

**INVITATION TO PARTICIPATE
for the Provision of**

**Translation Interpretation and
Signing Services**

under a

Dynamic Purchasing System

August 2017
DN xxx

SECTION 1 – THE REQUIREMENT

1.1 Introduction

The Council wishes to establish a local multi-supplier Dynamic Purchasing System (DPS) for the provision of Translation, Interpretation and Signing Services. The Council is managing this procurement in line with the Public Contracts Regulations 2015.

1.2 The Requirement



TIS specification
17.pdf

1.3 Term of the DPS

The DPS shall be in place from the 1st December 2017 for a 4 year term.

1.4 Set up of The Dynamic Purchasing System

This tendering process relates to the first stage of the DPS. Contracts with successful Suppliers shall be entered into by the Council as a result of this procurement, with potential later entry of other Suppliers at later dates.

The initial set-up of the DPS, the later application of more Suppliers and all Mini-Competitions shall be administered electronically through the Council's chosen procurement portal.

This opportunity has been advertised on the Council's procurement portal and the Government's 'Contracts Finder' site. As part of the Invitation to Participate documents, suppliers have been issued with a Pre-Qualification Questionnaire (PQQ).

After the closing date, completed PQQs received shall be evaluated according to the criteria and scoring detailed in Section 4 of this ITP.

On the basis of the evaluation, the Council shall endeavour to award places on the DPS to successful Suppliers within 10 working days.

1.5 Call Off Arrangements

Mini-Competitions will be held at least once a year to encourage competition.

It is anticipated that in the first year, Mini-Competitions shall be held as follows:

- Translation and Interpretation – October 2017

- British Sign Language Interpretation – dependant on demand

The Council reserves the right to change the above and may increase the frequency of mini-competitions run per year.

Mini-Competitions for different lots may be run at different times

1.6 Later Entry To And Exit From The DPS

New Suppliers can enter into the DPS at any time by successfully completing the PQQ

Suppliers who fail to be accepted onto the DPS, may reapply at any time.

Suppliers who decide to leave the DPS, may do so at any time, unless they are currently supplying the Council, in which case Suppliers are required to give three months' notice.

Where the Council considers there to be insufficient Suppliers able to fulfil a given requirement to the satisfaction of all Council Representatives, new Suppliers will be actively encouraged to apply to the DPS.

SECTION 2 – INSTRUCTIONS TO TENDERERS

2.1 E-tender System

The Council uses ProContract as its e-tendering system. Assistance in relation to the e-tender system is available to Tenderers via the Supplier Help Icon within the system.

Supplier Guidance documents are also available to view and download.

If after reading the ProContract reference guides you are still unable to resolve your issue in using the system and require support please contact the technical Support Team

ProContract Technical Support Team

By Tel: 0844 334 5204 (lines open from 08:30am to 17:00pm Monday to Friday, excluding English public holidays).

By Email: swsupport@due-north.com

Suppliers must ensure that they have the most up to date Invitation to Tender document by registering on the e-tendering system at www.supplyingthesouthwest.org.uk and expressing an interest. This will enable Tenderer to view the latest documents and see any comments and discussions on those documents.

2.2 Register Intent or opt out

The “Register Intent” button will be greyed out until the mandatory requirement to click on “View ITT” has been carried out.

Once the Tender Information has been viewed Tenderers will be able to click on “Register Intent” which will inform the Council of your intention to respond to this opportunity.

If a Tenderer does not wish to, or is unable to submit a Tender and not interested in proceeding, then they are required to click on “Opt Out” to decline the opportunity.

2.3 Submission Deadline

Tenderers are required to submit their PQQ within the e-tender system by:

Friday 6th October at 12:00hrs
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Tenderers are advised to allow sufficient time to upload documentation to the e-tender system, where requested to do so.

2.7 Communication

All contact and communication during this procurement should be submitted in writing through the e-tender system.

It is not acceptable for Tenderers to seek clarifications via telephone or e-mail outside of the e-tender system.

Where the Council considers any question or request for clarification to be of material interest it may communicate both the query and the response, in a suitably anonymous form, to all interested parties. Tenderers should therefore not include within the question placed their organisation's name and any potential commercially sensitive information.

2.8 Freedom of Information Act

Tenderers should note that the Council is subject to the 'Freedom of Information Act 2000' and provisions are in force allowing any person access to information held by the Council. There are limited exemptions to this. The exemptions include information, the disclosure of which would be an actual breach of confidence or likely to prejudice the commercial interests of any person, or information that constitutes a trade secret. Tenderers are requested to state which part, if any, of the information supplied with their tenders is confidential or commercially sensitive or should not be disclosed in response to a request for information. Where Tenderers state that any information is confidential or commercially sensitive, they must also state why they consider the information to be confidential or commercially sensitive. Tenderers' statements will be considered in the context of the exemptions provided for under the Act and the Council is unable to give any guarantee that the information in question will not be disclosed.

2.9 Transparency

Tenderers and those organisations who submit PQQs should be aware that if they are awarded a contract, the resulting contract between the Supplier and the Council will be published under the government transparency policy. To view details of what we MUST publish, see the Local Government Transparency Code 2015 at the link below.

[Local Government Transparency code 2015](#)

The Council is required to publish details of all expenditure over £500 made to its Suppliers and all contracts over £5000.

Details will be published on the Council's website and the government's transparency website (Data.gov.uk) and Contracts Finder.

Tenderers and those organisations who bid should be aware that if they are awarded a contract, the resulting contract between the supplier and the Council

will be published. In some circumstances limited redactions will be made to some contracts before they are published in order to comply with existing law.

2.10 Equality

Bath & North East Somerset Council is committed to equality of opportunity for everyone and believes that the diversity of the local community is a major strength that contributes to the social and economic prosperity of the area. This extends to the way it deals with its Tenderer. All Tenderers will be treated fairly and equitably before, during and after this tender procedure.

2.11 Ethical Standards

Ethical procurement takes the wider view and incorporates the net benefits for both the buyer organisation and the wider world. The Council will consider the impact of environmental, economic and social factors along with price and quality for this DPS and any subsequent Mini-Competitions.

The Council must ensure that the practices it undertakes in business are above reproach. They will be aware and lookout for signs of unacceptable practices in the supply chain such as fraud, corruption, modern-day slavery, human trafficking and wider issues such as child labour.

2.12 Procurement Timetable

The indicative timetable for this procurement is set out below. This is intended as a guide and, whilst the Council does not intend to depart from the timetable, it reserves the right to do so at any time.

Date or Target Date	Activity
6th September 2017	Invitation to Participate Published
26th September 2017	Closing date for clarification questions to be submitted
2nd October 2017	Council responds to clarification questions
6th October 2017 @ 12pm midday	Closing date and time for receipt by the Council of PQQs
6th October - 12th October	Evaluation of PQQs by panel & Supplier financial accounts by Internal Audit
13th October 2017	Award decision made
1st December 2017	Contract award concluded and start of DPS

2.13 Required documents

Please make sure when submitting your bid through the e-tendering system that you include the following documents:

DOCUMENT TITLE	COMPLETE AND UPLOAD
Section 3 – Pre Qualification Questionnaire	✓
Annex 1 – Non Collusion Certificate	✓
Annex 2 – Contract Terms and Conditions	X

SECTION 3 – PRE QUALIFICATION QUESTIONNAIRE

Lot 1 – Translation and Interpretation



PQQ LOT 1.docx

Lot 2 – BSL Interpretation



PQQ LOT 2.docx

SECTION 4 – EVALUATION AND AWARD

4.1 Evaluation and Award of PQQs

Evaluations will be undertaken by the Council, who will follow a systematic and comprehensive process in accordance with the Council's procedures. PQQs will be evaluated to find the most suitable Suppliers meeting the required standards.

The Council expects to make awards onto the DPS within 10 days of the closing date for the submission of PQQs. The Council may, if necessary, extend the period for completing the award process and will notify all Tenderers if that is the case.

The decision to award Suppliers a place on the DPS will be based on the evaluation criteria as outlined under 4.2 Award Criteria and Weightings.

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

Likewise, Tenderers who have not been successful will equally receive in writing an award decision notice as required by Regulation 86 of the Public Contracts Regulation 2015.

Upon acceptance, a Contract shall thereby be constituted and become binding on both parties and, notwithstanding that, the Tenderer and the Council shall 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 supply.

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 their 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 their PQQ.

4.2 Award Criteria & Weightings

PQQs will be evaluated using the award criteria and weightings detailed in the table below.

AWARD CRITERIA & WEIGHTINGS	
1. Supplier Information	Not scored
2. Grounds for Mandatory Exclusion	Pass / Fail
3. Grounds for Discretionary Exclusion	Pass / Fail
4.1 Economic & Financial Standing 4.2 Turnover 4.3 Parent Company or other Guarantee	Pass / Fail N/A Pass / Fail
5. Relevant Experience and Contract Examples	20%
6. Project Specific Questions	80%
8. Insurances	Pass / Fail
9. Compliance with Equality Legislation	Pass / Fail
10. Environmental Management	Pass / Fail
11. Health & Safety	Pass / Fail
Terms & Conditions	Pass / Fail

All the individual questions are mandatory therefore Tenderers are required to submit a response. Failure to complete the questions will result in a Fail as Evaluators will not be able to evaluate fully the submitted Tender.

4.3 Scoring

Pass / Fail Questions: Where sections or questions have the criteria as a Pass or Fail, it will be clearly stated as such. Questions scored as a Fail will result in the PQQ not proceeding to full evaluation.

Scored Questions: Where questions are to be scored, the following scoring system shall be applied. Only whole marks will be awarded:-

0 – No response and/or evidence is unacceptable or non-existent, or there is a failure to properly address any issue. The Council does not have any confidence in the Tenderer's experience, capacity and ability to meet its requirements.

1 – The response and/or the evidence are deficient (or not relevant) in the majority of areas and the Council has a low level of confidence in the Tenderer's experience, capacity and capability to meet its requirements.

2 – Large portions of the response are not satisfactory and/or are not supported by a satisfactory level of evidence and the Council has limited confidence in the Tenderer's experience, capacity and capability to meet its requirements.

3 – The response is satisfactory and supported by an acceptable standard of relevant evidence but with some reservations/issues not addressed. The Council is satisfied with the Tenderer's experience, capacity and capability to meet its requirements.

4 – The response is comprehensive and supported by a good standard of relevant evidence and provides the Council with a good standard of confidence in the Tenderers experience, capacity and capability to meet its requirements.

5 – The standard of the response is very high and the relevance of the response and the supporting evidence is very comprehensive and provides the Council with a very high level of confidence in the Tenderer's experience, capacity and capability to meet the Council's requirements.

Minimum Quality Pass Mark - Tenderers must achieve a minimum total score of 45% for the scored questions once the weightings for those questions have been calculated, in order for their PQQ to be considered for entry onto the DPS.

4.4 Moderation of Scores

Once all PQQs have been received and scoring completed, it may be necessary for the evaluation panel to request clarifications from the Tenderers. These will be submitted on the e-tendering system.

As a result of these clarifications, it may be necessary to moderate the initial scores, for example, if Tenderer(s) have misunderstood a question.

4.5 Site Visits

It may be necessary for the evaluation panel to undertake a site visit (where appropriate) to see a Tenderer's facilities to check information provided in a PQQ. The results of this site visit will be used to moderate or verify scoring.

4.6 Final moderation

All the scores from the PQQ, clarifications and site visits will be combined to produce a final score and the Tenderers who have passed the evaluation shall be identified. Notes will be kept of the reasons for score moderation.

4.7 Evaluation Report and Recommendation

An evaluation report will be produced by the evaluation panel and recommendations made to award places on the DPS to the winning Suppliers.

4.8 Contract Approval

The approval of the award will be made by the appropriate Council representative, usually the budget holder for the project.

4.9 Debriefing

Though this is not mandatory under a DPS, upon completion of the evaluation, the Council will debrief the successful and unsuccessful tenderers as follows:-

Successful Suppliers will receive a written notification letter that the Council is intending to award them a place on the DPS. There is no standstill period required for the award of a DPS.

Award letters shall contain information to explain which and why the chosen Suppliers were successful, including scores and commentary pertaining to the award criteria published in this Section 4.

Unsuccessful companies will receive a written notification that the Council intends to award Contracts under the DPS. The notification will state the name of the winning Suppliers, and reasons justifying the award including scores and commentary pertaining to the award criteria published in this Section 4.

The Council must explain the advantages of the winning Suppliers and the disadvantages of the unsuccessful suppliers.

Unsuccessful Suppliers can submit a request for further information in writing within 2 calendar days of the date of the notification letter. A debrief request must be responded to by the Council within 15 days after the date of the request.

The Council will be careful not to disclose confidential information of successful Suppliers and may withhold debriefing information in certain circumstances including where disclosure would be contrary to the public interest, would prejudice the legitimate commercial interests of any Supplier, or might prejudice fair competition.

SECTION 4 - APPENDICES

ANNEX 1

NON-COLLUSION CERTIFICATE

I, the undersigned, in submitting the accompanying tender to

(Name of Client).....

.....

in relation to (details of tender and reference).....

.....

certify on behalf of (name of Tenderer).....

that, with the exception of any information attached hereto (see * below):

- 1) this tender is made in good faith, and is intended to be genuinely competitive;
- 2) the amount of this tender has been arrived at independently, and has not been fixed, adjusted or influenced by any agreement or arrangement with any other undertaking, and has not been communicated to any competitor;
- 3) we have not entered into any agreement or arrangement with any competitor or potential competitor in relation to this tender;
- 4) I have read and I understand the contents of this Certificate, and I understand that knowingly making a false declaration on this form may result in legal action being taken against me.

In this certificate, the word 'competitor' includes any undertaking who has been requested to submit a tender or who is qualified to submit a tender in response to this request for tenders, and the words 'any agreement or arrangement' include any such transaction, whether or not legally binding, formal or informal, written or oral.

* Information is/is not attached hereto (delete as appropriate)

SIGNED:.....

FOR AND ON BEHALF OF:.....

DATE:.....

ANNEX 2

TERMS AND CONDITIONS OF CONTRACT

The terms and conditions below will be adopted for any contract resulting from a call off from this DPS



Terms and
Conditions Template.