



Newquay Town Council, Municipal Offices, Marcus Hill, Newquay TR7 1AF
Tel: (01637) 878388 Email: townclerk@newquaycouncil.co.uk Web: www.newquaycouncil.co.uk

Footpath Maintenance Contract: Tender Specification 2016 – 2017

1. Term of the Contract

The Footpath Maintenance Contract (FMC) is for a period of one year commencing on 02 May 2016 – 01 May 2017.

2. Location of work within the Parish

The enclosed maps show the Public Right of Way network within the Parish. Those paths with 'Gold Priority' (as indicated on the map) receive greater priority of maintenance. The Footpaths Schedule also includes a number of grassy open spaces which are included within the work.

3. Description of the work

The work consists of strimming / brush cutting / mowing vegetation from those paths specified in section 2 above. There are also specific grassy open spaces within this contract which must also require strimming. Notice should be taken of Footpaths which also include the cutting of vegetation around stiles and gates. Generally trimmings may be left on site but where large amounts of vegetation result from works, chipping and/or discarded vegetation will need to be removed from site if necessary where on-site disposal is not possible. The costs and arrangements for such circumstances must be agreed prior to works starting. The Town Council may become landowners of other open spaces in the Parish whilst the contract is live and therefore may seek quotes from the contractors as well as any other local firms for those areas not currently covered under this agreement.

It is vital that any path worked on is left open and easy to use after trimming is carried out and must not be left obstructed.

Paths should be maintained consistent with their level of use and legal status (e.g. footpath or bridleway). As a guide:

- *footpaths should be cleared to a width of 1.5m (where possible) and to a height of 2m;*
- *Bridleways should be cleared to a width of 2.5m and a height of 3.5m where the path corridor allows.*

In some instances the path will be wider than this. Parish and Town Councils will be able to advise where this is the case.

4. Timing of work

As a general rule, a path needing one trim per year should be cut in June. Those requiring two trims should be cut in April and August. Any large scale clearance work which involves heavy cutting of woody material should be undertaken during the winter months to avoid disturbance to nesting birds. Grassy open spaces must be cut not less than seven times periodically throughout the year.

5. Public Liability and Training Certificates

The contractor must have:

- *a minimum of £5 million public liability cover.*
- *valid training certificates for the use of powered tools e.g. brush cutter and chainsaw where they are to be used in connection with the path maintenance.*

These documents must be presented to the Town Clerk to view and for copies to be taken by the Town Clerk before a contract is awarded.

6. Remuneration/Payment

Newquay Town Council will authorise payment within 28 days upon the receipt of invoices following the completion of work. Paths may be inspected by Newquay Town Council before making payment to ensure that the work has been carried out to a satisfactory standard. Officers of Cornwall Council may also randomly check paths at any time to ensure that the work is satisfactory.

7. Defects Liability Period

The work may be inspected after completion and the contractor will be required to make good at their own expense any defects which may have arisen within 4 weeks due to poor materials or workmanship, or immediately where a Health and Safety risk is evident or to ensure land management can take place.

8. Site Visit

Before tendering the contractor should examine the requirements of this contract through looking at the maps and visit the sites. The contractor must be aware the Town Council may ask for future open spaces to be looked after during the length of this contract. The Town Council would expect the contractor to carry out site visits of these areas within a reasonable timeframe to ensure they are fully aware of any workloads.

9. Works Estimate

The contractor shall give a quote based on the information contained within this contract and the information provided by Newquay Town Council. This should be on a price per km basis to allow future additions to the work programme to be costed. Any increase of the price quoted must be agreed in writing with Newquay Town Council in advance of the work being carried out. Newquay Town Council may, without invalidating the contract, order an addition or omission from the works. Any additional costs will be based on a priced specification which you should submit with your tender application.

10. Quote to be Inclusive

The contractor is to include in their price, all costs in connection with labour, Health and Safety requirements, plant, materials, tool maintenance, fuel and transport and all other things necessary for the work to be undertaken.

11. Agreement of work Programme

Before starting work the contractor will provide a programme of work to Newquay Town Council's satisfaction. Should the Town Council require any additional work to be added, an amended works programme can be negotiated between the Town Council and the contractor.

12. Responsible Person

The contractor shall keep on site at all reasonable times when undertaking work on site as a working foreman or other responsible person to whom Newquay Town Council can give instructions and who can co-ordinate the work of other operatives and sub-contractors. This will include providing a mobile phone number.

13. Safety and Environmental Protection Issues

Before starting work the contractor will:

- *Provide and agree method statements illustrating how they will go about the work (e.g. erecting safety signs, disposal of trimmings, tools to be used).*
- *Agree how they will comply with Health & Safety Regulations, COSHH requirements (e.g. use of petrol, herbicides etc.).*
- *Provide public liability insurance documents.*
- *Provide certificates of competency (such as chainsaw certificates, operators licenses for machinery and, if applicable, application of herbicides).*

Before starting work Newquay Town Council will:

- *Provide information concerning any other matter to be brought to the contractor's attention (e.g. archaeological or wildlife issues).*

14. Site Access

Newquay Town Council will provide the contractor information concerning access to the sites and landowner details where possible.

The contractor will arrange access with the landowners where necessary, e.g. if taking large machinery along a public footpath or bridleway, or when accessing the path across private land.

15. Exceptions to clearance of vegetation

Japanese knotweed - Knotweed must be left alone. The contractor must NOT CUT IT OR PULL IT UP as this could cause it to spread. Please tie it back if you can.

The contractor would need to report the location of any knotweed (or any other invasive non-native plants) seen to be growing on or immediately adjacent to a path to Newquay Town Council. The client should then inform the Invasive Species team at Cornwall

Council of its location by filling in the relevant details on www.cornwall.gov.uk or Tel: 0300 1234 202.

16. Submission of Contractor Work Schedule with Invoice

The contractor shall agree to fill in the contractor work schedule and submit a copy with each invoice.

17. Termination of agreement

Newquay Town Council reserves the right to terminate any agreement if the work is not carried out and there is no reasonable explanation for not doing so.

18. How to apply

To submit an application to undertake this contract you must provide a written letter to the Town Clerk outlining how you will meet all of the above criteria (where appropriate). You must also supply a schedule of charges as per the relevant criteria above as well as an annual charge overall to complete the maintenance of the Footpaths/open spaces identified in the separate maps and accompanying schedule.

Completed tender submissions must be received into the office by **Noon** on **Monday 11 April 2016** for it to be considered. They can be emailed to office@newquaycouncil.co.uk or by post in a sealed envelope labeled "**Confidential – Tender Footpaths 1**" to the following address:

Mr A Curtis (Town Clerk)
Newquay Town Council
Municipal Offices
Marcus Hill
Newquay
TR7 1AF