

## **SECTION 3 - INFORMATION AND INSTRUCTIONS FOR SUBMITTING A TENDER**

### **Tenders should be submitted in accordance with the following instructions.**

#### **1. Invitation to Tender**

The Authority is seeking tenders from suitably experienced and equipped contractors to undertake the Works.

#### **2. Basis of Tenders**

Tenders are being invited on an open award procedure.

#### **3. Scope**

Tenders are being invited on the basis of undertaking the whole of the Works. However, the Authority reserves the right to split the award of the Works into packages.

#### **4. Contract Period**

Tenders are invited for period of a single task.

#### **5. Tenderers to visit**

Tenderers are invited to visit the Site(s) to ascertain all relevant conditions and means of access and to thoroughly acquaint themselves with the extent and nature of the proposed Works and will be deemed to have done so before submitting a Tender.

#### **6. Presentation to the Authority**

All selected Tenderers may be asked to make a presentation to Officers of the Authority on methods proposed for the performance of the Works.

#### **7. Tender queries**

Tenderers are advised to study the Tender Documentation and all other documentation provided by the Authority. These documents should be read and their true intent and meaning ascertained before submitting a Tender.

1.1. Any queries concerning the information contained in this specification should be sent to: [matt.freestone@peakdistrict.gov.uk](mailto:matt.freestone@peakdistrict.gov.uk).

1.2. Tender queries should be submitted no later than Thursday 10<sup>th</sup> January 2019

1.3. There should be no other contact with the Authority on this matter. Any direct contact shall result in your exclusion from this ITT. Following submission of the Tender return, an opportunity may be given for suppliers to make a presentation to the Authority.

1.4. Please be aware that your query, together with our response may, to ensure transparency and fairness, be circulated to all undertakings expressing an interest on an anonymised basis. If you consider that your query discloses commercially confidential information you must, with or upon your query, clearly indicate which information you consider is commercially confidential and why. The Authority will then exclude this information from any circulation. Blanket statements indicating commercial confidentiality will be ignored.

#### **8. Errors in completed tenders**

Where examination of a Tender reveals arithmetical errors the Contractor will be afforded the opportunity of confirming the revised totals (in writing) or withdrawing its Tender within 7 days.

#### **9. Sufficiency of Tender**

The Contractor shall be deemed to have undertaken all inspections, examinations and all other enquiries reasonable or necessary in connection with the terms and subject matter of the Tender and to have satisfied itself before submitting its Tender as to the correctness and sufficiency of its rates and prices. The Tenderer acknowledges and confirms that it has the requisite expertise, experience and equipment to perform its obligations under the Contract. The Authority will not accept and shall not be liable for any claims that are based upon a Contractor's failure to obtain or have due regard for any information necessary to prepare a fully compliant and complete tender.

## 10. Period of Validity

Tenderers are required to keep their tenders valid for acceptance for a period of 6 months from the Tender Return Date.

## 11. Tendering procedure

11.1. Tenders must be submitted electronically:

11.1.1. It is the Tenderer's responsibility to ensure that its Tender complies with the submission requirements and is received by the Authority by the date and time set out. The Authority accepts no responsibility for any problems arising from the Authority's or the Tenderer's IT software, infrastructure, input or internet connectivity, the security of or access to the internet, the capability or capacity of the Authority's or the Tenderer's email systems or Tenderer's failure to check their email system for correspondence received from the Authority about this Tender. Tenderers must note that the current maximum size of any email receivable by the Authority is 10mb. It is the responsibility of the Tenderer to ensure that its Tender is received by the Authority. Tenderers are strongly advised not to submit their Tender immediately before the tender return deadline.

11.2. The time and date displayed by the server clock within the Authority's system shall be the standard upon which compliance with tender submission deadlines shall be determined.

11.3. The Tender shall be made on the Form of Tender. It must be fully completed and signed on behalf of the Tenderer, submitted to us in pdf format and accompanied by:

11.3.1. Tender Questionnaire fully completed and signed on behalf of the Tenderer submitted to us in pdf format and accompanied by any documents referred to therein

11.3.2. Non-collusive tendering certificate signed on behalf of the Tenderer and submitted to us in pdf format;

11.3.3. **Completed (i.e. priced) Specification pages 7 - 13**

11.3.4. Details of any part of the Works to be sub-contracted;

11.3.5. Copies of all insurance certificates requested, for the Contractor and any sub-contractors;

11.3.6. Details of suppliers (if applicable);

11.3.6. Any other information requested in the ITT.

11.4. Tenderers should carefully read the instructions set out in this section.

**Tenders must be submitted by e mail to [Tenders@peakdistrict.gov.uk](mailto:Tenders@peakdistrict.gov.uk)**

**By 12 noon on Thursday 7<sup>th</sup> February 2019**

**The following, and only the following, must be used in the subject line:**

**REF: TENDER RETURN 4771\_C10/LA/2018**

**All attachments must be in pdf form**

**No information must be included in the covering e mail apart from the identity of the sender and a list of attachments**

**11.5. THE DEADLINE FOR RECEIPT OF TENDERS IS 12 NOON ON THE TENDER RETURN DATE.**

- 11.6. Proof of posting will not be accepted as proof of delivery if the tender fails to arrive at the stipulated address before the specified time.
- 11.7. No tender received after the specified time on the Tender Return Date shall be considered. Any such tender shall be returned promptly to the Tenderer by the Chief Financial Officer who may open the tender only to ascertain the name and address of the Tenderer.
- 11.8. The Authority does not undertake to accept the lowest or any tender/ rates.

**12. Tender evaluation**

- 12.1. The Authority will be conducting a full financial and technical evaluation of all tenders.
- 12.2. Tenders will be evaluated in accordance with the Authority's Environmental Purchasing Policy (if applicable).
- 12.3. In the evaluation of tenders the following may also apply:
- 12.3.1. Method statements, risk analysis and resources analysis;
- 12.3.2. Written technical and financial references(including the Tenderer's financial accounts for such period as shall be notified) may be requested and considered as part of the evaluation procedure;
- 12.3.3. As part of the evaluation of the Tenderer's technical and professional ability and previous experience of contracts delivered for the Authority or other public bodies the Authority is entitled to take into account any failure to discharge obligations under previous relevant contracts undertaken by the Tenderer (or any proposed sub-contractor) in assessing whether the required minimum standards for the Works are likely to be met. The Authority may ask the Tenderer (or any sub-contractor) for evidence (in the form of statements from previous clients or otherwise) evidencing performance on previous comparable contracts or consider evidence of performance on previous comparable contracts for the Authority;
- 12.3.4. Price;
- 12.3.5. All other matters and information which the Authority in its absolute discretion deems applicable or relevant.
- 12.4. The Authority may also seek clarification in respect of the Method Statement and resources analysis in various ways including but not limited to:
- 12.4.1. Site visits;

12.4.2. Interviews with the Contractor's key personnel who would be assigned to the Contract and appropriate senior managers.

### **13. Basis of Tender**

- 13.1. The Tender shall show the Tendered sum for the actual Works and the VAT separately.
- 13.2. The Tender must include value of all of the Works and materials supplied by the Tenderer as part of the Works (if requested) and must cover all costs and expenses which may be incurred in order to complete the Works in accordance with the Tender Documentation and to assume all express and implied risks, liabilities and obligations imposed by the Conditions, the Specification and all other documents forming part of the Tender Documentation.
- 13.3. The value of the Contract, based on the tendered rates for Works, will be agreed in writing prior to Works Commencement Date.
- 13.4. The Tenderer shall be deemed to have satisfied itself before submitting its Tender as to the correctness and sufficiency of its rates and prices.

### **14. Sub-contracting**

- 14.1. When submitting its Tender, the Tenderer must notify the Authority of any parts of the Works that it proposes to sub-contract. Failure to do so may invalidate any such Tender.
- 14.2. The Authority requires that a full résumé of the sub-contractors experience be submitted by the Tenderer.

### **15. Award of Contract**

- 15.1. The Authority anticipates (but does not guarantee) to award a Contract within 6 months of accepting a tender by Authority purchase order. No reliance should be placed by a Tenderer on this timescale.
- 15.2. The successful Contractor will be required to promptly execute and return to the Authority the Contract incorporating the Conditions and Tender Documentation (and any variations as set out in the Contract) and until such execution the successful Tenderer together with the Authority's written acceptance shall constitute the Contract.

### **16. Obligations**

Parties proposing to submit a tender are advised to ensure that they are familiar with the nature and extent of their obligations if their Tender is accepted.

### **17. Accuracy**

Information supplied to Tenderers by the Authority (whether in these documents or otherwise) is supplied for general guidance in the preparation of tenders. Tenderers must satisfy themselves by their own investigations with regard to accuracy of any such information and no responsibility is accepted by the Authority for any inaccurate information obtained by Tenderers.

### **18. Confidentiality**

All information supplied by the Authority in connection with this Invitation to Tender shall be regarded as confidential by the Tenderer except that such information may be disclosed for the purpose of obtaining sureties and quotes necessary for the preparation of the Tender.

### **19. Canvassing**

Tenderers face automatic disqualification if they canvass for the Contract by approaching any Member or Officer of the Authority with a view to gaining more

favourable consideration of their tender. Tenderers should state whether Members or Officers of the Authority have any direct or indirect interests in their organisation.

## 20. Late tenders

Tenders received after the closing time and date stated above will not be considered **under any circumstances.**

## 21. Evaluation Criteria

The successful Tenderer will be selected based on an evaluation using the criteria set out below which align to the required headings for the proposal as set out above:

1. Price (60% of the total score value);
  - The Tenderers score for price is out a maximum score out of 60
2. Quality criteria (40% of the total score value):
  - Experience and Capability to undertake the works
  - Proposed methodology

Criteria	Weighting	Evaluation Criteria
Price	60%	60 x (Lowest Tender Price)/(Tenderer X's Price)
Experience and Capability to undertake the works	20%	4 x score (see table below)
Proposed methodology	20%	4 x score (see table below)

Responses to the Quality Question which reflect the Quality criteria above and are included in the Form of Tender will each be marked against the following scoring methodology:

0	The Tenderer has given no response and/or if the response is not acceptable and/or does not cover the relevant criteria.
1	There are major weaknesses or gaps in the information provided. The Tenderer displays poor understanding and there are major doubts about fitness for purpose.
2	The response will in parts be incomplete or vague with little or no detail given of how the Tenderer will meet the criteria. Information provided is considered weak or inappropriate and is unclear on how this relates to our requirements or the outputs/outcomes of the project. Some concerns about understanding of the steps involved to deliver the aspects of the question posed, and/or the Tenderer's experience and capability.
3	The response has provided suitable evidence to address the majority of our requirements but will lack some clarity or detail in how the proposed solutions will be achieved. Evidence provided, while giving generic or general statements, is not specifically directed toward the requirements or the outcomes/outputs of this project. The response demonstrates an acceptable approach and clearly demonstrates how the criteria is satisfied, giving a reasonable level of confidence in the Tenderer's experience and capability.
4	The proposal has addressed, in some detail, all or the majority of our requirements. Evidence will have been provided to demonstrate conformance with the criteria in some detail. It is clear how the response relates directly to the aims of the project and is specific, rather than general, in how the desired outcomes and outputs will be achieved. The response demonstrates a good level of confidence in the Tenderer's experience and capability.
5	As well as addressing all our requirements the Tenderer demonstrates a deep understanding of the project and / or may present innovative ideas (where appropriate). Responses link directly to relevant project requirements, outcomes and outputs (as the case may be). A high level of confidence will be conveyed in the tenderers ability to deliver the desired outcomes and outputs. The response demonstrates little or no risk and fully captures the understanding of the steps involved to deliver the aspects of the project, giving a very high level of confidence in the Tenderer's experience and capability.

Tenderers scores for Quality and Price will then be added together to produce an overall score and the Tenderer with the highest overall score will be awarded the contract.

Rejected or eliminated tenders will not be scored.

**Signed**.....