

Tender and Schedule

for

The Project

N4 Active Travel - Collooney to Castlebaldwin Project_Site Investigation

using the

Public Works Investigation Contract

Public Works Investigation Contract

Document Reference FTS7 v.1.6

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Upper Merrion Street
Dublin 2.

FORM OF TENDER

To	<i>The Employer</i>	Sligo County Council
	<i>Address of Employer</i>	County Hall, Riverside, Sligo, F91 Y763
	<i>For the attention of¹</i>	Procurement Officer
	<i>Regarding²</i>	N4 Active Travel - Collooney to Castlebaldwin Project_Site Investigation
Date		

A Dhaoine Uaisle

We have examined and understand the Conditions of the *Investigation Contract* and attached forms and the documents listed in the attached Schedule. We offer to complete the Investigation on the terms of and in conformity with those documents for the Price of

3	euro excluding all VAT ⁴ ,
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as adjusted in accordance with the Contract.

If included in the attached Schedule, we also offer to accept appointment as project supervisor for the construction stage on the terms required by the Contract.

In consideration of your providing us with the contract documents, we agree not to withdraw this offer until the latest of

- (a) ⁵ days after the end of 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)

Your acceptance of this Tender within that time will result in this contract being formed between us.

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

We agree that, if any contract formed by 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 clause 14.3 of the attached Conditions on a termination to which that clause applied.

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¹ Insert name of contact person identified in tender documents

² Insert name of Project

³ Lump sum in words

⁴ Please refer to www.revenue.ie for details of current rates of VAT

⁵ If not otherwise specified, read as 180 days

Tender & Schedule for Public Works Investigation Contract

<i>Signature of authorised person</i>	
<i>Name in capitals</i>	
<i>Title</i>	

On behalf of

<i>Tenderer's name in full</i>	
<i>Postal address</i>	

In the presence of

<i>Name of witness</i>	
<i>Signature of witness</i>	
<i>Witness's occupation</i>	
<i>Witness's address</i>	

TENDER ACCEPTED

Signed on behalf of the Employer⁶

<i>Signature of an officer authorised to sign contracts on behalf of the Employer</i>	
<i>Name in capitals</i>	
<i>Title</i>	

Date

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⁶ To be completed and signed only after all award procedures have been completed. Acceptance of the tender will result in a binding contract.

SCHEDULE

Clause

1.1	Employer's Representative	Robert Kelly
	Documents stating the Scope	N4 Active Travel - Collooney to Castlebaldwin Project_Site Investigation Specification and Schedules Drawings 230122-X-01-Z00-DTM-DR-DBFL-CE-1101 through to 230122-X-01-Z00-DTM-DR-DBFL-CE-1118
1.8	Performance Bond	is required The amount of the performance bond shall be 10% ⁷ of the initial Contract Sum up to issue of the Certificate of the date the Investigation is complete under the Contract and 5% ⁸ of the initial Contract Sum for the subsequent period stated in the form of bond / 450 days after that. ⁹
	Project supervisor for the construction stage	Contractor or nominee is to be project supervisor for the construction stage
3.1	Documents containing Contractor's Proposals (if any)	
4.6	Weather station	Met Eireann station nearest the Site
7.1	Payment on the basis of	Monthly
12.3	Minimum indemnity limit for public liability insurance.	€6,500,000 for any one event. (Limit may be on an annual aggregate basis for products liability, collapse, vibration, subsidence, removal and weakening of supports and accidental pollution.)
	Minimum indemnity limit for employer's liability insurance	€13,000,000 for any one event
12.4	Professional Indemnity Insurance	is required
	Minimum indemnity limit for professional indemnity insurance annual aggregate	€6,500,000
12.5	Maximum levels of excess for	
	■ insurance of Investigation	€10,000 ¹⁰
	■ public liability	€6,500 ¹¹
	■ employer's liability	€6,500 ¹²

⁷ If no percentage specified, 10% applies.

⁸ If no percentage specified, 5% applies.

⁹ If not otherwise specified, read as 450 days.

¹⁰ If no amount stated, €10,000 applies.

¹¹ If no amount stated, €6,500 applies.

¹² If no amount stated, €6,500 applies.

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	■ professional indemnity	€70,000 ¹³
13.2	Licence, and not copyright is required for the following documents, if any	
16.2,	Body to appoint the arbitrator, if none agreed	¹⁴
16.3	Person to appoint adjudicator, if not agreed	Chairperson of the Panel of Adjudicators
18.1	Subject to clause 18.2 of the Conditions, the monetary amount of the Contractor's liability to the Employer under or arising out of this Contract shall not exceed the amount stated here ¹⁵ .	€[] ([] euro)

The arbitration rules are the Capital Works Management Framework (CWMF) *Arbitration Rules for use with Public Works and Construction Services Contracts* (AR1) published on <http://constructionprocurement.gov.ie/arbitration-rules/> on the date 10 days before the latest date for submission of Tenders for this contract (disregarding any amendments posted on that date).

Milestones Table (Clause 7.1) (if used)

Event	% of Price
Fieldwork complete	46 % ¹⁶
Draft report issued	46 % ¹⁷
Final report issued	5 % ¹⁸
12 months after Investigation complete and clause 4.4 complied with	3 % ¹⁹
	%
	%
	%

Tasks Table (Clauses 4.1, 4.2, 7.3)

Task	Last Date for Permission ²⁰	Performance Period ²¹	Rate of Price reduction if Task not completed within Performance Period
The whole of the Investigation	14 (Calendar days)	60 (Calendar days)	€ 200 per day
Site works	14 (Calendar days)	30 (Calendar days)	€ 200 per day

¹³ If no amount stated, €70,000 applies.

¹⁴ If left left blank the default is the President, Engineers Ireland

¹⁵ If no sum is stated, the applicable amount is an amount equal to the Price.

¹⁶ If no percentage specified, 46% applies.

¹⁷ If no percentage specified, 46% applies.

¹⁸ If no percentage specified, 5% applies.

¹⁹ If no percentage specified, 3% applies.

²⁰ Number of days after contract date

²¹ Number of days after permission to start

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Laboratory testing and results	14 (Calendar days)	50 (Calendar days)	€ 200 per day
Reporting	14 (Calendar days)	60 (Calendar days)	€ 200 per day
			€ per day
			€ per day
			€ per day
			€ per day
			€ per day
			€ per day
			€ per day