

# Tender

|                  |                             |                                                                                                         |
|------------------|-----------------------------|---------------------------------------------------------------------------------------------------------|
| <b>To</b>        | <i>Procuring Authority</i>  | Clare County Council                                                                                    |
|                  | <i>Address</i>              |                                                                                                         |
|                  | <i>For the attention of</i> |                                                                                                         |
| <b>Date</b>      |                             |                                                                                                         |
| <b>Regarding</b> | <i>The Project</i>          | Framework Agreement for Pavement and Associated Minor Works on Regional and Local Roads in County Clare |

A Dhaoine Uaisle

We have examined and understand the Framework Agreement and other tender information supplied, all as amended by any supplemental information.

Terms used in this tender that are defined in those documents have the same meaning in this Tender.

We submit with this Tender the following completed documents:

- Pricing Document (Volume C)
- Quality Submission
- Sustainability Submission
- Suitability Assessment Questionnaire including Supplements 3.4.1 and 3.4.2 and relevant appendices (Suitability Assessment Submission)
- The form of "confirmation letter" in relation to parent company or other company support (if required)

all of which form part of this Tender.

We offer to enter into the Framework Agreement on the terms of and in conformity with the documents referred to in this Tender.

In preparing this tender we have taken account of the obligations relating to employment protection and working conditions that are in force in the place where Works are to be provided, including the contract requirements.

In consideration of your providing us with the tender documents, we agree not to withdraw this offer until the later of:

- a. 180 days after the last day for submission of this tender
- b. expiry of at least 21 days written notice to terminate this tender given by us, which may not issue prior to the expiry of the period at (a)

On your notification of acceptance of this tender within that time we agree to execute the Framework Agreement.

We agree that you are not bound to accept the lowest or any tender you may receive.

We confirm that all of the information supplied in our tender is true and accurate.

We acknowledge that, save for our irrevocable offer to keep our tender open for acceptance for the period referred to above, and our commitment to keep our participation in the competition confidential, no legally binding agreement exists between us unless and until our offer is accepted by you by the issue of a Letter of Acceptance or the execution by us both of the Framework Agreement.

We agree that if any Works Contract formed under the contract by the acceptance of this tender is determined to be void, voidable, unenforceable, or ineffective, any damages for which you may be liable will not exceed the amount that would have been payable under any Works Contract on termination – ref PW-CF5 Conditions of Contract Clause 12 or PW-CF6 Conditions of Contract Clause 12.

We also agree that should a dispute arise under any contract formed by acceptance of this tender that is referred to arbitration, to the extent permitted by law, under the Arbitration Act 2010 and a sealed offer has not been made, or where a sealed offer has been made and the Contractor's award is greater than the sealed offer, then each party will bear their own costs in relation to the arbitration proceedings.

Is sinne, le meas

**Signed on behalf of**

*Name of Tenderer*

*Signature of authorised person*

**In the presence of**

*Name of witness*

*Signature of witness*

*Witness's occupation*

*Witness's address*