



TENDER RESPONSE DOCUMENT

Subject Matter of Request for Tender	
Purchase of 1 No. Second Hand Telescopic Handler	
Closing Date and Time for Receipt of Tenders:	See E Tenders
Organisation Name:	Tipperary County Council
Contact Name:	Michael Barry, Fleet Manager
Contact Email:	Via eTenders messaging system
NOTES • Note #1: Please read this document in conjunction with the separate RFT document and other relevant documentation provided including Pricing Documents where relevant. • Note #2: This Tender Response Document (and other mandatory documents provided) must be used for responding to the Request for Tenders. Tenderers must not personalise or modify the current format. • Note #4: Tenderers are recommended to upload this completed response as a Zip file in order to protect the integrity of file names.	

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Instructions for Completion

Tenderers should ensure they have read the Request for Tender before they attempt to complete this Tender Response Document.

If you consider that the Tender Response Document is missing any sections which would prevent you from preparing a comprehensive response, please contact the Contracting Authority as soon as possible (prior to the closing date for queries).

Where there is a discrepancy between the contents / instructions in this document and the Request for Tender, the Request for Tender will take precedence.

Tenderers must follow the instructions contained in this document in relation to attachments, format for submission, etc.

Where tenderers are relying on other parties to meet the selection criteria, those parties must be available to deliver elements of the contract.

RESPONSE TO SELECTION CRITERIA

TENDERERS SHOULD NOTE THESE CRITERIA ARE ASSESSED ON A PASS/FAIL BASIS

General Contact Information

Organisation Name:				
Contact Person:				
Position:				
Address:				
Phone:				
Email:				
Website:				
Small and Medium Enterprise (SME)	Yes	☐	No	☐
Date of Establishment, if applicable	VAT Registration No:		Legal Structure – partnership, limited company, etc.	
Details and contributions of other parties (if applicable)				
Official name of entity	Selection criterion where Tenderer is relying on their resources to qualify and/or Service/element to be delivered by third party	The third-party is clearly identified throughout the response		
		Yes	No	
		☐	☐	
		☐	☐	

Financial Information – Pass/Fail Criteria

Tax Clearance		Please confirm YES / NO	
Option 1: I confirm and declare being tax compliant. The Contracting Authority can verify your tax clearance status through Revenue's online facility at http://www.revenue.ie/en/online/tax-clearance.html To this end, please confirm:		Yes	☐
		No	☐
Tenderer Name:			
Tenderer PPSN/ Tax Reference Number			
Access Number			
Option 2: I confirm that I hold a current valid paper Tax Clearance Certificate (generally relates to Non-Residents)			
Registration Number		Certificate Number	
Option 3: I confirm that I have applied/or will apply for Tax Clearance status or a Tax Clearance Certificate which will be made available on request		Yes	☐
		No	☐

Insurances				
I confirm that we have the following insurances in place				
Insurance Type	Level required if successful	Level in Place	Details of Any Excess	Renewal Date
Employers Liability	€13,000,000	€		
Public Liability	€6,500,000	€		
Product Liability	€6,500,000	€		
Professional Indemnity	€xxxx	€		
Environmental Liability Impairment	€6,500,000	€		
Cyber Liability	€xxxx	€		
Other	€xxxx	€		
AND				
I confirm that if successful, where the levels required under the contract/framework are higher than those currently in our possession, I will be in a position to put the required forms and levels of insurances required in place.				
AND				
I confirm that I will provide the following promptly on request: - evidence of insurances in place or - letter from Insurance Broker confirming that the required levels can be put in place if successful Note: insurance policies where relevant must have jurisdiction in Ireland.				

Insurance Non-Applicable for this tender

Declaration Re Personal Circumstances – Pass/Fail Criteria

DECLARATION RE PERSONAL CIRCUMSTANCES AS PER ART. 57 OF DIRECTIVE 2014/24/EU Economic Operators will be excluded from the procurement process if, within the past five (5) years, there is evidence of a conviction relating to a specific criminal offence listed below (see 1.1) or if they have been the subject of a binding legal decision which found a breach of legal obligations to pay tax or social security contributions (see 1.2) (except where this is disproportionate e.g. where only minor amounts are involved).

1.1 Has the Economic Operator or a member of their proposed consortium, (if applicable), Director, or Partner or any other person who has powers of representation, decision or control, been convicted of any of the following offences?		YES	NO
		Please indicate your answer by marking 'X' in the relevant box	
1.1.a	participation in a criminal organisation, as defined in Article 2 of Council Framework decision 2008/841/JHA;		
1.1.b	corruption, as defined in Article 3 of the Convention on the fight against corruption involving officials of the European Communities or officials of Member States of the European Union and Article 2(1) of Council Framework Decision 2003/568/JHA as well as corruption as defined in Irish Law or the jurisdiction in which the Economic Operator is established;		
1.1.c	fraud within the meaning of Article 1 of the Convention on the protection of the European Communities' financial interests;		
1.1.d	the subject of a conviction for terrorist offences or offences linked to terrorist activities or for inciting or aiding or abetting or attempting to commit an offence;		
1.1.e	the subject of a conviction for money laundering or terrorist financing;		
1.1.f	the subject of a conviction of child labour and other forms of trafficking in human beings;		
Non-payment of taxes or social security obligations 1.2 Has it been established by a judicial or administrative decision having final and binding effect in accordance with Irish law or the legal provisions of the country in which the Economic Operator is established (if outside Ireland), that the Economic Operator is in breach of obligations related to the payment of tax and social security contributions? Note: If the response to 1.2 above is in the affirmative, please provide further information on the decision and the amounts involved			

2.1 Please indicate if any of the following situations have applied, within the past three (3) years, or currently apply, to your organisation.		YES	NO
		Please indicate your answer by marking 'X' in the relevant box	
2.1.a	has, in the performance of any public contract, failed to comply with applicable obligations in the field of environmental, social and labour law applying at the place where the works were carried out or the services provided, as established by EU law, national law, collective agreements or by international, environmental, social and labour law listed in Annex X of Directive 2014/24/EU;		
2.1.b	is bankrupt or the subject of insolvency or winding-up proceedings, its assets are being administered by a liquidator or by the court, or has entered into an arrangement with creditors, suspended its business activities or is in any analogous situation arising from a similar procedure under national laws and regulations;		
2.1.c	is guilty of grave professional misconduct which renders its integrity questionable;		
2.1.d	has entered into agreements with other economic operators aimed at distorting competition;		
2.1.e	has a conflict of interest within the meaning of Article 24 of 2014/24/EU that cannot be effectively remedied by other, less intrusive, measures;		
2.1.f	confirms that it has had prior involvement in the preparation of the procurement procedure which has resulted in a distortion of competition, as referred to in Article 41 of 2014/24/EU, that cannot be remedied by other, less intrusive, measures;		
2.1.g	has shown significant or persistent deficiencies in the performance of a substantive requirement under a prior public contract, a prior contract with a contracting entity, or a prior concession contract, which led to early termination of that prior contract, damages or other comparable sanctions.		
2.1.h	is guilty of serious misrepresentation in supplying the information required for the verification of the absence of grounds for exclusion or the fulfilment of the selection criteria; or		
	has withheld such information or is not able to submit supporting documents required under Article 59 of Directive 2014/24/EU; or		
2.1.i	has undertaken to: - unduly influence the decision-making process of the contracting entity, obtain confidential information that may confer upon the Tenderer undue advantages in the procurement procedure; or - negligently provide misleading information that may have a material influence on decisions concerning exclusion, selection or award.		

Declaration Re Statutory Obligations – Pass/Fail Criteria

We confirm that we are fully compliant with the following legislation, or equivalent legislation in our country of establishment/operation:		YES	NO
(a)	Employment Equality Acts 1998-2011		
(b)	Equal Status Acts 2000-2011		
(c)	National Minimum Wage Act 2000 as amended		
(d)	Organisation of Working Time Act 1997 as amended		
(e)	Safety, Health and Welfare at Work Act 2005 and Safety, Health and Welfare at Work (General Application) Regulations 2007		
(f)	Disability Act 2005		
(g)	Regulation (EU) 2016/679 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, the Data Protection Act, 2018		
(h)	We further confirm that all Data Subjects whose Personal Data is provided in our Tender have consented to the processing of such Personal Data by us, the Contracting Authority, the Evaluation Team and the supplier of the etenders.gov.ie website, for the purposes of our participation in this Competition or that we otherwise have a legal basis for providing such Personal Data to the Contracting Authority for the purposes of our participation in this Competition and that we will provide evidence of such consent and / or legal basis to the Contracting Authority upon request.		
(i)	We have procedures in place to ensure that our subcontractors, if any are used for this contract, apply the same standards.		
This Declaration is made for the benefit of the Contracting Authority I certify that the information provided in the Declarations above are accurate and complete to the best of my knowledge and belief. I understand that the provision of inaccurate or misleading information in these Declarations will lead to my organisation being excluded from participation in this and future tenders and I am signing on behalf of:			
Name of Tenderer			
Name of Authorised Signatory			
Position			
Signature			

Previous Contracts / Experience – Pass/Fail Criteria

Reference Contract #1				
Customer Name				
Contact Name				
Contact Number				
Delivery Date(s)	From		To	
Contract Value			Period value refers to	
Detailed description				
Reference Contract #2				
Customer Name				
Contact Name				
Contact Number				
Delivery Date(s)	From		To	
Contract Value			Period value refers to	
Detailed description				

Reference Contract #3				
Customer Name				
Contact Name				
Contact Number				
Delivery Date(s)	From		To	
Contract Value		Period value refers to		
Detailed description				

Health & Safety – Pass/Fail Criteria

Minimum requirement to remain eligible in the competition: Tenderers must demonstrate compliance with all the relevant Health & Safety legislation. The Contracting Authority reserves the right to seek further information to verify compliance.				
Do you comply with the Safety Health & Welfare at Work Act 2005?	Yes		No	
Manager responsible for Health and Safety:				
Is it externally certified or managed in-house?	Externally Certified			
	In-House			
If externally certified, please provide the following information:	Date of most recent certification:			
	Scope of Certification:			
	Name of Certification Body:			
	Evidence will be provided on request	Yes		
		No		

Specification – Pass/Fail Criteria

Title SPECIFICATION	TECHNICAL			
		Pass/Fail		
Instructions		Respond to all items in the table below with Yes/NO. If requested give specifics in the space indicated. Insert clarification if requested or you need to.		
	Complies	Specify requested	if	Comments and clarifications if required
	Yes/No			
1. Vehicle General				
The Telescopic Handler shall be a model commonly sold in Ireland.				
Max Age 5 years		Reg:		
Machinery hours no more than 2400 hours		Hours:		
2. Cab				
The cab to be front mounted and forward facing				
Rear view wide angle and proximity mirrors shall be fitted as standard.				
The drivers seat must be fully adjustable				
The drivers seat must be fitted with a suitable seat belt.				

All driving controls and instruments shall be grouped so that the driver has maximum comfort in the use of the controls while operating the machine			
The machine must have a suitable fire extinguisher fitted			
The machine must have a suitable First Aid Kit fitted			
The machine must have a Radio fitted			
A clear safe access and exit must be provided for all users with steps, railings and non-slip surfaces as appropriate			
Safety - Unit to be fitted with:			
Amber beacon bar on cab roof			
Work Lights mounted on the front and rear of the cab			
Reversing Camera			
Reversing Beeper			
Side mirrors must be fully adjustable			
A current Report of Thorough Examination to be supplied with the machine			
Engine			
The Telescopic Handler to have a Tier 4 final emissions compliant			

diesel engine of approximately 55 Kw			
HVO validated (according to EN 15940 standard)			
Transmission			
The Telescopic Handler to have a four speed powershift transmission			
Boom			
The Telescopic Handler to have a minimum reach height of 7.0 metres.			
The Telescopic Handler to be supplied with a new bucket and pallet forks.			
Hydraulics			
The Telescopic Handler to be fitted with safety check valves			
Vehicle Registration			
The Telescopic Handler to be supplied registered to Tipperary County Council with all VRT and relevant taxes paid.			
Other Requirements			
A Driver's handbook must be supplied			
Two sets of keys must be supplied			
Price shall include delivery (with a full tank of fuel) to Tipperary County Council, Machinery Yard, Carrigeen Business Park, Clonmel Co. Tipperary.			
Training and induction for Operators and Workshop staff to be included in cost			
All prices to be quoted in euros			

Minimum Warranty / Aftersales - Pass/Fail Criteria

WARRANTY / AFTER SALES SERVICE				
Minimum 6 months warranty		Pass/Fail		
Instructions	Upload the warranty, terms and conditions			
Tenderer's Response				
Warranty. Attach warranty to tender.				
Specify: Length of warranty				
The tenderer must confirm that they have the ability to provide maintenance services, if so required				
The Tenderer must be in a position to provide technical support for the lifetime of the unit if so required				

RESPONSE TO THE AWARD CRITERIA

Form of Tender – Supplies – Cost Criterion A

To:	
From:	
Re:	

I/We have examined the tender documentation and hereby offer to provide the supplies (and in accordance with the details contained within the Request for Tender Document.

Criterion A:	Weighting	Maximum Marks	Minimum Marks Required
	50%	500	N/A
Cost 1 No. Second Hand Telescopic Handler	A Cost (ex. VAT)	B Vat Rate (%)	TOTAL A+B
	€	€	€

I/We confirm that I/we:

- In relation to daily/hourly fees all rates are inclusive of out of pocket (i.e. mileage, subsistence, phone, postage, etc.) and account / contract management related costs.
- Will keep this offer for the contract / framework open for acceptance by you for a period of 12 months from the date of deadline for submission of Tenders,
- Agree that you are not bound to accept the most economically advantageous or any Tender you may receive,
- Have taken account of all obligations under the Contract including supply chain and related risk factors.
- Have read and thoroughly examined the Tender Document,
- Fully understand the Tender Document and the Client's requirements,
- Undertake to treat the details of this Invitation to Tender, its Tender and any subsequent agreements as private and confidential,
- Acknowledge that acceptance by the Contracting Authority of this tender will not constitute a binding and enforceable agreement and that a legally enforceable agreement will not exist until and unless the contract is awarded / framework agreement has been established between the Contracting Authority and the Tenderer,

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- Have availed of all offers for additional information or have otherwise satisfied myself/ourselves as to conditions that may in any manner affect the performance of the contract,
- Have included all elements necessary for the performance of the specified requirements, which are either expressly stated in the Tender Document or contained in any supplementary information or which could reasonably be inferred therefrom,
- Have found no errors, omissions, conflicts or ambiguities in the Tender Document except those which I/We have brought to the attention of the Contracting Authority before the latest date for submitting queries,
- Have included for compliance with all statutory requirements applicable in Ireland and those applicable in any country where parts of the contract may be performed that are in force 7 days prior to the deadline for receipt of Tenders,
- Will not, if awarded a contract employ labour in a manner that is discriminatory in relation to gender, race, religious beliefs, age etc.
- Agree that as a condition of award, it shall be our sole responsibility to fulfil the obligations under the Contract.

Signed:			
Name (in Capital Letters):			
On behalf of:			
Address:			
Telephone:		Mobile:	
Email:		Date:	

Response to Qualitative Award Criteria

Criterion Condition	B	Overall	Weighting	Maximum Marks	Minimum Marks
			50%	500	N/A
Title	Overall condition of Machine Tendered				
Description	Please provide information for the following: 1. 12.5% year of manufacture 2. 12.5% hours worked 3. 12.5% Tyres 4. 12.5% General Condition				

Tenderers' Response

Please use this free text page(s) (i.e. do not type in the box) for your response.