Date of despatch of Invitation to Tender: 20/08/2019

**Tender return date: 12-Noon on Friday 6 September 2019**

**SCHEDULE 1**

**INSTRUCTIONS TO TENDERERS**

**(including tender assessment process)**

This Invitation to Tender (“ITT”) has been prepared by Fleet Town Council (“the Council”) for sole use by those Tendering for the Contract (“Tenderers”), their professional advisers, and other parties essential to preparing the Tender for the Contract.

Attention is drawn to the fact that, by issuing this ITT, the Council is in no way committed to awarding any Contract and reserves the right to cancel the Tendering process at any point for any reason. The Council shall not be liable for any costs resulting from any cancellation of this Tendering process nor for any other costs incurred by those expressing an interest in or Tendering for this contract opportunity

1. SUMMARY CONTRACT DETAILS

|  |  |
| --- | --- |
| Contract Description | The Council intends to award a contract for a Market Operator to deliver, manage and operate a new and vibrant regular Saturday Market, and up to six Specialist Sunday Markets for Fleet on Gurkha Square |
| Contract Period | 2 years with an option to extend annually up to a maximum of 5 years |
| Contact Point | Any queries should be sent using the [procurement@fleet-tc.gov.uk](mailto:procurement@fleet-tc.gov.uk) |
| Closing Date | 12 Noon on Friday 6 September 2019 |

1. INTRODUCTION

Please refer to the Council’s website [www.fleet-tc.gov.uk](http://www.fleet-tc.gov.uk) for further details on the ~~Town~~ Council.

The Council’s requirement under this Contract is to appoint a market operator to deliver, operate and grow a new and vibrant Saturday Market together with up to six Specialist Sunday Markets on Gurkha Square in Fleet.

Please see the specification SCHDULE 3 for further details.

1. INSTRUCTIONS TO TENDERERS

INVITATION TO TENDER

Please read this ITT carefully and ensure that you are fully familiar with the nature and extent of the obligations on you if your Tender is successful.

Only one Tender is permitted per Tenderer. If a Tenderer submits more than one Tender, only the one with the latest time and date of receipt noted will be evaluated, any earlier Tenders will be disregarded.

All documents submitted as part of your Tender must be written in English or a full English language translation provided at no cost to the Council. Only the translated English version will be evaluated.

All documents requiring a signature must be signed as follows:

* 1. Where the Tenderer is a company, by two directors or by a director and the secretary of the company, provided that such persons are authorised for this role; or
  2. Where the Tenderer is an individual, by that individual; or
  3. Where the Tenderer is a partnership, by at least two duly authorised partners.

Failure to provide all of the information required or to meet the requirements of this document may result in your Tender not being considered by the Council due to it being a non-compliant Tender.

If you have any questions or require any clarification please email: [procurement@fleet-tc.gov.uk](mailto:procurement@fleet-tc.gov.uk) . Emails received outside of this email address may be disregarded and telephone enquiries will not be accepted.

Any questions must be received no later than 5pm on 29 August, 2019. Questions received after this time will not be answered.

Please note that any questions submitted and the Council’s responses will be circulated to all Tenderers, except where the Council, at its discretion, accepts an assertion made by a Tenderer at the time of the question submission that the subject matter of the question relates specifically to a Tenderer’s response and is therefore confidential.

Tenderers may not propose amendments to the Contract. If Tenderers wish to seek clarification in relation to any provision of the Contract, they should do so by asking a clarification question.

The Council reserves the right to issue supplementary documentation at any time during the Tendering process to clarify or amend any aspect of the ITT or any of the documents referred to in the ITT. All such further documentation shall be deemed to form part of the ITT and shall supersede any part of the ITT to the extent indicated.

SUBMISSION OF TENDERS

Completed Tenders must be returned to Fleet Town Council, The Harlington, 236 Fleet Road, Fleet, GU51 4BY. Documents to be supplied on a USB stick together with **6** hard copies

Failure to return your Tender in the correct manner may result in your exclusion from consideration for the Contract.

Tenderers must allow sufficient time before the Closing Date to submit their Tender. The Council, at its discretion, reserves the right to accept Tenders received after the Closing Date.

INFORMATION TO BE PROVIDED

Tenderers must provide the following information in their Tender. Failure to provide this information may result in your submission being disqualified.

* Completed and signed Form of Tender (Schedule 4)
* Completed Tender Questionnaire (Appendix 1)
* Completed Response to Quality Evaluation Criteria (appendix 2)
* Completed Pricing Schedule (appendix 3)

Additional attachments or documents not requested by the Tender Documents will not be read and will not be considered in the evaluation of your Tender.

TENDERING PROCESS

The Council may, at its absolute discretion, extend the tendering period and postpone or change the Closing Date, for any reason.

Tenderers must obtain for themselves, at their own expense, all information necessary for the preparation of their Tenders and must satisfy themselves that they fully understand the requirements of the Contract.

Whilst information included in this ITT has been prepared in good faith, it does not purport to be comprehensive or to have been independently verified. With the exception of statements made fraudulently, the Council does not accept any liability or responsibility for the adequacy, accuracy or completeness of such information. No officer, employee, agent of or any consultant engaged by the Council gives any undertaking, guarantee or warranty or make any representation (express or implied) in relation to this ITT or any other matter relating to the Contract.

Any person considering making a decision to enter into contractual relationships with the Council or any other person on the basis of the information provided by or on behalf of the Council must make their own investigations and form their own opinion in relation to the status, completeness and accuracy of all such information and in relation to the status and/or powers of the Council.

Prior to the award of the Contract no publicity by Tenderers regarding this Tendering process or the Contract is permitted. Once the Contract has been awarded, in accordance with the Contract, no publicity is permitted without the prior written consent of the Council.

No alteration to the successful Tenderer’s position post award of the Contract will be accepted, unless this is due to external factors beyond the control of the Tenderer, is acceptable to the Council, and is in accordance with any applicable legislation.

This procurement follows the Open procedure and the Council cannot enter into any negotiations on the Contract.

Contract award will be conditional on the Contract being approved in accordance with the

Council’s internal procedures and the Council being generally able to proceed.

After confirmation of Contract award to the successful Tenderer and until the execution of the

Contract Agreement, the Tender (as accepted by the Council) will form a binding contract

between the Council and the successful Tenderer upon the terms and conditions of the

Contract.

The Council reserves the right to disqualify any Tenderer whose circumstances change to the extent that the Tenderer ceases to meet the qualification criteria in the Tenderer Questionnaire – Appendix 1, or who makes material changes to any aspect of its Tender, unless substantial justification can be provided to the satisfaction of the Council and such change is in accordance with applicable legislation.

Subject to the Council’s legal and regulatory obligations from time to time and Freedom of Information, the Council will respect the confidentiality of each Tenderer’s work and will not disclose any aspect of their submission to another Tenderer, save that the Council reserves the right to inform all Tenderers in identical terms if an issue of general application to the tendering process emerges by way of clarification or otherwise.

TRANSPARENCY AGENDA AND THE PUBLISHING OF CONTRACTS

The Tenderer in submitting its Tender will agree that it will assist, if required, the Council in complying with its obligations under the government's transparency agenda, which requires the Council to publish the Tenderer Questionnaire and the ITT and the text of the contract documentation to be signed with the winning Tenderer (the Contract), and the Tenderer gives its consent for the Council to publish the text of the Contract, and any schedules to the Contract in its entirety, including from time to time agreed changes to the Contract, to the general public in whatever form the Council decides.

The Tenderer in submitting its Tender will acknowledge that, except for any information which is exempt from disclosure in accordance with the provisions of the Freedom of Information Act the text of the Contract, and any schedules to the Agreement, is not confidential information. The Council shall be responsible for determining in its absolute discretion whether any part of the Contract or its schedules is exempt from disclosure in accordance with the provisions of the Act.

PROCUREMENT TIMETABLE

The proposed timetable below is subject to change and is provided by way of guidance only. The Council reserves the right to amend this timetable at its absolute discretion at any time during the tendering process.

|  |  |
| --- | --- |
| KEY EVENT | DATE |
| Closing date for Tender submissions | 12 -Noon – Friday 6 September |
| Expected date of award of Contract | 11 September, 2019 |
| Contract Commencement | ASAP - September/October |

AWARD CRITERIA AND TENDER EVALUATION

The Council seeks to award the contract on the basis of the Most Economically Advantageous

Tender.

The specification (at Schedule 3) is to be complied with in every respect.

Tenders will be evaluated in accordance with the following criteria:

|  |  |  |  |
| --- | --- | --- | --- |
| CRITERIA | SUB-CRITERIA | WEIGHTING | DEMONSTRATED BY |
| Price | Annual guaranteed Fee to be paid to FTC  Per Pricing Schedule (Appendix 3) | 60% | Bidder submitting the highest Annual Guaranteed Fee will receive 60% and the other bidders shall be scored according to the ratio between their Annual Guaranteed Fee and the highest using the following formula:  60% x (bidder’s Annual Guaranteed Fee / highest Annual guaranteed Fee) |
| Quality | See Quality Evaluation criteria and Appendix 2 | 40% | Each criterion will be marked using the scale 0-5 and the specified weighting applied. The formula to calculate the weighted score will be:  *(marks awarded / marks available) x weighting*  For example if the weighting is 20% and the maximum mark is 5, and the mark received is 3, the weighted score would be 12 |

**Price Evaluation**

The Council does not undertake to accept the highest annual guaranteed fee or any Tender.

**Quality Evaluation**

Fleet Town Council will be seeking an experienced Operator that can demonstrate that they have the necessary skllls and experience to operate the market on the Council’s behalf. This should include previous experience and a list of case studies that support the credentials of the applicant. Tenderers without a proven track record in market development will need to clearly demonstrate that they have the necessary transferable skills and experience to deliver this tender. Case studies should be relevant to the vision for the Fleet Market site.

The Tenderer shall provide responses to the Method Statements (Appendix 2) as

below;

Method Statements are essential in the evaluation of this tender. Failure to submit all requested

Information will result in your tender being rejected.

The Quality Criteria will be scored by evaluating the Tenderers’ corresponding method

statement response to the heading listed below.

|  |  |
| --- | --- |
| Criteria |  |
| Method Statement 1 | Please provide:  1) Details of your experience of delivering town markets,   * 1. details of three current market operations   2. references from appropriate authorities  1. Statement of how you propose to manage and operate the market 2. Suggestions for the Themes for the seasonal/specialist Sunday Markets |
| Method Statement 2 | Please provide:   1. Details of your ability to deliver a variety of stalls and sustain them, 2. Examples of areas of development/improvement. 3. Detail of potential innovation. 4. Detail of proposed marketing strategy 5. Detail of the style and design of the stalls 6. An indicative market layout plan. |

Marking Scheme

Each sub-criterion will be scored in line with the following marking scheme:

|  |  |
| --- | --- |
| USING A 0-5 MARKING SCHEME | |
| 0 | Unacceptable Response – No information provided or response does not address the requirement. |
| 1 | Poor Response – The response contains material omissions and / or is supported by limited evidence / examples. Major concerns that the Tenderer has the potential to deliver / that they have failed to meet a reasonable standard. |
| 2 | Fair Response – The response contains some omissions and / or is not well supported by evidence / examples. Some concerns about the Tenderer’s ability to deliver / that they have failed to meet a reasonable standard. |
| 3 | Good Response – There is adequate detail / supporting examples giving a reasonable level of confidence in the Tenderer’s experience and ability. The Tenderer appears to have the potential to deliver as required / has met a reasonable standard and there are only minor concerns about the Tenderer’s experience. |
| 4 | Very Good Response – The level of detail / supporting examples gives a high level of confidence in the Tenderer’s experience and ability. The Tenderer clearly has the potential to deliver and / or has clearly met an acceptable standard. |
| 5 | Excellent Response– A comprehensive well evidenced submission, clearly demonstrating expertise and knowledge incorporating value added benefits/social value attributes & other points of innovation. The response is deemed to offer little or no risk and fully captures the understanding of the steps involved to deliver the aspects of the question posed, giving a very high level of confidence in the Tenderer’s experience and ability. |

The resultant price and quality scores will be transferred across to the overall evaluation

model where weightings will be applied to give total scores out of 100%.

CLARIFICATIONS

Submission Clarifications

During the evaluation period, the Council reserves the right to seek further information from the Tenderers to assist in its consideration of the Tenders.

The assessment panel may elect to view the submitted reference examples that the Tenderer has already managed and take up references.