

Devizes Assize Court Trust		CLARIFICATION LOG
		Version 4 29/05/2019
		Clarification deadline 23/05/2019
		Clarification responses by 29/05/2019
Q1	Please confirm address for submission of documents	
1A	Completed SQ to be sent to info@devizesassizecourt.org.uk - <b>please note this is a correction to note 3.5.1 in Volume 1</b>	
Q 2	I note that there is mention of a survey. Is this likely to be made available to those tendering?	
2A	The only dimensional survey information that exists is a paper copy from 1988 at a scale of 1:100. There is a floor plan, as reproduced on page 16 of the Brief, with elevations and sections. We will provide copies to those invited to tender.	
Q 3	<p>SQ Technical and Professional Details</p> <p>In addition to the 2 references required, how many projects are you looking for to demonstrate the required experience (as described in the Evaluation Criteria)? Please also confirm if there is a page/word limit here, and if there is a time limit - e.g delivered within the past 5 years.</p>	
3A	<p>At the SQ stage (6.1) we are looking for you to submit your response in a way that you think best demonstrates your capability, capacity and experience to perform the contract as outlined in the Brief. Please also ensure that the qualifications requirements are addressed. We are looking for evidence that those bidding recognise the two main elements of the project, conservation and new-build and can explain to us that they have all the skills needed to be considered to go to the next stage, which is the Invitation to Tender.</p> <p>We have not imposed a page/word/project number limit but please make your response concise and to the point and in particular address the issues outlined above. If you wish to include illustrations or schemes to support your submission these should be presented to elaborate on the key message.</p> <p>Any schemes should be recent (last 5 years). If there is a particular project or projects that you would wish to submit outside this timeframe we would expect an indication that those responsible are still with the practice or that there is some continuity.</p>	
Q4	<p>We have looked at the documentation and it is our understanding that all we must submit for the SQ stage is our response to the questions contained within the document named <b>Volume 2 – Applicant’s Offer (SQ) _Issued.docx</b>.</p> <p>We do not see any requirement to supply details of the consultant team other than basic company information in 1.2(b) - (ii) and the only relevant previous experience is to be submitted in response to 6.1.</p> <p>Please can you confirm this is correct</p>	
4A	You are correct the first stage is the SQ – Applicants Offer	

	<p>Please include the basic company information on your consultant team: we are not looking for details at this stage, this will come later in the process.</p> <p>Please see the answer to Q3 above in relation to the requirements for 6.1</p>
Q5	<p>Can I confirm that the first stage is the SQ doc only? and can this be formatted to our in-house template or should we use the SQ template provided</p>
5A	<p>Yes the first stage is simply the SQ. Please use the SQ template provided.</p>
Q6	<p>Could you clarify the preferred format, including any page, text or image restrictions, on Question 6.1 Technical and Professional ability</p>
6A	<p>Please see the answer to Q3 above in relation to the requirements for 6.1</p>
Q7	<p>Could you please confirm that for this stage we only need to respond to 1 document (the Selection Questionnaire)? We realise the you note on the other documents that we do not need to respond to the ITT or the pricing schedule however throughout some paragraphs of the Volume One document it states that our ITT responses will be scored and it is not clear if you refer to now or to the next stage.</p> <p>All the sections of the SQ are on a pass/fail basis expect section 6 where we can only provide 2 examples of our work. Could you please confirm if we could provide a separate pdf document with text and illustrations to showcase our examples for this question?</p> <p>Could you please confirm if it would be okay to provide an additional pdf that showcases more examples? We have done a lot of relevant work but it is a little bit older than three years.</p> <p>We accidentally tried to send this email to the address that we should submit our SQ <a href="mailto:info@devizesassizecourtrust.org.uk">info@devizesassizecourtrust.org.uk</a> Our email bounced back because 'the recipient's domain does not exist'. Could you please confirm to which email we should send our responses.</p>
7A	<p>Yes you only need to submit Volume 2 - Applicant's Offer (SQ) _Issued.docx.</p> <p>You may include additional information in pdf form but this should be relevant to the project. Please do not include generic Company brochures.</p> <p>Please see the answer to Q3 above in relation to the requirements for 6.1</p> <p>Completed SQ to be sent to <a href="mailto:info@devizesassizecourt.org.uk">info@devizesassizecourt.org.uk</a> - <b>please note this is a correction to note 3.5.1 in Volume 1</b></p>
Q8	<p>Will there be an opportunity to visit the building prior to the submission deadline?</p>
8A	<p>There will not be an opportunity to see inside the building prior to the submission date. Asbestos clearance is currently in progress and needs to be completed before access can be made safe.</p>

Q9	<p>Could you please clarify:</p> <ol style="list-style-type: none"> <li>1. are we allowed to attach separate appendixes (more info and images) of our 2 case studies and others we consider relevant to your project?</li> <li>2. q 6.1 mentions “Contracts for supplies or services should have been performed during the past three years. Works contracts may be from the past five years.” How strictly should we adhere to this timeframe?</li> <li>3. With so little information required at this stage what is the scoring mechanism that would allow you to shortlist candidates?</li> </ol> <p>Could you please publish the list of questions and answers you have so far?</p>
9A	<p>Please see the answer to Q3 above in relation to the requirements for 6.1</p> <p>For the SQ we need to know “that you have the necessary human and technical resources and experience to perform the contract to an appropriate quality standard and that you have a sufficient level of experience demonstrated by suitable references from contracts performed in the past”. (See section 58 of the Public Contracts Regulations 2015). Scoring guidelines are in Volume 1 – page 16.</p> <p>The Clarifications Log on our website has been up-dated</p>
Q10	<ol style="list-style-type: none"> <li>1. Please confirm the registered address of the Trust?</li> <li>2. Is it intended that there will be a single person from the Trust instructing the design team?</li> <li>3. Please confirm the Trusts insurance details regarding Public Liability.</li> <li>4. Do all members of the Design Team whether a consortia or using sub-contractors have to have the same level of insurance? If so this excludes many very reputable professionals.</li> <li>5. Why is such a high level of Public Liability Insurance required at the outset?</li> <li>6. The documents suggest that the overall budget is £8 million of which £5.8 million is intended for construction. Is the intended construction cost of £5.8 million inclusive of VAT and ALL fees? I.e. Planning/LBC discharge and archaeology.</li> <li>7. The brief suggests that the design team will be appointed to take the project forward to RIBA Stage 2 but refers to Planning and Listed Building Consent applications that are usually submitted at Stage 3. Pre-Application submissions are typically made an output of Stage 1. Please clarify your bespoke Plan of Work requirements.</li> <li>8. We would advise that at least one round of Pre-Application submissions is made to Wiltshire Council (WC) at Stage 2 prior to the full LBC and Planning Consent applications. We would allow for two rounds of Local Authority fees- please confirm this is acceptable.</li> <li>9. Have WC Conservation Team, Historic England or other statutory consultee body previously been consulted regarding proposed re-use and change for the building?</li> <li>10. Has any guidance been received from WC, Historic England, the Georgian Group or Victorian Society regarding further research that will be necessary before an application is submitted?</li> <li>11. Please confirm what if any research documents regarding the Assizes Courts the Trust or Museum have and what will be made available to the Design Team.</li> <li>12. Please confirm survey drawings, structural surveys, schedules of dilapidation/ condition or repair that are available and the date the work was carried out in addition to those noted in the Briefing documents.</li> <li>13. Please confirm Contamination Surveys completed. Is the building clear of asbestos? As this can be insurance issue.</li> <li>14. Will the previous feasibility study documents be made available to the design team as part of ITT documentation?</li> </ol>

	We request you to provide a response to this email, answering the specific queries highlighted.
10A	<p>Suppliers are reminded that this is an OJEU Restricted Procurement. Only suppliers who submit a response to the Selection Questionnaire and are then selected as part of the detailed selection process in Volume 1 will be invited to tender stage. Suppliers should note that some questions and response are general questions / response, some which relates to the "Selection stage" and some specifically to the "Tender" stage.</p> <p>(For the SQ we need to know "<i>that you have the necessary human and technical resources and experience to perform the contract to an appropriate quality standard and that you have a sufficient level of experience demonstrated by suitable references from contracts performed in the past</i>". (See section 58 of the Public Contracts Regulations 2015).</p> <p>1 DAC Trust c/o Greenwood Williams Limited 1<sup>st</sup> Floor, Syms Building Bumpers Way, Bumpers Farm Chippenham, Wiltshire SN14 6LH</p> <p>2 Yes</p> <p>3 Current Trust Insurance includes £5 million Property Owners Liability</p> <p>4 We would expect the other consultants that make up the design team to have insurance commensurate with their element of risk. Also see 5 below.</p> <p>5 This is currently stated at £10m. We have reviewed this. Please allow for £5m.</p> <p>6 Please see Section 1 of the Brief: "<i>The likely costs of the building work have been estimated at £6 million plus fees and VAT but excluding the cost of fitting out the Museum.</i>" The construction cost of £5.8 million is intended to be exclusive of all fees and VAT.</p> <p>7 DACT Plan of Work requirements are that the planning application (and LBC) needs to be submitted early in the design process i.e. the end of stage 2. This is in recognition of the increasing amount of supporting information required for a planning application and the benefits derived from early community consultations on the project. (See also RIBA information "Full planning application services are listed under the Architect/Consultant's services in stage 3 of the Services, as this is the anticipated norm for a standard project. However, for certain projects a full planning application may be submitted at the end of stage 2".</p> <p>8 We would expect to see full consultation with Wiltshire Council and Historic England as the scheme is developed. This this will incur fees as necessary and is acceptable.</p> <p>9 Yes – see Note10 of the Brief</p> <p>10 No specific guidance has been received at this stage.</p> <p>11 Appendix 1 in the Brief is the only information available.</p> <p>12 A condition survey was undertaken in September 2018, this will be made available.</p> <p>13 Asbestos clearance is in progress, exact date for completion not yet known</p> <p>14 It is not intended to provide this at the Tender Stage.</p>

Q11	<p>Could you please clarify the team members required? We are currently approaching the following disciplines;</p> <ul style="list-style-type: none"> <li>• M&amp;E Engineer</li> <li>• Structural Engineer</li> <li>• Ecologist</li> <li>• Exhibition Designer</li> <li>• Quantity Survey</li> </ul> <p>Are there any overlaps with an in-house team? Are there others that should be considered?</p> <p>2. Do all of the disciplines need to provide evidence of two similar projects?</p>
A11	<p>2.1.1 The requirement is for a Professional Design Team that consists of:</p> <ul style="list-style-type: none"> <li>• Architectural Services</li> <li>• Cost Consultant</li> <li>• Structural Engineering Services</li> <li>• Mechanical Engineers Services</li> </ul> <p>Ecology and Exhibition design will come later in the programme.</p> <p>There are no overlaps in-house. No others are needed for the SQ.</p> <p>The examples of work required are from the lead architect only.</p>
Q12	<p>We note that funding will be through a mix of HLF, other funding bodies, and private backers; can you confirm that funding has been secured in the short term for professional fees, surveys and other items required up to the funding application.</p>
A12	<p>Not all short term funding is currently in place. Emergency repairs are in progress and are fully funded but the surplus on completion of this work has yet to be determined. Funding bids have been submitted.</p>
Q13	<p>1. Just want to clarify what the answer means " <b>Please include the basic company information on your consultant team: we are not looking for details at this stage, this will come later in the process.</b>" What kind of information of the consultant team do we need to provide at the first stage?</p> <p>2. Also are we allowed to take the SQ form and put into our own in-house format? same questions for the contract examples</p> <p>3. For the 2 contract examples, are we allowed to elaborate into more of a case study?</p>
A13	<p>The answer is - please give names and address of others in your consultant team. Please use the SQ form provided because we have asked for this in the procurement documents.</p> <p>We are happy for you to elaborate the contract examples if you wish as indicated in in the answer to Question 3 in the Clarifications Log.</p>
Q14	<p>Is relevant project experience information required at SQ stage? If so, is there a page limit for response to Section 6 of SQ form?</p>
A14	<p>Relevant project experience is required at the SQ stage so that DACT can later determine a list of those invited to tender. Please see the answer 3A in the Log for further information.</p>

Q15	<p>We note a potential issue with the tender requirements. The brief states that tenders are for professional services covering RIBA work stages 1 and 2, but describes the work as requiring preparation and submission of applications for planning permission and listed building consent. RIBA workstage 2 covers concept design only. Planning is covered under RIBA work stage 3, and indeed the detail required in obtaining listed building consent often goes beyond stage 3.</p> <p>Please confirm requirements.</p>
A15	<p>Please see the answer to 10 above and in particular</p> <p>“DACT Plan of Work requirements are that the planning application (and LBC) needs to be submitted early in the design process i.e. the end of stage 2. This is in recognition of the increasing amount of supporting information required for a planning application and the benefits derived from early community consultations on the project.</p> <p>See also RIBA information “Full planning application services are listed under the Architect/Consultant’s services in stage 3 of the Services, as this is the anticipated norm for a standard project. However, for certain projects a full planning application may be submitted at the end of stage 2”.</p> <p>DACT sees the need to ensure that all planning considerations are resolved at the end of stage 2. Full consultation with Wiltshire Council and Historic England is required and is expected to be undertaken as the scheme design is developed. The reference above to Stage 2 is taken from the RIBA Standard Professional Services Contract 2018 – Architectural Services.</p>
Q16	<p>Although we appreciate that the first part of the selection process is just the questionnaire, we will be asking for guide fees levels from other consultants to ensure that those we commit to will be competitive if asked to tender. thus the scope of service is very important.</p> <p>The brief defines the services required as:</p> <p><i>RIBA stage 1 Preparation and Brief and;</i></p> <p><i>RIBA stage 2 Concept design as outlined in the RIBA Plan of Work, to include submission / approval of applications for Planning Permission &amp; Listed Building Consent.</i></p> <p>However detailed design is needed to prepare for submission and servicing of planning and listed building consent applications and this is defined by RIBA Plan of Work as stage 3 (as opposed to stage 2 referred to in the tender documentation)</p> <p>Please clarify if it is intended that the works that are the subject of the tender will be to completion RIBA stage 2 Concept design (normal requirement of Heritage Fund Development stage application)</p> <p>Or completion to RIBA stage 3 Detailed design - including preparation, submission and servicing of planning and listed building consent applications (normal requirement of Heritage Fund Delivery stage application)</p>
16A	<p>Please see the answer to 15 above</p>
Q17	<p>In the Clarifications Log under response 3A it is mentioned that:</p> <p>“We have not imposed a page/word/<u>project</u> number limit...”</p> <p>To best respond to the key issues, we would like to submit 4 project examples as our team has worked together in varying combinations in the past. We trust this approach would be acceptable?</p>
17A	<p>You may include illustrations or schemes to support your submission but please ensure that these are relevant to the project. Please do not submit Company brochures.</p>

Q18	<p><b>Team composition</b></p> <p>We note the requirement for the successful team to comprise Architect, Cost Consultant, Structural Engineer and Mechanical and Electrical Consultant. Can you please confirm if other disciplines such as Fire Engineer, Access Consultant and Display Designer are to be separately procured?</p> <p><b>Conservation accreditation</b></p> <p>We note the building is listed Grade II*. Can you please confirm if conservation accreditation at any level will be required by the successful team.</p> <p><b>Condition survey</b></p> <p>Can you please confirm if the successful team will be required to prepare a full condition survey of the building and, if so, will an enabling contract be procured to facilitate safe access and will the cost of hiring access equipment be separately procured?</p> <p><b>Digital survey</b></p> <p>Can you confirm if the cost of procuring a cloud survey and preparing an accurate set of existing drawings is to be included by the successful team?</p> <p><b>Conservation Management Plan</b></p> <p>We note the Brief (p.17) states '... a more formal statement will need to be prepared and used to inform the scheme as it develops.' Can you please confirm if a Conservation Management Plan and Heritage Impact Assessment are to be provided by the successful team?</p> <p><b>Shortlist</b></p> <p>Can you please confirm how many teams the Trust intend to shortlist?</p> <p><b>Technical and professional ability</b></p> <p>Just to clarify, in response to this question we are to submit two contracts in the table provided in the SQ as well as additional project information and CVs in pdf format?</p>
17A	<p><b>Team Composition</b></p> <p>We expect the need for other disciplines to emerge from the development of the Brief which will be undertaken in consultation with the Design team at an early stage of the project.</p> <p><b>Conservation Accreditation</b></p> <p>For the historic building element of the scheme those selected will be requires to have full conservation accreditation with details of qualification and experience included in the Tender. See note on evaluation page 12 Volume 1 3.6.</p> <p><b>Surveys</b></p> <p>A condition survey was undertaken in September 2018 and will be made available. Those invited to submit tenders are expected to “advise on the necessary surveys to be undertaken and include your recommendations for digital recording and interpretation, and possible use of BIM”. These items to be costed separately at the ITT stage.</p> <p><b>Management Plan</b></p> <p>We do not see the need for a Conservation Management Plan. A Heritage Impact Assessment is likely to be a planning requirement.</p> <p><b>Shortlist</b></p> <p>DACT has not set an exact figure but dependent on the number of SQ's received the shortlist would be a minimum of 5. The maximum will depend on the quality of SQ's received.</p> <p><b>Technical / Professional ability</b></p> <p>At the SQ stage (6.1) we are looking for you to submit your response in a way that you think best demonstrates your capability, capacity and experience to perform the contract as outlined in the Brief which can include additional project information and CVs.</p>

Q18	Further to point 3.103, page 15 (Volume one, Information and Conditions of Tender) wonder if it is a mandatory requirement to be a RIBA chartered practice or if it is sufficient that point of contact is RIBA chartered?
	We have stated the requirement for chartered status. Please indicate in your submission how you comply with this, as a practice or individual.
Q19	<p>1. It appears that the tender is open to design teams made up of the four principal roles. Can I check therefore whether the tender process is open to individual consultant firms?</p> <p>The documentation mentions the client's project manager. It is not uncommon for the project manager to recommend individual firms for each role and thereby recommend the team, but it appears this is not an option here. Is this correct?</p> <p>There is reference to "<i>if you are bidding on behalf of a group</i>", which perhaps implies you might not be part of a group and therefore submitting as an individual firm for one of the roles in the team.</p> <p>If the tender process is open to individual firms is it possible to submit a tender as part of a team and also submit an individual tender? Can you submit a tender for architect and 1 or 2 other disciplines but not necessarily all 4?</p> <p>2. Does question 1.2 (a) - iii mean that the client will not consider making individual appointments or contracts with the four roles in the successful team? Is there a preferred legal structure for the team that improves the prospects of being successful in the tender process?</p>
19A	<p>1</p> <p>The tender is for a design team comprising the roles indicated: it is not open to individual consultant firms. The lead consultant is required to name those that he has selected for his team.</p> <p>A Client-side Project Manager has yet to be appointed so individual recommendations are not an option.</p> <p>2</p> <p>The form of contract for the lead architect will be the RIBA Standard Professional Services Contract 2018 – Architectural Services. The Trust will enter into contracts with other consultants based on the design team submission, Thus all teams will be assessed on the same basis.</p>
Q20	Could you please confirm that our response to 6.1 (Project description and images) can be provided in a separate PDF document as an Appendix? Or do you require everything within the word document provided?
20A	Project description etc. can be provided in a separate PDF document.