

Volume Two (2) Applicant’s Offer

Selection Questionnaire /

Invitation to Tender

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| Contract for: Heritage Restoration of Falmouth’s  Ponsharden Cemeteries  Main Contractor |

Closing time and date for return of submission:

**12:00 (Noon) 04/06/2021**

|  |
| --- |
| Name of Applicant: |

Please return electronically to:

John Cox at Randall Simmonds (QS) [john.cox@randallsimmonds.co.uk](mailto:john.cox@randallsimmonds.co.uk)

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

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# Section 1 – General Notes

1. This document should be read in conjunction with the supporting information contained within Volume 1 “Invitation to Tender - Background Information, Instructions and Conditions of Tender” and associated documents also referenced.
2. This document and associated documents will form the basis of the Applicants formal tender response. Care should be taken to ensure that it is completed accurately, and all information required to submit a compliant tender is done ahead of submitting any final response.
3. The below are pass fail questions, and in the event that you answer “no” to any of the questions then we will not evaluate your tender any further and will not be able to contract with you.

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| --- | --- | --- |
| **Ref** | **PASS / FAIL QUESTIONS – Confirmation that Tender is submitted on the following understanding:** | **Please delete as appropriate** |
|  |  |  |
| 1 | The work will be in line with all issued drawings and accompanying schedules issued with this Tender opportunity | Yes / No |
| 2 | You will be appointed as Principal Contractor as defined under the Construction Design Management (CDM) Regulations, and appoint the nominated Contractors acting as coordinator to deliver the total project. | Yes / No |
| 3 | You will contract with the Council under the JCT Intermediate Building Contract 2016 | Yes / No |
| 4 | You will be able to deliver the and hand over the site as complete to the Council by May 2022 target date – if not please provide your target date (the Council may look at reasonable dates beyond target date) | Yes / No |

# Section 2 – Selection Questionnaire

1. This Tender is based on the Government Standards Questionnaire but noting that some sections may have been removed at the Town Council’s discretion. For full details around Government Standard Supplier Questionnaire please reference here:

**https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\_data/file/558531/PPN\_8\_16\_StandardSQ\_Template\_v3.pdf**

[**https://www.gov.uk/government/publications/procurement-policy-note-816-standard-selection-questionnaire-sq-template**](https://www.gov.uk/government/publications/procurement-policy-note-816-standard-selection-questionnaire-sq-template)

1. 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 regulations, or pursuant to an order of the court or demand made by any competent authority or body where the Council is under a legal or regulatory obligation to make such a disclosure.
2. The Applicants attention is further drawn to supporting guidance and information as included in “Volume 1” document related to this procurement process.

**Notes for completion**

1. The “Council” means the contracting Council, or anyone acting on behalf of the contracting Council, that is seeking to invite suitable candidates to participate in this procurement process.
2. “You” / “Your” refers to the potential supplier completing this standard Selection Questionnaire i.e. the legal entity responsible for the information provided. The term “potential supplier” is intended to cover any economic operator as defined by the Public Contracts Regulations 2015 (referred to as the “regulations”) and could be a registered company; the lead contact for a group of economic operators; charitable organisation; Voluntary Community and Social Enterprise (VCSE); Special Purpose Vehicle; or other form of entity.
3. Please ensure that all questions are completed in full, and in the format requested. If the question does not apply to you, please state ‘N/A’. Should you need to provide additional information in response to the questions, please submit a clearly identified annex.
4. The Council recognises that arrangements set out in section 1.2 of the standard Selection Questionnaire, in relation to a group of economic operators (for example, a consortium) and/or use of sub-contractors, may be subject to change and will, therefore, not be finalised until a later date. The lead contact should notify the authority immediately of any change in the proposed arrangements and ensure a completed Part 1 and Part 2 is submitted for any new organisation relied on to meet the selection criteria. The Council will make a revised assessment of the submission based on the updated information.
5. For Part 1 and Part 2 every organisation that is being relied on to meet the selection must complete and submit the self-declaration.
6. For answers to Part 3 -If you are bidding on behalf of a group, for example, a consortium, or you intend to use sub-contractors, you should complete all of the questions on behalf of the consortium and/ or any sub-contractors, providing one composite response and declaration.

**Part 1: Potential supplier Information**

Please answer the following questions in full. Note that every organisation that is being relied on to meet the selection must complete and submit the Part 1 and Part 2 self-declaration.

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| Section 1 | Potential supplier information | |
| Question number | Question | Response |
| 1.1(a) | Full name of the potential supplier submitting the information |  |
| 1.1(b) – (i) | Registered office address (if applicable) |  |
| 1.1(b) – (ii) | Registered website address (if applicable) |  |
| 1.1(c) | Trading status   1. public limited company 2. limited company 3. limited liability partnership 4. other partnership 5. sole trader 6. third sector 7. other (please specify your trading status) |  |
| 1.1(d) | Date of registration in country of origin |  |
| 1.1(e) | Company registration number (if applicable) |  |
| 1.1(f) | Charity registration number (if applicable) |  |
| 1.1(g) | Head office DUNS number (if applicable) |  |
| 1.1(h) | Registered VAT number |  |
| 1.1(i) - (i) | If applicable, is your organisation registered with the appropriate professional or trade register(s) in the member state where it is established? | Yes ☐  No ☐  N/A ☐ |
| 1.1(i) - (ii) | If you responded yes to 1.1(i) - (i), please provide the relevant details, including the registration number(s). |  |
| 1.1(j) - (i) | Is it a legal requirement in the state where you are established for you to possess a particular authorisation, or be a member of a particular organisation in order to provide the services specified in this procurement? | Yes ☐  No ☐ |
| 1.1(j) - (ii) | If you responded yes to 1.1(j) - (i), please provide additional details of what is required and confirmation that you have complied with this. |  |
| 1.1(k) | Trading name(s) that will be used if successful in this procurement |  |
| 1.1(l) | Relevant classifications (state whether you fall within one of these, and if so which one)   1. Voluntary Community Social Enterprise (VCSE) 2. Sheltered Workshop 3. Public service mutual |  |
| 1.1(m) | Are you a Small, Medium or Micro Enterprise (SME)[[1]](#footnote-2)? | Yes ☐  No ☐ |
| 1.1(n) | Details of Persons of Significant Control (PSC), where appropriate: [[2]](#footnote-3)  - Name;  - Date of birth;  - Nationality;  - Country, state or part of the UK where the PSC usually lives;  - Service address;  - The date he or she became a PSC in relation to the company (for existing companies the 6 April 2016 should be used);  - Which conditions for being a PSC are met;  - Over 25% up to (and including) 50%,  - More than 50% and less than 75%,  - 75% or more. [[3]](#footnote-4)  (Please enter N/A if not applicable) |  |
| 1.1(o) | Details of immediate parent company:    - Full name of the immediate parent company  - Registered office address (if applicable)  - Registration number (if applicable)  - Head office DUNS number (if applicable)  - Head office VAT number (if applicable)  (Please enter N/A if not applicable) |  |
| 1.1(p) | Details of ultimate parent company:  - Full name of the ultimate parent company  - Registered office address (if applicable)  - Registration number (if applicable)  - Head office DUNS number (if applicable)  - Head office VAT number (if applicable)  (Please enter N/A if not applicable) |  |

Please note: A criminal record check for relevant convictions may be undertaken for the preferred suppliers and the persons of significant in control of them.

Please provide the following information about your approach to this procurement:

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| Section 1 | Bidding model | |
| Question number | Question | Response |
| 1.2(a) - (i) | Are you bidding as the lead contact for a group of economic operators? | Yes ☐  No ☐  If yes, please provide details listed in questions 1.2(a) (ii), (a) (iii) and to 1.2(b) (i), (b) (ii), 1.3, Section 2 and 3.  If no, and you are a supporting bidder please provide the name of your group at 1.2(a) (ii) for reference purposes, and complete 1.3, Section 2 and 3. |
| 1.2(a) - (ii) | Name of group of economic operators (if applicable) |  |
| 1.2(a) - (iii) | Proposed legal structure if the group of economic operators intends to form a named single legal entity prior to signing a contract, if awarded. If you do not propose to form a single legal entity, please explain the legal structure. |  |
| 1.2(b) - (i) | Are you or, if applicable, the group of economic operators proposing to use sub-contractors? | Yes ☐  No ☐ |
| 1.2(b) - (ii) | If you responded yes to 1.2(b)-(i) please provide additional details for each sub-contractor in the following table: we may ask them to complete this form as well.   |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | Name |  |  |  |  |  | | Registered address |  |  |  |  |  | | Trading status |  |  |  |  |  | | Company registration number |  |  |  |  |  | | Head Office DUNS number (if applicable) |  |  |  |  |  | | Registered VAT number |  |  |  |  |  | | Type of organisation |  |  |  |  |  | | SME (Yes/No) |  |  |  |  |  | | The role each sub-contractor will take in providing the works and /or supplies e.g. key deliverables |  |  |  |  |  | | The approximate % of contractual obligations assigned to each sub-contractor |  |  |  |  |  | | |

**Contact details and declaration**

I declare that to the best of my knowledge the answers submitted and information contained in this document are correct and accurate.

I declare that, upon request and without delay I will provide the certificates or documentary evidence referred to in this document.

I understand that the information will be used in the selection process to assess my organisation’s suitability to be invited to participate further in this procurement.

I understand that the authority may reject this submission in its entirety if there is a failure to answer all the relevant questions fully, or if false/misleading information or content is provided in any section.

I am aware of the consequences of serious misrepresentation.

|  |  |  |
| --- | --- | --- |
| Section 1 | Contact details and declaration | |
| Question number | Question | Response |
| 1.3(a) | Contact name |  |
| 1.3(b) | Name of organisation |  |
| 1.3(c) | Role in organisation |  |
| 1.3(d) | Phone number |  |
| 1.3(e) | E-mail address |  |
| 1.3(f) | Postal address |  |
| 1.3(g) | Signature (electronic is acceptable) |  |
| 1.3(h) | Date |  |

**8. Additional Questions**

Suppliers who self-certify that they meet the requirements to these additional questions will be required to provide evidence of this if they are successful at contract award stage.

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| **Section 8** | **Additional Questions** |
| **8.1** | **Insurance** |
| a. | 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:  Y/N  Employer’s (Compulsory) Liability Insurance = **£5m**  Public Liability Insurance = **£10m**  Professional Indemnity Insurance = **£1m**  Product Liability Insurance = **£5m**  \*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. |

# Section 3 Applicants Response to Tender

1. Section 3 to be completed by all Applicants looking to submit a formal response to this Tender.

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| **PROVEN TECHNICAL EXPERIENCE:** |
| The works are to be carried out on significantly important Scheduled Ancient Monument with two Grade 2 Listed headstones, adjacent to an area of woodland subject to a Tree Preservation Order through which access to the site is likely to be required. The Contractor must have proven and demonstrable skills and experience of:   1. building conservation works 2. structural stabilisation work of banks and retaining walls 3. working alongside a highways / main road with issues of traffic management and consents 4. working on scheduled ancient monuments 5. managing subcontractors, ideally specialist conservators 6. landscaping works 7. working with archaeologists and a watching brief 8. working with volunteers occasionally accessing the site 9. working on constrained sites with difficult access 10. proven positive environmental track record 11. Experience in managing construction works within Tree Preservation Order (TPO) areas   **WHAT DOES A STRONG RESPONSE LOOK LIKE?**  The Contractors response must clearly indicate the skills and experience that they have and how they would bring to this knowledge and experience to benefit on this project through reference to previous projects and activity. A strong response would set out the CVs of site management team demonstrating expertise and experience of managing projects involving historic structures on sensitive and difficult to access sites.  A strong response should indicate clear details for the key tradespersons and sub-contractors to be involved on the team to include the full range of professionals required to complete this project.  A strong response would clearly indicate that the proposed team has the right blend of professional experience, knowledge, skills and expertise required to work on such a significant project. The response would clearly indicate the roles which the individual team members would bring to project, how this relates to the skills and experience required along with how this project would benefit from their experience, knowledge and expertise.  This experience, knowledge and expertise would also look to demonstrate a clear connection to work on similar projects of similar scale / reputation within a historic and conservation context and how this would benefit this project including experience of working on listed building projects.  The response would provide detail on how the team would operate and provide assurance and confidence that the assembled team will deliver high quality outcomes that match the client requirements.  Where the team is established from across independent personal or companies the proposal would provide details on who the team is, what companies are involved.  We would be looking for details of the key individuals of the team’s CV’s and the demonstration through this that they have the right experience, knowledge and expertise, and that this is transferable and relevant to this project. This would include details on what projects that have been involved in and the role that they played. The individuals indicated should be those that will work on the project. |
| **Applicant’s response to this Method Statement:** |
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| **PROVEN DELIVERY AND PROJECT MANAGEMENT CREDENTIALS:** |
| Please provide details on how you intend to approach the delivery of the project and how this project will be taken forward. This should your experience on working as a Main Contractor with particular reference on CDM and work on historically important conservation and restoration projects and how you would bring this experience to this project.  The Applicant shall provide a Method Statement in accordance with the information provided in how they would manage this project and programme of work.  Particular reference would need to be made in regard to the involvement of the archaeology watching brief, integration of volunteers (e.g.cleaning), scheduling and programming of the specialist sub-contractors and management of any road or lane closures required.  **WHAT DOES A STRONG RESPONSE LOOK LIKE?**  A strong response would clearly indicate an understanding of the requirements as set out and what is necessary to delivery high quality outcomes within the period allowed for the construction work. The method statement would explain how the project will be managed and programmed with particular reference to the involvement of the archaeology watching brief, integration of the volunteer cleaning, and programming the specialist sub-contractor.  A strong response would set out the approach around undertaking the required activity, plus any previous similar experience in delivery of successful projects and how that knowledge, skills, experience and expertise would be applied in this project.  A strong response would also provide robust evidence of effective engagement with Client and Client representatives to effectively manage all aspects of the works, that will support delivery inline with the requirements, on time to programme and within the agree budget.  A strong response would include an indicative programme and timeline which is credible in relation to the wider expectations of the Council. In addition, the response would provide clarity on expectations around response and delivery timescales for the services provided, as well as details on how issues would be escalated and resolved.  The CVs required above for the proposed Site Management Team, would include a clear demonstration that they have the required expertise and experience of managing projects involving historic structures sensitively plus working on difficult to access sites and how this would benefit the project delivery for this work. This would include details on the Project Manager and the approach to be followed around managing this project including both effective management of quality of the works but also the required administration for the project.  A strong response would also include no more than three supporting succinct Case Studies (no more that on A4 page each) ideally on works related to historic structure repairs, which could be buildings / structures and preferably including landscaping works. |
| **Applicant’s response to this Method Statement:** |
|  |

# Section 4 - Price Schedule

Applicants are required to complete the Pricing Schedule. These costs will form the basis of the Bid submission. All prices shall be stated in pounds sterling and exclusive of VAT.

If there is no charge for an item, please state none.

**Price Validity Period**

As a minimum, all prices submitted must remain fixed and firm for twelve (12) months from date of Contract commencement. In support of this, please detail exactly how long your prices will remain fixed and firm for.

**Price Review Proposals**

The Authority does not expect the Applicant to implement any price increases throughout the life of this Contract and would conversely look to explore ways of reducing costs throughout its duration. The Applicant’s signature will be assumed to be an acceptance of this condition.

**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 Authority in writing.

# Section 5 - Certificates and Declarations

**Conditions of Tender**

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| --- | --- |
| **CONDITIONS OF TENDER** | |
| **Reference number and Title of Contract:** 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. | By submitting a Tender, Applicants are agreeing to be bound by the terms and conditions without further negotiation or amendment.  I/We fully accept the terms and conditions of contract for the provision of goods/works/services |
| 2. | Having examined the tender documents for the provision of the above goods/works/services, we offer to provide the said goods/works/services in conformity, without qualification, therewith for the sum/sums enclosed at Schedule 5 of this Bid. |
| 3. | The Authority 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. | I/We the undersigned DO HEREBY UNDERTAKE on the acceptance by the Authority of my/our Tender either in whole or in part, to supply (*or perform the services*), on such terms and conditions and in accordance with such specifications *(if any)*, 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 Authority, 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. |

**Pricing Schedule Declaration**

I/We 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.

**Certificate of Undertaking and Absence of Collusion or Canvassing**

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| **CERTIFICATE OF UNDERTAKING AND ABSENCE OF COLLUSION OR CANVASSING** |
| 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. |
| Box A – Consortium  I/We the undersigned do hereby certify that:-   1. the consortium’s tender is bona fide and intended to be competitive; 2. 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; 3. 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; 4. 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. 5. the consortium has 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 the consortium or acting on the consortium’s behalf has done or will do such an act. 6. 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. |
| Box B – Single Body and/or Individual  I/We the undersigned do hereby certify that:-   1. 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; 2. 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; 3. 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; 4. 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. 5. 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. 6. 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. |

**Certificate of Confidentiality**

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| **CERTIFICATE OF CONFIDENTIALITY** |
| 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. 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. |

**Commercially Sensitive Information**

The Authority may be obliged to disclose information in or relating to this Bid following a request for information under the Freedom of Information Act (FOIA) or Environmental Information Regulations (EIR). Please outline in the table below items which you consider are confidential and genuinely commercially sensitive and which should not be disclosed in respect of your Bid. I declare that I wish the following information to be designated as Commercially Sensitive.

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The reason(s) it is considered that this information should be exempt under Freedom of Information Act FOIA) or Environmental Information Regulations (EIR) is:

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**Conflict of Interest**

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| **CERTIFICATE OF CONFLICT OF INTEREST** |
| 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): |
| 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. |

**Signatures**

|  |  |
| --- | --- |
| 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 they sign or are employed).* | |

1. See EU definition of SME <https://ec.europa.eu/growth/smes/business-friendly-environment/sme-definition_en> [↑](#footnote-ref-2)
2. UK companies, Societates European (SEs) and limited liability partnerships (LLPs) will be required to identify and record the people who own or control their company. Companies, SEs and LLPs will need to keep a PSC register, and must file the PSC information with the central public register at Companies House. [See PSC guidance](https://www.gov.uk/government/publications/guidance-to-the-people-with-significant-control-requirements-for-companies-and-limited-liability-partnerships). [↑](#footnote-ref-3)
3. Central Government contracting authorities should use this information to have the PSC information for the preferred supplier checked before award. [↑](#footnote-ref-4)