractor identified in this offer).

I/we also certify that I/we have not done, and undertake that I/we will not do, at any time any of the following acts:

* + - * 1. communicate to a person other than the Council, the amount or approximate amount of my/our proposed Tender (except where such disclosure is made in confidence in order to obtain quotations necessary for the preparation of the Tender); or
        2. fix or adjust the amount of this Tender by or in accordance with any agreement or arrangement with any other Bidder or member of that Bidder’s consortium (other than a member of its own consortium);
        3. enter into any agreement or arrangement with any other person to the effect that they shall refrain from tendering or as to the amount of any offer submitted by them; or
        4. cause or induce any person to enter such agreement as is mentioned in either of the two preceding paragraphs or to inform the Bidder or member of that Bidder’s consortium of the amount or approximate amount of any rival Tender.
        5. offer or agree to pay or give or actually pay or give any sum of money, inducement or valuable consideration, directly or indirectly, to any person for doing or having done or causing or having caused to be done any act or omission in relation to any other Tender.
        6. offers any inducement, fee or reward to any member or Officer of the Council or any person acting as an adviser for the Council in connection with this Tender.
        7. does anything which would constitute a breach of the Bribery Act 2010.

I/we agree that the Council may, in its consideration of the offer and in any subsequent actions, rely upon the statements made in this Certificate.

|  |  |
| --- | --- |
| Signed: |  |
| In the capacity of: |  |
| Duly authorised to sign Tenders and give such Certificate for an on behalf of (IN BLOCK CAPITALS): |  |
| Address: |  |
| Email address: |  |
| Date: |  |