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| Request For Quotation |
| Grip cutting services |
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**Swindon Borough Council**

**Request for Quotation (RFQ)**

*For the supply of Goods*

This Request for Quotation (“RFQ”) has been issued by the Authority in connection with a competitive procurement conducted under the Public Contracts Regulations 2015 (“the Regulations”).

**INSTRUCTIONS TO CONTRACTORS**

1. Contractors must complete all the areas shaded in yellow to ensure their bid is presented in a compliant format.
2. Contractors must achieve a “pass” for all sections where a Pass/Fail Question is available to be considered further.
3. Please adhere to any maximum word count requirements in your response, failure to do so will mean all text submitted over the maximum will be disregarded in the evaluation process.
4. Please ensure that you complete the questionnaire fully, as requested. Failure to do so may result in your application being disqualified. If the question does not apply to you please write N/A; if you don’t know the answer please write N/K.
5. Please ensure an emailed copy of the fully completed and signed document is returned with the Form of Quotation, Certificate of Bona Fide Quotation, Freedom of Information Act exemption and any other documents referred to in this request for quotation form to the address specified in section 1.
6. The Contractor should seek to clarify any points of doubt or difficulty before submitting a quotation, for this purpose contact can be made, in writing, to the named authorised officer only as detailed in section 1.6 below.
7. Clarifications should be sought in accordance with the timescales detailed in 1.9 below, all clarification response statements will be made available to all Contractors.
8. Swindon Borough Council shall incur no obligation or liability whatsoever to anyone by issuing the request or action by any party relative hereto.
9. Any costs incurred by the quotationer in responding to this request or in support of activities associated with the response to this request are to be borne by the Contractor and are not reimbursed by Swindon Borough Council.
10. The higher the value and complexity of the procurement, the higher the level of verification is likely to be required. Supporting documents will only need to be provided if the supplier becomes the Preferred Bidder (for example certificates, statements with this questionnaire.)You may also be asked to clarify your answers or provide more details about certain issues.

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| **SECTION 1 – RFQ INFORMATION** | | |
| **CONTACT DETAILS** | | |
| 1.1 | RFQ Title | *Grip Cutting* |
| 1.2 | Department | *Highways* |
| 1.3 | Originator telephone number |  |
| 1.4 | RFQ clarifications email address | *ppage@swindon.gov.uk* |
| 1.5 | RFQ response address | *ppage@swindon.gov.uk* |
| 1.6 | Swindon Borough Council Authorised Officer | Paul Page |
| 1.7 | Estimated total value (£) | *£100,000 for 4 years* |
| **TIMESCALES & PAYMENT TERMS** | | |
| 1.8 | Date RFQ advertised | *4/09/2019* |
| 1.9 | Date/time RFQ **clarifications/questions** should be received by email to the Swindon Borough Council Authorised Officer as identified in 1.6 above | *Time: 12:00;00 noon*  *Date : 18/09/2019* |
| 1.10 | Date/time completed **RFQ response** to be received by **email** to the Swindon Borough Council Authorised Officer as identified in 1.6 above | *Time: 12:00:00*  *Date : 25/09/2019* |
| 1.11 | RFQ Validity Period (calendar days) | *90 days* |
| 1.12 | Estimated Contract Award Date | ***End of September 2019*** |
| 1.13 | Contract Duration | ***2 years + 2 x 1 year extensions*** |
| 1.14 | Payment  Terms | *Payment on production or work proof* |
| 1.15 | Payment  Days | *30 days from receipt of invoice* |

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| **SECTION 2 - SCOPE OF SERVICES** |
| **DESCRIPTION OF THE SERVICES** |
| *Grip cutting is performed for the Authority at times which cannot largely be dictated so a large degree of flexibility is required. This activity usually occurs between October and April although there may be requirements during the year*  *There are five main areas of Swindon where these services are required and the Authority is seeking a supplier who can perform the services, giving proof of undertaking the work as and when required. The locations of the work to be undertaken are provided in the list and maps provided with this RFQ.*  *Grip cutting allows excess water to drain away preventing flooding and these services are crucial to the occupants of the Borough for their safety.*  *It is expected that any supplier would have at least 5 years’ experience of providing these services and at least one reference should be provided*  ***Any supplier should have insurances to the minimum values of £5m for public liability , £5m for employee liability and £2m for professional indemnity – proof of this will be required***   * *A fixed annual fee for the period of each of the 4 years should be provided* |
| **CONTRACTOR RESPONSE (PASS/FAIL QUESTION)** |
| Please answer “Yes” to state you **comply** with the information provided in Section 2 Scope of Goods/services/consultancy above to be considered further.  Insurances  Fixed fee quoted  Reference |

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| **SECTION 3 – ORGANISATION DETAILS** | | | | | |
| 3.1 | Full Name of Organisation tendering (or of organisation acting as lead contact where a consortium bid is being submitted) | |  | | |
| 3.2 | Registered Office address | |  | | |
| 3.3 | Postcode | |  | | |
| 3.4 | Company or charity registration number | |  | | |
| 3.5 | VAT registration number | |  | | |
| **Parent Company Details (if applicable)** | | | | | |
| 3.6 | Name of immediate parent company | |  | | |
| 3.7 | Name of ultimate parent company | |  | | |
| 3.8 | Address of Parent Company | |  | | |
|  | | |
|  | | |
| 3.9 | Postcode | |  | | |
| 3.10 | Parent Company Registration Number | |  | | |
| 3.11 | Date of Incorporation, Formation of Partnership or Commencement of Holding Company | |  | | |
| **Type of Organisation (please select)** | | | | | |
| 3.12 | Please select the type of organisation that you are from the options below | | | | |
| i) a public limited company | | |  | | |
| ii) a limited company | | |  | | |
| iii) a limited liability partnership | | |  | | |
| iv) other partnership | | |  | | |
| v) sole trader | | |  | | |
| vi) other (please specify) | | |  | | |
| **Contact Details** | | | | | |
| 3.13 | Name |  | | | |
| 3.14 | Position |  | | | |
| 3.15 | Address (if different from main address) |  | | | |
|  | | | |
|  | | | |
| 3.16 | Postcode |  | | | |
| 3.17 | Country |  | | | |
| 3.18 | Telephone Number |  | | 3.19 Mobile |  |
| 3.20 | E-mail Address |  | | | |

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| **SECTION 4 – SUITABILITY ASSESSMENT QUESTIONS (PASS/FAIL)** | | |
| 4.1 | The Contractor confirms their latest annual turnover is over £25,000 (If your company is less than 12 months old please confirm your extracted accounts from your Parent Company meet the minimum Turnover threshold) If you are the preferred bidder following evaluation you will have to provide suitable financial supporting evidence. |  |
| 4.2 | The Contractor confirms that they have a positive Net worth |  |
| 4.3 | The Contractor confirms that none of their Directors or relatives has been or is presently a Member of the Authority or an employee of the Authority. |  |
| 4.4 | The Contractor confirms that no legal proceedings are in progress that might affect the performance of the contract obligations and that your organisation has not been prosecuted under EU law in the last three years |  |
| 4.5 | The Contractor confirms that they are willing to have the following levels of insurance cover if awarded the Contract: Employer Insurance £5,000,000, Public Liability £5,000,000, Professional Indemnity £2,000,000. If you are the preferred bidder following evaluation you will have to provide a copy of your insurance certificates. |  |
| 4.6 | The Contractor confirms their Organisation complies with UK Health and Safety legislation. If you are the preferred bidder following evaluation you will have to provide a copy of your Health and Safety Policy |  |
| 4.7 | The Contractor confirms if they have been prosecuted for Health and Safety offences in the last 3 years. If the Contractor answers ‘Yes’, they must confirm they have implemented procedures to rectify the issues identified. If you are the preferred bidder following evaluation you will have to provide a copy of the evidence |  |
| 4.8 | The Contractor confirms their Organisation and any of their subcontractors comply with the Equality Act 2010 and work within any requirements of Swindon Borough Council’s Equality duties |  |
| 4.9 | The Contractor confirms that none of their Directors or Organisation been prosecuted under the Bribery Act 2010 |  |
| 4.10 | The Contractor confirms that if they are the preferred bidder following evaluation they may have to provide a copy of 1 relevant references if Requested by the Authority. |  |
| 4.11 | The Contractor confirms that if using subcontractors they will abide by the Payment Terms of the Contract |  |
| ***If selected as the preferred Bidder, the Contractor must be able to provide all evidence relating to this criteria within 5 working days of being notified to this effect.*** | | |

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| **SECTION 5 – FINANCIAL INFORMATION** | | |
| Please indicate which **one** of the following you would be willing to provide:  **(please indicate which one by ticking the relevant box)** | | |
| **5.1** | A copy of your audited accounts for the most recent two years |  |
| A statement of your turnover, profit & loss account and cash flow for the most recent year of trading |  |
| A statement of your cash flow forecast for the current year and a bank letter outlining the current cash and credit position |  |
| Alternative means of demonstrating financial status if trading for less than a year |  |

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| **SECTION 6 – PREVIOUS EXPERIENCE** | |
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| The Contractor shall include details of previous experience of at least one direct contract relevant to this particular activity, which is still running or has been completed within the last three years. The Contractor shall include the following information:   * Company Name worked for * Description of the work carried out * Approximate annual contract value (£) * Contract start and end date | |
| **CONTRACTOR RESPONSE** | Example One |
| Company Name |  |
| Address |  |
| Contact Name |  |
| Telephone No. |  |
| Email |  |
| Description of the work carried out  (word count 200 words) |  |
| Approximate annual contract value (£) |  |
| Contract start and end date |  |

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| **SECTION 7 - QUALITY** | |
| This section includes any questions relating to the quality of the solution offered | |
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| *7.1* | Explain how you will resource the work and organise this to ensure that the 5 areas are completed in a timely manner and between the months of November to April  You should explain what considerations you will take into account in your planning activities  Please explain how contingency plans are drawn up and the resources are made available to ensure timely completion of the tasks  10% weighting |
| **CONTRACTOR RESPONSE** | |
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| *7.2* | Please explain how you will deal with emergencies – who will be responsible for undertaking the work and how quickly response and fix can be executed  6% weighting |
| **CONTRACTOR RESPONSE** | |
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| 7.3 | How will you identify and deal with weekend work – especially if this is emergency work  3% weighting |
| **CONTRACTOR RESPONSE** | |
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| 7.4 | What proactive services can you offer included in the prices  5% weighting |
| **CONTRACTOR RESPONSE** | |
|  | |
| 7.5 | What would you do in the event that you dig through cables or infrastructure – how would you deal with this to the satisfaction of the client  3% weighting |
| **CONTRACTOR RESPONSE** | |
|  | |
| 7.6 | Explain what preventative measures you will use to ensure that the Authority is protected from risks of flooding on an ongoing basis  7% weighting |
| **CONTRACTOR RESPONSE** | |
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| 7.7 | Explain your priorities when conducting the work – this should include such things as timing of the work, factors affecting the success of the work, weather, site preparation ,performance of the work  6% weighting |
| **CONTRACTOR RESPONSE** | |
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| **SECTION 8 - PRICE** | |
| The Contractor shall confirm the annual price (exclusive of VAT) to complete the for each of the 4 years required | |
| **CONTRACTOR RESPONSE (PASS/FAIL QUESTION)** | |
| Please confirm you have completed all items in the attached pricing schedule (Appendix D) | PASS/FAIL |

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| **SECTION 9 – LEGAL COMPLIANCE** | | | |
| The following documents will form any subsequent binding agreement | | | |
| **TERMS AND CONDITIONS** | | | |
| 9.1 | Contract terms and conditions (APPENDIX X) with the following amendments | | |
| **1.1 Agreement**  *RFQ, Pricing schedule, terms and conditions, clarifications* | | |
| **1.1 Commencement date** *October 2019* | | |
| * 1. **Expiry date** *October 2021 subject to two further annual extensions* | | |
| **6.3 Authority address** *Swindon Borough Council, Waterside Park, Darby Close, Swindon* | | |
| **7.3 Review Meetings** As required | | |
| **DECLARATIONS** | | | |
| 9.2 | Form of quotation document | Appendix A | |
| 9.3 | Certificate of bona fide quotation | Appendix B | |
| 9.4 | Freedom of Information Act Exemption Form | Appendix C | |
| **CONTRACTOR RESPONSE (PASS/FAIL QUESTION)** | | | |
| Please indicate acceptance of binding documents and amendments within Section 9 Legal Compliance documents set out above | | | Yes/No |

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| **SECTION 10 – EVALUATION MODEL** | | | | |
| a) Questionnaire ‘pass/fail’ sections - A Tenderer must achieve a pass for **all** of the parts set out in 10.1  b) Questionnaire Scoring Criteria – For Tenderers who achieve in ‘pass’ as set out above will have their responses assessed against the weighted criteria set out in 10.2. | | | | |
| **10.1 PASS/FAIL SELECTION CRITERIA** | | | | |
| **Questionnaire Reference** | | | **Mandatory Requirements to pass** | |
| General | | | Questionnaire response in the correct format | |
| General | | | Questionnaire response received on time | |
| General | | | All sections fully completed | |
| Section 1 – Estimated Total Value | | | Bidders should bid a total price for all work to be undertaken in the year – for the total duration of the contract period | |
| Section 2 – Scope | | | The bidder will confirm compliance to the scope | |
| Section 4 – Financial Profile | | | Self-certifying ‘Yes’ you meet the minimum level of economic and financial standing and/or a minimum financial threshold as set out below and in 4.1 and 4.2:  Turnover £25,000  Positive Net Worth | |
| Section 4 – Conflict of Interest | | | Self-certifying that none of your Directors or relatives has been or is presently a Member of the Authority or an employee of the Authority as stated in 4.3 | |
| Section 4 – Legal Proceedings | | | Self-certifying ‘Yes’ there are no outstanding legal proceedings as set out in 4.4 | |
| Section 4 – Insurance Levels | | | Self-certifying ‘Yes’ commitment to meet the minimum Insurance requirements as set out in 4.5 | |
| Section 4 – Health & Safety | | | Self-certifying ‘Yes’ compliance to Health & Safety criteria as set out in 4.6 | |
| Section 4 – Health & Safety | | | Self-certifying ‘No’ that the organisation has not been prosecuted for Health & Safety offences or evidence of self-cleaning provisions including remedial action to rectify the issues identified | |
| Section 4 – Equalities | | | Self-certifying ‘Yes’ compliance to Equalities criteria as set out in 4.8 | |
| Section 4 – Bribery | | | Self-certifying ‘Yes’ your organisation has not been prosecuted for bribery (section 1 and 6) within the Bribery Act 2010 as set out in 4.9 | |
| Section 4 - References | | | Self-certifying ‘Yes’ relevant references can be provided as requested in 4.10 | |
| Section 4 – Sub-contractors | | | Confirming that if sub-contractors are used they will abide by the payment terms of the contract | |
| Section 5 – Financial Information | | | Select one option from 5.1 that you can provide to demonstrate your economic and financial standing | |
| Section 6 – Previous Experience | | | Must provide details of at least one relevant contract | |
| Section 8 – Price | | | Confirm you have completed all items in the pricing schedule | |
| Section 9 – Legal Compliance | | | Confirmation of adherence to all areas in Section 9 ‘Legal Compliance’ | |
| **10.2 SCORING AWARD CRITERIA (Out of 100%)** | | | | |
| **Questionnaire Reference** | **No.** | **Pricing Schedule** | | **Weighting (out of 100%)** |
| **Scoring Award Questions** | **Section 7 – Quality** | | | |
| 7.1 | Methodology | | 10 |
| 7.2 | Emergencies | | 6 |
| 7.3 | Weekend Work | | 3 |
| 7.4 | Proactivity | | 5 |
| 7.5 | Dealing with problems | | 3 |
| 7.6 | Preventative measures | | 7 |
| 7.7 | Priorities | | 6 |
| **Sub-total** | | | 40% |
| **Total** | | | 40% |
| **Price** | **Section 8 - Price** | | | |
| 8 | Submitted Price (pricing schedule as shown in Appendix D) | | 60% |
| **Sub-total** | | | 60% |
| **Total** | | | 1000% |

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| **Evaluation Criteria** | |
| **Non-Price elements** will be judged on a score from 0 to 5, which shall be subjected to a multiplier so criteria worth 20% will have a 0 - 5 score and a multiplier of 4. The 0 - 5 score shall be based on: | |
| 0 | The Question is not answered or the response is completely unacceptable. It does not meet the minimum requirement or they have completely missed the point of the question |
| 1 | Very poor response and not acceptable – fails to meet the minimum requirement/standard. Requires major revision to the proposal to make it acceptable. Only partially answers the requirement, with major deficiencies and little relevant detail proposed. |
| 2 | Poor response only partially satisfying requirement/standard with deficiencies apparent. Some useful evidence provided but response falls well short of minimum requirements. |
| 3 | Response is acceptable and meets minimum requirement but remains basic and could have been expanded upon. Response is sufficient but does not inspire. Good probability of success, weaknesses can be readily corrected. |
| 4 | Response meets our expected requirement/standard and exceeds minimum expectations including as level of detail, which adds value to the bid. Great probability of success, no significant weaknesses noted |
| 5 | Excellent response – comprehensive and useful, which exceeds the specified performance or capability in a beneficial way. High probability of success, no weaknesses noted. The response is innovative and includes a full description of techniques and measurements to be employed |
| **Price elements** will be judged on the following criteria. | |
| The lowest price for a response which meets the pass criteria shall score 10. All other bids shall be scored on a pro rata basis in relation to the lowest price.  For example - Bid 1 £100,000 scores 10, Bid 2 £120,000 differential £20,000 or 20% remove 20% from price scores 8, Bid 3 £150,000 differential £50,000 remove 50% from price scores 5, Bid 4 £175,000 differential £75,000 remove 75% from price scores 2.5. The lowest score possible is 0. All scores are then subjected to a multiplier e.g. if price has a scoring criteria of 70%, the multiplier will be 7. | |

**APPENDIX A**

**Form of Quotation**

To: **Swindon Borough Council**

**Insert Client Address**

Title: **Add RFQ title here**

Having examined the contents of the Request for Quotation document, terms and conditions of Agreement, product/service specification(s), we offer to carry out the work in conformity with the said conditions for the maximum fixed prices detailed in the attached pricing schedule(s).

We undertake to carry out the services specified within the period stated in the request for quotation.

Our quotation offer shall be binding between us for a period specified from the closing date for receipt of quotations.

Unless and until a formal agreement is prepared and executed this Quotation and a written acceptance thereof shall constitute a binding contract between us.

We understand that you are not bound to accept the lowest or any Quotation you may receive.

We further undertake, if our Quotation is accepted, to comply with all the General Conditions of Contract and Specifications for the service comprising the contract.

Dated this       day       of       20

Signature\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name:       in the capacity of

duly authorised to sign quotations for and on behalf of:

Witness:

Address:

Occupation/Profession

**APPENDIX B**

**Certificate of Bona Fide Quotation**

The essence of selective quotationing is that the client shall receive bona fide competitive quotations, from all those quoting. In recognition of this principle, we certify that this is a bona fide quotation, intended to be competitive and that we have not fixed or adjusted the amount of quotation by or under or in accordance with any agreement with any other person.

We also certify that we have not done and we undertake that we will not do at any time before the hour and date specified for the return of this quotation any of the following:

(a) Communicate to a person other than the person calling for these quotations the amount or approximate amount of the proposed quotations, except where the disclosure, in confidence, of the approximate amount of the quotation was necessary to obtain insurance premium quotations for the preparation of the quotation;

(b) Enter into any agreement or arrangement with any other person that he shall refrain from quoting or as to the amount of any quotation to be submitted;

(c) Offer to pay or agree to pay or give any sum of money or valuable consideration directly or indirectly to any person for doing or having done or causing or have caused to be done in relation to any other quotation or proposed quotation for the said supply / service any act or thing of the sort described above.

In this certificate, the word "person" includes any persons 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.

We acknowledge that the Authorised Officer will be entitled to cancel the contract and to recover from us the amount of any loss resulting from such cancellation if we or our representatives (whether with our without our knowledge) shall have practiced collusion in quoting for this contract or any other contract with the Authority or shall employ any corrupt or illegal practices either in the obtaining or execution of this contract or any other contract with the Authority:

Signed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name:

Occupation/Profession:

For and on behalf of:

**APPENDIX C**

**Freedom of Information Act 2000 (FOI)**

**Exemption Form**

**GUIDANCE**

The Authority encourages its Contractors to take their own legal advice about the FoI Act. The Authority shall not be held liable for any actions claims or costs howsoever arising.

The Authority considers that the following information is likely to be captured by the “confidential” (s.41 absolute exemption) and/or “commercial interest” (s43 qualified exemption) and therefore maybe subject to the Public Interest test:

* Trade secrets; or
* Financial, commercial, scientific, technical or other information whose disclosure could reasonably be expected to result in a material financial loss or gain to the person to whom the information relates; or
* Where disclosure could prejudice the competitive position of that person in the conduct of his/her profession or business or otherwise in his/her occupation; or
* Where disclosure could prejudice the conduct or outcome of contractual or other negotiations of the person to whom the information relates.

**NB: Contractors should note that claiming blanket confidentiality of quotation documentation, breaches current Government guidelines provided to the Authority and will not be accepted, therefore rendering the entire quotation documentation disclosable under the FoI Act.**

**PROCEDURE**

1. Please specify below the relevant clauses or documentation containing the information you claim is exempt.

We consider that pricing schedules and technical specifications are most likely to be covered by one or other of the above exemptions and would therefore not, normally, be disclosed.

Each document claimed under the exemptions should be clearly marked as “confidential” or “commercially sensitive”.

**CONFIDENTIAL INFORMATION:**

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**COMMERCIALLY SENSITIVE INFORMATION:**

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2. The Authority is obliged to consider whether something, which its Contractor claims is confidential, is truly confidential. In those instances where the Authority does not agree with the exemption claimed, it will always consult with the Contractor before disclosing the information.

Where the Authority decides to release such information, it will only do so in the following circumstances:

* Where the Contractor consents; or
* Where the information or information of a similar type is generally available to the public (e.g. where a Minister would give such information in answer to a Parliamentary Question);or
* Where the Contractor has been advised, at the time that the information is received, that the information will be released; or
* Where the Authority believes that the public interest would be better served by disclosing rather than by refusing to disclose the information. In this instance, the views of the Contractor will be sought in advance of a decision being made. Where the Contractor refuses to agree to disclosure of the information, the Contractor is able to refer the matter to the Information Commissioner at the Contractor’s expense.

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| Signed | Position |
| Print Name | Date |

**Appendix D**

**Pricing Schedule**

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| **Price for year 1** |  |
| **Price for year 2** |  |
| **Price for year 3** |  |
| **Price for year 4** |  |
| **Total** |  |

**Appendix E**

**RFQ submission checklist:**

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| --- | --- | --- |
| **Document** | **Requirements** | **Checked** |
| RFQ Document | Contractor response fields (yellow) completed |  |
| Pricing Schedule | fully completed and included in submission pack |  |
| Form of Quotation | fully completed and signed and included in submission pack |  |
| Certificate of Bona Fide Quotation | fully completed and signed and included in submission pack |  |
| Freedom of Information Act 2000 Exemption Form | fully completed and signed and included in submission pack |  |