Issue Date: 9 January 2017

Reference CA18/01/10/2540

**Allen Court Demolition**

**Invitation to Tender**

Return Deadline Monday 6 February 2017 at 1600hrs

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**Instructions to Tenderers - CA Ref: CA18/01/10/2540**

**Title:** Allen Court Demolition

**1. Introduction**

You are invited to submit a tender for the demolition of properties 21 and 22 Allen Court, Kirkcaldy

This invitation to tender comprises the following documentation against which you are invited to tender:-

(a) Instructions to Tender

(b) Project Scope

(c) Tender Response Form

(d) Various Attachments

If for any reason any of these documents cannot be located please contact the Authority using the details at Section 5 Communications.

By submitting your tender it will be assumed that you have read all the above documents.

**2. Freedom of Information Act 2000**

On 1 January 2005 the provisions of the Freedom of Information Act 2000 came into force and has created a general right of access to information held by public authorities, which includes the Coal Authority.

The Authority therefore, draws to your attention that it could receive requests for the release of information contained within documentation and correspondence, and the Authority will disclose information in accordance with the legislation. Should a request be received to which an exemption from disclosure may apply, the Authority will consult with you at the time.

The Authority will publish on its website details of the successful organisation(s).

**3. Transparency Agenda**

In accordance with the Government’s Transparency Agenda the following information will be published on-line and further information can be found in Appendix A:

• Publication of all individual payment transactions, this includes payments for goods and services i.e. invoice information from 1 April 2010

• All new Information and Communication Technologies (ICT) contracts over £10,000 from 1 July 2010

• All new tender documents for contracts over £10,000 to be published online from 1 September 2010

• All new contracts over £10,000 to be published in full from 1 January 2011

Only limited exemption and redaction of information will be eligible which will need to satisfy Freedom of Information Act principles. Further details available on request.

Please visit the Coal Authority’s website (coal.gov.uk), data.gov.uk, businesslink.gov.uk/Contracts Finder to see examples of information being published and find out more information.

1. **Confidentiality and Information Risk Management**

The Authority draws your attention to the following Conditions in respect of Confidentiality and Information Risk Management: Communications and Exchange of Information, Ownership of the Authority’s drawings and documents, Confidentiality and Freedom of Information [Works & Services] Confidentiality and Ownership of documents and Freedom of Information[Consultancy] in respect of confidentiality to the information provided as part of this procurement process and throughout the provision of Services/Works under the Contract to be awarded as a result of this tender procedure.

1. **Communications**

The Authority’s postal address is 200 Lichfield Lane, Mansfield, Notts. NG18 4RG. Tel: 01623 637000.

Enquiries and correspondence in connection with this Invitation to Tender should be addressed in writing using the “messages” button within the eTendering system.

Tenderers are to have fully satisfied themselves of the extent, nature and conditions of the site and the works required. Any other information obtained on a site visit or otherwise will not be held valid unless confirmed in writing by or on behalf of the Chief Operations Officer before the closing date for the receipt of tenders.

**6. Criteria for Selection**

The Coal Authority will appraise the tenders received and will base the award of the Contract on the most economically advantageous tender taking into account the following selection and award criteria.

**a) ECONOMIC & FINANCIAL STANDING (selection)**

The Tenderer's appropriate financial standing and appropriate insurance coverage

**b) HEALTH AND SAFETY (selection)**

The Tenderer's compliance with relevant Health and Safety legislation, the ability to demonstrate such systems used, and the recording thereof, and their overall ability to comply with relevant legislation

**c) QUALITY (Award 70%)**

The standard and quality of submission against the following criteria will be assessed;

Experience

Risk Assessments

Professional Membership

Plan of Works

**d) PRICE (Award 30%)**

The extent to which the Tender offers the Authority whole life value for money. That it is neither excessive nor so low that it may prevent or distort fair competition and the tender sum is sufficient to demonstrate the delivery of the specified requirement.

**7. Submission of Tender**

Your tender should be submitted on a fixed price basis and should remain open for acceptance for a period of 120 days from the closing date for the receipt of tenders.

Tenders received after the tender closing date will not be considered. Failure to comply with the provisions of these Instructions or to complete the tender document in full and without alteration may also result in the disqualification of your tender.

Your submitted tender rates and prices must be exclusive of Value Added Tax. Any V.A.T. properly chargeable by you on the goods and services supplied under the Contract will be payable by the Coal Authority in accordance with the payment terms set out in the Conditions of Contract.

Please note that the Authority reserves the right to invite suppliers for interview prior to making the Contract award.

**8. Tender Closing Date**

One electronic version of your completed tender filled in as directed should be submitted as directed by the eTendering portal and prior to the closing deadline of **Monday 6 February 2017** **at 1600hrs**.

**9. Acceptance Procedure**

The Authority does not bind itself to accept your tender and will not be responsible for, nor pay for, any expenses or losses which may be incurred by you in the preparation of your tender. No guarantee can be given as to the value of Work or Services which may be placed against any Contract resulting from your tender. You will be notified of the result of your tender and of the appointment of the Engineer to the Contract.

 No tender shall be deemed to have been accepted unless such acceptance has been notified in writing to the tenderer by or on behalf of the Chief Operations Officer. The Authority reserves the right to accept your tender in whole or in part.

Whether or not your tender is accepted, you must treat the details of all tender documents as private and confidential. If you decide not to submit a tender, you must reply that you wish to reject the tender and provide a comment why.

If you require clarification then a query through the online messaging facility should be submitted.

However, the Authority will notify tenderers of the contract award by a formal letter of acceptance which will be the Written Notification of Contract Award. Should the tenderers submission be unsuccessful, the Authority will issue a formal regret letter providing the tenderer with feedback information of the tender process.

Once this formal correspondence has been issued, if further clarification is required, then contact can be made via the messaging facility in the eTendering system.

**10. Declaration**

We declare that this is a bona fide tender, intended to be competitive, and that we 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. We also declare that we have not done and we undertake that we will not do at any time before the returnable date for this tender any of the following acts:-

(a) Communicate to a person other than the person calling for these tenders the amount or approximate amount of the proposed tender;

(b) Enter into any agreement or arrangement with any other person that he shall refrain from tendering or as to the amount of any tender to be submitted;

(c) Offer, pay or give or agree 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 sort described above.

In this declaration the word 'person' includes any persons and anybody or association, corporate or unincorporated; and 'any agreement or arrangement' includes any such transaction, formal or informal, and whether legally binding or not.

**Appendix A - Transparency**

Government has set out the need for greater transparency across its operations to enable the public to hold public bodies and politicians to account. This includes commitments relating to public expenditure, intended to help achieve better value for money.

As part of the transparency agenda, Government has made the following commitments with regard to procurement and contracting:

• All new central government ICT contracts over the value of £10,000 to be published in full online from July 2010.

• All new central government tender documents for contracts over £10,000 to be published on a single website from September 2010, with this information to be made available to the public free of charge.

• All new central government contracts over the value of £10,000 to be published in full from January 2011.

• New items of central government spending over £25,000 to published online from November 2010.

Suppliers and those organisations looking to bid for public sector contracts should be aware that if they are awarded a new Government contract, the resulting contract between the supplier and Government will be published. In some circumstances, limited redactions will be made to some contracts before they are published in order to comply with existing law and for the protection of national security.

The publication of information incorporates but is not limited to the following documentation/information. This will cover potential contract extensions and orders placed against a framework or term contract.

Contracts: contract, specification, terms and conditions, schedules and pricing – issued by both the tenderer and the Authority.

Tenders: invitation to tender, specification, terms and conditions, prequalification questionnaires, OJEU notices – issued by the Authority.

Spending: summary of invoice information in relation to payments made and includes invoice values – submitted by suppliers.

**Appendix B - Coal Authority’s Brand Values**

As members of the Coal Authority Team, we embrace the brand values and behaviours which the Authority promotes and are proud to demonstrate them in everything we do.

**Expert**

We deliver peace of mind underpinned by our expertise and in-depth knowledge of our subject.

**All Angles**

We bring all our experience from public safety, environmental and information viewpoints to deliver more sustainable solutions.

**Inventive**

We always look for creative and intelligent ways to meet our customers’ needs.

**Agile**

We are agile, responsive and committed to delivering the best value solutions for customers.

**Appendix C Coal Authority’s Whistle Blowing Policy**

Public Interest Disclosure Act 1998 (“Pida”)

Whistle Blowing Policy

Should appointed Contractors not have a Whistle Blowing Policy in place similar to that of the Authority’s below, they are to ensure that the Authority’s Whistle Blowing Policy, and contact details, is made available to their employees who will undertake works and services on this Contract.

The Authority’s Whistle Blowing Policy will enable an employee of an appointed Contractor, who may have a concern in respect of this Contract, to have the right to raise the concern and have the concern investigated without fear of reprisal. As a first step, being encouraged to speak to the Authority’s Head of Procurement who will then follow the Authority's policy for handling such concerns.

**1. AIM**

The Coal Authority is committed to providing an ethical and moral working environment, free from malpractice, harassment, bullying, discrimination and breaches of Health and Safety regulations. This Policy aims to encourage employees not to turn a blind eye to malpractice in the work place, to voice their concerns and to facilitate a more open and honest working environment.

**2. APPLICATION**

This Policy applies to all Coal Authority employees, permanent and temporary, agency staff and staff seconded to The Coal Authority.

**3. LEGAL BACKGROUND**

The Public Interest Disclosure Act 1998 came into force in July 1999 and introduced increased employment rights to the Employment Rights Act 1996. In summary the Act introduces statutory protection against dismissal and victimisation for all workers who speak out about malpractice in the workplace or similar concerns, “qualifying disclosures”.

**4. SCOPE OF THE POLICY**

A disclosure will qualify for protection if the concern relates to unlawful conduct, financial malpractice or dangers to the public or the environment. Specific examples could include:

• A criminal offence, e.g. fraud, corruption or theft

• Failure to comply with a legal obligation

• Endangering the Health and Safety of any individual

• Causing environmental damage

• A miscarriage of justice

• The deliberate concealment of information which would constitute evidence of any of the above.

If an employee has made a “qualifying disclosure” then they must follow the procedure set out below in order to gain the protection of the Policy.

**5. REPORTING A CONCERN**

An employee should raise their concern with their immediate line manager. If for any reason they feel unable to do this they should contact a member of the HR Department or the Chairman of the Audit Committee. The Chairman of the Audit Committee will report the fact of the referral and the resultant response to the Audit Committee who in turn may refer the matter to the Board. Contact details of the Chairman of the Audit Committee can be obtained from the staff directory on the Coal Authority’s intranet.

If the complaint is regarding how an individual has been treated in their employment then the correct procedure to follow is the Grievance Procedure and not the Whistleblowing Policy. Individuals will be advised of the correct procedure to use should they raise a concern.

If a staff member who has raised a qualifying disclosure is unhappy with the outcome, they may contact the independent charity ‘Public Concern At Work’, who are a leading authority on whistleblowing. Its lawyers can give staff free confidential advice at any stage about how to raise a concern about serious malpractice at work.

Should staff decide to report a matter externally, then due care should be taken not to disclose confidential information unless it is covered by the Public Interest Disclosure Act as referred to in Section 4 of this Policy, as the Act does not provide for blanket disclosure.

**6. ANONYMITY**

An employee can request that their identity be protected and this will not be disclosed without their consent. If due to the nature of the disclosure, The Coal Authority is unable to resolve the concern without revealing the employee’s identity, e.g., if the employee’s evidence is needed in court, this will be fully discussed with the employee before the matter is progressed.

**7. PROTECTION AGAINST VICTIMISATION, HARASSMENT OR DISMISSAL**

The Authority seeks to encourage employees to report any concerns or malpractice internally. Employees reporting as such will be protected from harassment, victimisation, dismissal or any other reprisal which may result.

Any employee found to be victimising, harassing or subjecting any other employee to any reprisal may be subject to disciplinary action. Depending on the seriousness of the case, an act of reprisal may be viewed as an act of gross misconduct warranting summary dismissal.

**8. DETERRING DISCLOSURES**

Deterring any employee from reporting a legitimate concern is viewed as a serious offence. Any employee found to be deterring another employee would be subject to disciplinary action, which could result in dismissal.

**9. FALSE ALLEGATIONS**

The reporting of false or malicious allegations is deemed to be a serious disciplinary offence. Any employee found to have made a malicious or deliberately false allegation may be subject to disciplinary action, which could result in dismissal.

**10. COMMUNICATION OF THE POLICY**

This policy has been communicated to all employees via management briefings and its inclusion in the Staff Handbook and on the Intranet.

**11. INTERFACE WITH OTHER POLICIES AND PROCEDURES**

The Whistleblowing Policy is not designed to replace the Authority’s Grievance Procedure but evidence gathered may lead to other procedures such as the disciplinary procedure and audit procedure being invoked.

**12. REVIEW OF THE POLICY**

The Coal Authority commits to monitor and review the operation of the Whistleblowing Policy on an annual basis.