

Request for Quotation

Cherwell District Council: Planning Policy Consultancy Support

Project ID I-1525

Closing date for return of RFQ

28th October 2021 at 12 Noon

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**PART A - GENERAL INFORMATION**

#### 1. DEFINITION OF TERMS

|  |  |  |
| --- | --- | --- |
|  | Bid | means a Bidder’s response to this RFQ |
|  | Bidder | means the entity responding to this Request for Quotation. |
|  | Bidder’s Representative | means the Bidder’s representative who will coordinate all communications with the Council’s Representative in relation to this Request for Quotation. |
|  | Council | means Cherwell District Council |
|  | Council’s Representative | Means Stephen King the Council’s representative who will coordinate all communications with the Bidder in relation to this Request for Quotation. |
|  | Portal | means the e-tendering system accessed via the South East Business Portal. |
|  | Request for Quotation  (RFQ) | means this document and all its appendices which have been sent to all Bidders. |
|  | Services | means the goods, works and/or services sought by the Council in accordance with the provisions of this Request for Quotation. |
|  | Specification | means the description of the Services contained in Appendix 1 to this Request for Quotation. |

2. BACKGROUND TO THE PROCUREMENT

2.1 Cherwell District Council adopted their Local Plan (2011 – 2031) in July 2015 and the Partial Review that addresses unmet housing need for Oxford, in September 2020. The Council are now preparing a Local Plan Review to ensure key planning policies are kept up to date, to assist with the implementation of the Oxfordshire Plan 2050, to replace the 2015 adopted Local Plan and the remaining saved policies of the 1996 Local Plan.

2.2 The next stage of preparing the Local Plan Review will involve publishing a Draft Plan (Regulation 18) document for consultation in the summer of 2022. This is a key stage in the plan making process and it is important it is sufficiently robust and fit-for-purpose. Consultancy support is sought to ensure timely, efficient and effective plan preparation in accordance with the Council’s published timetable (Local Development Scheme September 2021).

2.3 Bidders are invited to quote for the provision of the Services described at Appendix 1 Specification

2.4 The Contract will commence 15th November 2021 until 14th April 2022. The Council reserve the right to extend the Contract in Monthly Periods for up to 3 Months (1 month x 3)

**3. INSTRUCTONS FOR COMPLETION AND RETURN OF RFQ**

1. Please use the question and answer section of the Portal from where you downloaded this document to ask any question(s) regarding this document and/or the RFQ process.
2. The documentation to be returned to the Council is listed as Sections A, B, C, D and E of this RFQ. Failure to submit all documentation may result in your Bid being discounted.
3. Additional attachments should be clearly labelled in relation to the Section and question. In addition, please indicate under the relevant question that this has been done.
4. Bids must be in English.
5. If you reproduce the RFQ, the paragraph numbering, content or wording of the questions must not be changed in any way.
6. Where a question is not relevant to your organisation, you should respond “Not Applicable”.
7. Please do not supply general marketing, promotional or similar material in response to a question, unless such material is specifically requested, or the material supplied is particularly relevant to the question. In either event, the material should be marked clearly to show your name, the number of the question to which it relates and, if appropriate, the page number or the section of the material which is relevant.
8. The Council may require you to clarify any part of your Bid or to supply additional information if it considers this appropriate.
9. Where this RFQ refers to UK legislation, qualifications, codes or similar matters you should, if you are established outside the UK, base your response on the equivalent legislation, qualifications or codes that apply in the relevant domestic jurisdiction.
10. If you are a member of a group of companies (e.g. sister organisation, subsidiary etc.), the Bid should be completed on behalf of your organisation only and not on behalf of the group as a whole (except where group information is specifically requested).
11. The Council will not accept a Bidder’s terms of business in lieu of or in addition to the conditions included at Appendix 2. By submitting a Bid, Bidders are agreeing to be bound by the conditions at Appendix 2 without further negotiation or amendment should their Bid be accepted, unless changes are agreed by the Council and such changes notified to all Bidders prior to Bid submission.
12. Please return an electronic copy of your Bid including any supporting material via the Portal from where you downloaded this RFQ. Please allow sufficient time to upload all documents to the Portal before the deadline.
13. Failure to submit your Bid by the closing time and date may result in your Bid not being evaluated.
14. Bids must remain valid and open for acceptance for three months from the closing date for return of the RFQ.

###### 4. AWARD CRITERIA

4.1 Each Bid received will be evaluated against a range of scored and mandatory

criteria.

4.2 Phase 1

Each Bid will be evaluated against a range of mandatory criteria as set out in Table 1:

Table 1 Scored criteria for this RFQ and respective weightings:

|  |  |  |
| --- | --- | --- |
| Question ID | Question | Weighting % |
| A1 | Bidder Information | Information Only |
| A2 | Mandatory Rejection Criteria | Pass/Fail |
| A3 | Discretionary Rejection Criteria | Pass/Fail |
| A4.1 | Insurance | Pass/Fail |
| A4.2 | Equality & Diversity | Pass/Fail |
| A4.3 | Safeguarding | N/A |
| A4.4 | Health & Safety | Pass/Fail |
| A4.5 | Data Protection/GDPR | Pass/Fail |
| A4.6 | Environmental Management | Pass/Fail |
| A5 | Technical Ability | Information Only |

Where a Bidder answers Yes to questions 4.2.2, 4.3.2, 4.4.4, 4.5., a Pass will be subject to evidence of investigation and/or corrective action implemented to satisfaction of the Council officers.

4.3 Phase 2

Bidders must pass Phase 1 for their Bid to be evaluated at Phase 2.

The scored criteria using the mechanism for scoring set out in Tables 2 and 3

Respectively and the mechanism for scoring Price set out in Table 4.

Table 2 Scored criteria for this RFQ and respective weightings:

|  |  |  |  |
| --- | --- | --- | --- |
| **Criteria** | **Weighting (%)** | **Sub-Criteria** | **Weighting (%)** |
| Quality | 60% | Method Statement | 20% |
|  |  | Consultants CV’s | 20% |
|  |  | Resilience, | 10% |
|  |  | Performance | 10% |
| Price | 40% |  |  |

**Please note that if there are any mandatory requirements in the Specification which are not met, the Council will treat your Bid as non-compliant.**

Table 3 Scoring mechanism for the scored criteria of this RFQ:

|  |  |  |
| --- | --- | --- |
| **Comment** | **Judgement** | **Marks available** |
| Clear, relevant and well detailed response that addresses all the requirements and provides the evaluator with confidence that the service will be provided to an excellent standard. Demonstrates in detail how all the relevant requirements of the specification will be met. | Excellent | 5 |
| Clear and relevant response that addresses all the requirements and provides the evaluator with confidence that the service will be provided to a good standard. Demonstrates how all or most of the relevant requirements of the specification will be met. The information may lack relevant detail in areas, but this does not cause the evaluator concern over the future delivery of services. | Good | 4 |
| Response addresses all or most of the requirements and provides the evaluator with confidence that the service will be provided to an acceptable standard. Demonstrates how all or most of the relevant requirements of the specification will be met. However, the information lacks some relevant detail and/or raises issues which causes the evaluator minor concern over the future delivery of services. | Satisfactory | 3 |
| Response addresses all or some of the requirements but does not provide the evaluator with confidence that the service will be provided to an acceptable standard. Demonstrates how all or most of the relevant requirements of the specification will be met. However, the information is lacking relevant detail and/ or raises issues which gives the evaluator more than minor concern over the future delivery of the services. | Unsatisfactory | 2 |
| Response addresses all or some of the requirements but does not provide the evaluator with confidence that the service will be provided to an acceptable standard. Fails to demonstrate how most of the relevant requirements of the specification will be met. | Poor | 1 |
| Response does not address any of the requirements. Response fails to provide the evaluator with confidence that the service will be provided to an acceptable standard. Does not demonstrate how any of the relevant requirements of the specification will be met. | Failed | 0 |

Minimum Pass Threshold

## Each Bid will be scored using the scoring matrix set out in Table [3]. The evaluation team will agree a consensus position on the scoring for each question/method statement. A moderator will record the evaluation scores and the rationale for the score.

Table 4 Scoring mechanism for Price

Bidders’ price scores will be calculated based upon the lowest price submitted by Bidders.

The Bidder with the lowest price will be awarded the full score of 40%, with the remaining Bidders gaining a pro-rated score in relation to how much higher their prices are when compared to the lowest price.

In the example below price is weighted as 60%:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Bidderer | Price | (price - lowest price) / lowest price = % above lowest price | 100% - % above lowest price | Score  Maximum points x (100% - % above lowest price) |
| 1 | £100 | (£100 - £100) / £100 = 0.00% | 100% - 0.00% = 100.00% | 60 x 100% = 60.00 |
| 2 | £125 | (£125 - £100) / £100 = 25.00% | 100% - 25.00% = 75.00% | 60 x 75% = 45.00 |
| 3 | £150 | (£150 - £100) / £100 = 50.00% | 100% - 50.00% = 50.00% | 60 x 50% = 30.00 |
| 4 | £175 | (£175 - £100) / £100 = 75.00% | 100% - 75.00% = 25.00% | 60 x 25% = 15.00 |
| 5 | £200 | (£200 - £100) / £100 = 100.00% | 100% - 100.00% = 0.00% | 60 x 0% = 0.00 |

Please note that no bidder will receive a minus score, so if the calculation does result in a minus score for price, a 0 will automatically be awarded.

4.4 Phase 3

The Bidder identified as the Most Economically Advantageous Bid will be evaluated at Phase 3.

The Council will carry out assessment using ratings available via Procurement Dun and Bradstreet. The potential service provider will be classified as financially stable if a pass rating is achieved on two or more of the models. The minimum pass ratings for each model is outlined in Table 5:

Table 5 Scoring mechanism for Financial Standing

|  |  |
| --- | --- |
| **Assessment** | **Minimum Pass Threshold** |
| D&B Risk Indicator | Equals 1 or 2 |
| D&B Financial Strength Indicator | Must not be “negative” or “undetermined”. |

Minimum Turnover

4.4 The Council reserves the right to:

4.4.1 waive or change the requirements of this RFQ from time to time without prior (or any) notice;

4.4.2 withdraw this RFQ at any time, or to re-invite Bids on the same or any alternative basis;

4.4.3 choose not to award any contract as a result of the current procurement process, or to award the contract in part.

4.5 The Council will not be liable for any bid costs, expenditure, work or effort incurred by a Bidder in proceeding with or participating in this RFQ process including if the process is terminated or amended by the Council.

**5. ADDITIONAL INFORMATION**

5.1 Freedom of Information

5.1.1 All information provided by you in your response to this RFQ will remain confidential and will not be disclosed to any other party except where required for official audit purposes or to the extent that the Council considers that disclosure is required pursuant to the Freedom of Information Act 2000 or any other applicable legislation, legal requirement or code of practice.

5.2 Confidentiality

5.2.1 By receiving this RFQ you agree to keep confidential the information contained in the RFQ or made available in connection with further enquiries and questions. Such information may be made available to your employees and professional advisers for the purpose only of responding to this RFQ.

5.3 Material Changes

5.3.1 At any time before the award of the contract, the Council reserves the right to disqualify any organisation whose circumstances change to the extent that it ceases to meet the selection criteria or makes a material change in respect of its Bid unless substantial justification can be provided to the satisfaction of the Council. Where a Bidder becomes aware after having submitted a Bid of a change in circumstances or information supplied, it should notify the Council of this as soon as possible.

* 1. Armed Forces Covenant

5.4.1 The council is committed to the Armed Forces Covenant and encourages its Providers and Contractors to also add their support. Sign up is not mandatory and does not form part of evaluation. Information can be accessed via:

<https://www.gov.uk/government/collections/armed-forces-covenant-supporting-information>

**6. INDICATIVE RFQ TIMETABLE**

The deadline for the return of the RFQ is as set out here unless otherwise notified by the Council. All other dates are indicative only and subject to change.

|  |  |
| --- | --- |
| **Activity** | **Date** |
| Advert placed on e-tendering Portal | 19/10/21 |
| Final date for submission of RFQ questions | 26/10/21 |
| Time period in which questions will be answered | 1 day |
| RFQ closing time and date | 28/10/21 – 12 Noon |
| Notification of award outcome to Bidders | 05/11/21 |
| Contract start date | 15/11/21 |

**Appendix 1 - Specification**

The Council is seeking to appoint consultants to provide Planning Policy resource to assist the Planning Policy Team prepare a draft Local Plan (Regulation 18) document for consultation in the summer of 2022.

It is envisaged that three consultants, equivalent to Senior or Principal Policy Officers, would be required working part-time (15 hours per week) for six months,

The Contract will commence 15th November 2021 until 14th April 2022. The Council reserve the right to extend the Contract in Monthly Periods for up to 3 Months (1 month x 3)

Costs should be provided for each individual on a day rate basis. Flexibility is sought to add additional months on a day rate basis should this become necessary through the life of the project for one or more of the consultants. The availability of the consultants to assist with the Local Plan Examination is also sought on a day rate basis should this become necessary.

The Council will consider proposals for all of the consultancy support being provided by a single provider, or from a combination of providers, depending on the experience and cost of the individuals identified for the project.

Some specific tasks have been identified that we can anticipate the consultants being asked to work on, but flexibility is needed for the consultants being available to assist with a range of planning policy tasks as they arise. Work is ongoing to prepare detailed project/ resource plans for preparing the draft Local Plan, but it is important this procurement is progressed in parallel to this work to ensure timely success of the project overall. Where specific examples have been provided of work areas, we can anticipate consultants being asked to assist with, it is envisaged that the consultants would work up their approach in partnership with the Council officers to ensure the work is carried out using an approach/ methodology the Council is comfortable with, although clearly where consultants have expertise in specialist areas, this would provide an opportunity for them to add value to the work.

Specific Examples of Work Areas the consultants could be asked to assist with are listed below.

In all cases, it is assumed that any work would be prepared to an appropriate standard that is demonstrably consistent with any national policy, guidance and legislative requirements and capable of scrutiny at a Local Plan Examination.

It is also assumed that the consultants would be capable of undertaking work collaboratively, with varying levels of interaction with other members of the policy team, depending on the task that could involve working as part of a wider team or with minimal supervision.

It is assumed that the tasks would be shared across the team of consultants and the precise mix of tasks would be informed by the experience of the individual consultants available.

Whilst example tasks have been listed, it is envisaged that costs will be provided on a day rate basis.

1. Assist with, manage or lead the preparation of the Council’s Housing, Economic Land Availability Assessment (HELAA)
2. Assist with, manage or lead the preparation of the Council’s Site Selection Process, including the preparation of a Site Selection Topic Paper that clearly illustrates the process undertaken and demonstrates why any conclusions have been reached. The methodology would need to be developed in collaboration with and agreed with the Council officers.
3. Providing technical feedback on emerging technical evidence and advising how it can inform the plan making process.
4. Contributing to and/ or preparing other Topic Papers, for example relating to other thematic areas, such as for the environment.
5. Contributing to and/ or preparing draft policy sections for the Local Plan relating to thematic areas, such as for the environment.
6. Assisting with the processing of consultation responses, in line with the Council’s methodology/approach.
7. Assisting with, and/ or preparing five-year land supply information to assist the Council’s land supply monitoring.
8. Other planning policy tasks that may be required to assist with the preparation of the draft Local Plan.

**Appendix 2 - Contract Conditions**

The conditions governing any contract awarded under this RFQ are set out in Appendix 2 Contract Conditions

PART B – REQUEST FOR QUOTATION

SECTION A MANDATORY CRITERIA (PHASE 1)

**A1 BIDDER INFORMATION**

**A2 MANDATORY REJECTION CRITERIA**

You will be excluded from the procurement process if you have been the subject of a binding legal decision which found a breach of legal obligations to pay tax or social security obligations (except where this is disproportionate e.g. only minor amounts involved).

If you have answered “yes” on the non-payment of taxes or social security contributions, and have not paid or entered into a binding arrangement to pay the full amount, you may still avoid exclusion if only minor tax or social security contributions are unpaid or if you have not yet had time to fulfil your obligations since learning of the exact amount due. If your organisation is in that position, please provide details. You may contact the Council for advice before completing this form.

**A3 DISCRETIONARY REJECTION CRITERIA**

The Council may exclude any Bidder who answers ‘Yes’. Where there is any indication that a conflict of interest exists or may arise then it is the responsibility of the Bidder to inform the Council, detailing the conflict. Provided that it has been carried out in a transparent manner, routine pre-market engagement carried out by the Council should not represent a conflict of interest for the Bidder.

**A4 MANDATORY CRITERIA**

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

**SECTION B SERVICE QUESTIONS (PHASE 2) 60%**

In order to progress to Phase 2 of the evaluation process, Bidders must pass Phase 1 – Mandatory Criteria (Section A).

**Please complete separate attachment titled Appendix 3 Response Pack**

**SECTION C PRICING SCHEDULE (PHASE 2) 40%**

In order to progress to Phase 2 of the evaluation process, Bidders must pass Phase 1 – Mandatory Criteria.

**Please complete separate attachment titled Appendix 3 Response Pack/ Pricing Document**

**COMPLETING THE PRICING DOCUMENT**

You should identify all potential cost components anticipated in your delivery of the Services described in Appendix 1 Specification. No additional costs will be considered by the Council unless these are clearly stated in your Pricing Schedule response.

All prices should exclude VAT.

**SECTION D ECONOMIC & FINANCIAL STANDING (PHASE 3) PASS/FAIL**

In order to progress to Phase 3 of the evaluation process, Bidders must pass Phase 1 – Mandatory Criteria, and be identified as the Most Economically Advantageous Tender at Phase 2.

Bidder’s financial stability will be assessed using Procurement Catalyst reports.

**Documentation should be ready to submit from 28th October 2021. Where Bidders are not able to provide the information set out in a or b, the value of the contract(s) awarded may be limited.**

**GUIDANCE**

1. **Introduction**
   1. The Council will assess the potential service provider’s finances as follows; -

For tenders above the Public Contract Regulations 2015 (“PCR 2015”) threshold (£189,330 at the time of publication of this RFQ), the test will include an assessment of the finances as per section 3 below, and an assessment via Catalyst as per section 4 below.

For tenders below the PCR 2015 threshold, the assessment will be via Catalyst as per section 4 below. If the potential service provider fails the section 4 assessment, the assessment in section 3 will be conducted.

1. **Financial Submission Documents**
   1. There is no requirement to submit financial documents with your Tender/Bid return. The potential service provider will be asked to submit their latest 2 years audited or signed accounts[[1]](#footnote-1). These must include both a statement of income & expenditure and balance sheet and be provided as a separate set of accounts for each year. See also paragraph 2.3.
   2. Where it is not possible to submit the documents stated in paragraph 2.1 an income and expenditure account shall be submitted for the two most recent financial years and be provided as a separate set of accounts for each year1. These must either be signed by the potential service provider 's accountant or accompanied by the tax return to validate the figures. See also paragraph 2.3.
   3. Where the most recent financial year end for the documents specified in paragraphs 2.1 or 2.2 is greater than 6 months prior to submission, either an interim set of accounts (which reduces the period to less than 6 months) or a statement (which either confirms no significant change or states significant changes to the finances) signed by your Financial Director, Accountant or Company Director must also be submitted. For example, if the most recent accounts submitted have a year-end date of 31 March 2016 and the submission date is after 30 September 2016 this would be required.
   4. If the potential service provider has not been operating for long enough to have 2 sets of financial statements, the requirements are set out in section 5 below relating to new companies.
   5. When assessing charitable or not for profit organisations an allowance will be made in the tests, particularly the profitability test. It is therefore important that this status is made clear in any submissions.
   6. The Council may also seek further evidence of the financial viability of the organisation to inform a risk assessment to determine whether the Council can be sufficiently satisfied of financial standing. The Council’s determination of financial viability within these thresholds will be final and failure to satisfy the Council of sound financial standing will disqualify the potential service provider.
   7. The Council will, when undertaking the assessment in section 3 and 4 below, check for any indicators that suggest there are any potential breaches of obligation to pay taxes as part of the due diligence of the potential provider’s bid.
2. **Financial Accounts Evaluation**

3.1. Accounts will be assessed using the below criteria for the potential service provider.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Criteria** | **Sub-Criteria** | **Weighting** | **Pass Mark** | **Ratios** |
| Ratio Analysis | Profitability | 30% | 15/30 | Gross & Net profit to Turnover |
| Liquidity | 30% | 15/30 | Interest Cover & Gearing |
| Gearing | 30% | 15/30 | Current Ratio & Quick Ratio |
| Turnover | | 10% | 5/10 | Contract Percentage of Turnover |
| **Total** | | **100%** | **50/100** |  |

3.2.The potential service provider must score the minimum pass mark for each test in the table above and meet the criteria to pass Procurement Catalyst assessment in section 4 below. Where a company fails any of the sub criteria or the Procurement Catalyst assessment the Council will carry out further analysis and may request further information to assure itself that the additional risk this poses is acceptable.

1. **Procurement Dun and Bradstreet Evaluation**

4.1.The Council will carry out assessment using ratings models available via Procurement Dun and Bradstreet reports:

• D&B Risk Indicator

• D&B Financial Strength Indicator

• D&B Delinquency Score (if relevant)

4.2.The potential service provider will be classified as financially stable if a pass rating is achieved on the checks identified and included above. The minimum pass ratings for each model is outlined below:

• D&B Risk Indicator – Equals 1 or 2

• D&B Financial Strength Indicator – Must not be “negative” or “undetermined”.

• D&B Delinquency Score - TBC

* 1. A potential service provider not achieving a pass rating on two or more of the models due to fail ratings or unavailable ratings will be subject to the assessment in section 3.

Please note that this company check is not a credit check search and will have no impact on your credit rating. The Council reserves the right to carry out company checks on your company throughout the life of this contract

1. **New Organisations**
   1. For organisations with less than 2 years’ accounts available, the financial submission documentation is:

* As much of the financial documentation set out under section 2 above as possible.
* Business plans and projections for the length of the contract.
  1. Where a new company is created as a result of a merger the financial submission documentation is:
* As much of the financial documentation set out under section 2 above as possible.
* Accounts for the remainder of the prior two years for all businesses which were involved in the merger, along with an explanation of significant accounting or operational changes.
  1. Based on the documents submitted testing will be carried out and an analysis of the risk level to the Council considered.

1. **Parent Company Guarantee** 
   1. If a company wishes to rely on the accounts of their parent company, the above requirements and tests will apply to the parent company’s accounts.
   2. A letter from the parent company stating that they are willing to provide a parent company guarantee must also be submitted.
   3. The parent company accounts will only be assessed where the Council deems this to be appropriate. The Council will normally rely on the accounts of the company itself.
   4. Where a company fails to pass these tests on their own accounts they may be offered the opportunity to submit parent company accounts.

**SECTION E FORM OF QUOTATION**

**Please complete separate attachment titled Appendix 3 Response Pack**

1. Financial accounts and supporting information should wherever possible be provided in English and GBP Sterling. Where this is not possible, the Council will use an exchange rate where necessary as part of the assessment of financial standing. The source of the exchange rate will usually be www.xe.com and the rate used can be notified to the potential service provider by the Council at the time the assessment is made. [↑](#footnote-ref-1)