

Bath & North East Somerset Council

Public Transport

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Date: 26th June 2019
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To:

Potential bidders for Public Transport supported services

Dear Sir/Madam

INVITATION TO TENDER - CONTRACTS FOR SUPPORTED BUS SERVICES

Following the recent tender for bus services within the Bath & North East Somerset Council area (**DN402512**), I am writing to invite you to bid for the following tender which is an additional variation on the timetable and route for service 179:

179 – Midsomer Norton, Fosseway South to Bath (FB20 Monday to Fridays Only)

This invitation to tender includes the following materials:

- This covering letter
- Instructions for bidders
- A Submission & Pricing Schedule to be submitted by the bidder
- The standard form of Contract
- Schedules specifying the timings, routing, fares, and other conditions associated with each service to be contracted
- Historical patronage and revenue data for service

This information is provided on the basis that all recipients will keep the information confidential, and not divulge the contents to any third party without the written authority of the Council.

The deadline for submission of tenders is **12:00hrs on Friday 12th July 2019** with contracts to be awarded later in August 2019 for the service to commence on 10th November 2019.

Bids must be submitted via our portal www.supplyingthesouthwest.org.uk.

The attention of bidders is drawn to the following details.

West of England Combined Authority (WECA)

Bath & North East Somerset Council is acting on behalf of WECA as Transport Authority with responsibility for securing socially desirable services where these are judged necessary. At some point WECA may become the formal contract holder and contracts would transfer to WECA.

Vehicle Requirements & Clean Air Zone

Bidders are requested, to include emission standard information in their submissions. Contracts in all cases require low floor PSVAR 2000 compliant vehicles to be operated for the duration of the contract. The maximum age of vehicle is stated in the schedule for the service.

Bidders should note that Bath & North East Somerset Council will introduce a clean air zone within Central Bath commencing on 1st January 2021. Registered bus services operating in the zone will need to be operated by a Euro VI emission vehicle from that date. This contract will however end before that start date.

Fares

For tendered services the maximum fares chargeable are set by the Council, and adjusted annually, or linked to the level of prevailing commercial fares on the route where the supported service provides an enhancement to that service. The arrangements are detailed separately for each service in the Schedules.

Nature of Contract

The Council invites bidders to submit tenders on both a net subsidy and gross cost basis for all contracts. On a net subsidy basis the Council will make an annual payment to the operator, and the operator will then retain all revenue collected on or attributed to the services. On a gross cost basis the Council will provide a fixed annual sum to the operator and retain all revenue collected on or attributed to the services.

The form of Contract published with this ITT will apply, including the details of the services as set out in the Schedules. The final contract between the Operator and the Council will include one or more Schedules relating to individual services.

Real Time Information

1. The Council requires all of the services in this tender to be equipped with installation of real time information (RTI) on-vehicle equipment. Operators will need to ensure that they enable this facility within their ticket machines and pay for the associated maintenance. Operators must sign the West of England bus operations agreement covering operating procedures and revenue costs towards the operating costs of the RTI system. The Council's RTI current supplier is Idox Software Ltd.
2. In order for the contractor to meet the required journey matching performance of 90%+ for all Council contracted local bus services included on the RTI system, the contractor agrees to adhere to their responsibilities as

outlined in the West of England Real Time Information Agreement, section 1 Responsibilities.

3. The contractor will make all reasonable endeavours (except in the case of an emergency) to ensure that the contracted service or their successors are operated at all times with buses fitted with the necessary RTI equipment. Operators will endeavour to ensure that each month 90%+ of all journeys operated are tracked on the RTI system.

Variation to Specifications

Bidders are very welcome to offer different prices for such different specifications as they may wish the Council to consider on the service listed above.

If a bidder does wish to propose alternative specifications, including but not limited to timetables, operating times, or fare structures; they should clearly annotate the Pricing Schedule (Option A) to make it clear that an alternative specification is proposed.

Indexation

The tender price submitted must be the annual sum required at November 2019 prices. The contract values will be indexed in accordance with Clause 7 and Schedule D of the Contract. Note that the first indexation adjustment to the contract will take effect from April 2020.

Bus Service Operators Grant

Bus Service Operators Grant cannot be claimed by operators in respect of tendered services. Prices submitted should therefore reflect the full cost of fuel used on the services.

Patronage and Revenue data

The patronage and revenue data provided is derived from the information available to the Council. In some cases this data may be incomplete, and may contain errors, and the Council provides no warranty as to the accuracy or completeness of this data. Any assumptions regarding patronage and revenue that are made by bidders must be made entirely at their own risk and responsibility.

Please note that the historic data supplied may not reflect the position in the future. Bidders should make their own assessments of revenue and patronage for any bid submitted on a net subsidy basis.

Bath Bus Station Departure Charges

The operator may be required to pay departure charges for the use of Bath Bus Station whilst operating the contract (see link for more details).

https://www.firstgroup.com/uploads/node_images/bristol-bath-and-west/Bath_Bus_Stn_Conditions_of_Use.pdf

Staff

The transfer of services between operators may affect employees, and bidders will be responsible for any TUPE obligations that arise in respect of a change of contract from the existing operator.

Tender Award

The fact that prices are requested for different options for services does not imply that any option or service specification will be contracted for by the Council. The Council shall determine whether to accept a tender or which if any of several tenders to accept solely by reference to what in its view is the most effective and economic application of the funds at its disposal for the payment of service subsidies.

Where bidders have any enquiries arising from the contract documents which may have a bearing on the offer to be made these must be submitted via our portal (as above). Responses to questions may be viewed by other potential bidders.

The Council reserves the right to clarify and confirm details of the proposals submitted by any bidder without prejudice to the decision to award contracts.

Evaluations will be undertaken by officers of the Council who will follow a systematic and comprehensive process in accordance with the Council's procedures. Tenders will be evaluated to find the most suitable Tenderer who can meet the Specification and provide competitiveness of price.

The Council expects to make an award for the Contract within [14 days] of the closing date for the submission of tenders. The Council may, if necessary, extend the period for completing the award process.

The decision of the award will be based on the evaluation criteria as outlined under Award Criteria in this document.

Tenderer(s) that are successfully awarded will receive in writing an award decision notice pursuant to Regulation 86 of the Public Contracts Regulations 2015.

Tenderers who have not been successful will equally receive in writing an award decision notice pursuant to Regulation 86 of the Public Contracts Regulation 2015.

Upon acceptance, the Contract shall thereby be constituted and become binding on both parties and, notwithstanding that, the Tenderer upon request of the Council execute a formal Contract in the form contained in this Tender process.

Tenderers must not undertake work without written notification that they have been awarded a Contract and are required to start work.

Tenderers should note that the Council reserves the right to terminate this procedure without any decision to award and will not be liable for any costs incurred by the Tenderers in preparing their responses.

Tenderers should also note that, should they be successful the Council reserves the right to terminate the Contract, if at any time it is discovered that the Tenderer made any material misrepresentation and/or have not notified to the Council about any material changes in relation to the information provided in the Tender submission.

Submitted Tender responses will be evaluated by officers of the Council using the award criteria and weightings detailed in the table below.

Tenderer's completion of the Pricing Schedule will give the award score in terms of Price.

Award Criteria

Contracts will be awarded on the following split:

Price	100%	
Quality	0%	

Yours faithfully

Jon King
Public Transport Officer