



Northampton General Hospital
NHS Trust

Invitation to Tender for:

Winter Maintenance & Gritting Services

Trust's Reference No: DN379024

OJEU Reference No: 2018/S XXX-XXX

SECTION A:

INSTRUCTIONS AND INFORMATION

FOR INFORMATION

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FOR INFORMATION

1 INTRODUCTION

1.1 Northampton General Hospital NHS Trust and Kettering General Hospital NHS Foundation Trust ("**the Trusts**") are issuing these 'Invitations to Tender' (ITT) documents out in connection with the expression of interest notice issued for Winter Maintenance & Gritting Services issued on the 3rd December 2018.

The Section A document contains further information about the procurement process.

1.2 Section B contains the additional schedules, appendices that Bidders must read and complete where applicable i.e. Annex B1 Eligibility Questions & Responses. Each Bidder's response ("**Submission**") should be detailed enough to allow the Trusts to make an informed award decision, in the case of this tender it is generally marking based on a score of 0 -10 (see table 4.8) but prior to the population of the contract, evidence may be required.

1.3 All Submissions must be returned no later than the deadline for receipt of ITT Submissions which is 12 noon, Monday 15th April 2019.

1.4 The Trusts are using the Due North Pro Contract e-tendering portal to conduct the procurement process ("**the e-Tendering Portal**"). The e-Tendering Portal can be accessed www.supplying2nhs.org All communications (including submission of Submissions) should be carried out via the e-Tendering Portal.

Contents of the tender documentation

This document consists of:

Section A – Instructions and information	
1	Introduction and background
2	Tender timetable
3	Instructions to Bidders
4	Evaluation methodology and criteria
Appendix A1	NHS Terms and Conditions (template)
Section B – Tender Documents	
1	Eligibility Questions & Responses
2	Specification Details
3	Tender Compliance Document
4	Commercial Schedule
5	Confidential and commercially sensitive information
6	Form of Tender
Appendix B1	Outline Specification
Appendix B2	Commercial Schedule
Appendix B3	Evaluation Matrix Summary - SAMPLE
Appendix B4	NGH Car Park – Site Plans
Appendix B5	NGH Footpaths – Site Plans
Appendix B6	KGH Main Site Plan
Appendix B7	KGH Nene Park Site Plan
Appendix B8	KGH Robinson Way Site Plan
Appendix B9	KGH Trafalgar Road Site Plan

Introduction to the procurement

- 1.5 Full details of the Trust's requirements are set out in this document Section A, document Section B and separate attachments, appendices B1 – B9.

Questions about this tender

- 1.6 You may submit questions, by no later than the 8th April 2019 (1200hrs), any queries that you have relating to this tender should be submitted via the e-Tendering Portal.
- 1.7 Any specific queries should clearly reference the appropriate paragraph in the tender documentation and, to the extent possible, should be aggregated rather than sent individually. The Trusts may decline to answer queries received after the above deadline.
- 1.8 Answers to the questions received by the Trusts will be circulated to all Bidders via the e-Tendering Portal. Answers will not reveal the identity of the individual Bidder that asked a particular question. The Trusts may decide not to disclose answers, or parts of answers, which would reveal confidential or commercially sensitive information in relation to a particular Bidder.

2 TENDER TIMETABLE

Key dates

- 2.1 The procurement will follow a clear, structured and transparent process to ensure a fair and level playing field so that all Bidders are treated equally.
- 2.2 The key dates for this procurement are currently anticipated to be as follows:

Event	Date
ITT Documents issued	11 th March 2019
Target date for responses to clarification questions	(48 hours) up to 08.04.19
Deadline for receipt of Submissions	15 th April 2019
Submission clarification meetings with bidders (does not form part of evaluation)	Up to 7 th May 2019
Evaluation finalised / supplier selected	21 st May 2019
Recommendation Report (Internal)	23 rd May 2019
Notification of preferred supplier	24 th May 2019
Standstill period completed by:	7 th June 2019
Contract Award & Signed	End of June 2019
Contract commences	End of June 2019

- 2.3 Whilst the Trusts do not intend to depart from the timetable, it reserves the right to do so at any stage.

Deadline for receipt of Submissions

- 2.4 Bidders must submit their Submissions in the manner prescribed in section 3 below no later than the date and time specified on the front cover of this document.
- 2.5 Any Tender received after the deadline via the e-Tendering Portal may not be considered, unless notification to the procurement team has been made prior to the deadline. The Trusts may at its discretion, extend the deadline and in such circumstances the Trusts will notify all Bidders of any change.

Contract Term and Award

- 2.6 Contract award is subject to the formal approval process of the Trusts. Until all necessary approvals are obtained and the voluntary standstill period completed, no contract will be entered into.
- 2.7 Once the Trusts have reached a decision in respect of a contract award, it will notify all Bidders of that decision and provide for a voluntary standstill period before entering into any contract.
- 2.8 ***Contract term is three (3) years, split between an initial one (1) year and additional two (2) year contract based on performance.***

Expected date of commencement is 1st July 2019.

3 INSTRUCTIONS TO BIDDERS

Formalities for submission of Submissions

- 3.1 Bidders must submit their Submissions by providing a detailed tender response document and by completing the Annexes to Section B of the tender documents. Completed Submissions must be submitted using the e-Tendering Portal only. Bidders should ensure that they allow plenty of time to upload the tender response, particularly where there are large documents. If Bidders have any problems with the e-Tendering Portal, they should contact Daryl Read, Tel: 01604 523922. As noted above, any Submission received after the deadline may not be considered, unless we are duly notified of an issue.
- 3.2 The maximum file size for uploading individual documents is 10mb. You should split your Tender into small enough file sizes to upload. Note: the Trusts do not guarantee that you will be able to upload files up to the maximum size, particularly at busy times. For this reason it is recommended that Bidders should ensure files are well below the maximum stated and allow plenty of time to upload, so they have enough time to resolve any technical difficulties before the deadline.
- 3.3 Bidders must adhere to the following standard requirements when submitting their Submissions:
- Do not embed documents within other supplied documents. Instead provide separate electronic copies of the documents, clearly labelled and referenced if necessary, however you can embed within Annexes if necessary.
 - The Submission must be in English and drafted in accordance with the drafting guidance set out in this tender.
 - The Submission must be fully cross-referenced and include a table of contents.
 - The Submission must include a list of all supporting material.
 - Electronic copies of the Submission shall be in Microsoft Office 2010 or comparable formats
- 3.4 Where a word count limit is specified, Bidders should state how many words their response contains. The Trusts reserve the right not to consider any part of a response exceeding the word limit. Words included within diagrams or other graphic representations will count towards the word limit.
- 3.5 The Submission must be clear, concise and complete. The Trusts reserve the right to mark Bidders down or exclude them from the procurement if their Submissions are ambiguous or lack clarity. Bidders should submit only such information as is necessary to respond effectively to this tender. Unless specifically requested, do not include extraneous presentation materials.
- 3.6 Submissions will be evaluated on the basis of information submitted by the deadline. Where information or documentation submitted appears to be incomplete or erroneous or specific documents are missing, the Trusts reserve the right to request the Bidder to submit, supplement, clarify or complete the information or documentation.

- 3.7 The Submission must be signed by a duly authorised representative of the Bidder.

Modification and withdrawal of Submissions

- 3.8 Except as set out in paragraph 3.6, no Tender may be modified after the deadline for receipt of Submissions.
- 3.9 Submissions may be withdrawn at any time before the deadline for receipt of Submissions. Revised Submissions may be submitted up until the deadline for receipt of Submissions, provided such intention is notified to the Trusts using the e-Tendering Portal.

Terms and conditions

- 3.10 The contract will sit under the NHS Terms and Conditions as shown in template form within Appendix A1. Whilst the Trusts assume that Bidders are conversant with the content of the Terms and Conditions and takes account of all information such as key performance indicators and insurance requirements and that the Submission fully takes account of these.

Consortia and subcontractors

- 3.11 If the Bidder is a consortium or will rely on sub-contractors to deliver the contract, it must explain in its Submission precisely which entities will be the supplier.
- 3.12 If the Bidder intends to sub-contract any material parts of the contract, it must explain which parts will be sub-contracted, who the sub-contractor is, confirm the sub-contractor has agreed terms of supply and what contractual commitment it has from the sub-contractor to deliver.

Warnings and disclaimers

- 3.13 While the information contained in this tender is believed to be correct at the time of issue, neither the Trusts nor its advisors, will accept any liability for its accuracy, adequacy or completeness, nor will any express or implied warranty be given. This exclusion extends to liability in relation to any statement, opinion or conclusion contained in or any omission from, this tender (including its annexes) and in respect of any other written or oral communication transmitted (or otherwise made available) to any Bidder. This exclusion does not extend to any fraudulent misrepresentation made by or on behalf of the Trusts.
- 3.14 If a Bidder proposes to enter into a contract with the Trusts, it must rely on its own enquiries and on the terms and conditions set out in the contract(s) (as and when finally executed), subject to the limitations and restrictions specified in it.
- 3.15 Neither the issue of this tender, nor any of the information presented in it, should be regarded as a commitment or representation on the part of the Trusts (or any other person) to enter into a contractual arrangement.

Freedom of Information Act 2000 and Environmental Information Regulations 2004

- 3.16 As a public body, the Trusts are subject to, and must comply with, the Freedom of Information Act 2000 ("**FOIA**") and the Environmental Information Regulations 2004 ("**EIR**"). The Trusts may therefore be required to disclose information submitted by the Bidder.

- 3.17 If a Bidder considers any part of its Submission to be confidential or commercially sensitive, it must inform the Trusts, with a statement of which exemptions are relevant under FOIA and/or the EIR.
- 3.18 Where a Bidder identifies information as commercially sensitive, the Trusts will take those views into account. Bidders should note, however, that, even where information is identified as commercially sensitive, the Trusts may be required to disclose such information in accordance with FOIA or the EIR. Accordingly, the Trusts cannot guarantee that it will withhold information marked 'confidential', 'commercially sensitive' or otherwise exempt.

Publicity

- 3.19 No publicity regarding the procurement or the award of any contract will be permitted unless and until the Trusts have given express written consent to the relevant communication.

Bidder conduct and conflicts of interest

- 3.20 Any attempt by Bidders or their advisors to influence the contract award process in any way may result in the Bidder being disqualified. Specifically, Bidders shall not directly or indirectly at any time:
- devise or amend the content of their Tender in accordance with any agreement or arrangement with any other person, other than in good faith with a person who is a proposed partner, supplier, consortium member or provider of finance;
 - enter into any agreement or arrangement with any other person as to the form or content of any other Tender, or offer to pay any sum of money or valuable consideration to any person to effect changes to the form or content of any other Tender;
 - enter into any agreement or arrangement with any other person that has the effect of prohibiting or excluding that person from making a Submission;
 - canvass the Trusts or any employees or agents of the Trusts in relation to this procurement; and/or
 - attempt to obtain information from any of the employees or agents of the Trusts or their advisors concerning another bidder or Tender (except for debrief information requests made through the e-Tendering Portal).
- 3.21 Bidders are responsible for ensuring that no conflicts of interest exist between the Bidder and its advisers, and the Trusts and its advisers. Bidders should notify the Trusts promptly of any possible conflict and the proposed steps that the Bidder believes can be taken to avoid the conflict. Any Bidder who fails to comply with these requirements may be excluded from the procurement at the discretion of the Trusts.

Trust's rights

- 3.22 Subject to its obligations to act in a transparent, proportionate and non-discriminatory manner, the Trusts reserve the right to:
- waive or change the requirements of this tender from time to time;

- seek clarification or documents in respect of a Bidder's submission;
- disqualify any Bidder that does not submit a compliant Submission in accordance with the instructions in this tender;
- disqualify any Bidder that is guilty of serious misrepresentation in relation to its Submission or the tender process;
- withdraw this tender at any time, or re-invite Submissions on the same or any alternative basis;
- choose not to award any contract as a result of the current procurement process; and
- make whatever changes it sees fit to the timetable, structure or content of the procurement process.

Bid costs

- 3.23 The Trusts will not be liable for any bid costs, expenditure, work or effort incurred by a Bidder in proceeding with or participating in this procurement, including if the procurement process is terminated or amended by the Trusts.

Language

- 3.24 Submissions, all documents and all correspondence relating to the tender must be written in English.

Transparency

- 3.25 In accordance with the Public Contracts Regulations 2015 and the Government's policy on transparency, Bidders should be aware that the Trusts intend to make the tender and details of any subsequent contract publicly available, by publication on the Government's Contracts Finder portal upon award.

Governing Law and Jurisdiction

- 3.26 This tender and any dispute concerning it (including non-contractual disputes or claims) shall be governed by English law and subject to the jurisdiction of the English Courts.

4 TENDER EVALUATION METHODOLOGY AND CRITERIA

- 4.1 This section of the tender sets out the criteria that the Trusts will use to evaluate Submissions, based on a Quality/Price weighting of 50/50.

Quality weighting as follows:

- 1. Plant and Equipment Itinerary for both sites, including location of depot – 25% (detailed response against specification)**
- 2. Risk Assessment and Method Statements (RAMS) – 20% (detailed response against specification)**
- 3. Service Information and Audit Trail – 10% (detailed response against specification)**
- 4. Reports and Management Information – 5% (detailed response against specification)**
- 5. Preventative and Reactive Service Visits – 35% (detailed response against specification)**
- 6. Salt and Grit Supply and filling of the Salt Bins on both sites – 5% (detailed response against specification)**

Price based on the following:

Pricing will be based on the population of the Commercial Schedule (Appendix B2); all bidders must complete the commercial schedule as this will form part of the final contract.

- 4.2 Bidders are required to ensure Submissions are strictly in accordance with the requirements set out in this tender, to ensure the Trusts have the correct information to make the evaluation. If a Submission is equivocal or unclear, the Trusts may deduct marks when scoring it or it may treat the Tender as non-compliant and reject it.
- 4.3 The Trusts will award the contract to the Bidders that score the highest marks, applying the methodology below.
- 4.4 The Trusts will score all Questions based on your response to the specification and commercial schedule only.
- 4.5 The contract will be awarded to the highest ranked bidder that meets the requirements set out in the evaluation matrix (Appendix B3).
- 4.6 If it appears to the Trusts that any Tender may be abnormally low then the Trusts may ask the Bidder to explain its price or costs. If following the Bidder's explanations, the Trusts are still not satisfied with the Bidder's account for the low level of price or cost in the Tender, the Trusts may treat the Tender as non-compliant and reject it.
- 4.7

Rating	Score	Performance
Exceptional	9 - 10	Very Good or Fully Compliant Submission - which clearly meets all requirements and is innovative and adds value.
Good	7 - 8	Good or Fully Compliant Submission - which clearly meets all the requirements and may exceed some aspects.
Average	5 - 6	Satisfactory or Compliant Submission - which meets essential requirements and is explained in adequate detail.
Weak	3 - 4	Weak or Partially Compliant (Minor Issues) Submission - which in some areas falls short of requirements and is poorly explained.
Poor	1 - 2	Un-acceptable or Non-Compliant (Major Issues) Submission which fails to meet requirements and is not explained.
Unacceptable	0	Totally un-acceptable, fails to provide evidence of ability to meet specified requirements.

Appendix B3 provides an example of how the submissions will be scored, using the Trust's internal evaluation matrix.