

Name of Applicant:

Remodelling/Refurbishment of the Public  
Conveniences  
New Cut Car Park, Redruth

This document must be completed and returned in the published  
format. Failure to comply with this instruction may result in your  
submission being rejected.

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# 1 General Information

## 1.1 Procurement Procedure

Redruth Town Council is seeking to appoint a Contractor to design and refurbish an existing block of public conveniences to meet the needs of the community going forward, including a Changing Places Toilet as an additional facility within the existing block. The information submitted within the Applicant's Offer shall be used by the Authority as the means to make a Contract award decision. Redruth Town Council reserves the right to share any questions and answers that arise from this tender document or process with all interested parties whilst maintaining the anonymity of the enquirer.

## 1.2 Procurement Timetable

The Authority proposes the following timetable for the award of the Contract(s):

| Procurement Stage                          | Dates                      |
|--------------------------------------------|----------------------------|
| Publication of advertisement               | 23 August 2023             |
| Clarification questions to be submitted by | 15 September 2023          |
| Clarification responses to be issued by    | 22 September 2023          |
| Bid Deadline                               | 29 September 2023          |
| Evaluation                                 | 11 October 2023            |
| Intention to award                         | 12 October 2023            |
| Contract start                             | Asap after 12 October 2023 |

The Council reserves the right to change the above timetable and Applicants will be notified accordingly if there is a change.

## 1.3 Council Representatives

| Authorised Representative contact details:         | Procurement Representative contact details:        |
|----------------------------------------------------|----------------------------------------------------|
| <b>Ms Abi Hunt, Operations Officer</b>             | <b>Peter Bennett, Town Clerk</b>                   |
| <b>Civic Centre, Alma Place, Redruth, TR15 2AT</b> | <b>Civic Centre, Alma Place, Redruth, TR15 2AT</b> |
| <b>01209 210038 or 07484 066309</b>                | <b>01209 210038 or 07764 339530</b>                |
| <b>Email: ops@redruth-tc.gov.uk</b>                | <b>Email: townclerk@redruth-tc.gov.uk</b>          |

## 1.4 Contract Period

It is intended that any resultant Contract to build shall commence as soon after receipt of formal letter of award as may be agreed. Due to government funding constraints, the work must be completed by 31<sup>st</sup> March 2024.

## 1.5 Insurance Levels

### 1.5.1 Employer's Liability Insurance

The Council's minimum requirement for Employer's Liability Insurance is £10 million

### **1.5.2 Professional Indemnity Insurance**

The Council's minimum requirement for Professional Indemnity Insurance is £2 million.

### **1.5.3 Public Liability Insurance**

The Council's minimum requirement for Public Liability Insurance is £10 million

## **2 Selection Questionnaire**

### **2.1 Background Information**

Redruth Town Council owns a public convenience facility located in New Cut Car Park, Nettles Hill, Redruth TR15 1AB, having been transferred the freehold from Cornwall Council in March 2016. The block is of probably 1960's/70s build and needs refurbishment/updating to meet the needs of the community and visitors alike.

The current block provides for a Male facility with 4 urinals and four lockable WC facilities; a Female facility with 4 lockable WC facilities; a Disabled Persons facility; and an area for storage (lockable). The existing entry and usage procedures for the male and female facilities made usage difficult, if not impossible, during the environment encountered during the pandemic owing to the narrow access corridors and multi-user configuration of the cubicles and sinks.

The existing facilities are in urgent need of maintenance with the flooring becoming increasingly problematic to clean, the urinals presenting serious hygiene issues and the instances of damage and theft to the equipment in the multi-user areas worsening.

The facility, although sited in a relatively modern building, has been a constant target for vandalism, theft and other ASB, with each incident resulting in an entire gender being denied access to toilet facilities; the Council paying emergency call-out fees; and ever-increasing equipment costs in an effort to return the facility to an operational state and deter the individuals concerned. This has reinforced the need to consider the adequacy of the current facilities in New Cut Car Park and decide of an option going forward.

The Town Council believe not only is refurbishment of the facility required, but that a remodelling of the existing public conveniences to become a single-user, gender neutral facility, with individual entrances and individual hand washing facilities included is the way ahead in line with government policy.

The suggested solution would be to retain the existing shell of the building and single user disabled facility (this is a building control requirement); remove all other internal walls and fittings; install 4/5 cubicles with individual external doors, sanitary disposal bins and washing facilities; and refurbishment of the existing Disabled facility . In addition, the Town Council has been successful

in obtaining a central government grant to go towards the installation of a Changing Places Toilet within this building which will increase its usefulness to those in need.

Whilst we have stated our suggested option, the Town Council will accept alternative proposals to this suggested model, provided that it fulfils the brief of remodelling/refurbishing the facility and includes a Changing Places Toilet.

There is a nominal budget of £130k which includes a central government grant towards the Changing Places Toilet. There is a time limit for expenditure of this grant of 31<sup>st</sup> March 2024. Therefore, works must be completed by this date, and certainly to the Changing Places Toilet.

Other specifics required is a detailed plan of the Changing Places facility which must be built to British Standard 8300:2000 guidelines and will need approval from MD UK prior to work commencing;

And;

As the facility is situated on a public car park and clearly works conducted will impact the facility, the landlord, Cornwall Council has requested that any construction vehicle access, site compounds and so forth will need to be licenced by our Operational Managers. For the licences to be issued they will need details of the Public Liability insurance for the contractors, RAMS, and plans of areas they will need in the car park etc.

The outcome of this Tender will be to identify and select a single Contractor to take the Project forward from to a final design to a completed remodelled/refurbished public conveniences facility which will include a Changing Places Toilet.

This Tender aims to select a Contractor based upon examples of previous work, financial viability, Health & Safety procedures, skills, experience of collaborating with Councils and Community Groups, and expertise to delivering a fully funded project from start to finish within budget.

The Applicant is required to provide value for money, use local suppliers where possible, deliver added value, cause minimum disturbance to the community whilst delivering a well-designed public convenience facility refurbished to a high quality that adheres to the Authority's requirements.

2.2 The Applicant must include a breakdown of costs for the Project proposal, including;

- a. Full design and consultation work (including indicative designs for possible presentation purposes)
- b. Full site clearance, construction, site supervision and project management for the new park
- c. Supply and installation of appropriate drainage
- d. Supply and installation of appropriate signage
- g. Compliance with any necessary CDM (Construction Design Management) regulations provision
- h. Assistance with any necessary planning documentation and other approvals as required.

2.3 The Contractor must meet the requirements of the JCT (Minor Works) Contract, take account of any planning conditions and demands that the Council includes within the project management process.

2.4 During the consideration of the tenders by the Council, the Contractor could be expected to attend a meeting of the Council to give a presentation of their design and work methods to enable

Council to make a final decision in awarding the contract. This is likely to be the evening of Monday 9<sup>th</sup> October 2023.

2.5 The Applicant will be expected to suggest any added value that their offer might be able to bring to the Council. Applicants are expected to build any such offers into their submissions regardless of whether specific questions are asked along these lines or not.

## 2.6 Performance Management

Applicants should, by way of on-going Contract performance be prepared to produce valuation documentation during the course of the project build at 4 weekly intervals. The format will be agreed between the Contractor and Council. Build time in good weather is not likely to be more than 12 weeks maximum.

# Selection Questionnaire

### Notes for completion

1. "Council" means the public sector contracting body that is seeking to invite suitable suppliers to participate in this procurement process.
2. "You"/ "Your" or "Supplier" means the body completing these questions **i.e. the legal entity seeking to be invited to the next stage of the process and responsible for the information provided.** The 'Supplier' is intended to cover any economic operator as defined by the Public Contract Regulations 2015 and could be a registered company; charitable organisation; Voluntary Community and Social Enterprise (VCSE); Special Purpose Vehicle (SPV); or other form of entity.
3. This Selection Questionnaire has been designed to assess the suitability of a Supplier to deliver the Authority's contract requirement(s). If you are successful at this stage of the procurement process, you will be selected for the subsequent award stage of the process.
4. Please ensure that all questions are completed in full, and in the format requested. Failure to do so may result in your submission being disqualified. If the question does not apply to you, please state clearly 'N/A'.
5. Should you need to provide additional Appendices in response to the questions, these should be numbered clearly and listed as part of your declaration. A template for providing additional information is provided at the end of this document.
6. Please return a completed version of this document in accordance with the Submission requirements.

### Verification of Information Provided

7. Whilst reserving the right to request information at any time throughout the procurement process, the Council may enable the Supplier to self-certify that there are no mandatory/ discretionary grounds for excluding their organisation. When requesting evidence that the supplier can meet the specified requirements (such as the questions in section 7 of this Selection Questionnaire relating to Technical and Professional Ability) the Council may only obtain such evidence after the final tender evaluation decision i.e. from the winning Supplier only.

### Sub-contracting arrangements

8. Where the Supplier proposes to use one or more sub-contractors to deliver specialist elements of the contract requirements, a separate Appendix should be used to provide details of the proposed bidding model that includes members of the supply chain, the percentage of work being delivered by each sub-contractor and the key contract deliverables each sub-contractor will be responsible for.

9. The Council recognises that arrangements in relation to sub-contracting may be subject to future change, and may not be finalised until a later date. Suppliers should therefore be aware that where information provided to the Council indicates that sub-contractors are to play a significant role in delivering key contract requirements, and any changes to those arrangements affect the ability of the Supplier to proceed with the procurement process, or to provide the supplies and/or services required then Suppliers should notify the authority immediately. The Council then reserves the right to deselect the Supplier prior to any award of contract, based on an assessment of the updated information.

### **Consortia arrangements**

10. If the Supplier completing this Selection Questionnaire is doing so as part of a proposed consortium, the following information must be provided;

- names of all consortium members;
- the lead member of the consortium who will be contractually responsible for delivery of the contract (if a separate legal entity is not being created); and
- if the consortium is not proposing to form a legal entity, full details of proposed arrangements within a separate Appendix.

11. Please note that the Council may require the consortium to assume a specific legal form if awarded the contract, to the extent that a specific legal form is deemed by the Council as being necessary for the satisfactory performance of the contract.

12. All members of the consortium will be required to provide the information required in all sections of the Selection Questionnaire as part of a single composite response to the Council i.e. each member of the consortium is required to complete the form.

13. Where you are proposing to create a separate legal entity, such as a Special Purpose Vehicle (SPV), you should provide details of the actual or proposed percentage shareholding of the constituent members within the new legal entity in a separate Appendix.

14. The Council recognises that arrangements in relation to a consortium bid may be subject to future change. Suppliers should therefore respond on the basis of the arrangements as currently envisaged. Suppliers are reminded that the Council must be immediately notified of any changes, or proposed changes, in relation to the bidding model so that a further assessment can be carried out by applying the selection criteria to the new information provided. The Council reserves the right to deselect the Supplier prior to any award of contract, based on an assessment of the updated information.

### **Confidentiality**

15. When providing details of contracts in answering section 6 of this Selection Questionnaire (Technical and Professional Ability), the Supplier agrees to waive any contractual or other confidentiality rights and obligations associated with these contracts.

16. The Council reserves the right to contact the named customer contact in section 6 regarding the contracts included in section 6. The named customer contact does not owe the Council any duty of care or have any legal liability, except for any deceitful or maliciously false statements of fact.

17. The Council 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 Public Contract Regulations.

| 1. Supplier Information                                                                                     |                                                      |  |
|-------------------------------------------------------------------------------------------------------------|------------------------------------------------------|--|
| 1.1 Supplier Details                                                                                        | Answer                                               |  |
| Full name of the Supplier completing the Selection Questionnaire                                            |                                                      |  |
| Registered company address                                                                                  |                                                      |  |
| Registered company number                                                                                   |                                                      |  |
| Date of Incorporation                                                                                       |                                                      |  |
| Registered charity number                                                                                   |                                                      |  |
| Registered VAT number                                                                                       |                                                      |  |
| Name of immediate parent company                                                                            |                                                      |  |
| Name of ultimate parent company                                                                             |                                                      |  |
| Please mark 'X' in the relevant box to indicate your trading status                                         | i. a public limited company                          |  |
|                                                                                                             | ii. a limited company                                |  |
|                                                                                                             | iii. a limited liability partnership                 |  |
|                                                                                                             | iv. other partnership                                |  |
|                                                                                                             | v. sole trader                                       |  |
|                                                                                                             | vi. other (please specify)                           |  |
| Please mark 'X' in the relevant boxes to indicate whether any of the following classifications apply to you | i. Voluntary, Community and Social Enterprise (VCSE) |  |
|                                                                                                             | ii. Small or Medium                                  |  |

|                                                                                                                                                                                                                                                                                                                                                                                                     |                                  |  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|--|
|                                                                                                                                                                                                                                                                                                                                                                                                     | Enterprise (SME) <sup>1</sup>    |  |
|                                                                                                                                                                                                                                                                                                                                                                                                     | iii. Sheltered workshop          |  |
|                                                                                                                                                                                                                                                                                                                                                                                                     | iv. Public service mutual        |  |
| <b>1.2 Bidding Model</b>                                                                                                                                                                                                                                                                                                                                                                            |                                  |  |
| <b>Please mark 'X' in the relevant box to indicate whether you are;</b>                                                                                                                                                                                                                                                                                                                             |                                  |  |
| i. Bidding as a Prime Contractor and will deliver 100% of the key contract deliverables yourself                                                                                                                                                                                                                                                                                                    |                                  |  |
| ii. Bidding as a Prime Contractor and will use third parties to deliver <u>some</u> of the services<br><br>If yes, please provide details of your proposed bidding model that includes members of the supply chain, the percentage of work being delivered by each sub-contractor and the key contract deliverables each sub-contractor will be responsible for.                                    |                                  |  |
| iii. Bidding as Prime Contractor but will operate as a Managing Agent and will use third parties to deliver <u>all</u> of the services<br><br>If yes, please provide details of your proposed bidding model that includes members of the supply chain, the percentage of work being delivered by each sub-contractor and the key contract deliverables each sub-contractor will be responsible for. |                                  |  |
| iv. Bidding as a consortium but not proposing to create a new legal entity.<br><br>If yes, please include details of your consortium in the next column and use a separate Appendix                                                                                                                                                                                                                 | <u><b>Consortium members</b></u> |  |

<sup>1</sup> See EU definition of SME: <http://ec.europa.eu/enterprise/policies/sme/facts-figures-analysis/sme-definition/>



|                                                                                                                                                                                                                                                                                                               |                                  |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|
| <p>to explain the alternative arrangements i.e. why a new legal entity is not being created.</p> <p>Please note that the Council may require the consortium to assume a specific legal form if awarded the contract, to the extent that it is necessary for the satisfactory performance of the contract.</p> | <p><b><u>Lead member</u></b></p> |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|

|                                                                                                                                                                                                                                                                                    |                                                                                                                                       |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------|
| <p>v. Bidding as a consortium and intend to create a Special Purpose Vehicle (SPV).</p> <p>If yes, please include details of your consortium, current lead member and intended SPV in the next column and provide full details of the bidding model using a separate Appendix.</p> | <p><b><u>Consortium members</u></b></p> <p><b><u>Current lead member</u></b></p> <p><b><u>Name of Special Purpose Vehicle</u></b></p> |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------|

### 1.3 Contact Details

|                                                                           |  |
|---------------------------------------------------------------------------|--|
| Supplier contact details for enquiries about this Selection Questionnaire |  |
| Name                                                                      |  |
| Postal address                                                            |  |
| Country                                                                   |  |
| Phone                                                                     |  |
| Mobile                                                                    |  |
| E-mail                                                                    |  |

### 1.4 Licensing and Registration

|                                                                                                                                                                                                                                                                                                             |                                                                               |           |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------|-----------|
| <p>Registration with a professional body</p> <p>If applicable, is your business registered with the appropriate trade or professional register(s) in the EU member state where it is established (as set out in Annex XI of directive 2014/24/EU) under the conditions laid down by that member state).</p> | <p><b>Please indicate your answer by marking 'X' in the relevant box.</b></p> |           |
|                                                                                                                                                                                                                                                                                                             | <b>Yes</b>                                                                    | <b>No</b> |
|                                                                                                                                                                                                                                                                                                             |                                                                               |           |
|                                                                                                                                                                                                                                                                                                             | <p>If Yes, please provide the registration number in this box.</p>            |           |

| <p>Is it a legal requirement in the state where you are established for you to be licensed or a member of a relevant organisation in order to provide the requirement in this procurement?</p>                                                                                                                                                                                                                                                                       | <p>If Yes, please provide additional details within this box of what is required and confirmation that you have complied with this.</p>                                                                                                                                                                                                                                                                                                                                                                                                                         |  |     |    |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|-----|----|
| <p><b>2. Grounds for Mandatory Exclusion</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |  |     |    |
| <p>You will be excluded from the procurement process if there is evidence of convictions relating to specific criminal offences including, but not limited to, bribery, corruption, conspiracy, terrorism, fraud and money laundering, or if you have been the subject of a binding legal decision which found a breach of legal obligations to pay tax or social security obligations (except where this is disproportionate e.g. only minor amounts involved).</p> | <p>If you have answered "yes" to question 2.2 on the non-payment of taxes or social security contributions, and have not paid or entered into a binding arrangement to pay the full amount, you may still avoid exclusion if only minor tax or social security contributions are unpaid or if you have not yet had time to fulfil your obligations since learning of the exact amount due. If your organisation is in that position please provide details using a separate Appendix. You may contact the authority for advice before completing this form.</p> |  |     |    |
| <p><b>2.1 Within the past five years, has your organisation (or any member of your proposed consortium, if applicable), Directors or partner or any other person who has powers of representation, decision or control been convicted of any of the following offences?</b></p>                                                                                                                                                                                      | <p><b>Please indicate your answer by marking 'X' in the relevant box.</b></p> <table border="1" data-bbox="810 1003 1444 1149"> <thead> <tr> <th data-bbox="810 1003 1129 1149">Yes</th> <th data-bbox="1129 1003 1444 1149">No</th> </tr> </thead> </table>                                                                                                                                                                                                                                                                                                    |  | Yes | No |
| Yes                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | No                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |  |     |    |
| <p>a. conspiracy within the meaning of section 1 or 1A of the Criminal Law Act 1977 or article 9 or 9A of the Criminal Attempts and Conspiracy (Northern Ireland) Order 1983 where that conspiracy relates to participation in a criminal organisation as defined in Article 2 of Council Framework Decision 2008/841/JHA on the fight against organised crime;</p>                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |  |     |    |
| <p>b. corruption within the meaning of section 1(2) of the Public Bodies Corrupt Practices Act 1889 or section 1 of the Prevention of Corruption Act 1906;</p>                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |  |     |    |
| <p>c. the common law offence of bribery;</p>                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |  |     |    |
| <p>d. bribery within the meaning of sections 1, 2 or 6 of the Bribery Act 2010; or section 113 of the Representation of the People Act 1983;</p>                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |  |     |    |
| <p>e. any of the following offences, where the offence relates to fraud affecting the European Communities' financial interests as defined by Article 1 of the Convention on the protection of the</p>                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |  |     |    |

|                                                                                                                                                                                                                                          |  |  |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|
| financial interests of the European Communities:                                                                                                                                                                                         |  |  |
| i. the offence of cheating the Revenue;                                                                                                                                                                                                  |  |  |
| ii. the offence of conspiracy to defraud;                                                                                                                                                                                                |  |  |
| iii. fraud or theft within the meaning of the Theft Act 1968, the Theft Act (Northern Ireland) 1969, the Theft Act 1978 or the Theft (Northern Ireland) Order 1978;                                                                      |  |  |
| iv. fraudulent trading within the meaning of section 458 of the Companies Act 1985, article 451 of the Companies (Northern Ireland) Order 1986 or section 993 of the Companies Act 2006;                                                 |  |  |
| v. fraudulent evasion within the meaning of section 170 of the Customs and Excise Management Act 1979 or section 72 of the Value Added Tax Act 1994;                                                                                     |  |  |
| vi. an offence in connection with taxation in the European Union within the meaning of section 71 of the Criminal Justice Act 1993;                                                                                                      |  |  |
| vii. destroying, defacing or concealing of documents or procuring the execution of a valuable security within the meaning of section 20 of the Theft Act 1968 or section 19 of the Theft Act (Northern Ireland) 1969;                    |  |  |
| viii. fraud within the meaning of section 2, 3 or 4 of the Fraud Act 2006; or                                                                                                                                                            |  |  |
| ix. the possession of articles for use in frauds within the meaning of section 6 of the Fraud Act 2006, or the making, adapting, supplying or offering to supply articles for use in frauds within the meaning of section 7 of that Act; |  |  |
| f. any offence listed—                                                                                                                                                                                                                   |  |  |
| i. in section 41 of the Counter Terrorism Act 2008; or                                                                                                                                                                                   |  |  |
| ii. in Schedule 2 to that Act where the court has determined that there is a terrorist connection;                                                                                                                                       |  |  |
| g. any offence under sections 44 to 46 of the Serious Crime Act 2007 which                                                                                                                                                               |  |  |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |  |  |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|
| relates to an offence covered by subparagraph (f);                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  |  |
| h. money laundering within the meaning of sections 340(11) and 415 of the Proceeds of Crime Act 2002;                                                                                                                                                                                                                                                                                                                                                                                                                                                       |  |  |
| i. an offence in connection with the proceeds of criminal conduct within the meaning of section 93A, 93B or 93C of the Criminal Justice Act 1988 or article 45, 46 or 47 of the Proceeds of Crime (Northern Ireland) Order 1996;                                                                                                                                                                                                                                                                                                                            |  |  |
| j. an offence under section 4 of the Asylum and Immigration (Treatment of Claimants etc.) Act 2004; or any offence involving Racial Discrimination                                                                                                                                                                                                                                                                                                                                                                                                          |  |  |
| k. an offence under section 59A of the Sexual Offences Act 2003; or any offence involving Sexual Harassment                                                                                                                                                                                                                                                                                                                                                                                                                                                 |  |  |
| l. an offence under section 71 of the Coroners and Justice Act 2009                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |  |  |
| m. an offence in connection with the proceeds of drug trafficking within the meaning of section 49, 50 or 51 of the Drug Trafficking Act 1994; or                                                                                                                                                                                                                                                                                                                                                                                                           |  |  |
| n. any other offence within the meaning of Article 57(1) of the Public Contracts Directive—                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |  |  |
| i. as defined by the law of any jurisdiction outside England and Wales and Northern Ireland; or                                                                                                                                                                                                                                                                                                                                                                                                                                                             |  |  |
| ii. created, after the day on which these Regulations were made, in the law of England and Wales or Northern Ireland.                                                                                                                                                                                                                                                                                                                                                                                                                                       |  |  |
| <p><b><u>Non-payment of taxes</u></b></p> <p><b>2.2 Has it been established 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 your organisation is established (If outside the UK), that your organisation is in breach of obligations related to the payment of tax or social security contributions?</b></p> <p>If you have answered Yes to this question, please use a separate Appendix to provide</p> |  |  |

further details. Please also use this Appendix to confirm whether you have paid, or have entered into a binding arrangement with a view to paying, including, where applicable, any accrued interest and/or fines?

### 3. Grounds for Discretionary Exclusion – Part 1

The authority may exclude any Supplier who answers 'Yes' in any of the following situations set out in paragraphs (a) to (i);

**3.1 Within the past five years, please indicate if any of the following situations have applied, or currently apply, to your organisation.**

**Please indicate your answer by marking 'X' in the relevant box.**

**Yes**

**No**

a. your organisation has violated applicable obligations referred to in regulation 56 (2) of the Public Contract Regulations 2015 in the fields of environmental, social and labour law established by EU law, national law, collective agreements or by the international environmental, social and labour law provisions listed in Annex X to the Public Contracts Directive as amended from time to time;

b. your organisation is bankrupt or is the subject of insolvency or winding-up proceedings, where your 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;

c. your organisation is guilty of grave professional misconduct, which renders its integrity questionable;

d. your organisation has entered into agreements with other economic operators aimed at distorting competition;

e. your organisation has a conflict of interest within the meaning of regulation 24 of the Public Contract Regulations 2015 that cannot be effectively remedied by other, less intrusive, measures;

|                                                                                                                                                                                                                                                                                                                                                                                         |  |  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|
| f. the prior involvement of your organisation in the preparation of the procurement procedure has resulted in a distortion of competition, as referred to in regulation 41, that cannot be remedied by other, less intrusive, measures;                                                                                                                                                 |  |  |
| g. your organisation has 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;                                                          |  |  |
| h. your organisation—<br>i. has been guilty of serious misrepresentation in supplying the information required for the verification of the absence of grounds for exclusion or the fulfilment of the selection criteria; or<br>ii. has withheld such information or is not able to submit supporting documents required under regulation 59 of the Public Contract Regulations 2015; or |  |  |
| i. your organisation has undertaken to                                                                                                                                                                                                                                                                                                                                                  |  |  |
| (i) unduly influence the decision-making process of the contracting authority, or                                                                                                                                                                                                                                                                                                       |  |  |
| (ii) obtain confidential information that may confer upon your organisation undue advantages in the procurement procedure; or                                                                                                                                                                                                                                                           |  |  |
| j. your organisation has negligently provided misleading information that may have a material influence on decisions concerning exclusion, selection or award.                                                                                                                                                                                                                          |  |  |

### **Conflicts of interest**

In accordance with question 3.1 (e), the authority may exclude the Supplier if there is a conflict of interest which cannot be effectively remedied. The concept of a conflict of interest includes any situation where relevant staff members have, directly or indirectly, a financial, economic or other personal interest which might be perceived to compromise their impartiality and independence in the context of the procurement procedure.

Where there is any indication that a conflict of interest exists or may arise then it is the responsibility of the Supplier to inform the Council, detailing the conflict in a separate Appendix. Provided that it has been carried out in a transparent manner, routine pre-market engagement carried out by the Council should not represent a conflict of interest for the Supplier.

### **Taking Account of Bidders' Past Performance**

In accordance with question (g), the Council may assess the past performance of a Supplier (through a Certificate of Performance provided by a Customer or other means of evidence). The Council may take into account any failure to discharge obligations under the previous principal relevant contracts of the Supplier completing this Selection Questionnaire. The Council may also assess whether specified minimum standards for reliability for such contracts are met.

In addition, the Council may re-assess reliability based on past performance at key stages in the procurement process (i.e. supplier selection, tender evaluation, contract award stage etc.). Suppliers may also be asked to update the evidence they provide in this section to reflect more recent performance on new or existing contracts (or to confirm that nothing has changed).

### **'Self-cleaning'**

Any Supplier that answers 'Yes' to questions 2.1, 2.2 and 3.1 should provide sufficient evidence, in a separate Appendix, that provides a summary of the circumstances and any remedial action that has taken place subsequently and effectively "self-cleans" the situation referred to in that question. The supplier has to demonstrate it has taken such remedial action, to the satisfaction of the authority in each case.

If such evidence is considered by the Council (whose decision will be final) as sufficient, the economic operator concerned shall be allowed to continue in the procurement process.

In order for the evidence referred to above to be sufficient, the Supplier shall, as a minimum, prove that it has;

- paid or undertaken to pay compensation in respect of any damage caused by the criminal offence or misconduct;
- clarified the facts and circumstances in a comprehensive manner by actively collaborating with the investigating authorities; and
- taken concrete technical, organisational and personnel measures that are appropriate to prevent further criminal offences or misconduct.

The measures taken by the Supplier shall be evaluated taking into account the gravity and particular circumstances of the criminal offence or misconduct. Where the measures are considered by the Council to be insufficient, the Supplier shall be given a statement of the reasons for that decision.

## **4. Grounds for Discretionary Exclusion – Part 2**

Not applicable

## 5. Economic and Financial Standing

### Financial Information

**5.1** Please provide one of the following to demonstrate your economic/financial standing;  
Please indicate your answer with an 'X' in the relevant box.

- |    |                                                                                                                                                                                                                                                                                                   |  |
|----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| a. | A copy of the audited accounts for the most recent two years                                                                                                                                                                                                                                      |  |
| b. | A statement of the turnover, profit & loss account, current liabilities and assets, and cash flow for the most recent year of trading for this organisation                                                                                                                                       |  |
| c. | A statement of the cash flow forecast for the current year and a bank letter outlining the current cash and credit position                                                                                                                                                                       |  |
| d. | Alternative means of demonstrating financial status if any of the above is 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). |  |

**5.2** Where the Council has specified a minimum level of economic and financial standing and/or a minimum financial threshold within the evaluation criteria for this Selection Questionnaire, please self-certify by answering 'Yes' or 'No' that you meet the requirements set out here.

Yes

No

**(a) Are you are part of a wider group (e.g. a subsidiary of a holding/parent company)?**

If yes, please provide the name below:

**5.3**

Name of the organisation

Relationship to the Supplier completing the Selection Questionnaire

If yes, please provide Ultimate / parent company accounts if available.

If yes, would the Ultimate / parent willing to provide a guarantee if necessary?



|  |                                                                              |  |  |
|--|------------------------------------------------------------------------------|--|--|
|  | If no, would you be able to obtain a guarantee elsewhere (e.g. from a bank?) |  |  |
|--|------------------------------------------------------------------------------|--|--|

## 6. Technical and Professional Ability

### Relevant experience and contract examples

Please provide details of up to three contracts, in any combination from either the public or private sector, that are relevant to the Council's requirement. Contracts for supplies or services should have been performed during the past five years. The named customer contact provided should be prepared to provide written evidence to the Council to confirm the accuracy of the information provided below.

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 will 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).

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 principal intended provider(s) or sub-contractor(s) who will deliver the supplies and services.

|     |                                                                                                                                                            | Contract 1 | Contract 2 | Contract 3 |
|-----|------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|------------|------------|
| 6.1 | Name of customer organisation                                                                                                                              |            |            |            |
| 6.2 | Point of contact in customer organisation<br>Position in the organisation<br>E-mail address                                                                |            |            |            |
| 6.3 | Contract start date<br>Contract completion date<br>Contract Value                                                                                          |            |            |            |
| 6.4 | In no more than 500 words, please provide a brief description of the contract delivered including evidence as to your technical capability in this market. |            |            |            |

6.5 If you cannot provide at least one example for questions 6.1 to 6.4, in no more than 500 words please provide an explanation for this e.g. your organisation is a new start-up.

## 7. Additional Selection Questionnaire Modules

Suppliers who self-certify that they meet the requirements for these additional modules will be required to provide evidence of this if they are successful at contract award stage. Please indicate your answer by marking 'X' in the relevant boxes.

**a. Project Specific questions to assess Technical and Professional Ability**

Further project specific questions relating to the technical and professional ability of the supplier.

Please self-certify against the requirements below (Please indicate your answer by marking 'X' in the relevant box):

**Yes**

**No**

Does your organisation require your staff and your sub-contractor's staff to undergo a Disclosure and Barring Service (DBS) check to the standard level.

Please self-certify that your organisation has a Safeguarding Policy or would be willing to ensure that one is in place upon award of the Framework Agreement that complies with current legislative requirements.

**b. Insurance**

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 (Please indicate your answer by marking 'X' in the relevant box):

**Yes**

**No**

Employer's (Compulsory) Liability Insurance = £10,000,000

Public Liability Insurance = £10,000,000

Professional Indemnity Insurance = £2,000,000

\* 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.

**Compliance with Equality Legislation**

**c.** For organisations working outside of the UK please refer to equivalent legislation in the country that you are located. (Please indicate your answer by marking 'X' in the relevant box):

In the last five years, has any finding of unlawful discrimination been made against anyone within 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)?

**Yes**

**No**

In the last five 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?

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.

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 Council's satisfaction that appropriate remedial action has been taken to prevent similar unlawful discrimination reoccurring.

If you use sub-contractors, do you have processes in place to check whether any of the above circumstances apply to these other organisations?

#### **Environmental Management**

**d. (Please indicate your answer by marking 'X' in the relevant box):**

Has your organisation been convicted of breaching environmental legislation, or had any notice served upon it, in the last five years by any environmental regulator or authority (including local authority)?

If your answer to 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.

The Council will not select bidder(s) that have been prosecuted or served notice under environmental legislation in the last 5 years, unless the Council is satisfied that appropriate remedial action has been taken to prevent future occurrences/breaches.

**Yes**

**No**

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?

#### **Health and Safety**

**e. (Please indicate your answer by marking 'X' in the relevant box):**

Please self-certify that your organisation has a Health and Safety Policy that complies with current legislative requirements.

**Yes**

**No**

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 5 years?

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                               |                  |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|------------------|
| <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> <p>The Council will exclude bidder(s) that have been in receipt of enforcement/remedial action orders unless the bidder(s) can demonstrate to the Council's satisfaction that appropriate remedial action has been taken to prevent future occurrences or breaches.</p>                                                                                                                                                                                                                                                                                                       |                               |                  |
| <p>If you use sub-contractors, do you have processes in place to check whether any of the above circumstances apply to these other organisations?</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                               |                  |
| <p><b>Quality</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                               |                  |
| <p>f. (Please indicate your answer by marking 'X' in the relevant box):</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                               |                  |
| <p>Please self-certify that your organisation holds a quality certificate such as ISO9001 (or equivalent) or a policy that attests to your organisations' approach to quality management.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <p><b>Yes</b></p>             | <p><b>No</b></p> |
| <p>If you use sub-contractors, do you have processes in place to check whether any of the above circumstances apply to these other organisations?</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                               |                  |
| <p><b>Declaration</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                               |                  |
| <p>I declare that to the best of my knowledge the answers submitted to these questions are correct. 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, and I am signing on behalf of..... <b>(Insert name of supplier).</b></p> <p>I understand that the Council may reject my submission if there is a failure to answer all relevant questions fully or if I provide false/misleading information. I have provided a full list of any Appendices used to provide additional information in response to questions.</p> <p>I also declare that there is no conflict of interest in relation to the Authority's requirement.</p> <p>The following appendices form part of our submission;</p> |                               |                  |
| <p><b>Section of Selection Questionnaire</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                               |                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <p><b>Appendix number</b></p> |                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                               |                  |
| <p><b>SELECTION QUESTIONNAIRE COMPLETED BY</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                               |                  |
| <p>8.1</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                               |                  |

|     |                      |  |
|-----|----------------------|--|
| 8.2 | Name                 |  |
| 8.3 | Role in organisation |  |
| 8.1 | Date                 |  |
|     |                      |  |

**Selection Questionnaire – Template for Appendices**

|                                          |
|------------------------------------------|
| <b>Appendix Number -</b>                 |
| <b>Selection Questionnaire section -</b> |
| <b>Question number -</b>                 |

## 9 Award

### 9.1 Award Criteria

The following criteria and weightings will be applied in the evaluation of the questions asked of Applicants within this section 9 Award.

| Evaluation Criteria Breakdown |  | Means of Evaluation |               |
|-------------------------------|--|---------------------|---------------|
|                               |  | Sub Criteria        | Main Criteria |
| Method Statements             |  |                     | 100%          |
| Approach                      |  | 20%                 |               |
| Quality                       |  | 30%                 |               |
| Previous Project Experience   |  | 15%                 |               |
| Management and Communication  |  | 10%                 |               |
| Programme                     |  | 5%                  |               |
| Budget management             |  | 20%                 |               |

### 9.2 Scoring Guidelines

The questions asked of Applicants within this section 9 Award shall be scored using the marking system described within this section. Applicants should refer to the Council's minimum requirements to ensure that they meet or exceed the minimum requirements wherever possible.

Applicants should be aware that the responses provided to the questions will be evaluated in such a way that the highest scores will be awarded to Applicants who show innovation, creativity, further relevant details and information that could potentially enhance the Applicant's proposal. It should be noted that to achieve the highest scores available the Applicant must not only meet but exceed the Council's minimum requirements, where these are stated.

All scored question shall be evaluated in accordance with the guidelines below:

|                |                |                                                                                                                                                                                                  |             |
|----------------|----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| <b>Score 0</b> | No response    | No response                                                                                                                                                                                      |             |
| <b>Score 1</b> | Extremely Weak | Very poor proposal/response; does not cover the associated requirements, major deficiencies in thinking or detail, significant detail missing, unrealistic or impossible to implement and manage | <b>Weak</b> |
| <b>Score 2</b> | Very Weak      | Poor proposal/response, only partially covers the requirements, deficiencies in thinking or detail apparent, difficult to implement and manage                                                   |             |
| <b>Score 3</b> | Weak           | Mediocre proposal/response, moderate coverage of the requirements, minor deficiencies either in thinking or detail, problematic to implement and manage                                          |             |

|                 |                        |                                                                                                                                                                                                       |                           |
|-----------------|------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|
| <b>Score 4</b>  | Fair - Below Average   | Proposal/response partially satisfies the requirements, with small deficiencies apparent, needs some work to fully understand it                                                                      | <b>Fair - Good</b>        |
| <b>Score 5</b>  | Fair - Average         | Satisfactory proposal/response, would work to deliver all of the Council's requirements to the minimum level                                                                                          |                           |
| <b>Score 6</b>  | Fair - Above Average   | Satisfactory proposal/response, would work to deliver the majority of the Council's requirements to the minimum level with some evidence of where the Applicant could exceed the minimum requirements |                           |
| <b>Score 7</b>  | Good                   | Good proposal/response that convinces the Council of its suitability, response slightly exceeds the minimum requirements with a reasonable level of detail                                            |                           |
| <b>Score 8</b>  | Strong                 | Robust proposal/response, exceeds minimum requirements, including a level of detail or evidence of original thinking which adds value to the bid and provides a great deal of detail                  | <b>Strong - Excellent</b> |
| <b>Score 9</b>  | Very Strong            | Proposal/response well in excess of expectations, with a comprehensive level of detail given including a full description of techniques and measurements employed                                     |                           |
| <b>Score 10</b> | Outstanding/ Excellent | Fully thought through proposal/response, which is innovative and provides the reader with confidence of the suitability of the approach to be adopted due to the complete level of detail provided    |                           |

### 9.3 Award Questions

| Question Number                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Question                                                                                                                                                                                                                                                      |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Approach (20%)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                               |
| 4.3.1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | The Applicant shall provide a method statement detailing how it would plan, manage and deliver the Project                                                                                                                                                    |
| <p><b>Council's minimum requirements:</b> Please note that the Council is looking for evidence of the Applicant's previous experience in relation to managing and delivering projects of a similar nature to that required here, as well as detail of how that experience will be used during the delivery of this Contract. The Council is also looking for evidence of the Applicant's previous experience of working collaboratively with key stakeholders and engaging in consultation with young people and where that experience will be used during the delivery of this Contract.</p> |                                                                                                                                                                                                                                                               |
| <b>Response:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                               |
| <b>Quality (30%)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                               |
| 4.3.2                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | The Applicant shall provide a method statement detailing how it proposes to deliver a high quality skatepark that delivers the young people's aspirations on time, within budget, within any relevant planning constraints at competitive construction rates. |

**Council's minimum requirements:** Please note that the Council is looking for evidence that the Applicant has an understanding of managing key stakeholder's expectations within a particular budget envelope. The Council requires a warranty against the concrete structure of a minimum of 15 years

**Response:**

#### Previous Project Experience (15%)

4.3.3 The project examples provided as part of the Selection Questions will be used to assess this question.

**Council's minimum requirements:** The Council is looking for relevant project examples which demonstrate the Applicants' track history of successful delivery.

**Response:**

#### Management and Communication (10%)

4.3.4 The Applicant shall provide details of the project team that will be involved in the delivery of this Contract.

**Council's minimum requirements:** Please note that the Council is looking for the appropriateness of the project team to meet the requirements of the Project, details of their previous experience of working together as a team, the project management structures that will be in place and the means by which they will communicate with the Council and key stakeholders throughout the life of the Contract.

**Response:**

#### Programme (5%)

4.3.5 The Applicant shall provide an outline plan for delivering the requirements of the Project

**Council's minimum requirements:** Please note that the Council is looking for the submission of a realistic programme and completeness of services offered.

**Response:**

#### Budget Management (20%)

4.3.6 The Applicant shall describe its proposed approach to managing the budget, working with the Council and Eligible Users to manage any potential cost overruns and reporting cost information to the Council.

**Council's minimum requirements:** Please note that the Council is looking for a Contractor that is willing to work with the Council to manage the costs of the project reasonably.

**Response:**



# 10 Project Costs

## 10.1 Project Costings

Applicants are reminded that at present there is no maximum budget to work to (excluding Value Added Tax) or which the Contractor must provide the Project in its entirety.

Applicants are required to give a breakdown of the costs at section 0 Activity Schedule below that would be allocated to each Project task required as against the total Project budget, including as a guide;

- a. Full design and consultation work (including indicative designs for presentation purposes and includes for the attendance at a minimum of two local consultation events)
- b. Full site clearance, construction, site supervision and project management for the new park
- c. Supply and installation of appropriate drainage
- d. Supply and installation of appropriate signage
- e. Supply and installation of appropriate ducting and pipework for the provision of light, water, and the management of waste at a later date.
- f. Supply and installation of appropriate furniture (benches and seating etc.) and waste bins
- g. Provision of any necessary CDM (Construction Design Management) regulations provision
- h. Assistance of any necessary planning documentation
- i. Post installation inspection.
- j. Opening event.

The Applicant may include additional lines within the Activity Schedule as required. The Contractor will not exceed the rates quoted within its Bid at any time during the Contract. Please note that this information will not be scored as part of the procurement process.

## 10.2 Activity Schedule

| Item Number | Description                                                                                                                                                       | Price (£) |
|-------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| <b>A</b>    | Full design and consultation work (including indicative designs for presentation purposes including the attendance at a minimum of two local consultation events) |           |
| <b>B</b>    | Full site clearance, construction, site supervision and project management for the new park                                                                       |           |
| <b>C</b>    | Supply and installation of appropriate drainage                                                                                                                   |           |
| <b>D</b>    | Supply and installation of appropriate signage                                                                                                                    |           |
| <b>E</b>    | Supply and installation of appropriate ducting and pipework for the provision of light, water and the management of waste at a later date.                        |           |
| <b>F</b>    | Supply and installation of appropriate furniture (benches and seating etc.) and waste bins                                                                        |           |
| <b>G</b>    | Provision of any necessary CDM (Construction Design Management) regulations provision                                                                             |           |
| <b>H</b>    | Assistance of any necessary planning documentation                                                                                                                |           |
| <b>I</b>    | Post installation inspection.                                                                                                                                     |           |
| <b>J</b>    | Opening event.                                                                                                                                                    |           |
|             | <b>Total of the prices (excluding VAT)</b>                                                                                                                        | <b>£</b>  |

# 11 Price Review Framework

## 11.1 Price Validity Period

As a minimum, all prices submitted must remain fixed and firm for nine months from date of Contract commencement. In support of this, please detail exactly how long your prices will remain fixed and firm for below:

Prices will remain valid for ... years and ... months from the beginning of this Contract (Applicant to complete).

## 11.2 Price Review Proposals

The Council does not expect the Applicant to implement any price increases throughout the life of this Contract. The Applicant's signature at section 11.4 Pricing Schedule Declaration will be assumed to be an acceptance of this condition. Applicant's whose price review proposal differs from the Council's expectations under this 11.2 Price Review Proposals must state their proposal below.

Price Review Proposal if different from above:

## 11.3 Contract Renewal

No Contract once awarded shall be renewed at a higher rate than agreed between the parties through this price review framework or through any other such agreement as submitted to and approved by the Council in writing.

## 11.4 Pricing Schedule Declaration

Offer to supply the goods or services as per the pricing schedule above, in accordance with the Specification, terms and conditions and all other documents forming the Contract.

|                                                                                                                                                                                                                                                                                   |         |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|
| Signed*:                                                                                                                                                                                                                                                                          | Date:   |
| Name ( <i>in block capitals</i> ):                                                                                                                                                                                                                                                |         |
| In the capacity of:<br>( <i>State official position, i.e. Director, Manager, etc.</i> )                                                                                                                                                                                           |         |
| Organisation name and postal address:                                                                                                                                                                                                                                             |         |
| Telephone No:                                                                                                                                                                                                                                                                     | Fax No: |
| *(It must be clearly shown whether the Applicant is a limited company, statutory corporation, partnership or single individual, trading under his own or another name, and also if the signatory is not the actual Applicant, the capacity in which he/she signs or is employed). |         |

# 12 Certificates

## 12.1 Conditions of Tender

|                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |          |       |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-------|
| <b>REDRUTH TOWN COUNCIL</b><br><b>CONDITIONS OF TENDER</b>                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |          |       |
| <b>Reference number and Title of Contract:</b> Shall be as per the Reference Number and Title of Contract as detailed on page one (1) of this Volume Two (2) Applicant's Offer                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |          |       |
| 1.                                                                                                                                                                                                                                                                                       | Tenders are invited for the supply of the goods or services specified or described in the invitation. Tenders with conditions of contract duly completed should be marked with the title of the Contract and returned electronically to: <a href="mailto:townclerk@redruth-tc.gov.uk">townclerk@redruth-tc.gov.uk</a> . Tenders must be returned no later than the specified time and date. Tenders received after the time stated or not properly completed will be disregarded. Facsimile copies will not be accepted.                                                                                                                                                                                                                                                                                                     |          |       |
| 2.                                                                                                                                                                                                                                                                                       | The Contract shall be subject to the specified terms and Conditions of Contract. Offers by Applicants made subject to additional or alternative conditions may not be considered and may be rejected on the grounds of such conditions alone. No alteration must be made to the printed conditions or schedules. Any Tenders bearing such alterations will not be considered.                                                                                                                                                                                                                                                                                                                                                                                                                                                |          |       |
| 3.                                                                                                                                                                                                                                                                                       | The Council does not bind itself to accept the lowest or any Tender, and reserves the right to accept a Tender either in whole or in part, for such item or items specified in the Invitation to Tender, and for such place or places of delivery as it thinks fit, each item and establishment being for this purpose considered as Tendered for separately.                                                                                                                                                                                                                                                                                                                                                                                                                                                                |          |       |
| 4.                                                                                                                                                                                                                                                                                       | <b>To: REDRUTH TOWN COUNCIL</b><br><br>I/We the undersigned DO HEREBY UNDERTAKE on the acceptance by the Council of my/our Tender either in whole or in part, to supply ( <i>or perform the services</i> ), on such terms and conditions and in accordance with such specifications ( <i>if any</i> ), as are contained or incorporated in the Invitation to Tender. I/We agree and declare that the acceptance of this Tender by letter on behalf of the Council, whether for the whole or part of the items included therein, will constitute a Contract for the supply of such items, I/We agree to enter into a further agreement for the due performance of the Contract, and I/We declare that I am/We are acting as the Delegated Authority for the purposes of signing off this Tender, and therefore, the Contract. |          |       |
| <table border="1" style="width: 100%;"> <tr> <td style="width: 50%;">Signed*:</td> <td style="width: 50%;">Date:</td> </tr> </table>                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Signed*: | Date: |
| Signed*:                                                                                                                                                                                                                                                                                 | Date:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |          |       |
| Name ( <i>in block capitals</i> ):                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |          |       |
| In the capacity of:<br>( <i>State official position, i.e. Director, Manager, etc.</i> )                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |          |       |
| <i>*(It must be clearly shown whether the Applicant is a limited company, statutory corporation, partnership or single individual, trading under his own or another name, and also if the signatory is not the actual Applicant, the capacity in which he/she signs or is employed).</i> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |          |       |

## 12.2 Certificate of Undertaking and Absence of Collusion or Canvassing

| CERTIFICATE OF UNDERTAKING AND ABSENCE OF COLLUSION OR CANVASSING                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |       |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|
| <p>The Applicant shall sign the below Certificate of Undertaking and Absence of Collusion clearly indicating whether they sign as a Consortium or Member of Consortium (Box A), or as a single body and/or individual (Box B) by striking through Box A or B, whichever does not apply.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |       |
| <p><b>Box A – Consortium</b></p> <p>I/We the undersigned do hereby certify that:-</p> <ul style="list-style-type: none"> <li>(a) the consortium's Tender is bona fide and intended to be competitive;</li> <li>(b) the consortium has not entered into any agreement with any person outside the consortium with the aim of preventing Tenders being made or asked the amount of another Tender of the conditions or which the Tender is made;</li> <li>(c) the consortium has not informed any person outside the consortium other than the person calling for the Tenders the amount or approximate amount of the Tender except where the disclosure in confidence of the approximate amount of the Tender was necessary to obtain insurance premium or other quotations necessarily required for the preparation of the Tender;</li> <li>(d) the consortium has not caused or induced any person to enter into such an agreement as is mentioned in (b) above or to inform the consortium of the amount or the approximate amount of any rival Tender for the Contract.</li> <li>(e) the consortium has not and will not canvass or solicit any Member, Officer or employee of the Council in connection with the preparation, submission and evaluation of this Tender or award or proposed award of the Contract and that to the best of my knowledge and belief, no person employed by the consortium or acting on the consortium's behalf has done or will do such an act.</li> <li>(f) I/We further undertake that the consortium will not do any of the acts mentioned in (b), (c), (d) and (e) above before the hour and date specified for the return of the Tender.</li> </ul>                                                                                                                                                                |       |
| <p><b>Box B – Single Body and/or Individual</b></p> <p>I/We the undersigned do hereby certify that:-</p> <ul style="list-style-type: none"> <li>(a) My/our Tender is bona fide and intended to be competitive and I/we have not fixed or adjusted the amount of the Tender by or under in accordance with any agreement or arrangement with any other person;</li> <li>(b) I/we have not indicated to any person other than the person calling for the Tender amount or approximate amount of the proposed Tender except where the disclosure in confidence of the approximate amount of the Tender was necessary to obtain insurance premium or other quotations necessarily required for the preparation of the Tender;</li> <li>(c) I/we shall have not entered into any agreement or arrangement with any other person that they shall refrain from Tendering or asked the amount of any Tender to be submitted;</li> <li>(d) I/we have not offered to pay or give any sum of money or valuable consideration directly or indirectly to any person for doing or having done or causing or having caused to be done in relation to any other Tender or proposed Tender for the said work any act or thing of the nature specified and described above.</li> <li>(e) I/we hereby certify that I/we have not and will not canvass or solicit any Member, Officer or employee of the Authority in connection with the preparation, submission and evaluation of this Tender or award or proposed award of the Contract and that to the best of my knowledge and belief, no person employed by me/us or acting on my/our behalf has done or will do such an act.</li> <li>(f) I/we further undertake that I/we will not do any of the acts mentioned in (b), (c) and (d) above before the hour and date specified for the return of the Tender.</li> </ul> |       |
| Signed*:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Date: |

Name *(in block capitals)*:

In the capacity of: *(State official position, i.e. Director, Manager, etc.)*

*\*(It must be clearly shown whether the Applicant is a limited company, statutory corporation, partnership or single individual, trading under his own or another name, and also if the signatory is not the actual Applicant, the capacity in which he/she signs or is employed).*

## 12.3 Certificate of Confidentiality

| CERTIFICATE OF CONFIDENTIALITY                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |       |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|
| <p>I/we hereby agree with the Authority that I/we shall not at any time divulge or allow to be divulged to any person any information, confidential or otherwise, relating to information passed to me regarding this project.</p> <p>It is appreciated by the parties that in the event of negotiations in respect of the proposed Contract being entered into between the Authority and my organisation that it may be necessary to share information with colleagues within my organisation. In this event this confidentiality clause may be waived to allow such information sharing to take place but not further or otherwise.</p> |       |
| Signed*:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Date: |
| Name (in block capitals):                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |       |
| In the capacity of: (State official position, i.e. Director, Manager, etc.)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |       |
| <i>*(It must be clearly shown whether the Applicant is a limited company, statutory corporation, partnership or single individual, trading under his own or another name, and also if the signatory is not the actual Applicant, the capacity in which he/she signs or is employed).</i>                                                                                                                                                                                                                                                                                                                                                  |       |

## 12.4 Commercially Sensitive Information

I declare that I wish the following information to be designated as Commercially Sensitive.

|                                          |
|------------------------------------------|
| <br><br><br><br><br><br><br><br><br><br> |
|------------------------------------------|

The reason(s) it is considered that this information should be exempt under Freedom of Information Act 2000 is:

|                                          |
|------------------------------------------|
| <br><br><br><br><br><br><br><br><br><br> |
|------------------------------------------|

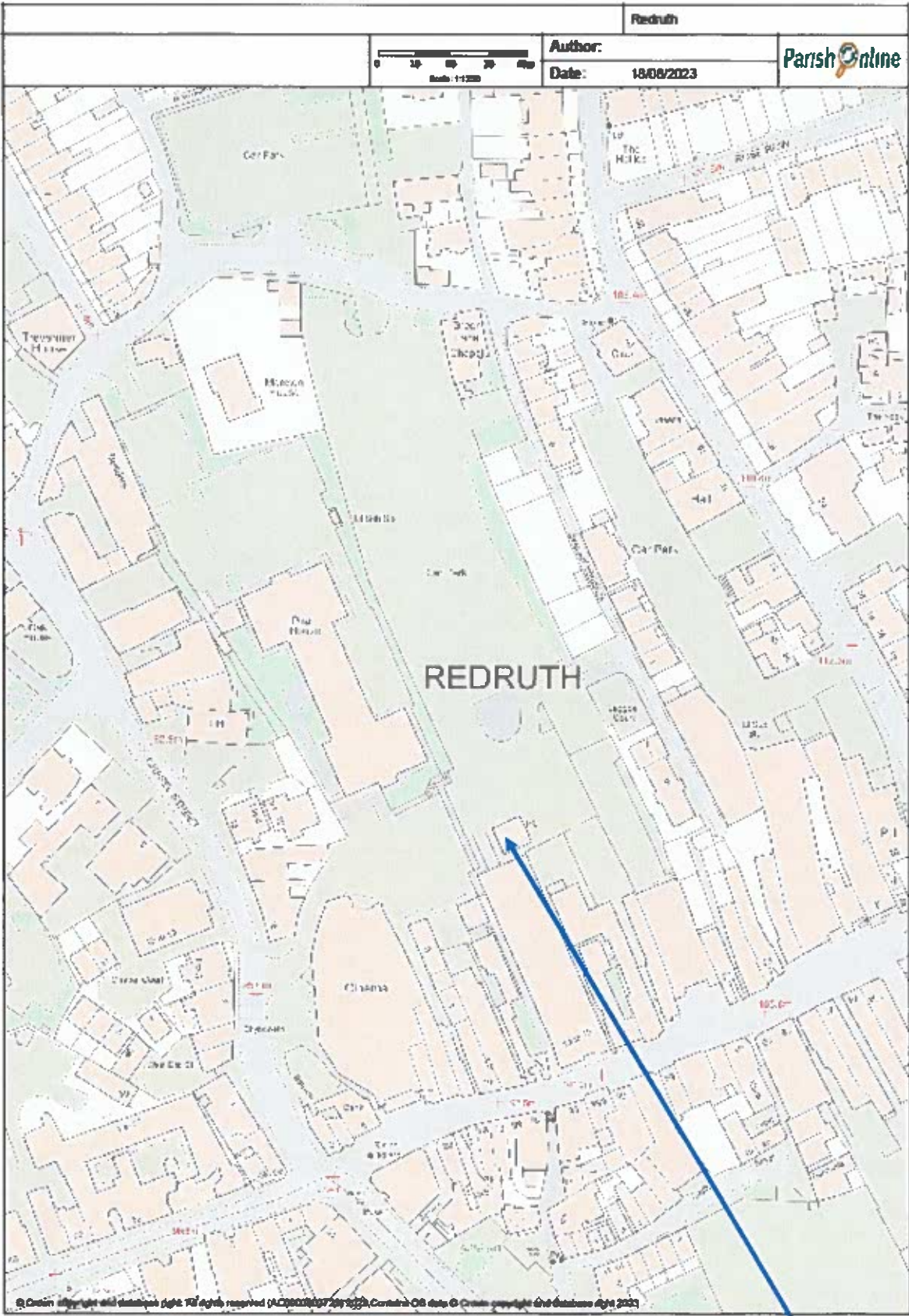
## 12.5 Conflict of Interest

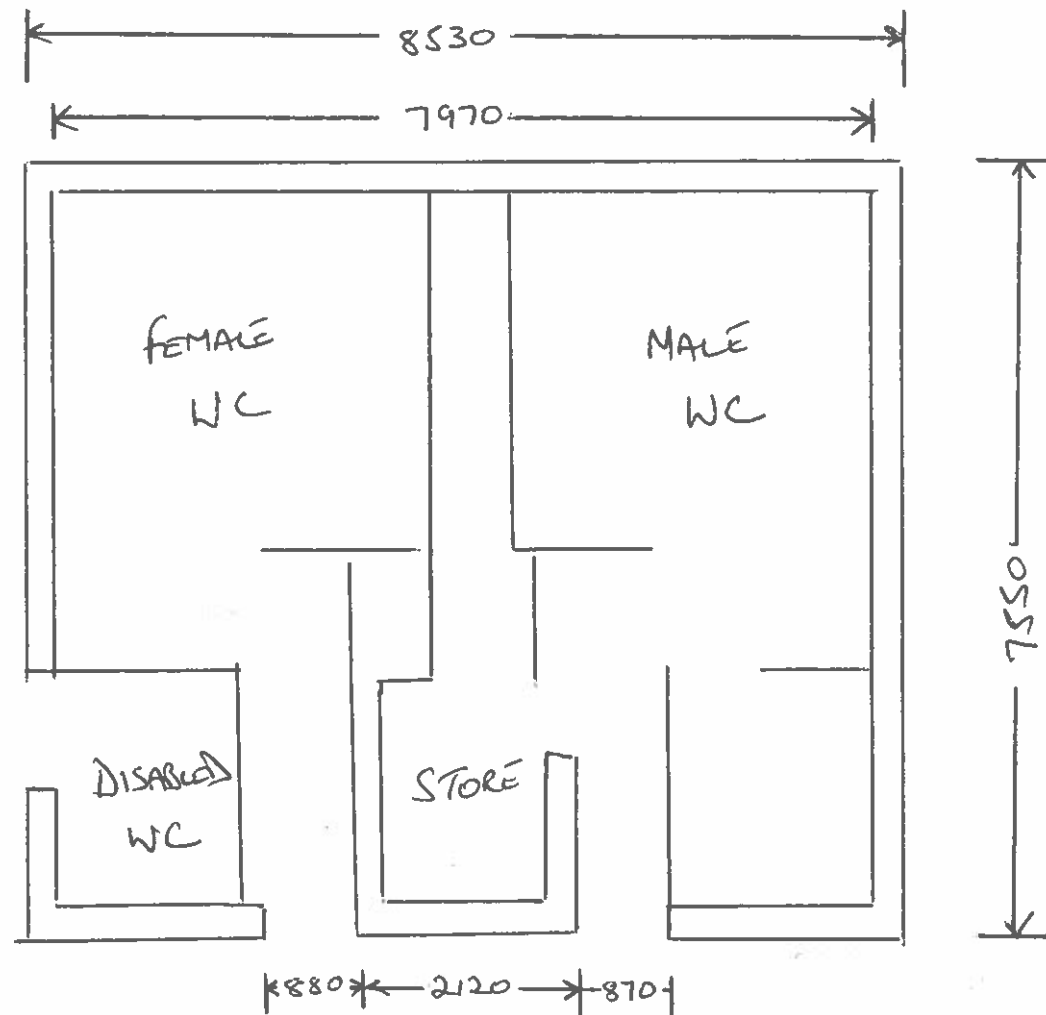
| CERTIFICATE OF CONFLICT OF INTEREST                                                                                                                                                                                                                                                                                                                                                          |       |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|
| <p>I/we hereby notify the Authority that I/we consider the following declaration to be a conflict of interest (Applicant to insert details of the conflict of interest):</p><br><br><br><br><br><br><br><br><br><br>                                                                                                                                                                         |       |
| <p>I/we hereby understand that in accordance with Article 24 of the Public Contract Regulations 2015 that the Authority is obliged to take appropriate measures to effectively prevent, identify and remedy conflicts of interest arising in the conduct of procurement procedures so as to avoid any distortion of competition and to ensure equal treatment of all economic operators.</p> |       |
| Signed*:                                                                                                                                                                                                                                                                                                                                                                                     | Date: |

|                                                                                                                                                                                                                                                                                           |  |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
|                                                                                                                                                                                                                                                                                           |  |
| Name <i>(in block capitals)</i> :                                                                                                                                                                                                                                                         |  |
| In the capacity of: <i>(State official position, i.e. Director, Manager, etc.)</i>                                                                                                                                                                                                        |  |
| * <i>(It must be clearly shown whether the Applicant is a limited company, statutory corporation, partnership or single individual, trading under his own or another name, and also if the signatory is not the actual Applicant, the capacity in which he/she signs or is employed).</i> |  |



**New Cut Toilets - Location**





**Redruth Town Council – New Cut Toilets – Existing Plan**



## Redruth Town Council – New Cut Toilets - Photographs





