**Cheshire East Borough Council**

**RESPONSE DOCUMENT**

**REQUEST FOR QUOTATION**

**FRAMEWORK FOR THE PROVISION OF PUBLIC RIGHTS OF WAY FURNITURE AND ASSOCIATED PUBLIC RIGHTS OF WAY AND COUNTRYSIDE ACCESS WORKS**

**PERIOD: 1st August 2022 – 31st July 2025**

**with the option to extend for a further 1 x 12 months**

**CHEST REF: DN611895**

**INTERNAL REF: 22 066**

|  |  |
| --- | --- |
| **Name of Bidder** |  |

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**of the Council**

**Version 22**

SELECTION OF LOTS

Cheshire East Council is looking to create a framework for Installation of Public Rights of Way Furniture and Associated Public Rights of Way Works.

The requirement has been split into 3 work area’s North, Central and South (Appendix 1) and in each work area there is 5 separate lots that include the below works.

Tenderers can choose to bid for one or multiple lots/work area’s. Tenderers must be able to provide all services listed within the chosen lot(s).

|  |  |  |
| --- | --- | --- |
| **LOT 1 –** Small scale works | **LOT 2** – 5m & 6m Bridges | **LOT 3** – 8m Bridges |
| Appendix 3-Stile  Appendix 4-Steel Kissing Gate  Appendix 5-Timber Kissing Gate  Appendix 6-Steel Pedestrian Gate  Appendix 7-Timber Pedestrian Gate  Appendix 8-Bridle Gate  Appendix 9-2 in1 Field Gate  Appendix 10-Sleeper Bridge  Handrail  Steel fingerpost  Timber fingerpost  Timber waymark post | Appendix 11-5m Bridge  Appendix 12-6m Bridge | Appendix 13-8m Bridge |
| **LOT 4** – Non Standard Work | **LOT 5** – Vegetation clearance |
| Non-standard work (hourly rate for works not listed in the Lots.) This could include fencing, installation of steps, drainage work, erecting barriers etc. | Vegetation clearance rate to strim (or use brush cutter) 100m to a minimum width of 1.2m so that the vegetation is no more than 5cm tall |

Please indicate (tick) below the Lot(s) for which you are Tendering, by double clicking the relevant tick box.

Tenderers may tick up to five lots for each work area.

|  |  |  |  |
| --- | --- | --- | --- |
|  | **North** | **Central** | **South** |
| **Lot 1 – Small scale works** |  |  |  |
| **Lot 2 – 5m & 6m bridges** |  |  |  |
| **Lot 3 – 8m bridges** |  |  |  |
| **Lot 4 – Non-standard work** |  |  |  |
| **Lot 5 – Vegetation Clearence** |  |  |  |

**CHECKLIST FOR BIDDERS**

This is the RFQ Response Document, failure to provide all of the items in the following checklist may cause your quote to be non-compliant and not considered.

|  |  |  |
| --- | --- | --- |
| **Schedule** | **Item** | **Included in Quote?** |
| 1 | Form of Tender and certificate of non-collusion & non-canvassing |  |
| 2 | Standard Selection Questionnaire (SQ) |  |
| 3 | Pricing Schedule |  |
| 4 | Compliance with Specification & Scope of requirements |  |
| 5 | RFQ qualitative evaluation questions |  |
| 6 | Declaration |  |

Cheshire East Borough Council

Provision of Installation of Public Rights of Way Furniture and Associated Public Rights of Way and Countryside Access Works

**Period: 01.08.2022 – 31.07.25 with 1 x 12 month option to extend**

**SCHEDULE 1 - FORM OF TENDER and CERTIFICATE OF NON-COLLUSION & NON-CANVASSING**

Installation of Public Rights of Way Furniture and Associated Public Rights of Way Works **(“the Contract”)**

To: Cheshire East Borough Council (“the Council”)

(Via ‘The Chest’)

For the Attention of: **Emma Harris**

Date:

Dear Sir/Madam,

I/We the undersigned, hereby tender and offer to provide the Contract as listed below which is more particularly referred to in the Request for Quotation (“RFQ”) supplied to me/us for the purpose of tendering for the provision of the Contract and upon the terms thereof.

Attached to this Form of Tender are the following:

1. My/our response to the requirements ofthe RFQ.
2. The completed Pricing Schedule.

I/We confirm that I/we can supply the Contract as specified in the RFQ at the total costs of (excluding VAT) submitted within the Pricing Schedule herein.

I/We confirm that we accept the Contract as issued with the RFQ.

I/We undertake in the event of acceptance of our Tender to execute the Contract within the timescales stipulated.

I/We understand that the Council reserves the right to accept or refuse this Tender whether it is lower, the same, or higher than any other Tender.

I/We confirm that the information supplied to you and forming part of this Tender including (for the avoidance of doubt) any information supplied to you as part of my/our initial expression of interest in tendering, was true when made and remains true and accurate in all respects.

I/We confirm that this Tender will remain valid for 90 days from the date of this Form of Tender.

I/We confirm and undertake that if any of such information becomes untrue or misleading that I/we shall notify you immediately and update such information as required.

I/We confirm that the undersigned are authorised to commit the Tenderer to the contractual obligations contained in the Invitation to Tender and the Contract.

Statement of non-canvassing

I/we hereby certify that I/we have not canvassed any member, Director, employee, representative or adviser of the Council in connection with the proposed award of the Contract by the Council, and that no person employed by me/us or acting on my/our behalf, or advising me/us, has done any such act.

I/we further hereby undertake that I/we will not canvass any member, Director, employee, representative or adviser of the Council in connection with the award of the Contract and that no person employed by me/us or acting on my/our behalf, or advising me/us, will do any such act.

**Statement of non-collusion**

The essence of selective tendering for the Contract is that the Council shall receive bona fide competitive Tenders from all Tenderers.

In recognition of this principle, I/we certify that this is a bona fide offer, intended to be competitive and that I/we have not fixed or adjusted the amount of the offer in accordance with any agreement or arrangement with any other person (except any sub-contractor identified in this offer).

I/we also certify that I/we have not done, and undertake that I/we will not do, at any time any of the following acts:

* + - * 1. communicate to a person other than the Council, the amount or approximate amount of my/our proposed offer except where the disclosure in confidence of the approximate value of the Tender was essential to obtain insurance premium quotations required for the preparation of the Tender; or
        2. enter into any agreement or agreements with any other person that they shall refrain from tendering or as to the amount of any offer submitted by them; or
        3. offer or agree to pay or give or actually pay or give any sum of money, inducement or valuable consideration, directly or indirectly, to any person for doing or having done or having caused to be done in relation to any other offer or proposed offer, any act or omission.
        4. committing any offence under the Bribery Act 2010 or any subordinate legislation made under that Act from time to time.

<http://www.legislation.gov.uk/ukpga/2010/23/contents>

I/we agree that there is a requirement to disclose and declare any direct or

Indirect financial or non financial interest in an organisation, company, or

other body that is doing business with, or has dealings with, the council and

where this may affect and/or could bring about a conflict with the Council’s

interest.

I/we should notify this to the Council and that failure to disclose or declare

such an interest could result in the contract being terminated.

I/we agree that the Council may, in its consideration of the offer and in any subsequent actions, rely upon the statements made in this Certificate.

Signed

Name:

Position

For and on behalf of **[Tenderer(the Bidder)]**

Cheshire East Borough Council

Provision of Installation of Public Rights of Way Furniture and Associated Public Rights of Way and Countryside Access Works

**Period: 01.08.2022 – 31.07.25 with 1 x 12 month option to extend**

**SCHEDULE 2: STANDARD SELECTION QUESTIONNAIRE (SQ)**

This Standard Selection Questionnaire (“SQ”) has been issued by the Authority in connection with a tender under Part 4 of the Public Contracts Regulations 2015 (“the Regulations”). The principles of the Public Contract Regulations 2015 will be followed. Your response to the SQ will be used by the Authority to understand the nature of the bidding organisation and to undertake a financial assessment of bidders.

**Notes for completion**

Please ensure that you complete this SQ fully, as requested as part of the tender submission. Failure to do so may result in your tender being disqualified. If the question does not apply to you please write N/A; if you do not know the answer please write N/K.

* “Authority” means the purchasing organisation that is seeking to award a contract.
* “You”/ “Your” or “Supplier” means the business or company which is completing this SQ.

**Verification of Information Provided**

Please do not send any supporting documents with your tender.

**However, the Authority may ask to see these documents at a later stage, so it is advisable you ensure they can be made available upon request.**

You may also be asked to clarify your answers or provide more details about certain issues.

**For further assistance, please refer to the RFQ Guidance Document.**

|  |
| --- |
| **NOTE TO ORGANISATION:**   * *Schedule 2 Selection Questionnaire will be marked based on pass and fail* * *Applicants will fail on incomplete responses. Tenders that fail Schedule 2 will not be evaluated any further.* * *Questions marked ‘for information only’ will not be assessed however they must still be answered in full.* * *Where you are asked to mark an* ***‘X’*** *to indicate your answer, please click the relevant box.* * *Failure to answer a question which is* ***scored*** *will result in a score of zero for that question.* * *Failure to provide an* ***acceptable explanation*** *with any* ***Fail*** *Questions answered will fail on Schedule 2 as a result.* * *Tenderers are therefore strongly advised to ensure they answer all questions within each section* |

**Potential Supplier Information and Exclusion Grounds: Part 1 and Part 2.**

The standard Selection Questionnaire is a self-declaration, made by you (the potential supplier), that you do not meet any of the grounds for exclusion[[1]](#footnote-1). If there are grounds for exclusion, there is an opportunity to explain the background and any measures you have taken to rectify the situation (we call this self-cleaning).

A completed declaration of Part 1 and Part 2 provides a formal statement that the organisation making the declaration has not breached any of the exclusions grounds. Consequently we require all the organisations that you will rely on to meet the selection criteria to provide a completed Part 1 and Part 2. For example these could be parent companies, affiliates, associates, or essential sub-contractors, if they are relied upon to meet the selection criteria. This means that where you are joining in a group of organisations, including joint ventures and partnerships, each organisation in that group must complete one of these self-declarations. Sub-contractors that you rely on to meet the selection criteria must also complete a self-declaration (although sub-contractors that are not relied upon do not need to complete the self-declaration).

When completed, this form is to be sent back to the contact point given in the procurement documents along with the selection information requested in the procurement documentation.

**Supplier Selection Questions: Part 3**

The procurement document will provide instructions on the selection questions you need to respond to and how to submit those responses. If you are bidding on behalf of a group (consortium) or you intend to use sub-contractors, you should complete all of the selection questions on behalf of the consortium and/or any sub-contractors.

If the relevant documentary evidence referred to in the Selection Questionnaire is not provided upon request and without delay we reserve the right to amend the contract award decision and award to the next compliant bidder.

**Consequences of misrepresentation**

If you seriously misrepresent any factual information in filling in the Selection Questionnaire, and so induce an authority to enter into a contract, there may be significant consequences. You may be excluded from the procurement procedure, and from bidding for other contracts for three years. If a contract has been entered into you may be sued for damages and the contract may be rescinded. If fraud, or fraudulent intent, can be proved, you or your responsible officers may be prosecuted and convicted of the offence of fraud by false representation, and you must be excluded from further procurements for five years.

Cheshire East Borough Council

Provision of Installation of Public Rights of Way Furniture and Associated Public Rights of Way and Countryside Access Works

**Period: 01.08.2022 – 31.07.25 with 1 x 12 month option to extend**

**Notes for completion**

1. The “authority” means the contracting authority, or anyone acting on behalf of the contracting authority, that is seeking to invite suitable candidates to participate in this procurement process.
2. “You” / “Your” refers to the potential supplier completing this standard Selection Questionnaire i.e. the legal entity responsible for the information provided. The term “potential supplier” is intended to cover any economic operator as defined by the Public Contracts Regulations 2015 (referred to as the “regulations”) and could be a registered company; the lead contact for a group of economic operators; charitable organisation; Voluntary Community and Social Enterprise (VCSE); Special Purpose Vehicle; or other form of entity.
3. Please ensure that all questions are completed in full, and in the format requested. If the question does not apply to you, please state ‘N/A’. Should you need to provide additional information in response to the questions, please submit a clearly identified annex.
4. The authority recognises that arrangements set out in section 1.2 of the standard Selection Questionnaire, in relation to a group of economic operators (for example, a consortium) and/or use of sub-contractors, may be subject to change and will, therefore, not be finalised until a later date. The lead contact should notify the authority immediately of any change in the proposed arrangements and ensure a completed Part 1 and Part 2 is submitted for any new organisation relied on to meet the selection criteria. The authority will make a revised assessment of the submission based on the updated information.
5. For Part 1 and Part 2 every organisation that is being relied on to meet the selection must complete and submit the self-declaration.
6. For answers to Part 3 -If you are bidding on behalf of a group, for example, a consortium, or you intend to use sub-contractors, you should complete all of the questions on behalf of the consortium and/ or any sub-contractors, providing one composite response and declaration.

The authority confirms that it will keep confidential and will not disclose to any third parties any information obtained from a named customer contact, other than to the Cabinet Office and/or contracting authorities defined by the regulations, or pursuant to an order of the court or demand made by any competent authority or body where the authority is under a legal or regulatory obligation to make such a disclosure.

**Part 1: Potential supplier Information**

Please answer the following questions in full. Note that every organisation that is being relied on to meet the selection must complete and submit the Part 1 and Part 2 self-declaration.

|  |  |  |
| --- | --- | --- |
| Section 1 | Potential supplier information | |
| Question number | Question | Response |
| 1.1(a) | Full name of the potential supplier submitting the information |  |
| 1.1(b) – (i) | Registered office address (if applicable) |  |
| 1.1(b) – (ii) | Registered website address (if applicable) |  |
| 1.1(c) | Trading status   1. public limited company 2. limited company 3. limited liability partnership 4. other partnership 5. sole trader 6. third sector 7. other (please specify your trading status) |  |
| 1.1(d) | Date of registration in country of origin |  |
| 1.1(e) | Company registration number (if applicable) |  |
| 1.1(f) | Charity registration number (if applicable) |  |
| 1.1(g) | Head office DUNS number (if applicable) |  |
| 1.1(h) | Registered VAT number |  |
| 1.1(i) - (i) | If applicable, is your organisation registered with the appropriate professional or trade register(s) in the member state where it is established? | Yes  No  N/A |
| 1.1(i) - (ii) | If you responded yes to 1.1(i) - (i), please provide the relevant details, including the registration number(s). |  |
| 1.1(j) - (i) | Is it a legal requirement in the state where you are established for you to possess a particular authorisation, or be a member of a particular organisation in order to provide the services specified in this procurement? | Yes  No |
| 1.1(j) - (ii) | If you responded yes to 1.1(j) - (i), please provide additional details of what is required and confirmation that you have complied with this. |  |
| 1.1(k) | Trading name(s) that will be used if successful in this procurement |  |
| 1.1(l) | Relevant classifications (state whether you fall within one of these, and if so which one)   1. Voluntary Community Social Enterprise (VCSE) 2. Sheltered Workshop 3. Public service mutual |  |
| 1.1(m) | Are you a Small, Medium or Micro Enterprise (SME)[[2]](#footnote-2)? | Yes  No |
| 1.1(n) | Details of Persons of Significant Control (PSC), where appropriate: [[3]](#footnote-3)  - Name;  - Date of birth;  - Nationality;  - Country, state or part of the UK where the PSC usually lives;  - Service address;  - The date he or she became a PSC in relation to the company (for existing companies the 6 April 2016 should be used);  - Which conditions for being a PSC are met;  - Over 25% up to (and including) 50%,  - More than 50% and less than 75%,  - 75% or more. [[4]](#footnote-4)  (Please enter N/A if not applicable) |  |
| 1.1(o) | Details of immediate parent company:    - Full name of the immediate parent company  - Registered office address (if applicable)  - Registration number (if applicable)  - Head office DUNS number (if applicable)  - Head office VAT number (if applicable)  (Please enter N/A if not applicable) |  |
| 1.1(p) | Details of ultimate parent company:  - Full name of the ultimate parent company  - Registered office address (if applicable)  - Registration number (if applicable)  - Head office DUNS number (if applicable)  - Head office VAT number (if applicable)  (Please enter N/A if not applicable) |  |

Please note: A criminal record check for relevant convictions may be undertaken for the preferred suppliers and the persons of significant in control of them.

Please provide the following information about your approach to this procurement:

|  |  |  |
| --- | --- | --- |
| Section 1 | Bidding model | |
| Question number | Question | Response |
| 1.2(a) - (i) | Are you bidding as the lead contact for a group of economic operators? | Yes  No  If yes, please provide details listed in questions 1.2(a) (ii), (a) (iii) and to 1.2(b) (i), (b) (ii), 1.3, Section 2 and 3.  If no, and you are a supporting bidder please provide the name of your group at 1.2(a) (ii) for reference purposes, and complete 1.3, Section 2 and 3. |
| 1.2(a) - (ii) | Name of group of economic operators (if applicable) |  |
| 1.2(a) - (iii) | Proposed legal structure if the group of economic operators intends to form a named single legal entity prior to signing a contract, if awarded. If you do not propose to form a single legal entity, please explain the legal structure. |  |
| 1.2(b) - (i) | Are you or, if applicable, the group of economic operators proposing to use sub-contractors? | Yes  No |
| 1.2(b) - (ii) | If you responded yes to 1.2(b)-(i) please provide additional details for each sub-contractor in the following table: we may ask them to complete this form as well.   |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | Name |  |  |  |  |  | | Registered address |  |  |  |  |  | | Trading status |  |  |  |  |  | | Company registration number |  |  |  |  |  | | Head Office DUNS number (if applicable) |  |  |  |  |  | | Registered VAT number |  |  |  |  |  | | Type of organisation |  |  |  |  |  | | SME (Yes/No) |  |  |  |  |  | | The role each sub-contractor will take in providing the works and /or supplies e.g. key deliverables |  |  |  |  |  | | The approximate % of contractual obligations assigned to each sub-contractor |  |  |  |  |  | | |

**Contact details and declaration**

I declare that to the best of my knowledge the answers submitted and information contained in this document are correct and accurate.

I declare that, upon request and without delay I will provide the certificates or documentary evidence referred to in this document.

I understand that the information will be used in the selection process to assess my organisation’s suitability to be invited to participate further in this procurement.

I understand that the authority may reject this submission in its entirety if there is a failure to answer all the relevant questions fully, or if false/misleading information or content is provided in any section.

I am aware of the consequences of serious misrepresentation.

|  |  |  |
| --- | --- | --- |
| Section 1 | Contact details and declaration | |
| Question number | Question | Response |
| 1.3(a) | Contact name |  |
| 1.3(b) | Name of organisation |  |
| 1.3(c) | Role in organisation |  |
| 1.3(d) | Phone number |  |
| 1.3(e) | E-mail address |  |
| 1.3(f) | Postal address |  |
| 1.3(g) | Signature (electronic is acceptable) |  |
| 1.3(h) | Date |  |

**Part 2: Exclusion Grounds**

Please answer the following questions in full. Note that every organisation that is being relied on to meet the selection must complete and submit the Part 1 and Part 2 self-declaration.

**Please refer to Annex A in the Guidance Document for further information.**

|  |  |  |
| --- | --- | --- |
| **Section 2** | **Grounds for mandatory exclusion**  (This question is to be scored on a pass/fail basis.) | |
| Question number | Question | Response |
| 2.1(a) | **Regulations 57(1) and (2)**  The detailed grounds for mandatory exclusion of an organisation are set out on this [web page](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List_of_Mandatory_and_Discretionary_Exclusions.pdf), which should be referred to before completing these questions.  Please indicate if, within the past five years you, your organisation or any other person who has powers of representation, decision or control in the organisation been convicted anywhere in the world of any of the offences within the summary below and listed on the [webpage](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List_of_Mandatory_and_Discretionary_Exclusions.pdf). | |
|  | Participation in a criminal organisation. | Yes  No  If Yes please provide details at 2.1(b) |
|  | Corruption. | Yes  No  If Yes please provide details at 2.1(b) |
|  | Terrorist offences or offences linked to terrorist activities | Yes  No  If Yes please provide details at 2.1(b) |
|  | Money laundering or terrorist financing | Yes  No  If Yes please provide details at 2.1(b) |
|  | Child labour and other forms of trafficking in human beings | Yes  No  If Yes please provide details at 2.1(b) |
| 2.1(b) | If you have answered yes to question 2.1(a), please provide further details.  Date of conviction, specify which of the grounds listed the conviction was for, and the reasons for conviction,  Identity of who has been convicted  If the relevant documentation is available electronically please provide the web address, issuing authority, precise reference of the documents. |  |
| 2.2 | If you have answered Yes to any of the points above have measures been taken to demonstrate the reliability of the organisation despite the existence of a relevant ground for exclusion ? (Self Cleaning) | Yes  No |
| 2.3(a) | **Regulation 57(3)**  Has it been established, for your organisation by a judicial or administrative decision having final and binding effect in accordance with the legal provisions of any part of the United Kingdom or the legal provisions of the country in which the organisation is established (if outside the UK), that the organisation is in breach of obligations related to the payment of tax or social security contributions? | Yes  No |
| 2.3(b) | If you have answered yes to question 2.3(a), please provide further details. Please also confirm you have paid, or have entered into a binding arrangement with a view to paying, the outstanding sum including where applicable any accrued interest and/or fines. |  |

Please Note: The authority reserves the right to use its discretion to exclude a potential supplier where it can demonstrate by any appropriate means that the potential supplier is in breach of its obligations relating to the non-payment of taxes or social security contributions.

|  |  |  |
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| **Section 3** | **Grounds for discretionary exclusion**  (This question is to be scored on a pass/fail basis.) | |
|  | Question | Response |
| 3.1 | **Regulation 57 (8)**  The detailed grounds for discretionary exclusion of an organisation are set out on this [web page](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List_of_Mandatory_and_Discretionary_Exclusions.pdf), which should be referred to before completing these questions.  Please indicate if, within the past three years, anywhere in the world any of the following situations have applied to you, your organisation or any other person who has powers of representation, decision or control in the organisation. | |
| 3.1(a) | Breach of environmental obligations? | Yes  No  If yes please provide details at 3.2 |
| 3.1 (b) | Breach of social obligations? | Yes  No  If yes please provide details at 3.2 |
| 3.1 (c) | Breach of labour law obligations? | Yes  No  If yes please provide details at 3.2 |
| 3.1(d) | Bankrupt or is the subject of insolvency or winding-up proceedings, where the organisation’s assets are being administered by a liquidator or by the court, where it is in an arrangement with creditors, where its business activities are suspended or it is in any analogous situation arising from a similar procedure under the laws and regulations of any State? | Yes  No  If yes please provide details at 3.2 |
| 3.1(e) | Guilty of grave professional misconduct? | Yes  No  If yes please provide details at 3.2 |
| 3.1(f) | Entered into agreements with other economic operators aimed at distorting competition? | Yes  No  If yes please provide details at 3.2 |
| 3.1(g) | Aware of any conflict of interest within the meaning of regulation 24 due to the participation in the procurement procedure? | Yes  No  If yes please provide details at 3.2 |
| 3.1(h) | Been involved in the preparation of the procurement procedure? | Yes  No  If yes please provide details at 3.2 |
| 3.1(i) | Shown significant or persistent deficiencies in the performance of a substantive requirement under a prior public contract, a prior contract with a contracting entity, or a prior concession contract, which led to early termination of that prior contract, damages or other comparable sanctions? | Yes  No  If yes please provide details at 3.2 |
| 3.1(j)  3.1(j) - (i)  3.1(j) - (ii)  3.1(j) –(iii)  3.1(j)-(iv) | Please answer the following statements  The organisation is guilty of serious misrepresentation in supplying the information required for the verification of the absence of grounds for exclusion or the fulfilment of the selection criteria.  The organisation has withheld such information.  The organisation is not able to submit supporting documents required under regulation 59 of the Public Contracts Regulations 2015.  The organisation has influenced the decision-making process of the contracting authority to obtain confidential information that may confer upon the organisation undue advantages in the procurement procedure, or to negligently provided misleading information that may have a material influence on decisions concerning exclusion, selection or award. | Yes  No  If Yes please provide details at 3.2  Yes  No  If Yes please provide details at 3.2  Yes  No  If Yes please provide details at 3.2  Yes  No  If Yes please provide details at 3.2 |

|  |  |  |
| --- | --- | --- |
| 3.2 | If you have answered Yes to any of the above, explain what measures been taken to demonstrate the reliability of the organisation despite the existence of a relevant ground for exclusion? (Self Cleaning) |  |

**Part 3: Selection Questions**[[5]](#footnote-5)

|  |  |  |  |
| --- | --- | --- | --- |
| **Section 4** | **Economic and Financial Standing**  (This question is to be scored on a pass/fail basis.) | | |
|  | Question | Response | |
| **4.1** | Are you able to provide a copy of your audited accounts for the last two years, if requested?  If no, can you provide **one** of the following: answer with Y/N in the relevant box. | | Yes  No |
| (a) A statement of the turnover, Profit and Loss Account/Income Statement, Balance Sheet/Statement of Financial Position and Statement of Cash Flow for the most recent year of trading for this organisation. | | Yes  No |
| (b) A statement of the cash flow forecast for the current year and a bank letter outlining the current cash and credit position. | | Yes  No |
|  | (c) Alternative means of demonstrating financial status if any of the above are not available (e.g. forecast of turnover for the current year and a statement of funding provided by the owners and/or the bank, charity accruals accounts or an alternative means of demonstrating financial status). | | Yes  No |
| **4.2** | Where we have specified a minimum level of economic and financial standing and/ or a minimum financial threshold within the evaluation criteria for this procurement, please self-certify by answering ‘Yes’ or ‘No’ that you meet the requirements set out. | | Yes  No |

|  |  |  |
| --- | --- | --- |
| **Section 5** | **If you have indicated in the Selection Questionnaire question 1.1(o) and/or 1.1(p) that you are part of a wider group, please provide further details below:**  (This question is to be scored on a pass/fail basis.) | |
| **Name of organisation** | |  |
| **Relationship to the Supplier completing these questions** | |  |
| **5.1** | Are you able to provide parent company accounts if requested to at a later stage? | Yes  No |
| **5.2** | If yes, would the parent company be willing to provide a guarantee if necessary? | Yes  No |
| **5.3** | If no, would you be able to obtain a guarantee elsewhere (e.g. from a bank)? | Yes  No |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Section 6** | **Technical and Professional Ability**  (This question is to be scored on a pass/fail basis.) | | | |
| **6.1** | **Relevant experience and contract examples**  Please provide details of up to three contracts, in any combination from either the public or private sector; voluntary, charity or social enterprise (VCSE) that are relevant to our requirement. VCSEs may include samples of grant-funded work. Contracts for supplies or services should have been performed during the past three years. Works contracts may be from the past five years.  The named contact provided should be able to provide written evidence to confirm the accuracy of the information provided below.  Consortia bids should provide relevant examples of where the consortium has delivered similar requirements. If this is not possible (e.g. the consortium is newly formed or a Special Purpose Vehicle is to be created for this contract) then three separate examples should be provided between the principal member(s) of the proposed consortium or Special Purpose Vehicle (three examples are not required from each member).  Where the Supplier is a Special Purpose Vehicle, or a managing agent not intending to be the main provider of the supplies or services, the information requested should be provided in respect of the main intended provider(s) or sub-contractor(s) who will deliver the contract.  If you cannot provide examples see question 6.3 | | | |
|  | | **Contract 1** | **Contract 2** | **Contract 3** |
| **Name of customer organisation** | |  |  |  |
| **Point of contact in the organisation** | |  |  |  |
| **Position in the organisation** | |  |  |  |
| **E-mail address** | |  |  |  |
| **Description of contract** | |  |  |  |
| **Contract Start date** | |  |  |  |
| **Contract completion date** | |  |  |  |
| **Estimated contract value** | |  |  |  |

|  |  |  |  |
| --- | --- | --- | --- |
| **6.2** | Where you intend to sub-contract a proportion of the contract, please demonstrate how you have previously maintained healthy supply chains with your sub-contractor(s)  Evidence should include, but is not limited to, details of your supply chain management tracking systems to ensure performance of the contract and including prompt payment or membership of the UK Prompt Payment Code (or equivalent schemes in other countries) | | |
|  |  | | |
| **6.3** | | If you cannot provide at least one example for questions 6.1, in no more than 500 words please provide an explanation for this e.g. your organisation is a new start-up or you have provided services in the past but not under a contract. |
|  | |  |
| Evaluation Methodology of Question 6.1  Question 6.1 is a Pass/Fail test in relation to demonstrating minimum standards of Technical and Professional Ability for **Installation of Public Right of Way (PROW) Furniture**  The Council reserves the right to reject Tenderers which fail to satisfy the minimum relevant experience requirements.  In order to pass, the Tenderer must demonstrate:   * Up to three jobs performed in the past 3 years that are relevant to Appendix A service specification. * or demonstrate equivalent experience or capability within your organisation in your response to Question 6.3. | | |

|  |  |  |
| --- | --- | --- |
| **Section 7** | **Modern Slavery Act 2015: Requirements under Modern Slavery Act 2015[[6]](#footnote-6)**  (This question is to be scored on a pass/fail basis.) | |
| **7.1** | Are you a relevant commercial organisation as defined by section 54 ("Transparency in supply chains etc.") of the Modern Slavery Act 2015 ("the Act")? | Yes  N/A |
| **7.2** | If you have answered yes to question 1 are you compliant with the annual reporting requirements contained within Section 54 of the Act 2015? | Yes  Please provide relevant the url …  No  Please provide an explanation |

**Additional SQ modules**

**8) - Project specific questions to assess Technical and Professional Ability**

*Section 8 will be marked on* ***pass/fail*** *basis or for information purposes only*

**Introduction**

These are further project specific questions relating to the technical and professional ability of the supplier.

Cross Referencing is not deemed a valid response by the Council.

Suppliers who self-certify that they meet the requirements for these additional modules will be required to provide evidence of this if they are successful at contract award stage.

Please indicate your answer by marking ‘X’ in the relevant boxes where necessary and enter responses to questions in the fields provided.

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Section 8** | | | **Additional Questions** | | | | | |
| **8.1** | | | **Insurance**  *(This question is to be scored on a pass/fail basis.)* | | | | | |
| **8.1** | | | Please self-certify whether you already have, or can commit to obtain, prior to the commencement of the contract, the levels of insurance cover indicated below:   1. **Employer’s Liability Insurance\*** = £10million.  Is required in respect of each and every claim. 2. **Public Liability Insurance** = £5 million. Is required in respect of each and every claim. 3. **Professional Indemnity Insurance** = £1million. Is required in respect of each and every claim.   *\* It is a legal requirement that all companies hold Employer’s Liability Insurance of £5 million as a minimum. Please note this requirement is not applicable to Sole Traders* | | | **Yes**  **No** | | |
| **8.2** | | | **Environmental Management**  *(This question is to be scored on a pass/fail basis.)* | | | | | |
| **8.2.A** | | | Has your organisation been convicted of breaching environmental legislation, or had any notice served upon it, in the last three years by any environmental regulator or authority (including local authority)?  If your answer to the this question is “**YES**”, please provide details in the field below to confirm the conviction or notice and details of any remedial action or changes you have made as a result of conviction or notices served.  The Authority will not select bidder(s) that have been prosecuted or served notice under environmental legislation in the last 3 years, unless the Authority is satisfied that appropriate remedial action has been taken to prevent future occurrences/breaches. | | | | Yes  No | |
| **8.2.B** | | | If you use sub-contractors, do you have processes in place to check whether any of these organisations have been convicted or had a notice served upon them for infringement of environmental legislation? | | | | Yes  No | |
| *Enter details here if necessary* | | | | | | | | |
| **8.3** | | **Health and Safety**  *(This question is to be scored on a pass/fail basis.)* | | | | | | |
| **8.3.A** | | Please self-certify that your organisation has a Health and Safety Policy that complies with current legislative requirements. | | | | | | Yes  No |
| **8.3.B** | | Has your organisation or any of its Directors or Executive Officers been in receipt of enforcement/remedial orders in relation to the Health and Safety Executive (or equivalent body) in the last 3 years?  If your answer to this question was “**YES**”, please provide details in the field below, of any enforcement/remedial orders served and give details of any remedial action or changes to procedures you have made as a result. The Authority will exclude bidder(s) that have been in receipt of Enforcement/remedial action orders unless the bidder(s) can demonstrate to the Authority’s satisfaction that appropriate remedial action has been taken to prevent future occurrences or breaches. | | | | | | Yes  No |
| **8.3.C** | | If you use sub-contractors, do you have processes in place to check whether any of the above circumstances apply to these other organisations?  *You may be excluded if you are unable to demonstrate to the Authority’s satisfaction that appropriate remedial action has been taken to prevent similar unlawful discrimination reoccurring, in relation to this section.* | | | | | | Yes  No |
| *Enter details here if necessary* | | | | | | | | |
| **8.4** | | **Certificates and Accreditations**  Please self-certify whether you already have, or can commit to obtain, prior to the commencement of the contract, the certificates indicated below.  **If you already have any of the below certificates please provide a copy within your tender response** | | | | | | |
| **8.4.A** | | ***NOTE TO ORGANISATION: This question is for Information purposes only*** | | | | | | |
| **8.4.A** | | Please confirm if you have a current Chainsaw Operator Certificate or are willing to obtain one prior to the commencement of the contract | | | | | | Yes  No |
| Response… | | | | | | | | |
| **8.4.B** | | ***NOTE TO ORGANISATION: This question is to be scored on a pass/fail basis if you are applying for Lot 1, 2, 3 or 4*** | | | | | | |
| **8.4.B** | | Please confirm if you have a current CAT Scanner Certificate or are willing to obtain one prior to the commencement of the contract | | | | | | Yes  No |
| Response… | | | | | | | | |
| **8.4.C** | | ***NOTE TO ORGANISATION: This question is for Information purposes only*** | | | | | | |
| **8.4.C** | | Please confirm if you have a current Pesticide User Certificates/Licence or are willing to obtain one prior to the commencement of the contract | | | | | | Yes  No |
| Response… | | | | | | | | |
| **8.4.D** | | ***NOTE TO ORGANISATION: This question is to be scored on a pass/fail basis If you are applying for Lot 1, 2 or 3*** | | | | | | |
| **8.4.D** | | Please confirm if you have a current Waste Carrier Licence or are willing to obtain one prior to the commencement of the contract | | | | | | Yes  No |
| Response… | | | | | | | | |
| **Section 8.5** | | | **COMPLIANCE WITH EQUALITY LEGISLATION**  **Section to be evaluated on a pass/fail basis** | | | | |
| ***For organisations working outside of the UK please refer to equivalent legislation in the country that you are located.*** | | | | | | | |
| **8.5.A** | | | In the last three years, has any finding of unlawful discrimination been made against your organisation by an Employment Tribunal, an Employment Appeal Tribunal or any other court (or in comparable proceedings in any jurisdiction other than the UK)? | Yes  No | | | |
| **8.5.B** | | | In the last three years, has your organisation had a complaint upheld following an investigation by the Equality and Human Rights Commission or its predecessors (or a comparable body in any jurisdiction other than the UK), on grounds or alleged unlawful discrimination? | Yes  No | | | |
| **8.5.C** | | | If you have answered “**YES**” to question 8.5.A and/or question 8.5.B, please provide a summary to confirm the nature of the investigation and an explanation of the outcome of the investigation to date.  If the investigation upheld the complaint against your organisation, again, please use the field below to explain what action (if any) you have taken to prevent unlawful discrimination from reoccurring. | | | | |
| **Response:** | | | | | | | |
| **8.5.D** | | | If you use sub-contractors, do you have processes in place to check whether any of the above circumstances apply to these other organisations? | Yes  No | | | |

*(End of Schedule 2 SQ)*

**Cheshire East Borough Council**

Provision of Installation of Public Rights of Way Furniture and Associated Public Rights of Way and Countryside Access Works

**Period: 01.08.2022 – 31.07.25 with 1 x 12 month option to extend**

**SCHEDULE 3 – PRICING SCHEDULE**

**Pricing Schedule – 60% of total evaluation score**

Please complete the pricing schedule attached at Appendix C for your proposed charges for the provision of of Installation of Public Rights of Way Furniture and Associated Public Rights of Way Works.

This should represent the full charges payable by Cheshire East Council under the contract - **No claim for additional payment will be considered for items that have not been specified.**

Please note that the evaluated price will be the **Total Amount Payable** **per Lot** for each work area (excluding VAT) which must include **ALL** charges in respect of the term of the contract.

Failure to quote for all aspects of the project listed will result in a score of zero for this section. If no separate charge is made for any of the listed works please indicate the charge is “nil” rather than leave the box blank.

Contractors can review their prices, with reference to the rate of inflation for goods and services, as demonstrated by as a national price index, e.g. the Producer Price Index, the Services Producer Price Index, the Consumer Price Indexto ensure they remain competitive six weeks prior to each anniversary of the Commencement Date. Any proposed changes in prices need to be agreed with the Council in advance of the anniversary of the Commencement Date.

**For the avoidance of doubt, the Authority is unable to re-rank the Providers following the review of prices.**

* All timber and materials, signposts arms and waymark discs to be supplied by Cheshire East Council, PROW Network Management and Enforcement team.
* The contractor is to supply all specific fixings (expect for bridge fixings) and equipment to carry out the works.
* All rates to include collection of materials from the yard at: Swanlow House Farm, Swanlow Lane, Darnhall, Winsford.
* A price must be submitted for every work item listed within the chosen lot(s) for the pricing schedule to be accepted.

*(End of Schedule 3)*

**Cheshire East Borough Council**

Provision of Installation of Public Rights of Way Furniture and Associated Public Rights of Way and Countryside Access Works

**Period: 01.08.2022 – 31.07.25 with 1 x 12 month option to extend**

**SCHEDULE 4**

**COMPLIANCE WITH SPECIFICATION & SCOPE OF REQUIREMENTS**

|  |  |
| --- | --- |
| **Compliance with Specification & Scope**  *This section will be evaluated on a pass / fail basis* | |
| Please confirm you have complied with the stated specification included within this RFQ document, by entering yes in the field - | Yes |
| Please also confirm that you accept and will comply with the terms and conditions of the contract that has been supplied with the tender documentation, as they will not be open to negotiation post award. | Yes |

*(End of Schedule 4)*

**Cheshire East Borough Council**

Provision of Installation of Public Rights of Way Furniture and Associated Public Rights of Way and Countryside Access Works

**Period: 01.08.2022 – 31.07.25 with 1 x 12 month option to extend**

**SCHEDULE 5**

**RFQ QUALITATIVE EVALUATION QUESTIONS**

**40% Weighting**

**Introduction**

These are the RFQ Qualitative award questions, which are contract specific and relate to the technical and professional ability of the supplier.

**The Quality Questions in schedule 5** **will be marked on a scored basis. Your answers will be assessed as described in the evaluation matrix in the Guidance Document.**

**The Council reserves the right to reject bidders who fail to answer one of these questions or whose answers score less than 2 for any question.**

Please ensure your response to each question does not exceed the word or page limit specified. Any part of your response which exceeds the word or page limit will not be taken into consideration by the Council. Please set out each answer in full rather than cross-referring to information provided in response to other questions. Any part of your response which is merely incorporated by reference will not be taken into account.

Notwithstanding the word or page limits noted, further supporting information (e.g. tables, organigrams, drawings, diagrams etc.) must be submitted as appendices clearly referencing the question number they are applicable to. Appendices not considered supporting information, i.e. they are considered part of the word or page limit, or not clearly referenced may not be considered for the evaluation of the tenderer’s submission.

|  |  |  |
| --- | --- | --- |
| **Question** | **Proficiency** | **Weighting** |
| **1.** | Describe in detail your proposed methodology for delivering PROW works to a high standard as required within the specification.  Your response must include but not be limited to :     * Communication with issuing PROW officer (before, during and after works) * Communication and co-operation with landowners/occupiers/agents (including before starting work, whilst on site and dealing with disagreements and/or aggression from a landowner/occupier) * Use of Risk Assessments and Method Statements (RAMS) * Compliance with health and safety regulations * Quality Control     Maximum word Count: 1000 12pt arial | 10% |
| Response | | |
| **Question** | **Efficiency** | **Weighting** |
| **2.** | Explain how you will ensure that all PROW works are completed within the Council’s 8-week timescale and what measures will be put in place if failure to comply with this condition become a regular occurrence.  Your response could include but not be limited to:   * Communicating concerns with the issuing PROW officer at the earliest opportunity * Taking on additional resources * Re-prioritising your work programme   Maximum word Count: 750 12pt arial | 10% |
| Response | | |
| **Question** | **Risk Management** | **Weighting** |
| **3.** | Name a PROW work activity (e.g. path resurfacing; strimming; installing a stile or bridge) and list all the potential hazards that you, your employees and users of the PROW may encounter whilst that activity is taking place; attach a level of risk to each hazard and then describe what control measures you would put in place to reduce that risk. Hazards may include but are not limited to:   * Struck by plant * Traffic accidents * Struck by materials * Noise * Dust * Slips, trips and falls * Attack by animal   In addition, please submit an up-to-date and comprehensive RAMS for any Lot/activity that you have submitted a price for. Please note, copies of RAMS will not count towards the maximum word count.  Maximum word Count: 1000 12pt arial | 10% |
| Response | | |
| **Question** | **Social Value Benefits** | **Weighting** |
| **4.** | The Public Services Social Value Act 2012 makes it a legal obligation for Cheshire East Council to consider the wider benefits it can achieve within its communities when commissioning goods and services, in relation to environmental, economic and social factors.  Above and beyond the contractual obligations set out in this specification, what additional social value benefits will you deliver?  Your response could include but not be limited to the examples below:  **Environmental**   * Recycling and reusing all waste materials * Using electric/hybrid vehicles * Reducing annual mileage * Enerygy Efficiency   **Economic**   * Using local suppliers; * Paying staff at least the Minimum or National Living Wage * Providing training opportunities for all staff * Employing local people   **Social**   * Taking on a volunteer or a work experience placement * Raising awareness of mental health issues * Running a countryside-based workshop e.g. hedge laying, drystone walling   Maximum word Count: 750 12pt arial  **The Social Value Award Cheshire East**  Cheshire East Social Action Partnership (CESAP) Service provides leadership with the Voluntary Community Faith Social Enterprise (VCFSE) sector in terms of Social Value across Cheshire East. <https://www.cesap.org.uk/social-value/> This includes brokerage and building links across sectors.  The newly developed Social Value Award has now been launched through the Cheshire and Merseyside Social Value Network, and can be accessed via the Social Value Business:  <https://socialvaluebusiness.com/social-value-award---cheshire-and-merseyside>  Cheshire East Council anticipates that all key suppliers should obtain (or should be willing to obtain within 12 months) this award if they wish to contract with Cheshire East.  Please confirm that your organisation has been awarded the Social Value Award (quality mark).  If your organisations has not yet been awarded the Social Value Award for Cheshire East, will there be an application and anticipated award within 12 months of being successful in this tender? | 10%  Yes  No  Yes  No  N/A |
| Response | | |

*(End of Schedule 5)*

**SCHEDULE 6**

**DECLARATION**

I/We certify that the information supplied by me/us in this document is accurate to the best of my/our knowledge. I/We understand that the giving of false or incomplete information could result in my/our exclusion from the quotation exercise and may result in Criminal Proceedings.

I/We also understand that it is a Criminal Offence, punishable by imprisonment, to give or offer any gift or consideration whatsoever as an inducement or reward to any servant of a public body and that any such action will empower the Council to cancel any contract currently in force and will result in my/our exclusion from the quotation exercise. As per the Bribery Act 2010.

I/We certify that I/we have not now or will in the future, canvassed or solicited any member, officer or employee of the Council and any other companies in the group of which the Council forms part, in connection with this document and that to the best of our knowledge and belief no person employed by me/us or acting on my/our behalf has done such an act.

Signed for on the behalf of the Organisation:

Name:

Position/Status in the Organisation:

Date:

*(End of Schedule 6)*

***End of RFQ Response Document***

1. For the list of exclusion please see https://www.gov.uk/government/uploads/system/uploads/attachment\_data/file/551130/List\_of\_Mandatory\_and\_Discretionary\_Exclusions.pdf [↑](#footnote-ref-1)
2. See EU definition of SME: <http://ec.europa.eu/growth/smes/business-friendly-environment/sme-definition/> [↑](#footnote-ref-2)
3. UK companies, Societates European (SEs) and limited liability partnerships (LLPs) will be required to identify and record the people who own or control their company. Companies, SEs and LLPs will need to keep a PSC register, and must file the PSC information with the central public register at Companies House. [See PSC guidance](https://www.gov.uk/government/publications/guidance-to-the-people-with-significant-control-requirements-for-companies-and-limited-liability-partnerships). [↑](#footnote-ref-3)
4. Central Government contracting authorities should use this information to have the PSC information for the preferred supplier checked before award. [↑](#footnote-ref-4)
5. [See Action Note 8/16 Updated Standard Selection Questionnaire](https://www.gov.uk/government/collections/procurement-policy-notes) [↑](#footnote-ref-5)
6. [Procurement Policy Note 9/16 Modern Slavery Act 2015](https://www.gov.uk/government/collections/procurement-policy-notes) [↑](#footnote-ref-6)