



Fermanagh & Omagh
District Council
Comhairle Ceantair
Fhear Manach agus na hÓmaí

FERMANAGH AND OMAGH DISTRICT COUNCIL

INVITES

EXPRESSIONS OF INTEREST

FOR THE LEASE OF

CRANNY BRIDGE PLAYING FIELDS

AND

LANDS AT RIVERVIEW PARK, OMAGH

Reference: 2324 EOI EP 005

CONTACT INFORMATION
EXPRESSION OF INTEREST FOR 25 YEAR LEASE OF
CRANNY BRIDGE PLAYING FIELDS AND
LAND AT RIVERVIEW PARK, OMAGH

Reference: 2324 EOI EP 005

Name of submitting company/individual: _____

Address: _____

Postcode: _____

Telephone: _____ **Mobile:** _____

***Email:** _____

***Please note that this email address WILL be used for all correspondence with regard to
this invitation.**

Contact Name (Print in Caps): _____

Signature: _____ **Date:** _____

Closing date for receipt of submissions: no later than

12.00 noon on Thursday 28 March 2024

Late submissions will not be accepted

EXPRESSION OF INTEREST FOR THE LEASE OF CRANNY BRIDGE PLAYING FIELDS AND LANDS AT RIVERVIEW PARK, OMAGH

SECTION 1

INTRODUCTION

Fermanagh and Omagh District Council invites expressions of interest from competent and experienced parties for the lease of Cranny Bridge playing fields and lands at Riverview Park, Omagh.

BACKGROUND

Fermanagh and Omagh District Council was established as one of the new councils under the Reform of Local Government Programme, which reduced the number of councils from 26 to 11 from 1 April 2015. The Council wishes to investigate options for the use of Cranny Bridge playing fields and lands at Riverview Park, Omagh, offering opportunities for the citizens of Omagh and the wider Council district in general. It is the Council's aspiration that the successful bidder will create and develop opportunities to help promote sporting and/or recreational activities as well as help to improve the health and wellbeing of the community, thus assisting in the delivery of the Council's corporate objectives, ie to help the Council to improve quality of life for citizens, protecting and creating quality places and delivering quality services.

AGREEMENT DURATION

It is anticipated that any feasible lease submission will commit to a minimum duration of twenty-five years, however, all submissions will be welcomed and given thorough consideration.

SECTION 2

INSTRUCTIONS FOR THE SUBMISSION OF BIDS

Expressions of interest are invited for a lease of Cranny Bridge playing fields and lands at Riverview Park, Omagh.

The Council Officer dealing with this Expression of Interest invitation is Christine Clingen.

All submissions should be posted/hand delivered to:

Property Services Section
Fermanagh and Omagh District Council
The Grange
Mountjoy Road
Lisnamallard
Omagh
Co Tyrone
BT79 7BL

Closing Date: 12.00 noon on Thursday 28 March 2024

Late submissions or those received by any other method than above will not be accepted. The Council takes no responsibility for postal or delivery delays.

Please ensure that you enclose all requested information. Omission of any required information may render the submission invalid; the Expression of Interest to Lease Form must be completed and signed: failure to do so **will** render the submission invalid.

Fermanagh and Omagh District Council reserves the right not to accept any submission as a result of this Expression of Interest.

QUERIES

All queries relating to this Expression of Interest should be submitted to propertyservices@fermanaghomagh.com, no later than **12.00 noon on Friday 22 March 2024**.

Bidders should note that responses to all queries will be circulated to all parties who download the Expression of Interest documentation, without identifying the source of any requests.

Fermanagh and Omagh District Council will not enter into discussions on the requirements of this procurement process with individual respondents.

Queries may be answered in batches rather than one at a time. Queries received after the deadline may not be acknowledged or addressed.

In all circumstances, Fermanagh and Omagh District Council reserves the right to issue clarification responses to all enquirers at any stage when it believes, at its sole discretion, such clarifications are required.

Fax, telephone or oral enquires will **NOT** be accepted.

Clarification may be sought during assessment. The Council may require the Bidder to provide further written clarification of any elements of their submission or any other information which the Council considers relevant, or the Bidder may be required to attend a clarification meeting. Any failure to provide such information when requested, may exclude the submission from further consideration.

INSTRUCTIONS AND TERMS AND CONDITIONS

Please ensure that you include all requested information.

- Submissions received after the closing date and time cannot be considered. Fermanagh and Omagh District Council cannot accept any responsibility for postal/delivery delays.
- The attached Expression of Interest to Lease Form must be completed and signed; failure to do this will render your submission invalid.
- The Council reserves the right to undertake any other relevant checks on the status of the Bidder.
- Should any additions/amendments to this document be deemed necessary prior to the date for submissions, these will be issued to those downloading this Expression of Interest, in the form of Clarification Notices, and will form part of the Expression of Interest documentation.
- Those making submissions will not be entitled to claim from Fermanagh and Omagh District Council any costs incurred in the preparation of their bid, whether or not it is successful.
- Those making submissions are required to keep proposals valid for a period of 90 days from the closing date.
- Fermanagh and Omagh District Council does not bind itself to accept any submission, and it reserves the right to select the most advantageous proposal for the district.
- It shall be a condition of any subsequent lease that, should the Council determine that the actual performance of the successful Bidder, is not in accordance with that proposed in the submission, the lease may be terminated with 3 months' notice from the Council without compensation to the successful Bidder.
- Fermanagh and Omagh District Council may terminate any subsequent lease and recover all its losses if the successful Bidder, or anyone acting on his/her behalf, do any of the following:- (a) offer, give or agree to anyone any inducement or reward in respect of this or any other Council contract; (b) commit any fraud in connection with this or any other Council contract, whether alone or in conjunction with Council members, contractors or employees.
- Those making submissions who directly or indirectly canvass any officer of Fermanagh and Omagh District Council concerning any award in respect of this Expression of Interest, or who directly or indirectly obtains or attempts to obtain information from such officers concerning the Expression of Interest will be disqualified.
- Fermanagh and Omagh District Council require all those who make submissions to comply in full with the requirements of the Bribery Act 2010.
- Fermanagh and Omagh District Council is subject to the terms of the **Freedom of Information Act 2000**. Bidders should be aware that the information provided in the completed documents could be disclosed in response to a request under the Freedom of Information Act. The Council will proceed on the basis of disclosure unless an appropriate exemption applies. No information provided by Bidders will be accepted "in confidence" and the Council accepts no liability for loss as a result of any information disclosed in response to a request under the Freedom of Information Act.
- The successful Bidder shall not be an unqualified person for the purposes of Sections 64 to 66 of the **Fair Employment and Treatment (NI) Order 1998** and shall sign the Declaration and Undertaking annexed hereto (Appendix B). The successful Bidder shall not sub-lease any of the property to an unqualified person for the purposes of Sections 64 to 66 of the Fair

Employment and Treatment (NI) Order 1998 and, in any case, without the express consent of the Council.

- The successful Bidder **shall not unlawfully discriminate** within the meaning and scope of the provisions of the Race Relations (NI) Order 1997, Sex Discrimination (NI) Order 1976 (as amended), Fair Employment and Treatment (NI) Order 1998 and the Disability Discrimination Act 1995 and shall take all reasonable steps to ensure that all servants, employees or agents of theirs and all sub-lessees in the execution of the submission do not unlawfully discriminate
- Fermanagh and Omagh District Council is not obliged to consider or accept alternative offers and similarly, offers made subject to additional or alternative conditions will be rejected. Submissions may also be rejected if complete information is not given at time of submission.
- Everyone has a responsibility to ensure the safeguarding of children and adults at risk of harm. Fermanagh and Omagh District Council requires all Bidders to have a Child and Adult Safeguarding Policy in place. If the Bidder does not have such policies in place, then they should revert to the Council's Policies and Codes of Practices.
- The Council's Policies and Codes of Practices can be found online at www.fermanaghomagh.com or by contacting the Corporate and Strategic Services Section via telephone: 0300 303 1777, textphone: 18001 0300 303 1777 or via email: info@fermanaghomagh.com
- Those making submissions must ensure that all information provided within their submission is accurate. The inclusion of information which is found to be false or misleading will result in the submission being rejected. Furthermore, in the event that false or misleading information comes to light after the award of the Expression of Interest, this may result in termination of the process.
- Where examination of submissions reveals errors or discrepancies which would affect the value of the submission in an otherwise successful submission, the Bidder will be given details of such errors and discrepancies and afforded an opportunity of confirming or withdrawing his/her submission. There will be no opportunity for any Bidder to change their submission. If the Bidder withdraws, the next Bidder in scoring order will be assessed.
- Following award, the successful Bidder shall not sub-lease or sub-let all or any part of the property without the consent of Fermanagh and Omagh District Council. The successful Bidder shall remain wholly responsible for carrying out and delivering the submitted proposal.
- Those parties downloading this Expression of Interest shall treat the details of the document and any further amendments as **private and confidential** and they must ensure that the content, consideration or any other figure or particulars concerning their submission have not been disclosed to any other party.
- The submissions shall remain fixed during the lease duration unless, subject to the approval of the Council, the revised proposal provides a similar social and economic benefit.
- The Bidder shall take all necessary precautions to ensure that all confidential information obtained from the Council under or in connection with this invitation:-
 - is given only to such staff and professional advisors or consultants engaged to advise it in connection with the submission, as is strictly necessary; and
 - Is treated as confidential and not disclosed (without prior Council approval) or used by any staff or such professional advisors or consultants, otherwise than for the purposes of the submission.

- The Bidder shall ensure that staff or their professional advisors or consultants are aware of the Bidder's confidentiality obligations under this Expression of Interest.
- The Bidder shall not use any confidential Information it receives from the Council otherwise than for the purposes of the submission.
- In the event that the successful Bidder fails to comply with this condition, the Council reserves the right to terminate any subsequent lease by notice in writing with immediate effect.
- The successful Bidder shall provide the name and address of their bank, account name and number, bank sort code and any other details, in whatever format the Council may require to facilitate electronic direct debit payments.
- The Council requires the successful Bidder to make payments to any suppliers or authorised sub-contractors involved in the delivery of the successful submission within 30 days of the receipt of a valid invoice, provided that the Bidder is satisfied that the services for which the invoice relates have been performed fully in accordance with the submission.
- The successful Bidder shall forthwith inform the Council in writing of any proposal or negotiations which may or will result in a merger, take-over, change of control, change of name or status, or the Bidder (if a company as defined in the Companies (NI) Order 1986-1990) shall inform the Council of any such change as defined in section 416 of the Income and Corporation Taxes Act 1988. The Bidder shall comply with any request by the Council for information arising from this condition.

- Termination of Lease

The Council may terminate any subsequent lease by written notice with immediate effect if:

- the successful Bidder is in material breach of any obligation which is not capable of remedy;
- the successful Bidder is in material breach of any obligation which is capable of remedy, and that breach is not remedied within 30 days of the Bidder receiving notice specifying the breach and requiring it to be remedied;
- the successful Bidder becomes insolvent, or if an order is made or a resolution is passed for the winding up of the Bidder's company (if applicable), other than voluntarily for the purpose of solvent amalgamation or reconstruction, or if an administrator or administrative receiver is appointed in respect of the whole or any part of the Bidder's assets or business; and
- It will be the responsibility of the successful Bidder to ensure that all charges for services supplied to or used at the property are paid, including all government taxes, rates, etc.

SECTION 3

SCOPE OF PROPOSAL AND AIMS OF EXPRESSION OF INTEREST

SCOPE

Expressions of Interest are sought from competent and experienced parties for the lease of Cranny Bridge playing fields and lands at Riverview Park, Omagh.

The site includes:

Cranny Bridge playing fields:

- two football pitches and surrounding area (Pitch 1 is approximately 100m x 51m and Pitch 2 is approximately 90m x 58m)
- a stone based car park area (approximately size 44m x 30m)
- overall site is approximately 9.6 acres

Riverview Park lands:

- grassed area including public pathways comprising 6.75 acres approximately

PRESENT POSITION

Fermanagh and Omagh District Council is inviting Expressions of Interest for the lease of Cranny Bridge playing fields and lands at Riverview Park, Omagh. The proposed term of the lease is for 25 years although the Council will consider proposals for a longer lease term.

The Council's main aim is to have both sites managed and developed primarily to provide sporting and/or recreational activities as well as providing health and wellbeing opportunities for members of sporting organisations as well as the public. This use will include and provide a significant community benefit for Omagh and the wider Fermanagh and Omagh District Council area, contributing to further development of both sites.

The following aims are given as guidance to assist potential lessees. These aims provide an indication of what the Council wishes to see achieved at both sites into the future. Submissions provided will take into account how the aims will be achieved by the lessee and will be used in the scoring of submissions.

AIMS:

1. To provide a range of sporting and/or recreational opportunities that will help improve the health and wellbeing of the community.
2. To provide a development plan for the use of both sites which will clearly identify what is proposed for each site with overall aims, objectives and outcomes.
3. To provide a high standard quality service to satisfy the needs and requirements of users.
4. To maintain both sites and any potential future associated facilities to a high standard.
5. To ensure both sites are adequately resourced and the lessee has an experienced management structure in place as well as a clear financial plan.

6. To assist the Council in meeting its corporate objectives.
7. To provide and ensure that a programme of ongoing maintenance of both sites is carried out and all work is recorded as necessary.

Proposals

Fermanagh and Omagh District Council is seeking to explore options with interested parties for the future operation and management of both sites.

The Council requires that submissions should include a business case which contains a proposed development plan for both sites. The business case will outline the proposals in detail, the timeline for the entire life of the proposal, the investment to be committed and how this will be funded, the expertise, experience and qualifications of the Bidder and any bond or financial assurance to support the robustness of the development plan.

Prior to lease commencement, a condition survey of both sites will be jointly undertaken by the successful Bidder and Council officers to establish the condition of both sites at handover.

Currently there is public access to both sites and the Bidder may visit the sites at any time. If the Bidder requires an on-site tour accompanied by Council officers, this can also be accommodated by arrangement by emailing: propertyservices@fermanaghomagh.com

Please note that Council officer led site tours will be available to interested parties up until 12 noon on Friday 22 March 2024.

The Expression of Interest will remain open until 12.00 noon on Thursday 28 March 2024.

Any queries relating to this Expression of Invitation should be forwarded to: propertyservices@fermanaghomagh.com

Maps of Cranny Bridge playing fields and lands at Riverview Park, Omagh are included.

LOCATION

Cranny Bridge, Riverview Road, Cranny, Omagh – site is generally laid out for field sports, namely football, and entire site comprises approximately 9.6 acres including a stone based car park area size 30m x 44m approximately

Riverview Park, Riverview Road, Cranny, Omagh – site comprises 6.75 acres of grassland and public pathways

TERMS AND CONDITIONS

These will be agreed with the successful Bidder.

EVALUATION PROCESS

The evaluation of the submissions will follow a two stage process as follows:

1. An exclusion process: This exclusion process requires Bidders to commit to and be bound by acceptable standards of operation. Failure to commit to and be bound by the standards in writing will exclude a potential submission from further consideration.
2. An award process: This is providing the Bidder with the opportunity to identify how their proposals will have a positive impact on the local community. It will also consider future plans and proposals as well as realistic financial projects and plans so as to ensure future sustainability. This will take into consideration information contained within the business case and the development plan.

Stage 1: Exclusion Criteria

Bidders must successfully complete all forms in this stage to enable their submission to progress to the second stage of assessment

Mandatory Exclusion - Pass/Fail (Please complete Appendix A)

Fair Employment - Pass/Fail (Please complete Appendix B)

Bona Fide Submission - Pass/Fail (Please complete Appendix C)

Equality Declaration - Pass/Fail (Please complete Appendix D)

Freedom of Information - Pass/Fail (Please complete Appendix E)

Insurance - Pass/Fail (Please complete Appendix F)

The successful submission will be required to provide evidence of appropriate Employers' (£10 million) and Public (£10 million).

In the event that the Bidder does not have adequate insurance cover at the time of submission, the Bidder is required to confirm in writing that they are willing to put in place the required cover if their submission is successful.

Safeguarding - Pass/Fail (Please complete Appendix I)

Any submission that fails to submit and sign any of the Appendices A - I may be excluded from further consideration.

Stage 2: Award Criteria

The Bidder who submits the proposal which provides the optimum community benefit for the citizens of the district will be invited to enter into a lease in respect of both sites. It is therefore important that a business case and development plan are submitted, clearly identifying what services are to be provided, the target groups, any community benefit that will be provided as a result of the proposal, any employment/volunteer projections, the extent/use of both sites and the ability to fund additional upgrades and maintenance, future expansion and proposed lease rental.

Evaluation of submissions

Submissions must include and provide a business case and development plan. This will be evaluated as follows depending on each proposal. The percentage figure inside the brackets is the value of marks being attributed to this area of the submission.

Rental per annum (10%) Proposed rental to be paid each year (taken from signed Expression of Interest to Lease Form).

The maximum mark will be awarded to the Bidder submitting the highest acceptable rental. Other Bidders will then be awarded a pro rata percentage using the following formula:

$$\frac{\text{Available marks (10\%)} \times \text{Bidder's price}}{\text{Highest price}} = (A)$$

Robustness of Business Case and Proposals (40%)

A robust business case will be assessed on details of proposals, programme for implementation, investment, sources of funding, expertise and experience available, financial assurance, etc.

Assessment	Score	Indicators
Excellent	5	The business case provides an excellent level of detail on proposals, proof of excellent expertise and proof of running a successful club or community facility and a robust financial plan.
Good	4	The business case provides a good level of detail on proposals, proof of good expertise and proof of running a successful club or community facility and a robust financial plan.
Satisfactory	3	The business case provides a fair level of detail on proposals, proof of some expertise and proof of running a successful club or community facility and a robust financial plan.
Limited	2	Some detail on proposals and evidence of future plans provided.
Poor	1	Some detail on proposals, no indication of future plans provided.
Nil response/ Very Poor	0	No detail on proposals and/or no evidence of future plans provided.

Responses will be assessed out of 5 using the above score indicators; the score achieved will then be multiplied by a weighting factor of 8 to give a total score out of 40%

Proposed development of the existing facilities (10%)

Proposed use of both sites including potential developments, as extracted from business case.

Assessment	Score	Indicators
Excellent	5	An excellent level of ancillary facilities such as toilets/club rooms or other sporting/recreational facilities will be in place within 5-10 years from commencement of the lease.
Good	4	A good level of ancillary facilities such as toilets/club rooms or other sporting/recreational facilities will be in place within 11 years+ from commencement of the lease.
Satisfactory	3	A satisfactory level of upgrades will take place, eg fencing, car parking or other groundworks during the lease period.
Limited	2	Minimal upgrades to both sites have been identified.
Poor	1	No upgrades; ongoing maintenance only to maintain the current status.
Nil response/ Very Poor	0	Commitment not given in relation to use of both sites.

Responses will be assessed out of 5 using the above score indicators; the score achieved will then be multiplied by a weighting factor of 2 to give a total score out of 10%.

Robustness of the Development Plan (40%)

The proposed services to be delivered on site, identifying opportunities that will be created for target groups through the operation of a quality sports/community club.

Assessment	Score	Indicators
Excellent	5	An excellent comprehensive response which clearly demonstrates that the development plan will be actioned within 5-10 years and the lessee will be working with all target groups, clearly demonstrating an open and inclusive environment for all sections of the community.
Good	4	A good response which demonstrates that the development plan will be actioned in 11 years+ and the lessee will be working with all target groups, clearly demonstrating an open and inclusive environment for all sections of the community.
Satisfactory	3	A satisfactory response which demonstrates that the development plan will be in place with actions identified to work with the majority of all target groups, demonstrating an open and inclusive environment for all sections of the community.
Limited	2	A limited response which demonstrates that the development plan will be in place, working with some of the target groups, demonstrating an open and inclusive environment for all sections of the community.

Poor	1	A poor development plan with limited detail on working with target groups.
Nil response/ Very Poor	0	The proposal has no development plan; the aim is to simply use the site to provide a limited range of activities.

Responses will be assessed out of 5 using the above score indicators, the score achieved will then be multiplied by a weighting factor of 8 to give a total score out of 40%.

All scores achieved will be totalled to give an overall score out of 100%.

The Bidder with the highest overall score will be invited to negotiate a lease agreement based on the submission proposals.

The lease will include a timeline for developments to ensure the successful Bidder is actively progressing the submission proposals.

EXPRESSION OF INTEREST TO LEASE FORM

This Expression of Interest is an offer to enter into a 25 year lease of Cranny Bridge playing fields and lands at Riverview Park, Omagh, owned by Fermanagh and Omagh District Council under the attached terms and conditions.

This is a non-binding proposal and the Expression of Interest deemed preferable by Fermanagh and Omagh District Council will then proceed to formal lease.

All Expressions of Interest will be opened simultaneously following the closing date at 12 noon on Thursday 28 March 2024.

I/We (full name)

Organisation

Address

Telephone

Email Address

Name of contact

Position in organisation

Signed:.....

Date:

Hereby submit my/our **business case** and **development plan**, for the lease of Cranny Bridge playing fields and lands at Riverview Park, Omagh, being the whole of the lands contained within the red boundaries on the attached maps.

Summary of proposals

Annual Rent per annum tendered for a 25-year lease of

Cranny Bridge playing fields and lands at Riverview Park, Omagh

£.....Exclusive of VAT

Extent of property to be used

Services to be provided under the proposal

Fermanagh and Omagh District Council Mandatory Exclusions

Regulation 23 of the Public Contracts Regulations 2006

The public sector and procurement Directives, as implemented by the Public Contracts Regulation 2006, include a mandatory requirement for contracting authorities to exclude economic operators (Suppliers, Contractors, Consultants and Service providers) from public contracts where they have been convicted of certain offences.

A contracting authority may apply to the relevant competent authority to obtain further information regarding the economic operator and in particular details of convictions of the offences listed if it considers it needs such information to decide on any exclusion referred to.

Please indicate below whether your firm or any of its directors, partners or any other person who has powers of representation, decision or control, have been convicted of any of the following offences (including those which are spent within the meaning of the Rehabilitation of Offenders Act 1974):

1. Conspiracy within the meaning of Section 1 or 1a of the Criminal Law Act 1977 or Article 9 or 9a of the Criminal Attempts and Conspiracy (Northern Ireland) Order 1983 where that conspiracy relates to participation in a criminal organisation as defined in Article 2(1) of Council Framework Decision 2008/841/ JHA
2. Corruption within the meaning of Section 1 of the Public Bodies Corrupt Practices Act 1889 or Section 1 of the Prevention of Corruption Act 1906
- 3a. The offence of bribery, where the offence relates to active corruption;
- 3b. Bribery within the meaning of section 1 or 6 of the Bribery Act 2010
4. Fraud, where the offence relates to fraud affecting the financial interests of the European Communities as defined by Article 1 of the Convention relating to the protection of the financial interests of the European Union, within the meaning of:-
 - the offence of cheating the Revenue;
 - the offence of conspiracy to defraud;
 - fraud or theft within the meaning of the Theft Act 1968 and the Theft Act 1978 or the Theft (Northern Ireland) Order 1978
 - fraudulent trading within the meaning of Section 458 of the Companies Act 1985, Article 451 of the Companies (Northern Ireland) Order 1986 or Section 993 of the Companies Act 2006
 - defrauding the Customs within the meaning of the Customs and Excise Management Act 1979 and the Value Added Tax Act 1994;

- an offence in connection with taxation in the European Community within the meaning of Section 71 of the Criminal Justice Act 1993; or
- destroying, defacing or concealing of documents or procuring the extension of a valuable security within the meaning of Section 20 of the Theft Act 1968, or Section 19 of the Theft Act (Northern Ireland) 1969
- Fraud within the meaning of Section 2, or 3 or 4 of the Fraud Act 2006
- Making, adapting, supplying or offering to supply articles for use in frauds within the meaning of Section 7 of Fraud Act 2006

5. Money laundering within the meaning of Money Laundering Regulations 2003

- 6a. Any other offence within the meaning of Article 45(1) of the Public Sector Directive as defined by the national law of any relevant State
- 6b. an offence in connection with the proceeds of criminal conduct within the meaning of Section 93A, 93B or 93C of the Criminal Justice Act 1988 or Article 45, 46 or 47 of the Proceeds of Crime (Northern Ireland) Order 1996
- 6c. An offence in connection with the proceeds of drug trafficking within the meaning of Section 49, 50 or 51 of the Drug Trafficking Act 1994; or
- 6d. any other offence within the meaning of Article 45(1) of the Public Sector Directive as defined by the national law of any relevant State.

Any convictions to be declared: (*Please circle as appropriate*)

YES

NO

Signed: _____

Dated: _____



**Fermanagh and Omagh District Council
Fair Employment and Treatment (Northern Ireland)
Act 1998**

1. Article 64 of the Fair Employment and Treatment (NI) Order 1998 ("The Order") provides inter alia that a public authority shall not accept an offer to execute any work or supply any goods or services where the offer is made by an unqualified person in response to an invitation by the public authority to submit offers. Article 64 also provides that the public authority shall take all such steps as are reasonable to secure that no work is executed or goods or services supplied for the purposes of such contracts as are mentioned above by an unqualified person.
2. An unqualified person is either an employer who, having been in default in the circumstances specified in Article 62 (1) of the Order, has been served with a notice by the Equality Commission stating that he is not qualified for the purposes of Articles 64 to 66 of the Order, or an employer who, by reasons of connection with an employer on whom has been served a notice to that effect, has also been served with such a notice.
3. Mindful of its obligations under the Order, Fermanagh and Omagh District Council has decided that it shall be a condition of inclusion or retention on its Approved List that a Contractor shall not be an unqualified person for the purposes of Articles 64 to 66 of the Order.
4. Contractors are therefore asked to complete and return this Declaration and Undertaking, to confirm that they are not unqualified persons and to undertake that no work shall be executed or goods or services supplied by an unqualified person for the purposes of any contract with Fermanagh and Omagh District Council to which Article 64 of the Order applies.

I/wehereby declare that I am/we are not unqualified for the purposes of Article 64 to 66 of the Fair Employment and Treatment (Northern Ireland) Act 1998. I/we undertake forthwith to inform Fermanagh and Omagh District Council should any notice stating that I am/we are unqualified be served upon me/us by the Equality Commission.

Signed: Dated:
For and on behalf of

.....



**Fermanagh and Omagh District Council
Certificate relating to Bona Fide Tender**

1. The essence of submitting tenders is that the client shall receive bona fide competitive tender from all firms bidding. In recognition of this principle, we certify that this is a bona fide tender intended to be competitive, and that 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.
2. We also certify that we have not:
 - (a) Communicated to a person other than the person calling for these tenders the amount or approximate amount of the proposed quote, except where the disclosure, in confidence, of the approximate amount of the quote was necessary to obtain insurance premium tenders required for the preparation of the tender ;
 - (b) Entered into any agreement or arrangement with any other person that he shall refrain from quoting or as to the amount of any tender to be submitted;
 - (c) Offered or paid or given or agreed to pay or give any sum of money or valuable consideration directly or indirectly or 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.
3. We undertake that we will not do any of the acts mentioned in paragraphs 2a, 2b, 2c above at any time before acceptance or decline of this tender.
4. In this certificate the word "person" includes any person 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.

I / We *have read and now understand the requirements of the tender system in relation to bona fide compliance as detailed in the attached 'Certificate Relating To Bona Fide tender '.

Signed: Dated:

For and on behalf of



Fermanagh and Omagh District Council Equality Declaration

Declaration of Commitment to Promoting Equality of Opportunity and Good Relations

1.
 - 1.1 Under Section 75 of the Northern Ireland Act 1998 Fermanagh and Omagh District Council must have due regard to the need to promote equality of opportunity:
Between persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation;
Between men and women generally;
Between persons with a disability and persons without;
Between persons with dependants and persons without.
 - 1.2 In addition the Council must also have regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group.
 - 1.3 The Council is committed to fulfilling these obligations and is keen to not only to ensure that suppliers of goods and services, contractors undertaking work on behalf of the Council, and groups who receive support from the Council do not act in any way that would contravene the Council's statutory equality duties but also that they help promote equality of opportunity and good relations within their own area of work and organisation.
 - 1.4 It is therefore a condition of any offer of grant aid / support or contract for goods or services that the Chief Executive, Managing Director or other authorised person signs, on behalf of their organisation, the declaration below. This declaration will confirm that the organisation is committed to promoting equality of opportunity and good relations and will not act in any way that will undermine the Council's commitment to fulfil its statutory obligations.
 - 1.5 The Council will not enter into any contract or provide support / grant aid to any organisation which does not sign the Declaration of Commitment to the Promotion of Equality of Opportunity and Good Relations.

We (insert name of firm): _____

Recognise Fermanagh and Omagh District Council's duty to have due regard to the need to promote equality of opportunity:

Between persons of different religious belief, political opinion, racial group, age marital status or sexual orientation;

Between men and women generally;

Between persons with a disability and persons without

Between persons with dependants and persons without,

and to have regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group.

We undertake not to act in any way that would contravene the Council's statutory obligations and are committed to promoting good relations and equality of opportunity in all our activities (including in the recruitment, promotion and training of all our staff).

Signed by: _____

Name in block letters _____

Position in Firm: _____

Date: _____

On behalf of: _____

(name of firm)

Address: _____



Fermanagh and Omagh District Council Freedom of Information Act – Tenders (Appendix E)

Bidders should be aware that the information provided in the completed tender and contractual documents could be disclosed in response to a request under the Freedom of Information Act. We will proceed on the basis of disclosure unless an appropriate exemption applies. No information provided by bidders will be accepted “in confidence” and Fermanagh and Omagh District Council accepts no liability for loss as a result of any information disclosed in response to a request under the Freedom of Information Act.

Fermanagh and Omagh District Council has no discretion whether or not to disclose information in response to a request under the Freedom of Information Act, unless an exemption applies. Disclosure decisions will be taken by appropriate individuals in Fermanagh and Omagh District Council having due regard to the exemptions available and the Public Interest. Bidders should be aware that despite the availability of some exemptions, information may still be disclosed if the Public Interest in its disclosure outweighs the Public Interest in maintaining the exemption. Bidders are required to highlight information that they include in the tender documents, which they consider to be commercially sensitive or confidential in nature, and should state the precise reasons, why that view is taken. In particular, issues concerning trade secrets and commercial sensitivity should be highlighted. Bidders are advised against recording unnecessary information.

In accordance with the Lord Chancellors Code of Practice on the discharge of public functions, Fermanagh and Omagh District Council will **not** accept any contractual term that purports to restrict the disclosure of information held by the Council in respect of the contract or tender exercise save as permitted by the Freedom of Information Act. The decision whether to disclose information rests solely with Fermanagh and Omagh District Council

Fermanagh and Omagh District Council will consult with bidders, where it is considered appropriate, in relation to the release of controversial information.

I/we have read and now understand the requirements in relation to freedom of information as detailed on the attached information sheet.

Signed:.....Dated:

For and on behalf of

.....

.....

Fermanagh and Omagh District Council

Insurance Information - (Appendix F)

Please confirm the level of Insurance cover currently in place.

Section One. Insurance.	
A. Public/Products Liability Insurance (Minimum £10 million)	Yes/No*
Limit of cover - Public Liability	£
Insurance company name	
Broker name and address	
Expiry date	
B. Employer Liability Insurance (Minimum £10 million)	Yes/No*
Limit of cover – Employers Liability	
Insurance company name	
Broker name and address	
Expiry date	

* Delete as appropriate – if No please provide further details

¹ To be completed as appropriate depending on the nature of the contract.

Signed: Date:
Duly authorised to sign for and on behalf of:

.....
In the event that you do not have the required level of insurance cover at the time of application, please confirm in writing that you are willing to put in place the required cover if your submission is successful. Please note evidence of insurance cover will be required at Award Stage.

.....
.....

FERMANAGH AND OMAGH DISTRICT COUNCIL
TENDER CHECKLIST

To facilitate the needs of the Council in the evaluation process, all proposals submitted must complete/submit the following information. Failure to supply all or any part of the requested information in the required format may result in a proposal being excluded from the evaluation process.

Bidders must complete this check list:-

MUST BE INCLUDED WITH EXPRESSION OF INTEREST	Have you included?	
	YES	NO (Why?)
Signed Expression of Interest to Lease Form		
Completed and signed Mandatory Exclusion Declaration - Appendix A		
Completed and signed Fair Employment Declaration - Appendix B		
Signed Bona Fide Tender Declaration - Appendix C		
Completed and signed Equality Declaration - Appendix D		
Completed and signed Freedom of Information Declaration - Appendix E		
Completed and signed Insurance Information - Appendix F and evidence of appropriate Employer's Liability (£10 million) and Public Liability (£10 million) Insurances		
Completed and signed Tender Check List - Appendix G		
Confirmation that you have read Statement of Commitment, Bribery Act 2010 - Appendix H		
Completed and signed Safeguarding Declaration - Appendix I		
Full Business Case and Development Plan for your proposal		

It is your responsibility to submit the necessary documents to enable Fermanagh and Omagh District Council to evaluate your submission. This checklist is for your guidance only.

Signed _____

Date _____



Fermanagh & Omagh
District Council
Comhairle Ceantair
Fhear Manach agus na hÓmaí

Appendix H

The Bribery Act 2010
Fermanagh and Omagh District Council
Statement of Commitment

Fermanagh and Omagh District Council is committed to carrying out business fairly, honestly and openly and has a zero tolerance towards bribery.

Fermanagh and Omagh District Council expects full compliance with the requirements of the Bribery Act 2010 from Councillors, Employees, Agents, Partners, **Suppliers** and Groups or Individuals applying for, or in receipt, of grant aid.



Fermanagh & Omagh
District Council
Comhairle Ceantair
Fhear Manach agus na hÓmaí

Safeguarding Declaration

Everyone has a responsibility to ensure the safeguarding of children and adults at risk of harm. Fermanagh and Omagh District Council requires all contractors/hirers to have a Child and Adult Safeguarding Policy in place. If the contractor/hirer does not have such policies in place, then they should revert to the Council's Policies and Codes of Practices.

The Council's Policies and Codes of Practices can be found online at www.fermanaghomagh.com or by contacting the Corporate and Strategic Services Section via telephone: 0300 303 1777, textphone: 18001 0300 303 1777 or via email: info@fermanaghomagh.com.

By checking this box, you are acknowledging the importance of Safeguarding, as well as your role with regards to the Safeguarding of Children and Adults at Risk of Harm, should you be successful in this procurement process.

☐

Signed: _____

On Behalf of: _____

Date: _____

Cranny Bridge Playing Fields Lease Expression of Interest

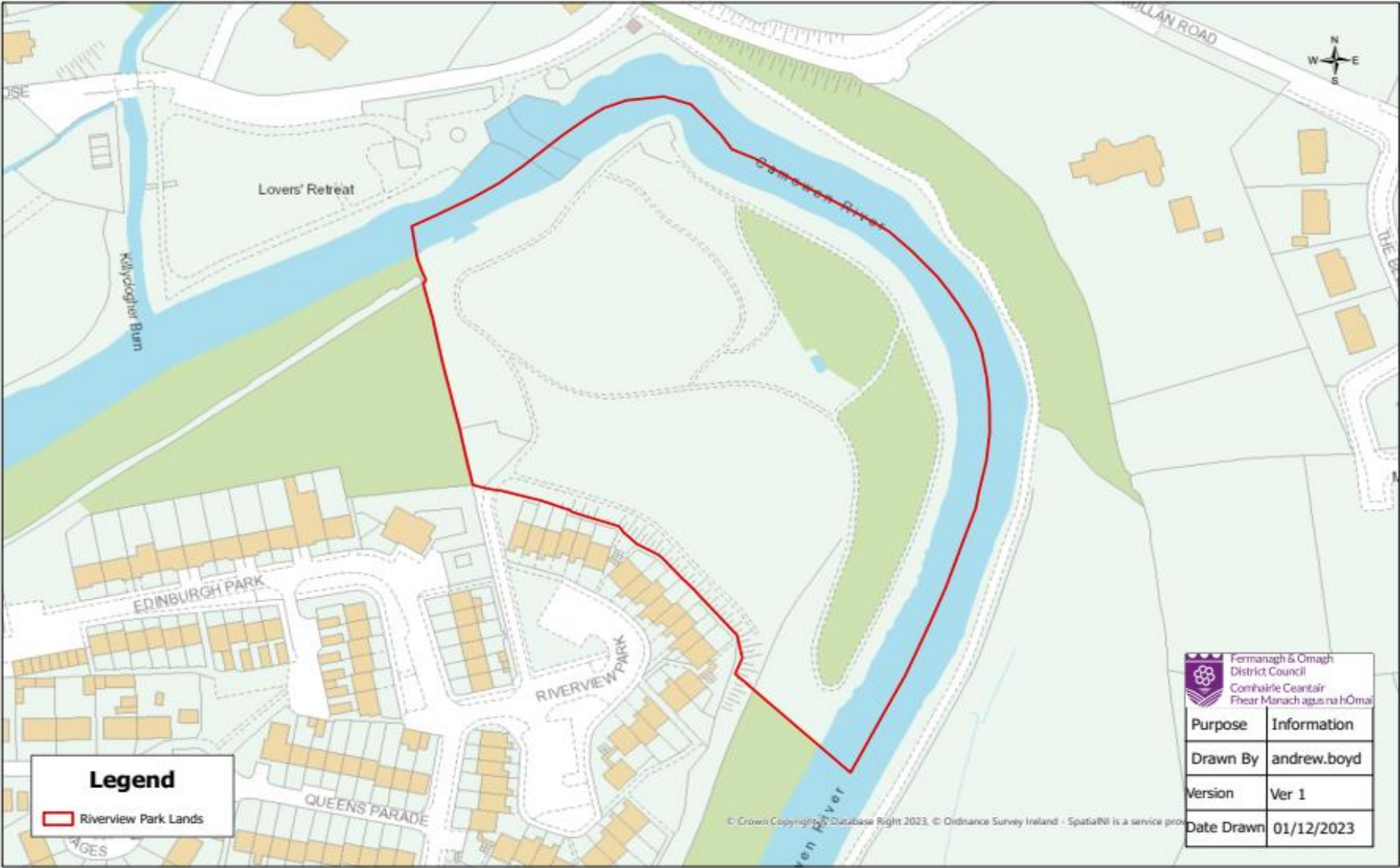


0 20 40 80 120 160 Meters

Center 247121E 372484N m
Scale 1:1,500

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Lands at Riverview Park



0 15 30 60 90 120 Meters

Center 246985E 372829N m
Scale 1:1,250

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