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**Bath & North East  
Somerset Council**

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## **INVITATION TO TENDER for the Provision of**

# **Bathscape Access Project (Walks) Under the Open Procedure**

Supply the South West reference number: DN446520

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## SECTION 1 – THE REQUIREMENT

### 1.1 Introduction

The Bathscape Partnership was formed to help coordinate and promote greater care and enjoyment of the landscape. The Partnership, led by Bath & NE Somerset Council, has been awarded Delivery Phase funding from the National Lottery Heritage Fund for a Landscape Partnership Scheme.

The Bathscape scheme will ensure Bath and its setting are better recognised, managed and experienced as a landscape city, with the surrounding hills and valleys enhancing the World Heritage Site and actively enjoyed by all. A greater number and wider range of people will feel connected to their local landscape and inspired to explore the outstanding built and natural environments, improving health and wellbeing.

The Bathscape scheme area covers 101 square kilometres, centred on the historic city of Bath, South West England, and encompassing its landscape setting.

The scheme comprises 25 Projects under four themes:

**Conserving & Restoring** – projects and activities that will enable the heritage to be better managed and in better condition.

**The Therapeutic Landscape** – projects and activities that develop the therapeutic tradition associated with the heritage of Bath to support health and wellbeing through greater contact with the landscape and natural environment.

**Access** – projects and activities to improve access to the landscape and natural environment and reduce physical and other barriers.

**Learning Training & Skills** – activities to improve the understanding and skills of target audiences, volunteers and participants.

### 1.2 Overview

The Council wishes to establish a contract for the provision of Bathscape's Access project.

This is a services contract and is below the threshold level for the EU Directives. However the Public Contracts Regulations 2015 guidelines will apply in terms of transparency and fairness to all Bidders.

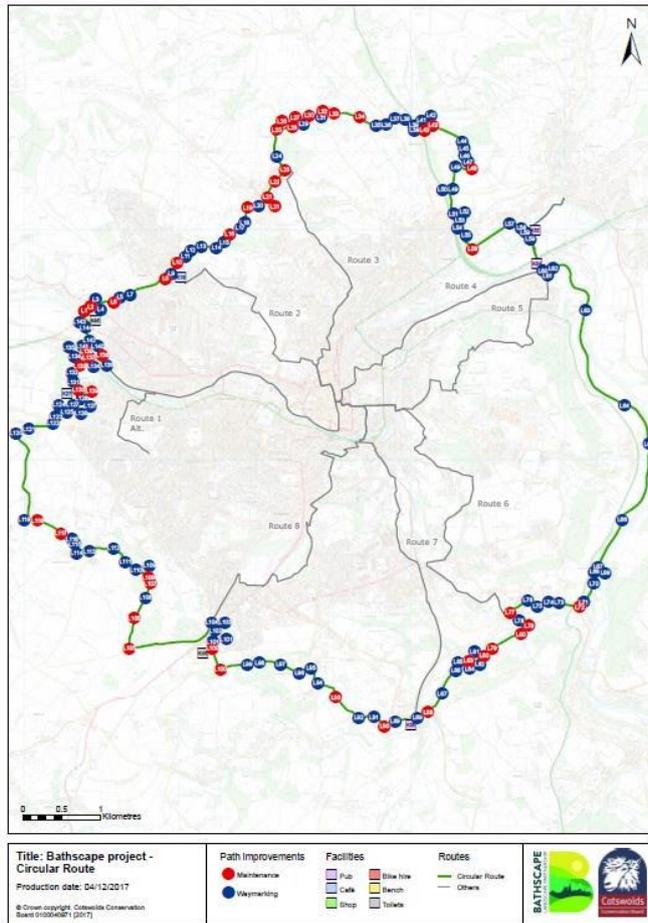
### 1.3 Background

The Bathscape Access Project involves developing, improving and promoting new walking routes.

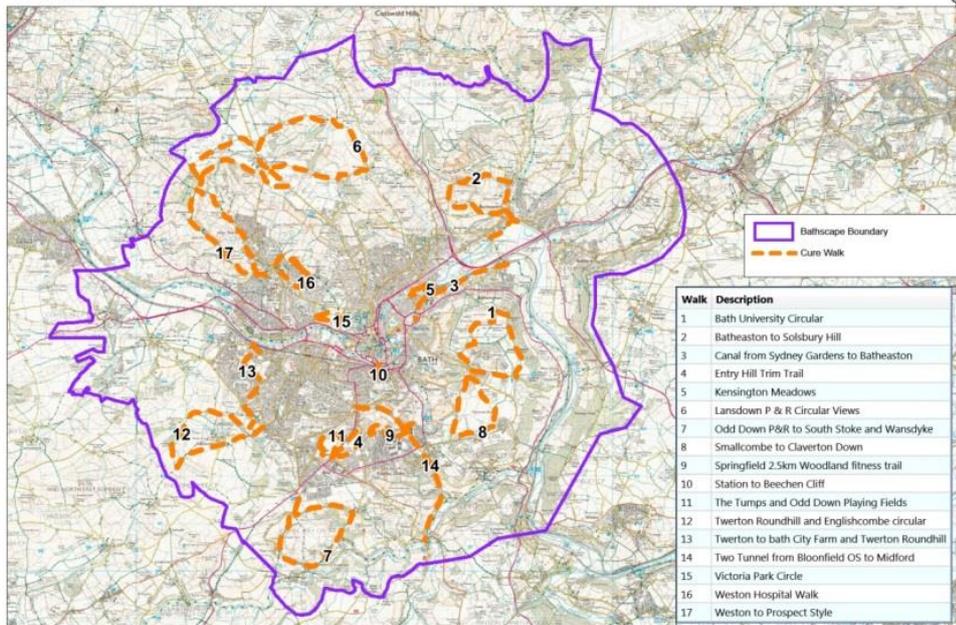
The new routes are:

- A 20 mile circular path challenge
- Up to 8 radial routes or circular walks from the city centre to the landscape
- 10 'cure walks' (17 potential walks were identified in Development Phase, but need revisiting)

These maps are indicative only, as other than the Circular Path the routes are likely to change following further ground-proofing and consultation.



**Cure Walks**



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The aim is to establish, test and categorise new routes and promote their use, particularly among target groups. Where necessary, physical improvements will be made to footpaths to increase accessibility.

The contractor will assess the drafted walk routes, identify which 19 routes should be progressed (the circular path and 18 others), test those routes and prioritise physical enhancements along them (up to the value of the upgrading works budget), then co-ordinate delivery of those works. Alongside this core delivery will be other activities as outlined in the scope.

It is essential that local community volunteers are involved in testing and improving pathways and waymarking; promoting the new routes; highlighting their accessibility; leading guided walks and walks with target groups.

Our vision is that a wider range of people will actively enjoy the Bathscape area, in this case through walking.

Some routes will have broad appeal – the Circular Path will appeal to experienced walkers and visitors who are interested in the challenge and the views. The Radial routes and the Cure Walks are designed to appeal to those who want or need to improve their physical and mental health and wellbeing (increasing fitness, restoring mental health, recovering from ill health etc). We are particularly interested in working with health professionals and partners on tackling obesity, diabetes prevention and addressing social isolation and depression.

The Access project will also develop photo trails designed to find sections within walks that have greater access for people with reduced mobility and those who use wheelchairs. Photographing and fully assessing the routes will enable people to make decisions about the suitability of walks. Where physical improvements are needed to increase accessibility, these will be prioritised.

The contractor will also work with students and staff from both Universities to develop innovative immersive video trails.

#### 1.4 **Specification**

The contractor will:

- Engage and train suitable volunteers (50 in total, including existing volunteers), including from target groups
- Assess at least 19 walking routes, in consultation with user groups
- Assessments will include the route's current state and any improvements required, its accessibility, quality of waymarking and proximity to local facilities
- Make physical improvements to the Circular Path. As a guide, the Path has recently been assessed (see Appendix 5) but further clarification of eg landowner consent will need to be undertaken by the contractor
- Consult local user groups, disability groups and healthcare professionals on the suitability of routes for people with a range of health conditions, and test the

routes with them. Bathscape Team will lead on bringing together representative groups

- Lead at least 15 guided walks a year with target groups and to promote new routes
- Mentor and help establish independent walking groups
- Photograph the routes and contribute to Bathscape's digital content and trail guides
- Establish volunteer groups who will continue to maintain the key routes for at least 5 years after the contract ends.

Appendix 4 is Bathscape's project plans for these works, included for reference and context. Please note, some of the work in these plans is outside the scope of this contract, and some elements need updating. The most relevant activities and outputs have been highlighted.

## 1.5 Lots

This Contract **will not** be divided into lots because the different components of the contract complement each other and there are efficiencies to be made by carrying out elements of the contract concurrently.

## 1.6 Scope of Contract

The Contract is limited to the Bathscape project area and project deliverables as defined by our funding agreement with the National Lottery Heritage Fund.

We are looking for a contractor that:

- Shows that they fully understand our requirements in letting this contract, and are prepared to work with us in a flexible way over the contract period to best meet our needs
- Has a successful and sizeable track record in working with volunteers, improving footpaths and increasing access to the countryside
- Shows that they will be able to work effectively and in a creative way with the project team and the wider partnership
- Has a successful track record of working with the target audiences for this project (disabled people, including wheelchair users; people at risk of heart disease or diabetes; people experiencing mental health problems)
- Has in-depth knowledge of the areas of work with which the landscape partnership is involved.

To submit a tender for this work, please provide a method statement which explains:

- How you will deliver the activities outlined in this brief
- A summary of experience in delivering similar activities
- The range of professional skills which people involved in the project will have

- A timetable for the project, including milestones and dates
- The added value your organisation will bring
- A table showing a breakdown of chargeable days/hours for project stages.

### **1.7 Term of Contract/Required Delivery Date**

Bathscape is a fixed-term funded scheme and the services are required to be delivered by August 2023 with milestones through the delivery period to be agreed at the outset.

### **1.8 Value**

The contract value is £89,500.

The contract value is based on the following estimated breakdown (and costs will remain under these headings):

- £17,750 - path upgrade works and waymarking to the Circular Path (as identified)
- £16,000 – available for upgrade works to other pathways (work not yet identified)
- £22,000 – volunteer management
- £11,250 - equipment
- £9,750 - volunteer training and social events
- £8,750 – volunteer and user group travel
- £4,000 – specialist walk leaders, if required.

## **SECTION 2 – INSTRUCTIONS TO BIDDERS**

### **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 Bidders via the Supplier Help Icon within the system.

Supplier Guidance documents are also available to view and download.

**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](http://www.supplyingthesouthwest.org.uk) and expressing an interest. This will enable suppliers to view the latest documents and see any comments and discussions on those documents.**

If you are still unable to resolve your issue in using the system you should send an e-mail to [ProContractsuppliers@Proactis.com](mailto:ProContractsuppliers@Proactis.com) explaining the nature of your query.

### **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 Bidders will be able to click on “Register Intent” which will inform the Council of your intention to respond to this opportunity.

If a Bidder 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 Preparation of tender**

Organisations must obtain for themselves all information necessary for the preparation of their Tender response and all costs, expenses and liabilities incurred by the Tender in connection with the preparation and submission of the Tender shall be borne by the Bidder, whether or not their offer is successful.

Information supplied to the Bidder by Council staff or contained in Council publications is supplied only for general guidance in the preparation of the Tender. It shall remain the property of the Council and shall be used only for the purpose of this procurement exercise.

Bidders must satisfy themselves as to the accuracy of any such information and no responsibility is accepted by the Council for any loss or damage of whatever kind and howsoever caused arising from the use by Bidders of such information.

Responses to each Tender question should be written concisely and clearly answer the question posed in English.

Bidders will only be able to respond to questions that require an input from them and are located within the Invitation to Tender document attached within the e-tender system.

#### 2.4 **Price Schedule/s**

The Council requires Bidders to complete and upload Price Schedule(s) where requested to do so within the e-tender system.

All prices shall be in Pounds Sterling.

#### 2.5 **Other Documents or Supporting Evidence**

If instructed to do so within the e-tender system, the Bidder must complete and upload other documentation that may be provided with this Tender process, or upload evidence to support their Tender submission.

Tenders must not be qualified, conditional, or accompanied by statements that could be construed as rendering them equivocal and/or placed on a different footing to those of other Bidders. Only tenders submitted without qualification, in accordance with this invitation to tender will be accepted for consideration. The Council's decision on whether or not a tender is acceptable will be final and the Bidder concerned will not be consulted. If a Bidder is excluded from consideration, the Bidder will be notified.

#### 2.6 **Submission deadline**

Bidders are required to submit their Tender within the e-tender system by **1pm Thursday, 19<sup>th</sup> December** and should allow sufficient time to complete questions and upload documentation to the e-tender system, where requested to do so. Tenders received after the closing date will not be considered. Emailed or hard copy Tenders will not be accepted.

Failure to answer and complete the Tender within the e-tender system will result in the Council rejecting the Tender as a Fail / Non-compliant tender.

Failure to complete and upload any required documentation within the e-tender system will result in the Council rejecting the Tender as a Fail / Non-compliant tender.

Documentation: Do not include any macro enabled spreadsheets or embedded documents within you Tender. Acceptable file formats are: *txt, rtf, mpp, vsd, dwg, rar, msg, ics, html, gif, jpg, png, jpeg, tiff, tif, zip, pdf, doc, xls, ppt, docx, xlsx, pptx, mp3, mov, m4a, swf, wmv, mpg, mpeg, avi, wav, odt, odp, ods, numbers and pages.*

If you are uploading multiple documents, it is recommended that you zip them using WinZip or WinRAR.

The Council is under no obligation to consider partial or late submissions.

If the Council issues an amendment to the original Tender process, and if it regards that amendment as significant, an extension of the closing date may, at the discretion, of the Council be given to all Organisations.

The information supplied in response to the Tender will be checked for completeness and compliance before responses are evaluated. The Council expressly reserves the right to require a Bidder to provide additional information supplementing or clarifying any of the information provided in response to the requests set out in the Tender. However, the Council is not obliged to make such requests.

Bidders shall accept and acknowledge that by issuing this ITT the Council shall not be bound to accept any Tender and reserves the right not to conclude a contract for some or all of the services for which tenders are invited.

## **2.7 Tender Validity**

The tender should remain open for acceptance for a period of 120 days. A Tender valid for a shorter period may be rejected.

## **2.8 Communication**

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

Bidders should seek to clarify any points of doubt or difficulty via the e-tender system in sufficient time before the closing date of the Tender, to enable the Council to respond to all Bidders. It is not acceptable for Bidders 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 significance it may communicate both the query and the response, in a suitably anonymous form, to all interested parties. Bidders should therefore not include within the question placed their organisation's name and any potential commercially sensitive information.

## **2.9 Confidentiality**

The supplier must keep confidential and will not disclose to any third parties any information contained within their bid. They shall not release details other than on an 'In Confidence' basis to those whom they need to consult for the purpose of preparing the Quote response, such as professional advisors or joint bidders.

The Tender shall not be canvassed for acceptance or discussed with the media, any other Organisation, member/officer of Bath & North East Somerset Council,

or their representatives. Any supplier trying to exert any undue influence during the tender process could be excluded from the process.

## 2.10 **Disclaimer**

Whilst the information in this ITT and supporting documents has been prepared in good faith, it does not purport to be comprehensive nor has it been independently verified.

Neither the Council, [nor any relevant Other Contracting Bodies], nor their advisors, respective directors, officers, members, partners, employees, other staff or agents:

- make any representation or warranty (express or implied) as to the accuracy, reasonableness or completeness of the ITT; or
- accepts any responsibility for the information contained in the ITT or for their fairness, accuracy or completeness of that information nor shall any of them be liable for any loss or damage (other than in respect of fraudulent misrepresentation) arising as a result of reliance on such information or any subsequent communication.

Any Framework Agreement or Contract concluded as a result of this ITT shall be governed by English law.

## 2.11 **Freedom of Information Act**

Bidders 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 including 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. Bidders 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 Bidders state that any information is confidential or commercially sensitive, they must also state why they consider the information to be confidential or commercially sensitive. Bidders' 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.

## 2.12 **Transparency**

Suppliers 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 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 and framework agreements over £5000.

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

### 2.13 **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 suppliers. All suppliers will be treated fairly and equitably before, during and after this tender procedure.

### 2.14 **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 and will look out 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.

### 2.15 **Social Value**

The Council will procure its services, where appropriate, in line with the Public Service (Social Value) Act 2012. The Act asks commissioners to think about securing extra benefits for their area when they are buying services.

When responding to an Invitation to Tender, Suppliers might wish to consider the following:-

- Understand the needs of the local area and the Council's priorities.
- Articulate the social value offer - quantify the value for money you will provide and make the case for your social value offer being a way for commissioners to navigate cost savings pressures.
- Help the Council to understand the full range of innovation you can provide.
- Consider guidelines for paying a Living Wage

For further details on the Council's Social Value Policy, Bidders can request a copy of the policy from the Procurement Team by e-mailing [procurement@bathnes.gov.uk](mailto:procurement@bathnes.gov.uk)

### 2.16 **Payment to Sub-Contractors**

Suppliers should be aware that where they will enter into a sub-contract with a supplier or contractor for the purpose of performing its obligations under the Contract, it shall ensure that a provision is included in such a sub-contract which requires payment to be made of all sums due by the supplier to the sub-

contractor within a specified period not exceeding 30 days from the receipt of a valid invoice.

## 2.17 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
<b>08.11.19</b>	ITT issued to potential suppliers
<b>1pm Thursday, 19.12.19</b>	Closing date and time for receipt by the Council of Bidders responses to the ITT
<b>10.1.20</b>	Evaluation of the ITT responses by tender panel
<b>17.1.20</b>	Evaluation of supplier financial accounts by Internal Audit
<b>22.1.20</b>	Award decision made and award letter issued
<b>31.1.20</b>	Contract award concluded
<b>To be agreed</b>	Commencement Date of Contract

## 2.18 Required documents

Within this Tender process Bidders have been provided with the following documentation. Where indicated these are required to be completed and uploaded within the e-tender system.

<b>DOCUMENT TITLE</b> <b>Please note that electronic return of all the documents ticked below is mandatory</b>	<b>COMPLETE AND UPLOAD</b>
Section 1 – The Requirement including Specification	x
Section 2 – Instructions to Bidders	x
Section 3 – Questionnaire	✓
Section 4 – Pricing Schedule	✓
Section 5 – Evaluation and Award	x
Appendix 1 – Non Collusion Certificate	✓
Appendix 2 - Terms and Conditions of Contract	✓
Appendix 3 - Health and safety questionnaire	✓
Appendix 4 - Project plans. These are included for reference and context, but please note additional works outside the scope of this contract are included in the plans, and some elements of the plans have changed since they were drawn up.	x
Appendix 5 – Required work on circular path	x

## **2.19 Terms & Conditions**

The Council's Terms and Conditions of Contract are attached at Appendix 2. These are the terms that will apply to this contract.

We accept the Terms & Conditions of Contract set out in the Appendix Yes/NO

## **2.20 Appendices**

You are required to complete the following questionnaire which can be found at Appendix 3 and return with your completed response.

### **Health and Safety Questionnaire**

## **SECTION 3 - QUESTIONNAIRE**

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

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**

This 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 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.

### **Scored Questions: Part 4**

This document may invite you to answer additional questions that are specific to the project and these will be scored.

### **Consequences of misrepresentation**

If you seriously misrepresent any factual information in filling in the 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.

## **Bathscape Access Project**

**DN446520**

### **OPEN PROCEDURE**

#### **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 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 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. All sub-contractors are required to complete Part 1 and Part 2<sup>1</sup>.
7. 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.

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<sup>1</sup> See PCR 2015 regulations 71 (8)-(9)

## 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 a) public limited company b) limited company c) limited liability partnership d) other partnership e) sole trader f) third sector g) 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 <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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 <input type="checkbox"/> No <input type="checkbox"/>
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) a) Voluntary Community Social Enterprise	

	(VCSE) b) Sheltered Workshop c) Public service mutual	
1.1(m)	Are you a Small, Medium or Micro Enterprise (SME) <sup>2</sup> ?	Yes <input type="checkbox"/> No <input type="checkbox"/>
1.1(n)	<p>Details of Persons of Significant Control (PSC), where appropriate: <sup>3</sup></p> <ul style="list-style-type: none"> <li>- Name;</li> <li>- Date of birth;</li> <li>- Nationality;</li> <li>- Country, state or part of the UK where the PSC usually lives;</li> <li>- Service address;</li> <li>- The date he or she became a PSC in relation to the company (for existing companies the 6 April 2016 should be used);</li> <li>- Which conditions for being a PSC are met; <ul style="list-style-type: none"> <li>- Over 25% up to (and including) 50%,</li> <li>- More than 50% and less than 75%,</li> <li>- 75% or more. <sup>4</sup></li> </ul> </li> </ul> <p>(Please enter N/A if not applicable)</p>	
1.1(o)	<p>Details of immediate parent company:</p> <ul style="list-style-type: none"> <li>- Full name of the immediate parent company</li> <li>- Registered office address (if applicable)</li> <li>- Registration number (if applicable)</li> <li>- Head office DUNS number (if applicable)</li> <li>- Head office VAT number (if applicable)</li> </ul> <p>(Please enter N/A if not applicable)</p>	
1.1(p)	<p>Details of ultimate parent company:</p> <ul style="list-style-type: none"> <li>- Full name of the ultimate parent company</li> <li>- Registered office address (if applicable)</li> <li>- Registration number (if applicable)</li> <li>- Head office DUNS number (if applicable)</li> <li>- Head office VAT number (if applicable)</li> </ul> <p>(Please enter N/A if not applicable)</p>	

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:

<sup>2</sup> See EU definition of SME [https://ec.europa.eu/growth/smes/business-friendly-environment/sme-definition\\_en](https://ec.europa.eu/growth/smes/business-friendly-environment/sme-definition_en)

<sup>3</sup> 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.](#)

<sup>4</sup> Central Government contracting authorities should use this information to have the PSC information for the preferred supplier checked before award.

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 <input type="checkbox"/> No <input type="checkbox"/> 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 <input type="checkbox"/> No <input type="checkbox"/>				
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.

Section 2	Grounds for mandatory exclusion	
Question number	Question	Response
2.1(a)	<p><b>Regulations 57(1) and (2)</b>            The detailed grounds for mandatory exclusion of an organisation are set out on this <a href="#">webpage</a>, which should be referred to before completing these questions.</p> <p>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 <a href="#">webpage</a>.</p>	
	Participation in a criminal organisation.	Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes please provide details at 2.1(b)
	Corruption.	Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes please provide details at 2.1(b)
	Fraud.	Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes please provide details at 2.1(b)
	Terrorist offences or offences linked to terrorist activities	Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes please provide details at 2.1(b)
	Money laundering or terrorist financing	Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes please provide details at 2.1(b)
	Child labour and other forms of trafficking in human beings	Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes please provide details at 2.1(b)
2.1(b)	<p>If you have answered yes to question 2.1(a), please provide further details.</p> <p>Date of conviction, specify which of the grounds listed the conviction was for, and the reasons for conviction,</p> <p>Identity of who has been convicted</p> <p>If the relevant documentation is available electronically please provide the web address, issuing authority, precise reference of the documents.</p>	
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 <input type="checkbox"/> No <input type="checkbox"/>
2.3(a)	<p><b>Regulation 57(3)</b>            Has it been established, for your</p>	Yes <input type="checkbox"/> No <input type="checkbox"/>

	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?	
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.

Section 3		Grounds for discretionary exclusion
	Question	Response
3.1	<p><b>Regulation 57 (8)</b></p> <p>The detailed grounds for discretionary exclusion of an organisation are set out on this <a href="#">webpage</a>, which should be referred to before completing these questions.</p> <p>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.</p>	
3.1(a)	Breach of environmental obligations?	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes please provide details at 3.2
3.1 (b)	Breach of social obligations?	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes please provide details at 3.2
3.1 (c)	Breach of labour law obligations?	Yes <input type="checkbox"/> No <input type="checkbox"/> 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 <input type="checkbox"/> No <input type="checkbox"/> If yes please provide details at 3.2
3.1(e)	Guilty of grave professional misconduct?	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes please provide details at 3.2
3.1(f)	Entered into agreements with other economic operators aimed at distorting competition?	Yes <input type="checkbox"/> No <input type="checkbox"/> 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 <input type="checkbox"/> No <input type="checkbox"/> If yes please provide details at 3.2
3.1(h)	Been involved in the preparation of the procurement procedure?	Yes <input type="checkbox"/> No <input type="checkbox"/> 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 <input type="checkbox"/> No <input type="checkbox"/> If yes please provide details at 3.2
3.1(j)	Please answer the following statements	
3.1(j) - (i)	The organisation is guilty of serious misrepresentation in supplying the	Yes <input type="checkbox"/> No <input type="checkbox"/>

<p>3.1(j) - (ii)</p> <p>3.1(j) –(iii)</p> <p>3.1(j)-(iv)</p>	<p>information required for the verification of the absence of grounds for exclusion or the fulfilment of the selection criteria.</p> <p>The organisation has withheld such information.</p> <p>The organisation is not able to submit supporting documents required under regulation 59 of the Public Contracts Regulations 2015.</p> <p>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.</p>	<p>If Yes please provide details at 3.2</p> <p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p> <p>If Yes please provide details at 3.2</p> <p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p> <p>If Yes please provide details at 3.2</p> <p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p> <p>If Yes please provide details at 3.2</p>
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<p>3.2</p>	<p>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)</p>	
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## Part 3: Selection Questions

Section 4	Economic and Financial Standing	
	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 <b>one</b> of the following: answer with Y/N in the relevant box.	Yes <input type="checkbox"/> No <input type="checkbox"/>
	(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 <input type="checkbox"/> No <input type="checkbox"/>
	(b) A statement of the cash flow forecast for the current year and a bank letter outlining the current cash and credit position.	Yes <input type="checkbox"/> No <input type="checkbox"/>
	(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 <input type="checkbox"/> No <input type="checkbox"/>
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 <input type="checkbox"/> No <input type="checkbox"/>

Section 5	If you have indicated in the Selection Questionnaire question 1.2 that you are part of a wider group, please provide further details below:	
	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 <input type="checkbox"/> No <input type="checkbox"/>
5.2	If yes, would the parent company be willing to provide a guarantee if necessary?	Yes <input type="checkbox"/> No <input type="checkbox"/>
5.3	If no, would you be able to obtain a guarantee elsewhere (e.g. from a bank)?	Yes <input type="checkbox"/> No <input type="checkbox"/>

<b>Section 6</b>	<b>Technical and Professional Ability</b>
<b>6.1</b>	<p><b>Relevant experience and contract examples</b></p> <p>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.</p> <p>The named contact provided should be able to provide written evidence to confirm the accuracy of the information provided below.</p> <p>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).</p> <p>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.</p> <p>If you cannot provide examples see question 6.3</p>

	<b>Contract 1</b>	<b>Contract 2</b>	<b>Contract 3</b>
<b>Name of customer organisation</b>			
<b>Point of contact in the organisation</b>			
<b>Position in the organisation</b>			
<b>E-mail address</b>			
<b>Description of contract</b>			
<b>Contract Start date</b>			
<b>Contract completion date</b>			
<b>Estimated contract value</b>			

6.2	<p>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)</p> <p>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)</p>

6.3	<p>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.</p>

Section 7	Modern Slavery Act 2015: Requirements under Modern Slavery Act 2015	
7.1	<p>Are you a relevant commercial organisation as defined by section 54 ("Transparency in supply chains etc.") of the Modern Slavery Act 2015 ("the Act")?</p>	<p>Yes <input type="checkbox"/></p> <p>N/A <input type="checkbox"/></p>
7.2	<p>If you have answered yes to question 7.1 are you compliant with the annual reporting requirements contained within Section 54 of the Act 2015?</p>	<p>Yes <input type="checkbox"/></p> <p>Please provide the relevant url ...</p> <p>No <input type="checkbox"/></p> <p>Please provide an explanation</p>

## 8. Additional Questions

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 8	Additional Questions
8.1	<b>Insurance</b>
a.	<p>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:</p> <p>Employer's (Compulsory) Liability Insurance = £5m                      Y/N</p> <p>Public Liability Insurance = £5m    Y/N</p> <p>Professional Indemnity Insurance = £x</p> <p>Product Liability Insurance = £x</p> <p>*It is a legal requirement that all companies hold Employer's (Compulsory) Liability Insurance of £5 million as a minimum. Please note this requirement is not applicable to Sole Traders.</p>

8.2	Compliance with Equality Legislation	
For organisations working outside of the UK please refer to equivalent legislation in the country that you are located.		
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)?	<input type="checkbox"/> Yes <input type="checkbox"/> No
b.	<p>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?</p> <p>If you have answered "yes" to one or both of the questions in this module, please provide, as a separate Appendix, a summary of the nature of the investigation and an explanation of the outcome of the investigation to date.</p> <p>If the investigation upheld the complaint against your organisation, please use the Appendix to explain what action (if any) you have taken to prevent unlawful discrimination from reoccurring. You may be excluded if you are unable to demonstrate to the</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No

	Authority's satisfaction that appropriate remedial action has been taken to prevent similar unlawful discrimination reoccurring.	
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?	<input type="checkbox"/> Yes <input type="checkbox"/> No

<b>8.3</b>	<b>Environmental Management</b>	
a.	<p>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)?</p> <p>If your answer to the this question is "Yes", please provide details in a separate Appendix of the conviction or notice and details of any remedial action or changes you have made as a result of conviction or notices served.</p> <p>The Authority will not select supplier(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.</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
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?	<input type="checkbox"/> Yes <input type="checkbox"/> No

<b>8.4</b>	<b>Health &amp; Safety</b>	
a.	Please self-certify that your organisation has a Health and Safety Policy that complies with current legislative requirements.	<input type="checkbox"/> Yes <input type="checkbox"/> No
b.	<p>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?</p> <p>If your answer to this question was "Yes", please provide details in a separate Appendix of any enforcement/remedial orders served and give details of any remedial action or changes to procedures you have made as a result.</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No

	The Council will exclude supplier(s) that have been in receipt of enforcement/remedial action orders unless the supplier(s) can demonstrate to the Copuncil's satisfaction that appropriate remedial action has been taken to prevent future occurrences or breaches.	
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?	<input type="checkbox"/> Yes <input type="checkbox"/> No

<b>8.5</b>	<b>Payment</b>	
a.	B&NES standard payment terms are 30 days nett. Unless you tell us otherwise, we will assume these are acceptable to you for this contract.	
b.	Are you able to provide consolidated monthly bills for this Contract?	<input type="checkbox"/> Yes <input type="checkbox"/> No
c.	Do you accept Purchasing Card transactions for low value purchases?	<input type="checkbox"/> Yes <input type="checkbox"/> No

## Part 4 : Scored Questions

Suppliers are required to answer the following questions comprehensively and provide evidence, where requested to support their answer. They should adhere to any word counts or any instructions on how to respond.

Scored Questions		
a.	Please outline how you will deliver the activities defined in Section 1 above.	
b.	Please detail how you will engage, support and retain volunteers.	
c.	Please outline your organisation's experience in delivering similar activities.	
d.	Please provide an outline timetable for the services including milestones and dates.	
e.	Please provide information about the people that will be working on this project – your management structure and relevant skills of your workforce.	
f.	Please outline any added value you will bring to the project.	
g.	What business continuity plans do you have in place to ensure you can deliver the activities?	

## **SECTION 4 – PRICING SCHEDULE**

### **4.1 Pricing**

Bidders must complete the spreadsheet attached in ProContract with all the proposed charges/prices to provide the requirement(s) as well as any supplementary spreadsheets to provide transparency of the metrics used for calculating fixed minimum and variable charges.

All charges/prices must be in pounds sterling and should be exclusive of VAT. All pricing information will form the basis of any resulting framework or contract.

## **SECTION 5 – EVALUATION AND AWARD**

### **5.1 Evaluation and Award**

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 Bidder who can meet the Specification and provide competitiveness of price.

The Council expects to make an award for the Contract within 30 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 and Weightings.

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

Bidders 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 Bidder upon request of the Council execute a formal Contract in the form contained in this Tender process.

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

Bidders 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 Bidders in preparing their responses.

Bidders 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 Bidder 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.

5.2 Award Criteria and Weightings

AWARD CRITERIA & WEIGHTINGS		
<b>Price</b>	<b>20 %</b>	<b>No other price criteria</b>
<b>Quality</b>	<b>Scored questions  80%</b>	<b>Question a. weighted 20% of quality. Questions b-f. weighted 15% of quality each. Question g weighted 5% of quality</b>
<p><b>All the individual questions are mandatory therefore Bidders 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.</b></p> <p><b>Pass / Fail:</b> Where sections or questions have the criteria as a Pass or Fail, it will be clearly stated as such. Section or questions scored as a Fail will result in the Tender not proceeding to full evaluation.</p> <p><b>Quality Scoring</b> Where responses to questions are to be scored, the following scores are applied by Evaluators to a Bidder's submitted responses.</p> <p>The scores are awarded dependent on the level of evidence provided to each question. A score of 3 represents an acceptable level of evidence.</p> <p>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 Bidder's experience, capacity and ability to meet its requirements.</p> <p>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 Bidder's experience, capacity and capability to meet its requirements.</p> <p>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 Bidder's experience, capacity and capability to meet its requirements.</p> <p>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 Bidder's experience, capacity and capability to meet its requirements.</p>		

	<p>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 Bidder’s experience, capacity and capability to meet its requirements.</p> <p>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 Bidder’s experience, capacity and capability to meet the Council’s requirements.</p> <p><b>Applying weightings to scores</b></p> <p>The weighting for the overall tender between quality and price is listed in the table above. The quality and price criteria are given sub-weightings (also listed above).</p> <p>The total score will depend on the number of questions for that criterion. So if there are 20 questions for Contract Management, for example, then the maximum marks will be 100 (20 x 5) because each question is scored out of 5.</p> <p>The weighted score is the total score represented as a percentage of the sub-weighting. So if the sub-weighting for Contract Management was 20%, then scoring 100 would achieve the full 20%. 50 would achieve 10% out of 20% etc.</p> <p>All sub-criteria weighted scores are added together to achieve a total weighted score out of the main quality weighting.</p> <p>See the attached blank score sheet for further details.</p> <p><b>Price Evaluations:</b> The scoring is carried out within an Excel spread sheet outside of the e-tender system.</p> <p>All price bids are compared against the lowest bid to reach the percentage difference from the lowest bid.</p> <p>Example with price weighting 40%, the calculation is:</p> <p><math>(40 * \text{lowest price}) / \text{bid price}</math>  The lowest price bid would receive the full 40 points.</p> <p>The price weighting applicable to this tender is in the table above.</p>
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### 5.3 Clarifications

Upon examination of the tenders, it may be necessary for the evaluators to request clarifications from the Bidders. The question(s) will be submitted on the e-tendering system and Bidders must respond in the same manner.

Clarifications received from Bidders outside the e-tendering system will not be responded to.

It may be necessary to also hold a clarification meeting with one or more Bidders for due diligence purposes. These may result in the initial scores being moderated.

#### 5.4 Final score

All the scores from the tender, presentation, clarifications, and site visits (where relevant) will be combined to produce a final score and the Bidder with the best overall score shall be identified.

In the event of a tie break between the top two overall highest scoring bidders, the Council will:

Return to the costs of the respective bidders and where there is one company who have lower costs, they will be declared the winning bidder. Example: Bidder A 80 points, Overall cost - £10,000, Bidder B 80 points, Overall cost - £12,000. Company A is lower in costs and will therefore be declared the winning bidder.

In the event that the top two overall highest scoring bidders have the same costs, then the Council will go back to the Quality sub-criteria scores and will declare the winning bid the bidder with the highest weighted scores in order of sub-criteria weightings.

If the quality sub-criteria were as follows: Experience 50%, Contract Management 30%, Implementation 20%, then the Council will declare the winner the highest weighted scorer for Experience, then Contract Management, then Implementation respectively.

#### 5.5 Evaluation Report and Recommendation

An evaluation report will be produced by the evaluators and a recommendation made to award to the winning Contractor.

#### 5.6 Contract Approval

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

#### 5.7 Contract Award and Debriefing

Upon completion of the tender exercise, the successful company will receive a written notification letter that the Council is intending to award them the business.

Unsuccessful companies will receive a written notification that they have been unsuccessful and that the Council intends to award the Contract to another bidder.

The Council will be careful not to disclose confidential information of the successful bidder 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.

**APPENDIX 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 Bidder).....

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:.....

## **Glossary**

'Bidder' means the company that is submitting a tender response to this Invitation to Tender document;

'Contracting Bodies' or 'Contracting Body' means any other public sector organisation or Local Authority described in the Contract or Framework Agreement who is allowed to procure under the Contract;

'Contractor' means the person, firm or company appointed by the Council or Contracting Body to supply the Goods or Services under this Contract and shall include the Contractor's employees, personal representatives, successors and permitted assigns;

'Council' means Bath & North East Somerset Council;

'Contract' means the written agreement between the Council or Contracting Body consisting of the clauses within the terms and conditions of contract and the Order;

"e-tender system" means the electronic tender system named Pro-Contract. It is provided by ProActis and is hosted via <http://www.supplyingthesouthwest.org.uk>

'Invitation to Tender' means this document and all its components, which is inviting Bidders to bid for the Contract or for inclusion in the Framework Agreement;

'Offer' means the offer made by the Bidder in relation to the proposed Contract

'Specification' means the scope and description of the Goods or Services to be provided pursuant to this Contract as set out in Section 1 – Specification;

,