

Procurement Document

(Open Tender Procedure)

Tender for

PSDS Solar PV Extension

Reference DN583594

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Introduction

Purpose

The purpose of this document is to provide instructions on the response to the Invitation to Tender ("ITT"), known as "Tender"

The Tender enables Dorset Council to receive sufficient information from Organisations ("Tenderers") interested in supplying the required Goods, Services or Works and to allow: a) both the assessment of their capacity and suitability, and b) enable the Council to evaluate the Tenders submitted to find the most suitable Tenderer who can meet the Specification and provide competitiveness of price.

The Tender has been issued by Dorset Council in connection with a competitive procurement in accordance with the Open Procedure under the Public Contract Regulations 2015 ("the Regulations").

Title of Tender Opportunity: PSDS Solar PV Extension

Project Scope:

Summary

The project is to install solar PV arrays of various sizes (25-250 kW_p) on up to 66 Dorset Council buildings, totalling up to 3,870 kW_p, during **Q1 2022**. Each site will be treated as a separate contract.

Background

Dorset Council (DC) has acquired funding from the Public Sector Decarbonisation Scheme (PSDS) to reduce the greenhouse gas emissions from its buildings. This funding is being spent on a large programme of works across over 150 buildings, and includes work on heating controls, lighting, efficiency measures, heat pumps and solar PV. Due to the nature of the PSDS, all work needs to be completed by **31st March 2022**, and the overall project needs to hit a certain value for money.

Increases in commodity prices since the feasibility study, which led to the successful bid for the PSDS money, have meant that some elements of the original programme have had to be dropped, freeing up some money for potential solar PV arrays on other Council buildings. This procurement exercise is for this sub-programme; solar PV arrays on up to 66 buildings. The attention of any potential tenderers is drawn to the timescales associated with this procurement; **work needs to be completed by 31st March 2022**. There is no flexibility over this date.

The Council cannot commit to commissioning PV installation work on all of the sites listed in this tender. Work elsewhere in the programme (not completed at time of tender) is likely to have a knock-on effect on the qualifying value for money and overall budget for this PV element of the programme. This may mean that some of the installations do not go ahead. Each site will be considered a separate contract therefore Tenderers are required to price accordingly as price per individual site.

Sites

Tenderers should refer to the accompanying spreadsheet (Schedule1 - SiteList.xlsx) for the list of sites for which the Council is seeking tender prices. If there is any doubt as to which building is being referred to, the Dorset Explorer website (<https://explorer.geowessex.com/>) can be used, with the "Dorset Council Property and Land" layer enabled. To enable this layer, click the third icon down of the icons on the right of the screen (the one with two filled-in squares above an empty square), then on the 'picker' tab of the dialogue box which appears, scroll down to "Dorset Council Property and Land", click on it, and then click on "Asset Register" and "Asset Register (points with labels)". This will allow identification of the building in question.

On three of the sites, the sections of roofs which can be used are limited. Please refer to the images to the right of the address information in the Site List document.

Tenderers may submit a tender price for all, some, or just one of the sites. Contracts will be issued on a site-by-site basis, and not all sites will necessarily go ahead. Each site will be considered a separate contract, so please price accordingly. Again, your attention is drawn to the deadline of the **31st of March 2022**. No tenderer will be awarded any more than 25 sites – please refer to the Price Schedule for more information. Bidders are asked to provide a programme of works showing lead times and works on site; this will be of particular importance to anyone bidding for work across multiple sites.

Scope

A good number of the sites are potentially above the 50-kW_p limit for Permitted Development and so will need Prior Notification applications (which the Council will perform). Timescales for installation are tight, and Prior Notification may not have come through by the time that contracts are awarded. For each of the sites, the Council is seeking one of three types of array. The type is noted in Column C of the Price Schedule which provides instructions to Tenderers to follow. The types are:

1) Largest Possible

Here, the Council is seeking a price for the largest array that the building can take. These are sites which the Council believes the largest-possible array is less than 50 kW_p. Tenderers are required, if design potentially exceeds 50 kW_p, to limit it to 50 kW_p.

2) Limit to 50 kW

These are sites which the Council believes may be able to accommodate more than 50kW_p, but the Council is not seeking tenders in any capacity above 50kW_p. Tenderers are requested to limit tenders to a 50kW_p array.

3) 50kW and larger

On these sites, Tenderers are required submit two price options; one for a 50-kW_p array, and one for the largest array Tenderers think is sensibly possible

Tenderers should note that self-consumption is not a factor here; the programme is aimed at maximising emissions reductions, and thus 'sensible' means structurally and spatially sensible, not financially sensible.

Tenderers are required provide to complete prices on the accompanying Price Schedule (Schedule 2 - Price Schedule.xlsx).

There are many sites on this list and there will likely be many Tenderers submitting tenders for the work. The Council has therefore decided to request that Tenders are completed **without** site visits.

Specification

Please refer to Schedule 3 - Specification

Notes for Completion

1. Glossary

- 1.1. **Contracting Bodies** or **Contracting Body** or **End User** means any other contracting bodies described in the Find a Tender notice;
- 1.2. **Contractor** means the person, firm or company appointed by the Council or Contracting Body to supply the Goods, Services or Works under a Contract or Framework Agreement or any Call-Off Contract or Order and shall include the Contractor's employees, personal representatives, successors and permitted assigns;
- 1.3. **Council** means Dorset Council;
- 1.4. **Contract** means the written agreement between the Council or Contracting Body consisting of the clauses within the terms and conditions of contract and the Order;
- 1.5. **e-tender system** means the electronic tender system named Pro-Contract. It is provided by Proactis and is hosted via <http://www.supplyingthesouthwest.org.uk>
- 1.6. **Invitation to Tender** means the Tender process and all its components, inviting tenders for inclusion within a Contracts;
- 1.7. **Offer** means the offer made by the Tenderer in relation to a Proposed Contracts;
- 1.8. **Specification** means the scope of the Goods, Services or Works to be provided pursuant to a Contracts;
- 1.9. **Tenderer or Tenderers** means a Contractor submitting a tender to the Council for inclusion on a Contracts;

2. E-Tender System

- 2.1. Assistance in relation to the e-tender system is available to Tenderers via the Supplier Help Icon within the system.
- 2.2. Supplier Guidance documents are also available to view and download.

3. To View this Opportunity

- 3.1. To view the Tender (ITT) Information in detail click on the opportunity title within 'My activities' section. Click start, you can now view all the documents relevant to that opportunity.

4. Register Intent

- 4.1. Tenderers are able to click on "Register Intent" which will inform the Council of your intention to respond to this opportunity.
- 4.2. If a Tenderer does not wish to or is unable to submit a Tender and not interested in proceeding, then they are required to click on 'No longer wish to respond' to decline the opportunity.

5. Response Wizard

- 5.1. After registering intent, Tenderers may then proceed to respond to the on-line questions.

- 5.2. To start the response Tenderers are required to click 'Start My Response'.

6. Confidentiality

- 6.1. This Tender process, including all documentation, must be treated as private and confidential. Tenderers must not disclose the fact that they have been invited to complete a Tender or release its details other than on an 'In Confidence' basis to those whom they need to consult for the purpose of preparing the Tender response, such as professional advisors or partner organisations for joint applications or consortia partners.
- 6.2. The Tender shall not be canvassed for acceptance or discussed with the media, any other Organisation, member/officer of Dorset Council, or their representatives.

7. Preparation of Tender

- 7.1. If the Council issues an amendment to the original Tender process, and if it regards that amendment as significant, an extension of the closing date may, at the discretion, of the Council be given to all Tenderers.
- 7.2. Tenderers must obtain for themselves all information necessary for the preparation of their Tender response and all costs, expenses and liabilities incurred by the Tender in connection with the preparation and submission of the Tender shall be borne by the Tenderer, whether or not their bid is successful.
- 7.3. Information supplied to the Tenderer by Council staff or contained in Council publications is supplied only for general guidance in the preparation of the Tender.
- 7.4. Tenderers must satisfy themselves as to the accuracy of any such information and no responsibility is accepted by the Council for any loss or damage of whatever kind and howsoever caused arising from the use by Tenderers of such information.
- 7.5. Responses to each Tender question should be written concisely and clearly answering the question posed in English.

8. Communication

- 8.1. All contact during this procurement should be submitted in writing through the e-tender system.
- 8.2. Tenderers should seek to clarify any points of doubt or difficulty via the e-tender system no later than **30 December 2021**, to enable the Council to respond to all Tenderers. It is not acceptable for Tenderers to seek clarifications via telephone or e-mail outside of the e-tender system.
- 8.3. Where the Council considers any question or request for clarification to be of material significance it may communicate both the query and the response, in a suitably anonymous form, to all interested parties. Tenderers should therefore not include within the question placed their organisation's name and any potentially commercially sensitive information.

9. Price Schedule(s)

- 9.1. The Council requires Tenderers to complete and upload Price Schedule(s) where requested to do so within the e-tender system.

10. Other Documents or Supporting Evidence

- 10.1. As instructed to do so within the e-tender system, the Tenderer must complete and upload other documentation that may be provided with this Tender process, or upload evidence to support their Tender submission.

11. Submission of Tender

- 11.1. Tenderers are required to submit their Tender within the e-tender system **by 2.00pm 06 January 2022.**

- 11.2. Tenderers are advised to allow sufficient time to complete questions and upload documentation to the e-tender system, where requested to do so.
- 11.3. **It is the Tenderer's responsibility to ensure that the Tender is submitted within the e-tender system by the closing date and time.**
- 11.4. **Failure** to answer and complete the Tender within the e-tender system will result in the Council rejecting the Tender as a Fail / Non-compliant bid.
- 11.5. **Failure** to complete and upload any required documentation within the e-tender system will result in the Council rejecting the Tender as a Fail / Non-compliant bid.
- 11.6. **Late Tender Submissions:** Tenders received after the closing date will not be considered.
- 11.7. The Council is under no obligation to consider partial submissions.
- 11.8. The information supplied in response to the Tender will be checked for completeness and compliance before responses are evaluated. The Council expressly reserves the right to require a Tenderer to provide additional information supplementing or clarifying any of the information provided in response to the requests set out in the Tender. However, the Council is not obliged to make such requests.

12. Award Process

In this section "Regulation" or "Regulations" means The Public Contract Regulations 2015.

- 12.1. The Council anticipates making an award for the Contract/Contracts within 30 days of the closing date for the submission of tenders. The Council may, if necessary, at its discretion, extend the period for completing the award process.
 - 12.1.1. Tenderers should note that the Council reserves the right to terminate this tender procedure without any decision to award.
- 12.2. The decision to award will be on the basis of the criteria as specified in this Procurement Document and in accordance with the Regulations.
- 12.3. Once the Council has decided on the award of the Contract/Contracts all Tenderer(s) will receive an award decision notice in writing pursuant to Regulation 55.
- 12.4. The Council will apply a 10-day standstill period in accordance with Regulation 87.
- 12.5. The standstill period applies from the date the Council issues, by electronic means, to all Tenderer(s) the award decision notice which will set out:
 - 12.5.1. the criteria for the award of the contract;
 - 12.5.2. the reasons for the decision including the characteristics and relative advantages of the successful tender and the scores of the addressee's tender and the winning tender or tenders;
 - 12.5.3. a precise statement of when the standstill period is expected to end.
- 12.6. The purpose of the standstill period is to enable Tenderers to review and digest the decision, and if required to seek further debrief material. Such requests should be made via the e-tender system.
- 12.7. The Council has a duty to comply with the Regulations and the enforcement of an actionable breach of this duty shall be through High Court proceedings in accordance with Regulation 91. Chapter 6 – Regulations 88 to 104 further refers.
 - 12.7.1. If court proceedings are not commenced during the standstill period, the Council will enter into the contract at the end of the standstill period.
 - 12.7.2. If court proceedings are commenced during the standstill period, the contract-making shall automatically be suspended in accordance with Regulation 95.
 - 12.7.3. Legal communication in respect of a challenge to an award decision shall be addressed to the Head of Legal Services, Dorset Council, County Hall, Colliton Park, Dorchester, DT1 1XJ.

- 12.8. Upon acceptance of award, the Contract/Contracts shall be deemed entered into and become binding on the successful Tenderer and the Council. The Tenderer shall, upon request of the Council, execute the formal Contract/Contracts in the form contained in this Tender document.
- 12.8.1. Tenderers must not undertake work without written notification that they have been awarded the Contract/Contracts and are required to start work.
- 12.9. Tenderers should also note that, should they be successful, the Council reserves the right to terminate the Contract/Contracts, if at any time it is discovered that the Tenderer made any material misrepresentation and/or failed to notify the Council of any material changes in relation to the information provided in their Tender submission.

13. Whistleblowing Policy and Procedure

- 13.1. This policy describes the Council's commitment to supporting and protecting whistleblowers. It not only applies to council employees but also applies to supplies.
- 13.2. For details of the policy:
<https://moderngov.dorsetcouncil.gov.uk/ecCatDisplay.aspx?sch=doc&cat=13280>

Evaluation and Award

1 Evaluation

- 1.1 Evaluations will be undertaken by officers of the Council who will follow a systematic and comprehensive process in accordance with the Council's procedures.
- 1.2 Tenders will be evaluated to find the most suitable Tenderer who can meet the Specification and provide competitiveness of price.
- 1.3 Submitted Tender responses will be evaluated by officers of the Council using the award criteria and weightings.

2 Award Criteria and Weightings

- 2.1 Tenderer's completion of the On-Line Questions will give the award score in terms of Quality. Such questions shall include, but are not limited to, questions in relation to company policies, accreditations and memberships, and specific questions to technical abilities in terms of contract delivery / performance in relation to the goods and services being tendered.
- 2.2 Tenderer's completion of the Price Schedule will give the award score in terms of Price.

2.3 Table: Award Criteria and Weightings

AWARD CRITERIA & WEIGHTINGS	
Price	80%

Quality	18%
Social Value	2%
Evaluation Scoring	<p>The on-line questions within the e-tender system must be completed by Tenderers and where requested to do so, Tenderers must attach required documentation.</p> <p>Quality Scoring and Social Value Scoring Where responses to questions are to be scored, the following are applied by Evaluators against Tenderer's submitted responses: -</p> <p><i>5 - Excellent</i> Comprehensive and detailed response that provides high levels of confidence that the required service and delivery will be achieved. Demonstrates excellent understanding of the specification and contract requirements.</p> <p><i>3 - Good</i> Response addresses key issues and is adequately developed. Provides good levels of confidence that the required service and delivery will be achieved. Demonstrates good understanding of the specification and contract requirements.</p> <p><i>1 - Basic</i> Response addresses a limited range of issues and is basically developed. Provides only limited levels of confidence that the required service and delivery will be achieved. Demonstrates only a basic understanding of the specification and contract requirements.</p> <p><i>0 - Unacceptable</i> No response or response fails to address issues and is poorly developed. Provides little or no confidence that the required service and delivery will be achieved. Demonstrates little or no understanding of the specification and contract requirements.</p> <p>All the individual questions are mandatory therefore Tenderers are required to submit a response. Failure to complete the on-line questions will result in a Fail as Evaluators will not be able to evaluate fully the submitted Tender.</p> <p>Minimum Evaluation Score Where any evaluation question has a minimum score threshold for award, Tenderers must achieve the relevant minimum score threshold stated in respect of each and every one of the relevant questions. This would be evaluation panel's average score as the result of the evaluation process. The Council shall reject Tenders that do not meet one or more of the minimum score thresholds.</p>

	<p>Pass / Fail: Where sections or questions have the criteria as a Pass or Fail, it will be clearly stated as such. Section or questions scored as a Fail will result in the Tender being disqualified.</p> <p>Price Evaluations: The scoring is carried out within an Excel spreadsheet outside of the e-tender system.</p> <p>The equations used outside of the system to reach the score between 0 – 5 are as follows: (for purposes of explanation, the outcome of each calculation is show below as sum A, sum B, etc.</p> <p><u>Stage 1</u> All price bids are compared against lowest bid to reach percentage difference from lowest bid. <i>Equation: $\text{price bid} - \text{lowest bid} / \text{lowest bid} * 100 = \text{Sum A}$</i></p> <p><u>Stage 2</u> Sum A is then shown as % different from 100 <i>Equation: $100 - \text{Sum A} = \text{Sum B}$</i></p> <p><u>Stage 3</u> Sum B is then divided by 100 to show it as a figure <i>Equation: $\text{Sum B} / 100 = \text{Sum C}$</i></p> <p><u>Stage 4</u> Sum C is then multiplied by the maximum score of 5 to reach the final score <i>Equation: $\text{Sum C} * 5$</i></p> <p>The final score is then entered into the Score Card and will be within 2 x decimal places, e.g., 3.50. No minus scores can be entered into the Score Card therefore any minus scores will be entered as 0.</p>
Evaluation Weightings	<p>Within a Score Card all weightings are allowed a maximum of 100 and based on percentages. This applies to a single weighting of an overall question template, section or question.</p> <p><i>For example:</i> Score Card with four sections Four sections totalling 25 points each = 100 for the whole evaluation Each question in a section totalling 20 points each = 100 for that section</p> <p>An evaluation has a maximum score of 5. The evaluation is based on the average score to reach the % out of 100. Examples: An average score of 5 would attain 100%; an average score of 1 would attain 20%.</p>

	When evaluating weightings are applied first to the questions, and then the results of those weightings are applied to those of the sections. If scored 100% for the questions in a section, that result would be multiplied against the section's weight. So, 100% of a section with a weight of 100 would be 100% of the evaluation – however, 100% of a section with a weight of 10 would only account for 10% of the evaluation in relative terms.
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3 Financial Evaluation

- 3.1 The extent of the Financial Evaluation will depend on the value and strategic importance of the contract, whether a Public Contract or individual Call-Off Contracts from a Framework Agreement. The objectives of undertaking Tenderer's financial assessment as part of a procurement exercise are to:
- Assess the risk to public sector business and/or public money which would result if a Tenderer bidding for a contract were to go out of business, or have inadequate financial resources to perform the contract; and
 - When justified, eliminate from the procurement any Tenderer whose current financial capacity would pose an unacceptable risk to business and/or public money.
- 3.2 Financial evaluation will be a combination of both financial and non-financial factors and will consider:
- Applicant Acceptability - status of a Tenderer in relation to the requirements of Regulation 57 and 58 of the Public Contracts Regulations 2015.
- 3.3 Economic and Financial Standing
- 3.4 A Tender will be deemed to be a higher risk if the Tenderer appears to be an unrealistic candidate where the contract value represents a disproportionate volume of the Tenderer's business taking into account the nature, timescales, value and risk of the contract.
- 3.5 The review of the financial health of a Tenderer may include, but not be limited to, the following checks:
- General review of Financial Statements.
 - Review of ratios as appropriate, such as the areas of Financial Structure (such as liquidity and gearing), Operating Performance (such as efficiency, profitability, and working capital), and Investment.
 - A credit rating check.
 - Review for unusual accounting policies
 - Review for major business restructuring.
 - Review of Audit Opinion.
- 3.6 It is emphasised that financial standing is only a part of the overall selection criteria.

4 Procurement Timetable

- 4.1 The indicative timetable for this procurement is set out below. This is intended as a guide and, whilst the Council does not intend to depart from the timetable, it reserves the right to do so at any time.

Table: Procurement Timetable

Date or Target Date	Activity
29/11/21	Tender opportunity published
30/12/21	Deadline for tender clarifications
06/01/22	Tender Submission Deadline (2.00pm)
07/01/22	Evaluation Complete
10/01/22	Notification, stand-still period begins
20/01/22	Stand-still period ends
21/01/22	Contracts awarded
31/03/22	Work complete

Documentation

Within this Tender process Tenderers have been provided with the following documentation. Where indicated by ✓ these are required to be completed and uploaded within the e-tender system.

LOCATION OF DOCUMENT	DOCUMENT TITLE	COMPLETE AND UPLOAD
Advert	Procurement Document – Open Tender Procedure (this document)	x
Advert	Schedule 1 – Site List	x
Advert	Schedule 2 – Price Schedule	✓
Advert	Schedule 3 - Specification	x
Advert	Dorset Council Standard Purchase Order Terms & Conditions	x

Disclaimer

This information in this document does not purport to be comprehensive. It has not been independently verified. It is not intended to provide the basis of any investment decision and should not be considered as recommendation by Dorset Council as an invitation to negotiate.

The Council does not accept any qualifications or additions to invitations to tender except those raised and responded to in the clarification stage or where a response to a question is requested. The Council will not accept any amendments or alterations to the terms and conditions raised during or after the tender submission. Any errors in this procurement document shall not invalidate the Tender procedure or release any Tenderer from any obligation under a Contract. Errors or omissions corrected by the Council that affect the contract shall be made by agreement.

The Council reserves the right to change the Tender procedure without prior notice and to terminate discussions and the delivery of information at any time before the signing of any contract.