**SCHEDULE 2**

**FORM OF TENDER**

UNCONDITIONAL AND IRREVOCABLE OFFER TO GOSPORT BOROUGH COUNCIL

Re: Invitation to Tender dated 11th August 2021

Cleansing of Communal General Waste and Recycling Bins

Gosport Borough Council

Town Hall

Gosport

Hampshire

PO12 1EB

Having carefully examined and considered the Invitation to Tender:

1. We offer to supply and carry out the services specified and to complete the contract in accordance with the Contract Documents and our Tender response for the price as stated in our Pricing template (Schedule 3)

2. We confirm we are able to carry out the works specified in accordance with the requirements as stated in the Invitation to Tender and the Council’s Terms and conditions

3. We agree that if errors in pricing or arithmetic are discovered in the Schedules etc. before this offer is accepted they will be dealt with in in writing between the two parties. This Tender remains open for consideration for 12 weeks from the date fixed for submitting a Tender.

4. We confirm that this offer is made in good faith and that the we have not fixed or adjusted the amount of the Tender by or in accordance with any agreement or arrangement with any other person. We certify that we have not and will not:

a) Communicate to any person other than the person inviting these offers the amount or approximate amount of the offer, except where the disclosure, in confidence, of the amount or approximate amount of the offer was necessary to obtain professional advice and/or quotations required for the preparation of the offer or for insurance purposes; and

b) Enter into any arrangement or agreement with any other person that the other person shall refrain from making an offer or as to the amount of any offer to be submitted.

5. We understand that the paragraph below will be a term of the contract:

“The Council may terminate this contract and recover all its loss if the Contractor, its employees or anyone acting on the Contractor’s behalf do or collude in any of the following things:

(a) offer, give or agree to give to anyone any inducement or reward in respect of this or any Council contract (even if the Contractor does not know what has been done), or

(b) commit an offence under the Prevention of Corruption Acts 1889 to 1916 or Section 117(2) Local Government Act 1972, or

(c) commit any fraud in connection with this or any other Council contract, whether alone or in conjunction with the Council members, contractors or employees.

Any clause limiting the Contractor’s liability shall not apply to this clause.”

6. We agree that in delivering the services under the Contract we shall at all times assist and co-operate with the Council in the compliance of its corporate requirements and statutory obligations namely: equality and diversity; and the processing of information pursuant to The Freedom of Information Act 2005, Environmental Information Regulations 2004, and General Data Protection Act 2018.

7. We confirm that if our Tender is accepted we will, upon demand:

a) produce evidence that all relevant insurances and compliance certificates with relevant legislation and policy are held and in force and will be retained in force throughout the contract period.

b) sign the Contract / formal documentation if required.

8. We confirm that the prices and charges offered are firm for the period of the Contract.

9. We agree that this Tender shall constitute an irrevocable, unconditional offer which may not be withdrawn for a period of 90 days from this date.

10. Unless and until a formal Contract is prepared and executed this Tender, together with your written acceptance thereof, shall constitute a binding contract between us.

We understand the Council is not required to accept any Tender it receives.

Authorised Signatory: ……………………… Date: ……………………………

Name: …………………………………………………………………. *(Capitals)*

Position in Firm or Company: ………………………………………………………...

Authorised Signatory: ……………………… Date: ……………………………

Name: …………………………………………………………………. *(Capitals)*

Position in Firm or Company: ……………………………………………………

Name and Address of Firm or Company:

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