**Lake District National Park Authority**

**Restoration and resilience work to paths in the Upland Fells of the Lake District National Park**

**Date**

 **20 February 2020**

**Deadline for Submissions**

**20 March 2020**

# INFORMATION AND INSTRUCTIONS TO TENDERERS

### Introduction and background to the project

The Authority is seeking a contractor to design and deliver a major programme of works to paths in the Upland Fells of the Lake District National Park. The intention of this tender is to procure a contractor to lead this work from April 2020 (or at the earliest opportunity after that subject to further discussion post-bid and during evaluation) to the end of October 2021.

### The Issue

The Lake District National Park was established in 1951, after Government enacted the National Parks and Access to Countryside Act in 1949. The Lake District National Park Authority (“the Authority”), established by the Environment Act 1995, has some of functions and powers of a local authority, although some statutory powers are different to other local government bodies. The long term strategic vision for the Authority is that the National Park will be an inspirational example of sustainable development in action. The National Park covers an area of 229,200 hectares, and has a local population of only 42,000 but receives approximately 19 million visitors each year.

The Highway Authority (Cumbria County Council) is ultimately responsible for all Public Rights of Way in Cumbria. Since 1997 the Authority has had full delegated powers to manage aspects of rights of way network in the Lake District National Park, including maintenance to surveying and updating the legal records. This entails various duties to assert and protect the rights of the public to their use and enjoyment, prevent as far as possible their obstruction, improve access where possible and regulate their use as required. The Authority undertakes the additional responsibility of ‘protecting the landscape’, repairing eroded paths (over and above the necessary) to reduce the impact of usage on the environment and landscape.

The work will be part of a European Regional Development Fund project within the Fix the Fells partnership. The ERDF funded project runs to December 2021 and includes up to 10 individual work packages to repair upland paths at multiple locations in the fells. Details of these can be found in Appendix 1.

Subject to funding requirements, we would like to complete all 10 work packages, but may not be able to depending on cost. In order to carry out this work, we would like potential contractors to complete prices for each individual component of the work in Appendix 4. The specifications for each work package will then be drawn up by the successful contractor using these prices in conjunction with and to be agreed by a Fix the Fells representative. The extent of the works may be varied depending on funding availability.

Rebuilding and restoring upland paths is highly specialised work, with exacting standards required if paths are to be effective and long-lasting in harsh environmental conditions. Skilled and experienced workers are required to achieve this outcome.

### (PQQ) – Pre Qualification Questionnaire

**Tenderers will need to be able to demonstrate experience, skill and competencies in all the areas outlined below. If a Tenderer is unable to demonstrate the required experience, skills and competencies in all the areas they are unable to proceed any further or submit a Tender for consideration.**

|  |  |
| --- | --- |
| **Essential** pre-qualifying requirements | **Tick** to confirm requirement is met |
| Experience - At least 3 years’ experience of working on Upland Fell paths in the Lake District National Park |  |
| Staff - Sufficient numbers of suitably fit, skilled and qualified staff (requiring walking up to 5km from nearest road to altitudes of 700m) |  |
| Skills and experience - Proven track record of repairing upland fell paths demonstrating compliance with best practice from both ‘Repairing Upland Path Erosion’ (Davies and Loxham) and ‘Upland Pathwork’ 3rd edition (Upland Path Advisory Group) |  |

### Tender Objective

This tender is for the provision of a contractor to design and deliver a major programme of works to fell paths in the Upland Fells of the Lake District National Park.

The work delivered must be of a standard in keeping with that which has been delivered in the past 10 years adhering with best practice from both ‘Repairing Upland Path Erosion’ (Davies and Loxham) and ‘Upland Pathwork’ 3rd edition (Upland Path Advisory Group).

Work will begin at the earliest opportunity after appointment (subject to further discussion post-bid and during evaluation) and must be scheduled outside of the period between November and March, during which conditions are unsuitable. The work must be finished by the end of October 2021.

This is highly specialised work requiring a contractor with at least 3 years’ experience of similar work in the Lake District National Park. The range of activities required includes:

* Inspecting job sites to identify, survey and assess damage
* Producing site descriptions and designing work specifications
* Delivering specialist pathworks including drainage, culverts, water breaks, ditching, waths and fords, resurfacing, alignment and construction of paths (stone pitching, aggregate surfacing, soil inversion, aligning & defining, cut and fill, revetments, stone flags and stepping stones)
* Landscaping (transplanting vegetation, reseeding, fertilising, grading, deflection/desire lines)

The contractor must have significant experience of relevant logistics and safe working practices, including:

* personnel supervision
* risk assessment, Construction Design and Management regulations
* team/contractor welfare
* public safety
* provision and safe operation of relevant machinery, tools and equipment
* working with helicopters and heavy machinery
* quantity assessments and procurement
* environmental risk management

It may be necessary to dismantle a machine and fly it to site if no suitable access route can be found. All organisation and costs of such an operation will be the responsibility of the contractor. Flying costs will be agreed separately if required.

### Experience/Skills/Competencies Required

The Authority wishes to contract with a single supplier for a broad range of upland path repairs and requires experience/skills/competencies across a number of areas. The successful Tenderer should meet all of the Essential Requirements listed below.

**Excellence in assessment and design**

* Extensive experience of assessing damage to upland paths, identifying causes and designing appropriate solutions
* Experience of path maintenance and incorporation of this into design and construction
* Experience of producing site descriptions and specifications for this type of work

**A track record of delivery**

* Extensive experience of delivering upland footpath drainage, including culverts, water breaks, ditching, waths and fords
* Extensive experience of surfacing work on upland paths, including alignment and construction (stone pitching, aggregate surface, soil inversion, aligning and defining, cut and fill, revetments, stone flags and stepping stones)
* Experience of landscaping work in the Upland Fells, including transplanting vegetation, reseeding, fertilising, grading, deflection/desire lines
* Experience of sourcing materials for Upland pathworks, including locally winning stone, aggregates, soil and vegetation and procuring appropriate flags.
* Demonstrable awareness and knowledge of ecological and archaeological issues and experience of working in Sites of Special Scientific Interest, Special Areas of Conservation and other designated habitats and landscapes.

**Effective logistics and safe working practices**

* Excellent personnel supervision with regard to lone working, motivation and organisation
* Fundamental incorporation of risk management systems, including generic and dynamic risk assessment, Construction Design and Management Regulations, working with helicopters and working in challenging environments
* Systemic protection of workers, including First Aid qualifications, including provision of relevant qualifications for this type of work in this type of work environment,
* Personal Protective Clothing and equipment for mountain work sites and relevant kit for type of work
* Embedded consideration of team welfare, through provision of appropriate shelter, vehicles and work patterns
* Extensive experience and consideration of public safety in site management
* Access to all necessary and specialist tools and equipment
* Extensive experience of safe management and provision of appropriate machinery, including All Terrain Vehicles, tracked barrows, tracked and wheeled excavators
* Experience of working with helicopters, including bag loading and take-off/landing site management
* Track record of sourcing, locating and securing appropriate materials
* Experience of appropriate environmental risk management

**Quality assurance**

* Experience of implementing Quality Management processes, including ongoing monitoring and assessment to ensure that specifications are met

The key competencies above will guide our scoring when assessing applications.

### Submission of the tender documents

**What you need to do**

### Your submission should include:

* A firm price for completion of all items listed in Appendix 4 (i.e. a price that is not subject to variation).
* Two references (two sheets enclosed). See Appendix 2
* Declaration of non-collusion (sheet enclosed to be signed). See Appendix 3

### Tenders must be received by 12:00 20 March 2020. Tender documents received late, i.e. after the specified date and time, will not be considered.

**How to return the tender**

### The tender is to be submitted in electronic format via The CHEST online procurement system at <https://www.the-chest.org.uk>. The system will notify you by email to acknowledge receipt of your submission. Please note that no tender document will be deemed to have been received unless an email receipt has been sent. In case of query relating to tender submission please contact Richard Fox (contact details shown below).

**Opening of tenders**

### Tender documents will remain unopened until after the closing date, after which time they will be opened at one time, with witnesses, by independent officers of the Authority. All tenders submitted will be verified to ensure that the information requested has been provided. Once tender documents have been opened and signed they are then passed to the originating department for evaluation.

**Timetable for this project**

### Our timetable for this project is:

|  |  |
| --- | --- |
| **Date** | **Activity** |
| 21 February 2020 | Publication of Tender Documentation |
| 12:00 on 20 March 2020 | Tenders return deadline |
| w/c 23 March 2020 | Tender evaluation and shortlisting |
| 27 March 2020 | Notification to successful supplier |
| 10 April 2020 | Contract Award (after 10 working day cooling off period) |
| 13 April 2020(or as soon as possible thereafter, subject to further discussion post-bid and during evaluation) | Contract start date |

**Contact and information**

### For further information or any queries regarding the content of the tender please submit questions via The CHEST messaging system.

### For feedback on your submission and receipt of your tender document please contact Richard Fox Richard.Fox@lakedistrict.gov.uk or phone 01768 871408.

### Lake District National Park Authority Northern Office, Old Station Yard Threlkeld, Keswick, Cumbria. CA12 4TT

### Evaluation of tenders

**Evaluation criteria**

All tenders received will be considered based on the information they have submitted in their tender. The tenders will be evaluated upon the following criteria;

|  |  |  |  |
| --- | --- | --- | --- |
| **Criteria** | **Potential Score** | **Weighting** | **Max Score** |
| Price | 1-5 | 12 | 60 |
| Previous experience in this or related field  | 1-5 | 4 | 15 |
| Proven ability to complete the work to the required timescales and quality | 1-5 | 5 | 20 |
| Overall quality of the submission (detail; presentation; clarity) | 1-5 | 2 | 10 |
| Outline of proposed methodology for each item in Appendix 4 outlining sustainable practices to be used (clarity of how works to be done) | 1-5 | 3 | 15 |
| Technical Ability (resources, skill, experience and knowledge held to successfully complete the work) | 1-5 | 2 | 10 |
| Maximum Possible Score | 120 |

**Questions on tender submissions**

If tenderers have any questions they wish to ask the Authority, they must submit them to the Authority via The CHEST messaging system. Any questions received will be made anonymous and responses sent to all tenderers.

**Award of tender**

The Authority will decide to whom the contract shall be awarded based on the evaluation criteria outline above. The Authority does not bind itself to accept the lowest or any tender/quotation and reserves the right to accept the whole or parts of tenders/quotations. The Authority will notify acceptance of the tender to the successful tenderer as soon as is reasonably practicable.

### TENDER INFORMATION

**Confidentiality**

The details of these documents and all associated documents are to be treated as private and confidential for use only in connection with the Tender process.

**Freedom of Information**

The Authority is committed to meeting its legal responsibilities under the Freedom of Information Act 2000. Accordingly all information submitted to the Authority may need to be disclosed in response to a request under the Act. If you consider that any of the information included in your tender is commercially sensitive, please identify it and explain (in broad terms) what harm may result from disclosure if a request is received, and the time period applicable to that sensitivity. You should be aware that, even where you have indicated that information is commercially sensitive, we may be required to disclose it under the Act if a request is received. Please also note that the receipt of any material marked ‘confidential’ or equivalent by the public authority should not be taken to mean that the public authority accepts any duty of confidence by virtue of that marking. If a request is received, we may also be required to disclose details of unsuccessful tenders.

**Anti Fraud and Corruption Policy**

The Authority has an Anti Fraud and Corruption Strategy which sets out the responsibilities of officers and action to be taken in cases of theft, corruption, irregularity, or when damage is suspected. The Confidential Reporting Code, (Whistle Blowing Policy), forms part of this Strategy which provides a mechanism for staff to report suspected wrong doings confidentially.  In the event of such an issue, an investigation would be carried out and action taken as necessary.

**Costs and expenses**

The Authority will not be responsible for, or pay for, expenses or losses which may be incurred by a tenderer in the preparation of their tender. The Authority does not bind itself to accept any of the tenders as a result of the tendering process including the lowest tender.

**Preparation of Tenders**

For the preparation of their tender and entering into a contract with the Authority, tenderers must ensure that they have all the information required and must satisfy themselves of the correct interpretation of terminology used in these documents.

**Queries on the tenders**

If any points in these tender documents are considered by the tenderer as unclear, the tenderer should address their queries via The CHEST messaging system to obtain an explanation before sending their tender. Their query will be responded to via The CHEST, but it shall not be construed in a way that adds to, modifies or takes away from the meaning and intent of the contract and/or the obligations and liabilities of the contract.

**Alterations**

None of these documents may be altered by the tenderer. If the tenderer wishes to propose modifications to any of the documents (which they may consider would provide a better way to achieve the contracts objectives) they must provide details in a separate letter accompanying the tender response.

**Prices**

All prices must be net and, where applicable, carriage paid with all cash and trade discounts allowed for.

**VAT**

All prices and/or rates shall be exclusive of Value Added Tax.

**Validity of tenders**

Tenders shall be valid for a minimum of three calendar months from the closing date for receipt of tenders.

**Sub-contractors**

The level of sub-contracting and the processes for doing so must be pre-approved with the Fix the Fells Programme Manager to comply with the funding agreement and Public Contracts Regulations 2015.

**Quality of goods / services**

Tenderers must possess relevant professional qualifications and experience.

**Conflict of Interest**

The Authority requires all tenderers to confirm whether any actual or potential conflicts of interest that exist which may prevent them undertaking this work, and a description of measures they would adopt if a potential conflict of interest arose during or following completion of this work.

**Treatment of tender**

The acknowledgement of receipt of any submitted tender shall not constitute any actual or implied agreement between the Authority and the tenderer.

**Debriefing**

All unsuccessful bidders will be offered the opportunity to be given a debriefing. Requests for debriefing are to be made in writing.

**The Authority’s use of Contract Outputs**

The Authority may wish to publicly quote the Contract Outputs such as any policies, figures, training materials, risk assessments etc. Tenders are requested to confirm that the Authority may (at the Authority’s own discretion) do so without restriction.

**Ownership**

The intellectual property rights rests with the Authority, not the tenderer.

|  |  |
| --- | --- |
| Summary of relevant skills, experience and proposed delivery | All sections to be completed |
| Price (not including VAT) |  |
| Start date | 1 April 2020 |
| Completion date | 31 October 2021 |
| Previous experienceDescribe your background in delivering this type of work, including specific jobs and clients.Outline experience of relevant techniques, processes, machinery/equipment.Include relevant health & safety and logistical experienceMax 600 words |  |

|  |  |
| --- | --- |
| **Qualifications/ experience** of Key Personnel leading implementation of this work Max 400 words |  |
| Ability to complete work to timescaleMax 150 words |  |
| **Outline method statement**Summary of how you intend to do the work.Include timescales for stages and jobs within the scope of works |  |
| **Risk assessment & health and safety**(outline matters you would consider for risk management and how you would manage it)Max 400 words |  |
| **Approach to deployment of workers locally**Summary of how you intend to accommodate and deploy workers locally in delivering this work.Max 400 words |  |
| **Local knowledge and experience**(summary)Max 400 words |  |
| Specific example of similar work Add photo, etc as requiredInclude site name/location, nature of works, customer, date, duration, scale |  |
| **NOTE:** Appendices to your tender will be accepted to illustrate key points. These may include case studies, a proposed work schedule, photographs and a diagram of the proposed team structure. We would ask you to keep these concise and relevant, clearly referencing which section each piece of information relates to. |

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| Appendix 1 – Details of jobs included in this tender

|  |  |  |
| --- | --- | --- |
| **Path** | **Approx. Length (m)** | **Notes** |
| Greenup Edge to High Raise, Langdale | 250m |  |
| Boredale Hause/Angle Tarn/The Knott, Patterdale | 200m |  |
| Grains Gill to High Pike, Caldbeck | 200m |  |
| Barf to Lord’s Seat, Whinlatter | 200m |  |
| Greenup Edge/Stonethwaite, Borrowdale | 300m | Needs large spider machine |
| High Tove to High Seat, Armboth | 500m | Needs stone flags |
| Stephenson Ground Bridleway to the Walna Scar Road, Coniston | 400m |  |
| Tottlebank to Sunny Bank Bridge (Beacon Tarn) Broughton-in-Furness | 400m |  |
| Scafell Pike | 300m | Needs machine flying / spider machine |
| Greenside Mine to Red Tarn | 1000m |  |

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### Appendix 2 – References

### Potential suppliers are required to submit details of two organisations for which fell path contracts have been completed. This is so that references may be obtained. The Authority may wish to obtain an email/telephone reference for the successful tenderer prior to the award of the contract.

**Reference 1 Comments**

|  |  |  |
| --- | --- | --- |
| Organisation Name |  |  |
| Contact Name  |  |
| Address |  |
| Telephone Number |  |
| E Mail address |  |
| Estimated contract sum |  |

**Reference 2 Comments**

|  |  |  |
| --- | --- | --- |
| Organisation Name |  |  |
| Contact Name  |  |
| Address |  |
| Telephone Number |  |
| E Mail address |  |
| Estimated contract sum |  |

PLEASE NOTE THAT ALL INFORMATION WILL BE TREATED IN THE STRICTEST CONFIDENCE AND WILL BE USED PURELY AS A MEANS OF OBTAINING REFERENCES.

### Appendix 3 – Declaration of Non-Collusion

To: **Lake District National Park Authority**

The essence of selective tendering is that the Authority shall receive bona fide competitive tenders from all firms tendering. In recognition of this principle, I/We certify that this is a bona fide tender, intended to be competitive and that I/We have not and will not (either personally or by anyone on my/our behalf):-

1. Fix or adjust the amount of the tender (or the rate and prices quoted) by agreement with any other person.
2. Communicate to anyone, other than the person calling for this tender, the amount or approximate amount or terms of the proposed tender (except other than in confidence, where essential to obtain professional advice or insurance premium quotations required for the preparation of the tender).
3. Enter into any agreement or arrangement with any other person that he shall refrain from tendering or as to the amount or terms of any tenders to be submitted.
4. Canvass or solicit any member, officer or other employee of the Authority in connection with the award of this or any other Authority contract or tender.
5. Offer, give or agree to give any inducement or reward in respect of this or any other Authority contract or tender.

|  |  |
| --- | --- |
| **Signed** (as in Tenders) duly authorised to sign  | …………………………………………….. …… |
| **For and on behalf of**  | ………………….. ……………………...………. |
| **Date** | …………………….…………………………….. |

Appendix 4 - **Pricing Proposal**

|  |  |
| --- | --- |
| **Upland Path Repair Machine Works in the Lake District** |   |
| **Sub Strata Reversal Paths**  | Price |
| Excavation of acceptable material to form a sub strata reversal path on steep ground and cross slopes where tracked machinery access is not possible and with a 1-1.5 hour walk in with no quad bike or ATV access possible | m3 |
| Excavation of acceptable material to form a sub strata reversal path on steep ground and cross slopes where tracked machinery access is not possible and with a 1.5-2 hour walk in with no quad bike or ATV access possible | m3 |
| Excavation of acceptable material to form a machined path 1.5 m wide with a camber. Extraction ditch <1.0m depth, build depth of path not exceeding 0.4m. With quad access. | m3 |
| Excavation of acceptable material to form a machined path 1.5m wide with a camber. Extraction ditch <1.0m depth, build depth of path 0.4-0.8m. With quad access. | m3 |
| Extra cost over the above when extraction ditch is >1.0m and <1.5m | m3 |
| Provision for refuelling of plant and machinery  | Day |
| Cost to extract and transport additional acceptable material from between 5 - 20m of path line using a power barrow or equivalent | m3 |
| Cost to extract and transport additional acceptable material from between 20m - 50m of pathline using a power barrow or equivalent | m3 |
| Cost to extract and transport additional acceptable material from between 50m-100m of pathline using a power barrow or equivalent | m3 |
| **Water Bars and drainage ditches - Labour only**  |   |
| Excavate and construct a stone lined grip | m2 |
| Excavate drainage ditch 0.45 x 0.30m deep with turf lining | m |
| Excavate drainage ditch 0.45 x 0.45m deep with turf lining | m |
| Excavate drainage ditch greater than 0.45 x 0.45 but less than 1.0 x 0.75m deep with turf lining | m |
| **Miscellaneous** |   |
| Construct stone pitched ford using locally won stone or stone at site | m2 |
| Construct stone pitched spillways and splash plates using stone at site | m2 |
| Technical stone pitching (1m2/person/day with stone found at site | m2 |
| Salvage and transport suitable pitching stone from area and transport to work site location for pitching/spillways/splash plates etc.  | hr |
| Construct supporting revetment walls above path  | m3 |
| Construct revetment walls below path edge  | m3 |
| Peat hag reprofiling | m2 |
| Construction of stone flagged path (assuming flags provided) | m2 |
| Supply of suitable stone flags  | m2 |
| **Day Rates** |   |
| General labour  | hr |
| Skilled labourer / operator | hr |
| Project / site manager | hr |
| **Machinery rates**  |   |
| Please list machinery likely to be required to carry out the pathwork and associated drainage and landscaping. Rates should include operator and fuel but not delivery to site and should be for a standard 8 hour day | day |
| If required to fly in by helicopter, cost to dismantle 3 tonne machine into parts no bigger than 950kg, reassemble on fell, dismantle and reassemble. |  |