

# **Invitation to Tender for**

Contract for Blakeney Weir  
Fish & Eel Pass within the  
Foresters' Forest Heritage Lottery  
Funded programme

**Contract No: FEE/0473**

## 1 Introduction

The Forestry Commission's (FC) mission is to protect and expand Britain's forests and woodlands and increase their value to society and the environment.

We take the lead in the development and promotion of sustainable forest management. We deliver the distinct forestry policies of England and Scotland through specific objectives drawn from the country forestry strategies.

We the FC will always consider equality when conducting our procurement activities. We require you to meet your duties under the Equality Act 2010 and may ask for evidence that you are aware of and operate in accordance with those requirements.

More information is available on our website at [www.forestry.gov.uk](http://www.forestry.gov.uk)

## 2 Specification of Requirements

We will be awarding a contract for the design and implementation of works to deliver a fish pass and eel pass at Blakeney Village Weir in the Forest of Dean. This will need to restore the migratory route for five migratory fish species and for residential fish in the Blackpool Brook.

Our intention is to award this contract for a period of 15 months Dec 2017 to March 2019. The total value of this contract over the entire period will be in the region of £70,000 - £80,000.

### Background Information

The Foresters' Forest is a Heritage Lottery Funded (HLF) Landscape Partnership Programme for the Forest of Dean (<http://www.forestersforest.uk>) which is now in a 5 year delivery phase running from April 2017 to March 2022.

The Forestry Commission is the lead partner within the Foresters' Forest so this contract is between the Forestry Commission and the appointed contractor, although the contractor also has to work with other partner organisations within the whole programme such as the Environment Agency and Natural England.

### **Need and Opportunity**

The Blackpool Brook flowing just over 10km is one of three brooks that drain the heart of the Forest of Dean into the Severn Estuary. Approximately 90% of the Blackpool Brook is under forestry with the remaining downstream stretch flowing through the village of Blakeney. It joins the Soudley Brook just under the A48 to become the

Bideford Brook for another 5km of farmland eventually draining into the Brims Pills/estuary. It is the only brook in the Forest of Dean that does not have a tidal gate, and therefore, should be totally accessible to migratory fish species such as salmon, sea trout, sea lamprey, river lamprey and eel.

The Severn Estuary is designated as a Site of Special Scientific Interest (SSSI), Special Area of Conservation, SPA and Ramsar site for migratory fish assemblage. Freshwater tributaries such as the Blackpool brook are critical habitats for maintaining the favourable status of this internationally important estuary.

## **Blakeney Village Weir**

The weir 6km upstream at Blakeney village is the first major obstruction for the migratory fish on the Blackpool Brook preventing them from reaching another 4-5km of potential spawning grounds. The brook is highly channelised and constrained by the road on the right bank, houses on the left bank and access bridges. Ownership of the weir lies with both Gloucestershire County Council (who are the responsible highway agency for the A48 and the side road - either side of the brook) and with Awre & Blakeney Parish Council which own a small village green downstream of the weir.

The weir was most likely constructed to facilitate an old mill leat immediately upstream of the weir that flows under the A48 and down Millend where it supplied several disused mills. The leat has now been blocked and no water flow from the Blackpool down this route. The weir is now considered as a heritage feature of the village.

Position of Blakeney Village Weir



Photo of Weir on 21<sup>st</sup> May 2015 (recently works have been completed to remove some of the silt deposited and remove the Japanese Knotweed.)



The pool in front of the Blakeney weir village was too shallow to allow either salmon or trout the necessary thrust to jump the weir (before the recent removal of silt). Additionally, the weir has an apron (to prevent erosion) causing the fish to take off too early increasing the distance it has to jump. It is believed that the weir is an impassable obstacle for both sea lamprey and river lamprey which have never been recorded upstream of the weir due to their inability to jump or effectively climb over obstacles. With regards to eel, it is likely they are getting over the weirs but in sub optimal numbers to support a thriving population in the forest. We also wish to ensure the Blackpool brook remains accessible for a range of other fish such as residential trout and brook lamprey that only migrate within the freshwater tributary and for bullhead a typical species found in the Forest of Dean.

### **Proposed fish pass and eel pass at Blakeney weir**

In 2004 the Environment Agency initially flagged up the weir at Blakeney as a significant obstruction in the Blackpool Brook for migratory salmon reaching the mid reaches of Blackpool Brook. This was acted on by Awre & Blakeney Parish Council who approached various partners to try secure a design and the necessary permissions to make the weir passable to salmon. In 2013 planning permission was secured (**Ref No. P1750/11/FUL**) to construct a stepped approach to the existing weir by constructing

two pre-weir barrages across half the width of the stream. However no funding was available to construct the barrages and permission lapsed in 2016.

Discussion under Foresters' Forest have led to a review of the design and there is now a need to design and build a fish pass and eel pass that will at least allow all 5 migratory species and residential trout to get upstream of the weir.

The Environment Agency have proposed the following requirement for the Blakeney Fish Pass in the form of a species list with flow ranges that it needs to operate in:

- Salmon – Q90 to Q10
- Brown/Sea Trout – Q95 to Q10
- Eel – Q99 to Q70
- Sea & River Lamprey – Q95 to Q50\*

\* It should be noted that there are no guidelines available for lamprey and so the range provided is indicative only.

### **Constraints to consider**

The weir is situated between two roads including the A48 which is a major highway and it is likely to be structurally dependent on the road. At the foot of the weir is an outfall that drains water away from the cellars of two properties upstream 1-2 Station Villas. Japanese knotweed was present on a side bar that developed immediately downstream of the weir and also along the banks upstream and downstream of the weir. The plants were treated in 2015, 2016 and 2017 under Foresters' Forest. It is predicted that they will not be re-found in 2018.

There are two further obstructions upstream of the weir – an old water wheel channel underneath the old Mill at Moorfield Avenue (300 metres) and a large weir at Furnace Bottom (1km upstream). The Environment Agency are confident that the old water wheel is passable to migratory fish at high spate. However, the old furnace bottom weir is the next major obstruction and will have to be programmed into future works on the Blackpool.

### **Specification**

#### **Phase 1 – Planning & Design (Dec 2017-March 2018)**

- To manage the Blakeney weir project on behalf of Foresters' Forest Heritage Lottery Fund (HLF) project
- To design a fish pass that will allow five species of migratory fish to move upstream of the weir, providing drawings and a written report explaining the design.
- To provide detailed costings to build and install the fish pass
- To secure the support from the two landowners (Gloucestershire County Council Highways and Awre & Blakeney Parish Council) to allow the fish pass to be built and to confirm ongoing ownership.

- To review the previous planning application (P1750/11/FUL) and complete works:
  - To secure all necessary environmental permits from the Environment Agency.
  - To secure planning permission from Forest of Dean District Council to install the fish pass/eel pass
- To provide a written report (including drawings) summarising this phase of works, with recommendations for the design, build and installation of the required fish pass/eel pass.

**The Forestry Commission, Environment Agency and Natural England (in liaison with Gloucestershire County Council Highways and Awre & Blakeney Parish Council) all need to agree on the proposed design of the fish pas/eel pass before the Implementation phase can start.**

## **Phase 2 –Implementation (April 2018 – March 2019)**

- To project manage the construction of the fish pass/eel pass, to include appropriate reference to:
  - health and safety
  - pollution risk
  - heritage considerations
  - species considerations
  - planning requirements
- To oversee the contractor and quality check the works in progress, subsequently checking that the built structure operates successfully as a fish and eel pass.
- To provide written monthly progress reports.
- To undertake any required vegetation work around the weir.

## **Programme Management**

The Foresters' Forest – the Landscape Partnership Programme for the Forest of Dean is led by the Forestry Commission, who will be the contracting authority for this contract. The Foresters' Forest Contract Manager, an employee of the Forestry Commission, will be the contract manager for this contract.

## **Special Conditions**

### **Land Ownership**

Blakeney Village weir - i) the ownership of the weir is between the two riparian owners Gloucestershire County Council who maintain the A48 and a minor road that sandwiches

the weir. The parish council own land immediately downstream of the weir which is used to access the weir, ii) there are two properties upstream whose cellars drain into the brook immediately upstream of the weir, iii) the weir falls within the conservation area of the village, iv) Japanese knotweed is nearby.

## **Planning Permission Requirement**

The most important 'special condition' is to meet the needs of planning permission, to ensure that this is granted and the fish pass/eel pass can be built.

## **Biosecurity**

To protect the Public Forest Estate and to minimise the risk of introducing or spreading harmful pests and diseases, biosecurity measures appropriate to the level of risk at the location of work, are expected to be undertaken. For more information and guidance, please visit [www.forestry.gov.uk/england-keepitclean](http://www.forestry.gov.uk/england-keepitclean).

## **Note:**

**If we ask, you must provide documentary evidence establishing your eligibility to tender and your qualifications to fulfil the contract if we accept your quotation. This may be in the form of literature, drawings or samples. You must include details of any areas where you will not be able to comply with these requirements. If your Tender does not meet these requirements we reserve the right to reject it completely.**

# 3 Notes for Completion and Conditions

## 3.1 Definitions and purpose

The "authority" or "we" means the Forestry Commission, or anyone acting on behalf of the Forestry Commission, that is seeking to invite suitable Suppliers to participate in this procurement process.

"You"/"Your" or "Supplier" or "Bidder" means the body responding to this Invitation to Tender (ITT) i.e. the legal entity submitting a tender. The 'Supplier' or 'Bidder' is intended to cover any economic operator as defined by the Public Contracts Regulations 2015 and could be a registered company; charitable organisation; Voluntary Community and Social Enterprise (VCSE); Special Purpose Vehicle; or other form of entity.

This Invitation to Tender (ITT) has been designed to assess both the suitability of a Supplier to deliver the authority's contract requirement(s); and to determine of those suitable, which supplier(s) have provided the most economically advantageous tender.

## 3.2 Timetable

Set out below is the procurement timetable. While we do not intend to depart from the timetable, we reserve the right to do so and if this is required, we will inform Suppliers in writing of any changes.

Stages	Dates
Bidder Briefing Day including site visit	Tues 28 <sup>th</sup> Nov 2017
Closing date for expressing interest and time for further questions	Fri 1 <sup>st</sup> Dec 2017
<b>Closing Date and Time for Tender Returns</b>	10am Thurs 7 <sup>th</sup> Dec 2017
Expected Notification of Award	w/c Mon 11 <sup>th</sup> Dec 2017
Expected Start Date	Wed 13 <sup>th</sup> Dec 2017

### 3.2.1 Bidder briefing day including Site Visit

Bidders are invited to attend a Bidder Briefing Day to help them understand more about the requirements of this contract. It is advisable for potential tenderers to attend, but if not possible, then all tenderers will still receive the information provided (including and Questions and Answers) subsequently. The Briefing will take place on the date specified in the timetable above and bidders should contact the person named at 3.3 to confirm their attendance and receive further details.

## 3.3 Enquiries

Please send all enquiries by email, by the deadline stated at Section 3.2 quoting the reference number printed at the front of this document to:

Sue Middleton  
[sue.middleton@forestry.gsi.gov.uk](mailto:sue.middleton@forestry.gsi.gov.uk)

If we consider any question or request for clarification is relevant to all interested parties, we will circulate both the query and the response to all prospective bidders, although your identity will remain confidential.

**If you want to tender, and have not yet registered interest in the contract, you must do so before the closing date for expressing interest to make sure you are told about any questions and answers.**

## 3.4 Responses and supporting documents

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'.

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, which should be used unless, due to formatting, this is not possible.

To make the process straightforward, you do not need to provide supporting documents with your tender unless specifically requested to do so. However, we may ask you for this later.

Your organisation will only be evaluated based on the information in your tender. If you do not mention any applicable previous experience of working with us in your reply we cannot take this into account.

Please do not send any information that is general company or promotional literature, as this will not form part of our evaluation. Any additional documents you provide must refer to a question within the ITT and be easily identifiable as the answer.

## 3.5 Return arrangements

Please return your completed tender submission inclusive of any relevant appendices as:

- Two paper copies by post or hand delivered, and
- One copy on disk or USB type storage device in a read only format

Please note that we do not accept fax or email copies. We must receive your completed tender before the closing date and time shown in the Timetable at section 3.2. We will keep tenders received before this deadline unopened until after this time. We reserve the right to not consider any tenders received after the deadline. Please be aware that tenders may be copied for our use.

Mark your envelopes with the words '**Tender for Blakeney Weir Fish & Eel Pass FEE/0473– Not to be opened until 10am Thurs 7<sup>th</sup> Dec 2017.**'

**Submissions may be excluded if you do not mark the envelope in this way.**

Send completed tender documents to the following address:

Sue Middleton  
Forestry Commission  
Bank House  
Bank Street  
Coleford  
Glos.  
GL16 8BA

## 3.6 Clarification

During our evaluation process, we may need to seek clarification on aspects of your tender return. If required we will contact you using the contact details you have provided. Clarification may require you to submit, supplement, clarify or complete the relevant information or documentation within an appropriate time limit. The purpose of any such clarification is to provide us with the information we require to score your submission; it will not be an opportunity for you to improve or substantially change the information you have already submitted.

## 3.7 Verification of information provided

Whilst reserving the right to request information at any time throughout the procurement process, the authority 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 within the sub-sections of 4.6 of this ITT relating to Technical and Professional Ability) the authority may only obtain such evidence after the final tender evaluation decision i.e. from the winning Supplier only.

## 3.8 Sub-contracting arrangements

Where the supplier proposes to use one or more sub-contractors to deliver some or all of the 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 deliverables each sub-contractor will be responsible for.

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

proposed sub-contractor arrangements. The authority reserves the right to deselect the Supplier prior to any award, based on an assessment of the updated information.

## 3.9 Consortia arrangements

If the Supplier completing this ITT 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.

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

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

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.

The authority 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 authority 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 authority reserves the right to deselect the Supplier prior to any award of contract, based on an assessment of the updated information.

## 3.10 Confidentiality

When providing details of contracts in answering section 4.6 of this ITT (Technical and Professional Ability), the Supplier agrees to waive any contractual or other confidentiality rights and obligations associated with these contracts.

The authority reserves the right to contact the named customer contact in section 4.6 regarding the contracts included in section 4.6. The named customer contact does not owe the authority any duty of care or have any legal liability, except for any deceitful or maliciously false statements of fact.

The authority confirms that it will keep confidential and will not disclose to any third parties any information obtained from a named customer contact, other than to the Cabinet Office and/or contracting authorities defined by the Public Contracts Regulations.

The Supplier must treat all information supplied to it by the authority in confidence and must not disclose it to third parties other than to obtain sureties or quotations for submitting its response.

As part of the tendering process, the Supplier must identify any parts of its tender submission which it designates as confidential and would not want published; such information may include technical or trade secrets or other confidential information. The authority will then assess this information (along with the rest of the contract), taking account of Regulation 21 of the Public Contracts Regulations, when considering which contractual information should or should not be published or released on request.

## 3.11 Tender validity

All details of the tender, including prices and rates, must be valid for 90 days from receipt of tender.

## 3.12 Language

The completed tender and all accompanying documents must be in English.

## 3.13 Applicable Law

Any contract concluded as a result of this ITT will be governed by English law.

## 3.14 Pricing

All prices will be in sterling and exclusive of VAT.

## 3.15 Additional costs

Once we have awarded the contract, we will not pay any additional costs incurred which are not reflected in your tender submission.

## 3.16 Evaluation

A Tender Panel will evaluate responses to the tender objectively using the criteria and evaluation matrix' defined within Section 4.

## 3.17 Gateways

Some questions in the tender are known as gateways and are fundamental requirements of the contract. These are marked on a 'pass/fail' basis and if you do not answer these sections appropriately, we may reject your submission in full and cease to evaluate any more questions.

## 3.18 Weighted questions

Some sections of this ITT include questions that are weighted. The weightings applied to each question ensure the relative importance of each is correctly reflected in the overall scores applied.

For these questions, the marks out of 4 that are achieved for each question will be subsequently weighted to provide a total number of marks out of 100.

## 3.19 Award

Once we have carried out the evaluation and identified the successful tenderer(s), we will tell all tenderers in writing by email of our 'award decision'.

### 3.19.1 Debriefing

We will give **all bidders** the opportunity of a debriefing. Please tell us in writing as soon as possible if you want a debriefing.

## 3.20 Contract management

If we award a contract, you will have to co-operate in managing it and comply with the contract management requirements, as detailed in the Specification of Requirements at Section 2.

## 3.21 Costs

Unless otherwise stated in this ITT, all costs associated with taking part in this process remain your responsibility and we will not return any part of your completed tender to you.

## 3.22 Right to cancel or vary the process

We reserve the right to cancel or withdraw from the tendering process at any stage.

## 3.23 Inducements

Offering an inducement of any kind in relation to obtaining this or any other contract with us will disqualify you from being considered and may constitute a criminal offence.

## 3.24 Disclaimer

While the information in this ITT and supporting documents has been prepared in good faith by us, it may not be comprehensive nor has it been independently verified. Neither the FC, nor their advisors, nor their respective directors, officers, members, partners, employees, other staff or agents:

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

## 4 Your response

In order to submit a tender for this requirement you must complete and return the relevant sections, detailed in the table below, in compliance with Section 3 above. If we have decided that certain sections are not relevant for this particular ITT, we have indicated this by stating 'N/A' next to the title heading at the relevant section and by indicating 'Not Applicable' within the table below. Unless otherwise indicated in this way, all sections must be completed and returned.

The table below provides a summary of the evaluation method for each section, however full details of how we will evaluate your submission can be found in the individual Evaluation Matrix' within each section.

<b>Section</b>	<b>Title</b>	<b>Evaluation Method</b>
4	Lots	Not Applicable
4.1	Supplier Information	For information only but must be completed
4.2	Grounds for mandatory exclusion	Pass / Fail
4.3	Grounds for discretionary exclusion – Part 1	Pass / Fail
4.4	Grounds for discretionary exclusion – Part 2	Not Applicable
<b>Selection Criteria</b>		
4.5	Economic and Financial Standing	Not Applicable
4.6	Technical and Professional Ability	Pass/Fail
4.7	Additional Selection Modules	
4.7.1	Project Specific Questions to assess Technical and Professional Ability	Not Applicable
4.7.2	Insurance	Pass /Fail
4.7.3	Compliance with equality legislation	Pass/Fail
4.7.4	Environmental Management	Pass/Fail
4.7.5	Health and Safety	Pass/Fail
<b>Award Criteria</b>		
4.8	Requirement Specific Questions	Scored and Weighted
4.9	Pricing Schedule	Scored and Weighted
4.10	ITT Template Appendices	Template Only – Use where required
4.11	Terms and Conditions of Contract	Pass/Fail
4.12	Declaration	Pass/Fail

## 4.1 Supplier Information

Supplier details	Answer	
Full name of the Supplier completing the ITT		
Registered company address		
Registered company number		
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	

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

<b>Bidding model</b>	
Please mark 'X' in the relevant box to indicate whether you are:	
a) Bidding as a Prime Contractor and will deliver 100% of the key contract deliverables yourself	
b) Bidding as a Prime Contractor and will use third parties to deliver <u>some</u> of the services  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.	
c) Bidding as Prime Contractor but will operate as a Managing Agent and will use third parties to deliver <u>all</u> of the services  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.	
d) Bidding as a consortium but not proposing to create a new legal entity.  If yes, please include details of your consortium in the next column and use a separate Appendix to explain the alternative arrangements i.e. why a new legal entity is not being created.  Please note that the authority 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.	<b><u>Consortium members:</u></b>  <b><u>Lead member:</u></b>
e) Bidding as a consortium and intend to create a Special Purpose Vehicle (SPV).  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.	<b><u>Consortium members:</u></b>  <b><u>Current lead member:</u></b>  <b><u>Name of Special Purpose Vehicle:</u></b>

<b>Contact details</b>	
Supplier contact details for enquiries about this ITT	
Name	
Postal address	
Country	
Phone	
Mobile	
E-mail	

<b>Licensing and registration (please delete the option which doesn't apply)</b>	
<p>Registration with a professional body 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>Yes / No</b></p> <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><b>Yes / No</b></p> <p>If Yes, please provide additional details within this box of what is required and confirmation that you have complied with this.</p>

## 4.2 Grounds for mandatory exclusion

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).

If you have answered “yes” to question 4.2.2 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.

<b>4.2.1 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>	<b>Please indicate your answer by marking 'X' in the relevant box.</b>	
	<b>Yes</b>	<b>No</b>
(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;		
(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;		
(c) the common law offence of bribery;		
(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;		
(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 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;		
(k) an offence under section 59A of the Sexual Offences Act 2003;		
(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>4.2.2 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 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?</p>		

### 4.3 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);

4.3.1 Within the past three 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 Contracts 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 Contracts 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;		

<p>(h) Your organisation –</p> <ul style="list-style-type: none"> <li>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</li> <li>ii. has withheld such information or is not able to submit supporting documents required under regulation 59 of the Public Contracts Regulations 2015; or</li> </ul>		
<p>(i) your organisation has undertaken to</p>		
<p>(aa) unduly influence the decision-making process of the contracting authority, or</p>		
<p>(bb) obtain confidential information that may confer upon your organisation undue advantages in the procurement procedure; or</p>		
<p>(j) your organisation has negligently provided misleading information that may have a material influence on decisions concerning exclusion, selection or award.</p>		

**\* Conflicts of interest**

In accordance with question 4.3.1 (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 authority, 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 authority should not represent a conflict of interest for the Supplier.

**\*\* Taking Account of Bidders’ Past Performance**

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

In addition, the authority 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 4.2.1, 4.2.2 and 4.3.1 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 authority (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 authority to be insufficient, the Supplier shall be given a statement of the reasons for that decision.

## 4.4 Grounds for discretionary exclusion Part 2 – N/A

## Selection Criteria

### 4.5 Economic and Financial Standing N/A

### 4.6 Technical and Professional Ability

The Government has developed an approach to ensuring that previous poor performance by suppliers can be taken into account and robustly assessed prior to entering into certain new contracts (as described in "Procurement Policy Note 04/15 Taking Account of Suppliers' Past Performance". This will give the Government confidence, based on past performance, in the reliability of suppliers.

The policy is that, as part of any assessment of a supplier's Technical and Professional ability, contracting authorities should ensure that any failure by the supplier to provide satisfactory performance of previous principal contracts is taken into account in the assessment of whether specified minimum standards for reliability for such contracts are met.

Evidence will be collected from suppliers to enable this assessment to be made (and a random sample of the evidence collected may be verified).

In addition, under the policy, authorities will re-assess reliability based on past performance before key points in the procurement process (i.e. short listing, preferred bidder status, conclusion of contract etc). Suppliers will accordingly be asked to update the evidence they provide in relation to past performance to reflect more recent performance on new or existing contracts (or to confirm that nothing has changed).

4.6	<p><b>Relevant experience and contract examples</b></p> <p>Please provide details of up to <u>three</u> contracts, in any combination from either the public or private sector, that are relevant to the authority's requirement. Contracts for supplies or services should have been performed during the past <u>three</u> years. Works contracts may be from the past <u>five</u> years, and VCSEs may include samples of grant funded work.</p> <p>The named customer contact provided should be prepared to provide written evidence to the authority to confirm the accuracy of the information provided below. Consortia bids should provide relevant examples of where the consortium has</p>
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	<p>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 &lt;contract/framework&gt;) then three separate examples should be provided between the principal member(s) of the proposed consortium or Special Purpose Vehicle (three examples are not required from each member).</p> <p>Where the Supplier is a Special Purpose Vehicle, or a managing agent not intending to be the main provider of the supplies or services, the information requested should be provided in respect of the principal intended provider(s) or sub-contractor(s) who will deliver the supplies and services. (If required you may provide this information in the form of a referenced Appendix).</p>			
		Contract 1	Contract 2	Contract 3
4.6.1	Name of customer organisation			
4.6.2	Point of contact in customer organisation Position in the organisation E-mail address			
4.6.3	Contract start date Contract completion date Estimated Contract Value			
4.6.4	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.			
4.6.5 If you cannot provide at least one example for questions 4.6.1 to 4.6.4, in no more than 500 words please provide an explanation for this e.g. your organisation is a new start-up.				

## Evaluation Matrix for Section 4.6

Responses to the questions in this section will be scored on the basis of the marking criteria detailed in the table below.

<b>Weight</b>	<b>Agreed Marking Criteria</b>
Pass/Fail	<p><b>Pass</b> – Three references relevant to the subject matter of this ITT have been provided and the authority is content that the minimum standards for reliability have been met. We will consider accepting a lower number of references depending on how long you have been in business.</p> <p><b>Fail</b> – References are not relevant <b>OR</b> a satisfactory number of references have not been provided <b>OR</b> the authority has evidence of the suppliers’ failure to discharge their obligations under previous principal relevant contract(s) which may include minimum standards for reliability in performing such contracts having not been met.</p>

## 4.7 Additional Selection modules N/A

4.7.1 Project specific questions to assess Technical and Professional Ability – N/A

4.7.2 Insurance

<p>Please self-certify (by deleting the option which doesn't apply) whether you already have, or can commit to obtain, prior to the commencement of the contract, the levels of insurance cover indicated below.</p> <p>Employer's (Compulsory) Liability Insurance = £5million  <b>Note:</b> It is a legal requirement that all companies hold Employer's (Compulsory) Liability Insurance of £5 million as a minimum. Please note this requirement is not applicable to Sole Traders.</p> <p>Public Liability Insurance = Min £5m per claim</p> <p>Professional Indemnity Insurance = Min £ 1million per claim</p>	<p>Yes / No</p>
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### Evaluation Matrix for Section 4.7.2

Responses to the questions in this section will be scored on the basis of the marking criteria detailed in the table below.

<b>Weight</b>	<b>Agreed Marking Criteria</b>
Pass/Fail	<p><b>Pass</b> – You must either confirm that you have the required levels of insurance in place for each and every claim rather than on an aggregate basis or, alternatively, undertake that should you be successful, that such levels of insurance will be available to you and that you undertake to maintain these levels of insurance for the duration of the requirement.</p> <p><b>Fail</b> – If you cannot make such a commitment, your bid will fail in its entirety.</p>

### 4.7.3 Compliance with Equality Legislation

For organisations working outside of the UK please refer to equivalent legislation in the country that you are located.		
a.	In the last three years, has any finding of unlawful discrimination been made against your organisation by an Employment Tribunal, an Employment Appeal Tribunal or any other court (or in comparable proceedings in any jurisdiction other than the UK)?	Yes / No
b.	In the last three years, has your organisation had a complaint upheld following an investigation by the Equality and Human Rights Commission or its predecessors (or a comparable body in any jurisdiction other than the UK), on grounds of alleged unlawful discrimination?	Yes / No
<p>If you have answered "yes" to one or both of the questions in this module, please provide, as a separate Appendix, a summary of the nature of the investigation and an explanation of the outcome of the investigation to date.</p> <p>If the investigation upheld the complaint against your organisation, please use the Appendix to explain what action (if any) you have taken to prevent unlawful discrimination from reoccurring.</p>		
c.	If you use sub-contractors, do you have processes in place to check whether any of the above circumstances apply to these other organisations?	Yes / No

### Evaluation Matrix for Section 4.7.3

Responses to the questions in this section will be scored on the basis of the marking criteria detailed in the table below.

Weight	Agreed Marking Criteria
Pass/Fail	<p><b>Pass</b> – If you have answered 'no' to a) and b), and have processes in place to check sub-contractors in this respect (where used) you will pass this section.</p> <p><b>Fail</b> – If you have answered 'yes' to a) and or b) you may be excluded if you are unable to demonstrate to the authority's satisfaction that appropriate remedial action has been taken to prevent similar unlawful discrimination reoccurring.</p>

#### 4.7.4 Environmental Management

a.	<p>Has your organisation been convicted of breaching environmental legislation, or had any notice served upon it, in the last three years by any environmental regulator or authority (including local authority)?</p> <p>If your answer to this question is "Yes", please provide details in a separate Appendix of the conviction or notice and details of any remedial action or changes you have made as a result of conviction or notices served.</p>	Yes / No
b.	<p>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?</p>	Yes / No

#### Evaluation Matrix for Section 4.7.4

Responses to the questions in this section will be scored on the basis of the marking criteria detailed in the table below.

Weight	Agreed Marking Criteria
Pass/Fail	<p><b>Pass</b> - Bidders who have not been convicted or served notice upon, and have processes in place to check sub-contractors in this respect (where used) will pass this section.</p> <p><b>Fail</b> - The authority will not select bidder(s) that have been prosecuted or served notice under environmental legislation in the last 3 years, <u>unless</u> the authority is satisfied that appropriate remedial action has been taken to prevent future occurrences/breaches.</p>

## 4.7.5 Health and Safety

This section allows us to assess your competency for health and safety. We have provided some guidance to help you understand the requirements for each area. You may also find it useful to refer to the Health and Safety Executive (HSE) website for some guidance before completing this section. You can find this here:

<http://www.hse.gov.uk/>.

1	<p>a) Does your organisation have a written health and safety policy? AND</p> <p>b) If yes, please provide details of when it was last reviewed and updated.</p> <p>Note: If your organisation has less than 5 employees, the Forestry Commission still requires you to have a written Health and Safety Policy</p>
<b>Answer:</b>	

2a)	The FC requires confirmation that this contract will be carried out by personnel (individuals, staff or sub-contractors) with the pre-requisite Health and Safety certifications / qualifications. Bidders are required to complete the table below with reference to their delivery team for this contract.			
	Certification / Qualification	Number of personnel with certification / qualification	Qualification Provider	Frequency of Update training
	First Aid at work or Emergency First Aid at Work (+ F)*			
2b)	<p>If the appropriate personnel who will deliver the contract <b>do not</b> currently hold any or all of the above qualifications or certifications, explain any plans (including dates) you have in place to secure the necessary certifications/qualifications in advance of contract commencement.</p> <p>Please state 'not applicable' in the box below where this does not apply.</p>			
<b>Answer:</b>				

\* Please see our [First Aid Policy for those that work on our land](#) for further details. Note: if your current certification does not cover these aspects, you will be required to undertake the necessary training prior to commencing any work.

3)	Briefly describe your selection process for sub-contractors. The selection process should include assessment and review of sub-contractors' approach to risk assessment; competence and qualifications; and accident/near miss reporting & recording. If you intend to carry out all work using your own direct employees, you need only provide a short statement to this effect.
<b>Answer:</b>	

4a)	Briefly describe your process for ensuring personnel are competent and up to date on general and site specific health and safety requirements. This should include your plans for supervision and monitoring. Provide evidence of examples to support your response.
<b>Answer:</b>	

4b)	Provide an example of a site specific risk assessment you have applied in a previous contract which demonstrates that the risks identified have been controlled. In preparing robust methodologies under this contract, the contractor will be required to draw up appropriate risk assessments for this work, with specific reference to the implications of working with community volunteers of all ages, backgrounds, mobility and fitness levels.
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	<p>OR</p> <p>Where an example from a previous contract cannot be produced, please explain how you would risk assess a job; please support this response with a generic or hypothetical risk assessment relevant to the subject of the contract/framework.</p>
<p><b>Answer:</b></p>	
4c)	<p>In relation to your risk assessment process, describe how you monitor to ensure the controls remain in place for the duration of the work. Where available, supply any relevant evidence to support your response such as completed checklists or other similar evidence.</p>
<p><b>Answer:</b></p>	
4d)	<p>Explain your approach to Lone Working; and where this is carried out provide details of your process, methods and frequency of checking for contracts of this nature.</p>
<p><b>Answer:</b></p>	

4e)	Briefly explain how your organisation obtains competent health and safety advice (either within the organisation or externally). Please show us you have the following or equivalent: Internal health and safety personnel, consultants, appointed person in the organisation responsible for health and safety.
<b>Answer:</b>	

4f)	<p><b>I.</b> Describe your accident / near miss reporting system including any actions taken post incident to prevent recurrence;</p> <p><b>II.</b> Support your response with one example where this is available;</p> <p><b>III.</b> Describe your understanding of the requirements under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR).</p>
<b>Answer:</b>	

## Evaluation Matrix for Section 4.7.5

Responses to the questions in this section will be scored on the basis of the marking criteria detailed in the table below. Any bidder that receives a 'Fail' against any of the health and safety questions will not be considered further in relation to this ITT.

Question	Description	Marking Method	Marking Criteria
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1)	Health & Safety Policy	Pass or Fail	<p><b>Pass</b> – Organisation has a health and safety policy which has been reviewed in the last two years.</p> <p><b>Fail – Organisation does not have a health and safety policy OR Organisation does have a health and safety policy but bidder has provided no evidence of policy being reviewed in last two years.</b></p>
2a) & b)	Certifications / Qualifications	Pass or Fail	<p><b>Pass</b> – Bidder has stated they have all the certifications/qualifications required to undertake the work in response to part a of the question; <b>OR</b> Bidder has not confirmed that all certifications/qualifications are currently held in response to part a), but has provided a response to part b of the question which gives assurance that the necessary certifications/qualifications will be secured in advance of contract commencement.</p> <p><b>Fail – Bidder has not provided the necessary assurance that all certifications/qualifications will be secured in advance of contract commencement in response to either part a) and/or part b) of the question.</b></p>
3	Sub-contractor Selection Process	Pass or Fail	<p><b>Pass</b> – Bidder has described their process for sub-contractor selection. The process explains all the aspects requested in the question and provides assurance that sub-contractors will be assessed thoroughly in this respect to meet the minimum health and safety requirements of the contract.</p> <p><b>Fail – The requirement to sub-contract has been identified in the bid, but the process for assessing sub-contractors does not cover the required aspects of the question and/or does not provide the necessary assurance that sub-contractors will be assessed thoroughly in line with requirements.</b></p>
<p><b>Responses to the component parts of question 4 will be scored as detailed in the marking criteria column below. In order to pass this question, bidders will need to achieve a pass mark which is equal to or greater than 11 out of 17. Any bidder scoring below 11 will fail this section. Note: bidders can also automatically fail certain sections of question 4 if their responses are inadequate as detailed below; in such cases, failure of one component part</b></p>			

<b>would constitute an overall failure of the section and their entire bid.</b>			
4a)	Updating of H&S	Scored Question	<p><b>Score of 2</b> – Response provides confidence that personnel are updated on relevant health and safety matters at appropriate times and that adequate supervision/monitoring is undertaken – relevant actions may include use of site inductions, training, newsletters, meetings, site visits etc.</p> <p><b>Score of 1</b> – Response leaves reservations about whether personnel are provided with the relevant health and safety updates or provides limited evidence of updates being carried out. There is limited evidence to demonstrate adequate supervision or monitoring takes place.</p> <p><b>Score of 0</b> – No response provided or inadequate response provided.</p>
4b)	Risk Assessment Process – Part i	Scored Question	<p><b>Scoring Part i)</b></p> <p><b>Score of 4</b> – Relevant site specific risk assessment from previous contract has been provided in response to Part i). This shows appropriate hazards and controls, demonstrating competence in application of this process.</p> <p><b>Score of 3</b> – Description of risk assessment process has been provided along with generic or hypothetical risk assessment in response to Part i). This shows an understanding of the process and provides confidence that the bidder would be able to apply the principles in a real situation.</p> <p><b>Score of 2</b> – Description of risk assessment process has been provided without any examples in response to Part i) OR generic or hypothetical risk assessment in response to Part i) has been provided, with no further information of the process applied.</p> <p><b>Fail – Inadequate process or no response provided</b></p>
4c)	Risk Assessment Process – Part ii	Scored Question	<p><b>Score of 3</b> – Process description provides confidence that sufficient monitoring takes place throughout contract duration to ensure controls remain on site. Response is supported by appropriate evidence such as completed</p>

			<p>checklists, records of toolbox talks, evidence of supervisory visits or other appropriate evidence.</p> <p><b>Score of 1</b> – Process description provided <u>without</u> further appropriate supporting evidence – this gives some confidence that controls remain on site through the duration of the contract. OR, Some evidence supplied such as completed checklists, records of toolbox talks, supervisory visits or similar <u>without</u> a description of the process applied.</p> <p><b>Score of 0</b> – No response provided or response does provide confidence that an adequate process exists to ensure controls will remain on site for the duration of the contract.</p>
4d)	Lone Working Process	Scored Question	<p><b>Score of 4</b> - Supplier does not allow lone working.</p> <p><b>Score of 3</b> - Lone working is restricted and the approach and system described gives confidence that the risk of lone working is being adequately controlled. Frequency of checking is appropriate to the risks associated with the work.</p> <p><b>Score of 1</b> - Lone working is carried out but explanation of process gives limited confidence of risks being controlled to an acceptable level.</p> <p><b>Fail - Response is completely inadequate or process described does not provide any confidence that Lone Working process will be managed to ensure safety of personnel.</b></p>
4e)	Health & Safety Advice	Scored Question	<p><b>Score of 1</b> - Response identifies competent responsible person.</p> <p><b>Score of 0</b> - Response not provided or inadequate.</p>
4f)	Accidents / Near Misses and RIDDOR	Scored Question	<p><b>1 point allocated for each of the following (maximum score achievable is 3):</b></p> <ul style="list-style-type: none"> <li>- Relevant accident reporting process described along with any post-accident actions to prevent recurrence – <b>Score 1 point</b></li> <li>- Examples provided are relevant and demonstrate process being put into practice – <b>Score 1 point</b></li> </ul>

			<ul style="list-style-type: none"><li>- RIDDOR description, categories, timescales and understanding of responsibilities reflect current legislative requirements – <b>Score 1 point</b></li></ul>
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## Award Criteria

### 4.8 Requirement Specific Questions

4.8.1	Question	Weight %
	<p>How will your organisation plan to design a fish pass and eel pass which will be appropriate for the Blakeney Weir site, given its particular characteristics and constraints.</p> <p>Please include examples of fish and eel passes that your organisation has designed previously, detailing which staff worked on these, what their respective skills and experience are, and when this was.</p>	<b>20</b>
Response:		
4.8.2	Question	Weight %
	<p>What difficulties do you anticipate in implementing the works for a fish and eel pass at Blakeney Weir?</p> <p>Please include examples where you have overcome similar difficulties elsewhere and explain how you would tailor these to the particular requirements in Blakeney.</p>	<b>15</b>
Response:		
4.8.3	Question	Weight %
	<p>Please outline how you will work with the multiple agencies needed for the successful completion of this project: Environment Agency, Natural England, Foresters' Forest, Forest of Dean District Council, Gloucestershire County Council Highways Agency, Awre &amp; Blakeney Parish Council.</p>	<b>10</b>
Response:		

<b>4.8.4</b>	<b>Question</b>	<b>Weight %</b>
	Please provide a method statement detailing how you will ensure that the materials used in the construction of the fish and eel pass are fit for purpose and that these works do not contaminate the waters.	<b>15</b>
Response:		
<b>4.8.5</b>	<b>Question</b>	<b>Weight %</b>
	Please provide a timetable detailing how long each element of the planning and works will take to ensure that all planning permission requirements are met, any necessary surveys/reports are completed and the works are planned to be completed at an appropriate time of year.	<b>5</b>
Response:		

### Evaluation Matrix for Section 4.8

Responses to the questions in this section will be scored on the basis of the marking criteria detailed in the table below.

No.	Weighting	Marking Criteria
4.8.1	20%	The following evaluation system will be applied to this section:
4.8.2	15%	<b>0 – No response or totally inadequate</b> No response or an inadequate response.
4.8.3	10%	
4.8.4	15%	<b>1 – Major Reservations / Constraints</b> The response simply states that the supplier can meet some of the

4.8.5	5%	<p>requirements set out in the question or Specification of Requirements, but have not given information or detail on how they will do this.</p> <p><b>2 – Some Reservations/Constraints</b>  Bidder has provided some information about how they propose to meet most of the requirements as set out in the question or Specification of Requirements. There is some doubt in their ability to consistently meet the full range of requirements.</p> <p><b>3 – Fully Compliant</b>  Bidder has provided detailed information covering all elements of the question, detailing how they propose to meet all the requirements as set out in the question or Specification of Requirements. This gives full confidence in their ability to meet the full range of our requirements.</p> <p><b>4 – Exceeds Requirements</b>  Bidder meets the required standard in all respects and exceeds some or all of the major requirements, which in turn leads to added value within the contract.</p>
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## 4.9 Pricing Schedule

	<b>Weight %</b>
<p>Please provide your pricing in the schedule provided below. The total price that all of these elements will add up to will be the price that you are evaluated against.</p> <p><i>The items in italics are optional extras, if required, so the costs of these should be excluded from the overall summed total cost for the project.</i></p>	35

Ref	Description	Notes on price	Price (£)
Part One	Part One – Design of Fish Pass & Eel Pass at Blakeney Village Weir		
1.1	<p>To manage the Blakeney weir project on behalf of Foresters’ Forest Heritage Lottery Fund (HLF) project</p> <ul style="list-style-type: none"> <li>• To review the previous planning application (P1750/11/FUL) and complete works:                             <ul style="list-style-type: none"> <li>○ To secure all necessary environmental permits from the Environment Agency.</li> <li>○ To secure planning permission from Forest of Dean District Council to install the fish pass/eel pass</li> </ul> </li> </ul>	Enter a lump sum	
1.2	To design a fish pass/eel pass that will allow five species of migratory fish (Salmon, Brown/Sea Trout, Eel, Sea & River Lamprey) to move upstream of the weir, providing drawings and a written report explaining the design.	Enter a lump sum	
1.3	To secure the support from the two landowners (Gloucestershire County Council Highways and Awre & Blakeney Parish Council) to allow the fish pass/eel pass to be built and to confirm ongoing ownership.	Enter a lump sum	
1.4	To provide detailed costings to build the fish pass/eel pass	Enter a lump sum	
1.5	To review the previous planning application (P1750/11/FUL) and complete works:	Enter a lump sum	

	<ul style="list-style-type: none"> <li>○ To secure all necessary environmental permits from the Environment Agency.</li> <li>○ To secure planning permission from Forest of Dean District Council to install the fish pass/eel pass</li> </ul>		
1.6	To provide a written report summarising this phase of works, with recommendations for the design, build and installation of the required fish pass/eel pass.	Enter a lump sum	
Part Two	Part Two – Project Implementation		
2.1	To project manage the construction of the fish pass/eel pass, to include appropriate reference to: <ul style="list-style-type: none"> <li>○ health and safety</li> <li>○ pollution risk</li> <li>○ heritage considerations</li> <li>○ species considerations</li> <li>○ planning requirements</li> </ul>	Enter a lump sum	
2.2	To oversee the contractor and quality check the works in progress at site visits, subsequently checking that the built structure operates successfully as a fish and eel pass.	Enter a lump sum	
2.3	To provide written monthly progress reports.	Enter a lump sum	
2.3	To undertake any required vegetation work around the weir.	Enter a lump sum	
2.4	<i>Provision for a day rate for additional works to install the fish &amp; eel pass.</i>	<i>For information purposes only</i>	
2.5	<i>Provision for travel costs for additional works</i>	<i>For information purposes only</i>	
<b>Grand Total excl. VAT (total of all 'lump sum' items)</b>			

## Evaluation Matrix for Section 4.9

Responses to this section will be scored on the basis of the marking criteria detailed in the table below.

<b>Weight</b>	<b>Agreed Marking Criteria</b>
30 %	Price will be evaluated using the 'standard differential method' – each bidder receives 100% of the available marks less the percentage by which their tender is more expensive than the lowest; with 4 being the maximum score achievable.

### 4.10 ITT – Template for Appendices

Please use the following form for each appendix you are providing. If, for formatting purposes you are not able to use this appendix form, please ensure you clearly number the appendix, along with the section and question it relates to.

<b>Appendix Number -</b>
<b>ITT Section -</b>
<b>Question Number -</b>

### 4.11 Terms and Conditions

This ITT, and any contract arising from it, will be subject to the latest version of our [terms and conditions](#) for Consultancy Services.

The successful Tenderer’s usual terms and conditions are not, and will not, become terms and conditions of any contract that we may award as a result of this ITT.

a)	Do you accept the FC’s Terms and Conditions of Contract as detailed above? (delete the option that doesn’t apply)	Yes / No
b)	If no, please provide details of any specific areas that you have an issue with. Please note that failure to agree to our Terms and Conditions of Contract may invalidate your tender submission.	

### Evaluation Matrix for Section 4.11

Responses to the questions in this section will be scored on the basis of the marking criteria detailed in the table below.

Weight	Agreed Marking Criteria
Pass/Fail	<p><b>Pass:</b> Terms and Conditions have been accepted without any exceptions, or exceptions are minor and can be accommodated.</p> <p><b>Fail:</b> Exceptions noted have been discussed and are unable to be accommodated.</p>

## 4.12 Declaration

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 and evaluation process to assess my organisation’s suitability to participate in this procurement, and to determine which supplier(s) provide the most economically advantageous tender in accordance with the criteria set out in this ITT. I am signing on behalf of ..... **(insert name of supplier).**

I understand that the authority 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.

The essence of selective tendering is that the authority will receive *bona fide* competitive tenders from all those tendering. In recognition of this principle, I certify that this is a *bona fide* tender, intended to be competitive, and that ‘we’ (I or any other person acting for on behalf of my organisation) have not fixed or adjusted the amount of the tender by or under or in accordance with any agreement or arrangement with any other person. I also certify that we have not done and we undertake that we will not do so at any time before the hour and date specified for the return of this tender any of the following acts:

- communicate to a person other than the person calling for those tenders the 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 premium insurance quotations required for preparing the tender;
- enter any agreement with any other person whereby they will refrain from tendering or as to the amount of any tender to be submitted;
- offer or pay or give or agree to pay 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 this work any act or thing of the sort described above.

In this certificate, the word “person” includes any individual, partnership, association, or body either corporate or unincorporated; and “any agreement or arrangement” includes any such transaction, formal or informal, and whether legally binding or not.

I also declare that there is no conflict of interest in relation to the authority's requirement.

The following appendices form part of our submission;

Section of ITT	Appendix Number

**ITT COMPLETED BY**

Name:

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Role in Organisation:

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Date:

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Signature:

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## Evaluation Matrix for Section 4.12

Responses to this section will be evaluated on the basis of the marking criteria detailed in the table below.

Weight	Agreed Marking Criteria
Pass/Fail	<b>Pass:</b> Completed, signed declaration has been provided with all relevant appendices listed. <b>Fail:</b> Declaration has not been signed or provided, or exceptions have been noted which cannot be accepted.