



Department
for Environment
Food & Rural Affairs

Bidder Pack

Procurement Specific Requirements

Central Management and Co-ordination Unit (CMCU) for the PM_{2.5} AURN Expansion

Procurement Reference Number C22431
12/2023

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Contents

Section 1: The Invitation.....	3
The Opportunity.....	3
Timetable	4
Section 2: The Specification of Requirements.....	6
The Authority’s Priorities	6
Scope.....	6
Division of the Contract into Lots.....	6
Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE).....	6
Section 3: Terms and Conditions of Contract.....	7
Section 4: Evaluation Methodology	8
Section 5: Appendices	12
1. Definitions	12
2. Form of Tender	14
3. Specification	14
4. Conditions of Contract.....	14
5. TUPE Data.....	14

Section 1: The Invitation

This procurement is being carried out by Defra group Commercial in accordance with the Open Procedure as set out in the Public Contract Regulations 2015 (PCR) on behalf of the Environment Agency.

The Bidder Pack comes in two parts. The first part, The Core Requirements, provides details of the General Requirements, Government Transparency Agenda and Government Priorities. This, **the second part, the Procurement Specific Requirements**, provides details of the Specification Requirements, Terms and Conditions of Contract, Evaluation Methodology, Procurement Timetable and Definitions.

The tendering process seeks to determine the Most Economically Advantageous Tender (MEAT). The Authority will evaluate the Tenders using the tender evaluation criteria and weightings listed in Section 4, Evaluation Methodology.

The Opportunity

This opportunity is advertised by Defra group Commercial (DgC) on behalf of the Environment Agency (EA).

The Environment Agency work to create better places for people and wildlife and support sustainable development. EA is an executive non-departmental body, sponsored by the Department for Environment, Food and Rural Affairs. For further information please visit [Environment Agency - GOV.UK \(www.gov.uk\)](https://www.gov.uk).

1. The Authority manages and maintains national air quality monitoring networks including the Automatic Urban and Rural Network (AURN) to meet the requirements of EU and UK legislation. The air quality monitors are located around the UK within the Zones and Agglomerations and are housed in standalone enclosures of varying sizes.
2. The Authority wishes to let a new Central Management and Co-ordination Unit (CMCU) for the PM2.5 AURN expansion (across England only). The new sites are required for The Environmental Targets (Fine Particulate Matter) (England) Regulations 2023 for a new concentration and exposure target that is set for 2040.
3. The AURN provides national monitoring arrangements including those areas covered by Department for Environment, Food and Rural Affairs (DEFRA) Scottish Government (SG), Welsh Government (WG) and Department of Agriculture Environment and Rural Affairs in Northern Ireland (DAERA) collectively known as the Devolved Administrations (DAs) for Automated data regarding Oxides of Nitrogen (NOx), Nitric Oxide (NO), Particulate Matter (PM₁₀), PM_{2.5}, SO₂, Ozone and CO.
4. The current configuration of the AURN network has two CMCU functions one for the AURN and one for the Automatic London Network (ALN) however at the point of writing this contract they are both the same contractor. This new PM2.5 AURN CMCU contract will be the third CMCU and is let by the Authority on behalf of Defra and is specifically relates to the expansion of what is currently planned to be 104 PM2.5 total mass sites.
5. The CMCU's are responsible for the management of the national network air pollution monitoring sites throughout the United Kingdom (UK), the automatic collection and retrieval of data from these sites and forward passage of data (to a separate Defra Supplier, the DDU Supplier, who has responsibility for wider dissemination of data, and to the QAQC Supplier for ratification). The PM_{2.5}AURN Expansion CMCU contract is currently planned to be for 104 new sites anticipated to be established between 2024 - 2026.

The AURN aim to:

- Inform the public about air quality in near-real time.
- Provide data for comparison with statutory air quality standards, objectives, target and limit values.
- Inform and support the development of cost-effective planning solutions and identify long-term trends and sources of pollution.
- Inform policy development.
- Provide data for use by the scientific community in research.
- Enhance our understanding of atmospheric chemistry.

Timetable

The timetable below is subject to change from time to time as notified by the Authority. All Tenderers will be informed via the Authority's eSourcing System.

Activity Ref	Activity Title	Date (Time)
1	Opportunity Notice published in Find a Tender System and Contracts Finder and Bidder Pack released	20/12/2023
2	Deadline for clarification questions	25/01/2024 Time: 12:00 pm
3	Deadline for Responses	01/02/2024 Time: 12:00 pm
4	Evaluation of Tender	Start 05/02/2024. End 19/02/2024
5	Contract award notification	26/02/2024
6	Mandatory standstill period	Start 27/02/2024. End 08/03/2024
7	Contract award	March 2024
8	Contract start date	April 2024
9	Service commencement date	April 2024

All timescales are set using a 24-hour clock and when referring to "days" it means calendar days unless otherwise specified (for example, working days).

Variant Tenders

The Authority shall not accept variant Tenders.

For the avoidance of doubt, if the Authority has reserved a right to waive a requirement in this Bidder Pack and chooses to exercise such discretion, the Tender will not be considered a variant Tender.

Abnormally Low Tenders

If the Authority considers your Tender to appear abnormally low, an initial assessment will be undertaken using a comparative analysis of the pricing proposals received from all Tenderers and the Authority's valuation of the procurement. If that assessment indicates that your Tender is abnormally low, the Authority will request a written explanation of your Tender, or of those parts of your Tender which the Authority considers contribute to your Tender being abnormally low. The Authority reserves the right to reject your Tender if the response does not satisfactorily account for the low level of price or costs proposed.

The assessment of abnormally low tenders will be undertaken strictly in accordance with Regulation 69 of the Public Contracts Regulations 2015, which outlines how abnormally low tenders must be assessed and the circumstances in which the contracting authority can reject the tender.

Pricing Anomalies

If in the opinion of the Authority your Tender contains any pricing anomalies (for example apparent discrepancies between the financial submission and other parts of your response) the Authority may seek clarification. If the clarification response indicates that the pricing anomaly was the result of a clear and obvious error, in the interest of fairness the resulting change will be taken into consideration. If the clarification response results in a change to the initial tendered Commercial Response and price, it will not be taken into account.

Section 2: The Specification of Requirements

The Authority's Priorities

The Authority's priorities supports the EA 2025 'Green growth and Sustainable future' objective, and that of creating 'Healthy air' by the enhanced monitoring network driving reduced combustion and policies to move to a zero carbon future [EA2025 - EA2025 Creating a better place.pdf - Default View \(sharepoint.com\)](#)

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Scope

Schedule 2 sets out the Specification of Requirements. Uploaded on this tender.

Division of the Contract into Lots

This procurement requirement is not divided into Lots.

Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE)

The Authority believes TUPE does not apply.

Section 3: Terms and Conditions of Contract

The Terms and Conditions of Contract for this procurement are Mid-Tier contracts.

The Terms and Conditions are split into Core Terms, Award Form and Contracting Authority Terms within the Schedules, and details of the legal priority are provided in the Conditions of Contract.

The Authority proposes to enter into Contract(s) for a maximum period of 6 years with the successful Tenderer(s).

The initial contract term shall be 3 years with the potential for 3 x 12-month extension periods.

The anticipated commencement date is 1st April 2024.

Suggested Changes to Conditions of Contract

Tenderers may raise clarification questions relating to the amendment of contract terms during the clarification period only, as specified in the Timetable, if it can be demonstrated that there is a legal or statutory reason why they cannot be accepted. Where a legal or statutory reason cannot be substantiated the Authority has the right to reject the proposed changes.

Such requests must follow the Clarifications Sought by the Tenderer process set out in the Core Requirements element of this Bidder Pack.

Section 4: Evaluation Methodology

The overall aim of the evaluation process is to select the Tender that is the most economically advantageous to the Authority, having regard to the Authority's overall objectives and the criteria set out below.

Evaluation of Tenders will comprise of the stages set out in the table below.

The Authority will carry out its evaluations of the Technical and Commercial elements according to the criteria, sub-criteria and weightings set out in the table below:

The detailed questions and guidance are set out in the Authority's eSourcing System.

	Section Reference	Evaluation Criteria	Question Scoring/Weighting (%)
Evaluation Stage 1	Selection Stage: Selection Questionnaire (SQ) responses submitted in response to the Contract Notice	Part 1: covers the basic information about the supplier (or organisation relied upon to meet the selection criteria in Part 3), such as the contact details, trade memberships, details of parent companies, group bidding and so on and is provided for information only.	Pass/Fail
		Part 2: covers a series of self-declarations by the supplier (or organisation relied upon to meet the selection criteria in Part 3) regarding whether or not any of the questionnaire exclusion grounds apply and will be assessed on that basis.	Pass/Fail
		Part 3: covers a series of self-declaration questions regarding whether or not the company meets the selection criteria in respect of their financial standing and technical capacity.	Pass/Fail
		Part 4: covers any contractor bidding must be working within an ISO 9001:2015 Quality Management System. Certified at the start of the Contract by a certification body accredited by UKAS or ISO / IEC 17021 accredited body. *Proof of certification required.	Pass/Fail
Evaluation Stage 2	Section Reference	Evaluation Criteria	Question Scoring/Weighting (%)
	Form of Tender	This stage is not scored but if you do not upload a complete, signed and dated Form of Tender in accordance	Pass/Fail

		with the instructions in the eSourcing System/accept the Form of Tender statement in the SQ your Tender will be rejected as non-compliant.	
<p>Note that every organisation that forms part of your bidding group/consortium, as well as every organisation that is being relied on (including subcontractors being relied on) to meet the selection criteria must complete and submit responses to part 1 and the declarations in part 2.</p> <p>Note: Suppliers that pass Evaluation Stage 1 and 2 will be taken through to Evaluation Stage 3.</p>			

	Section Reference	Evaluation Criteria	Question Scoring/Weighting (%)
Evaluation Stage 3	Evaluation Technical Stage:	This stage will be evaluated in accordance with the criteria set out in Technical Questionnaire along with the individual detailed criteria.	Scored – 60%
<p>The Technical evaluation will account for 60% of the total score. All responses will be scored in accordance with the detailed guidance within the Authority’s eSourcing System.</p> <p>Tenderers must achieve a minimum Descriptor of 20 on any question (the ‘Technical Threshold’) in order to progress to the Commercial evaluation. Tenderers who fail to achieve the stated Technical Thresholds will not proceed to the Commercial evaluation.</p>			
	Section Reference	Evaluation Criteria	Question Scoring/Weighting (%)
Evaluation Stage 4	Evaluation Commercial - Pricing Schedule Stage:	Prices will be evaluated in accordance with criteria set out in the Charges in the Authority’s eSourcing System (Schedule 3)	Scored – 40%
<p>The Commercial evaluation will account for 40% of the total score. All responses will be scored in accordance with the detailed guidance within the Authority’s eSourcing System.</p>			
	Section Reference	Calculation	
Evaluation Stage 5	Final score	<p>The final score is calculated by adding the total quality weighted score with the total commercial weighted score.</p> <p>The most economically advantageous tender will be the Tender with the highest final score.</p>	

Selection Questionnaire - Financial standing

The Authority will review the economic information provided as part of the Selection Questionnaire response to evaluate a Tenderer’s economic and financial standing. The Authority’s evaluation will be based on all the information reviewed and will not be determined by a single indicator. If, based on its assessment of the

information provided in a Response, the Authority decides that a Tenderer does not meet the Authority's required level of economic standing, the Authority may:

- ask for additional information, including information relating to the Tenderer's parent company, if applicable; and/or
- require a parent company guarantee, performance bond or other security.

If the Authority decides that a parent company guarantee, performance bond or other security is required, the Authority will reject a Response if the Tenderer is unable to offer a commitment to make such provision. In addition to the information provided in a Response, the Authority may, at its discretion, consult Dun & Bradstreet reports and other credit rating or equivalent reports depending on where a Tenderer is located.

The Authority's assessment of economic and financial standing will consider financial strength and risk of business failure. Financial strength is based on tangible net worth and is rated on a scale of 5A (strongest) to H (weakest) obtained from Dun & Bradstreet. There are also classifications for negative net worth and net worth undetermined (insufficient information). Financial strength will be assessed relative to the estimated annual contract value.

The Authority will also consider annual turnover. For this procurement, the Authority expects the contractor to have an annual turnover for each of its last two financial years of at least 150% of the contract value.

In the case of a joint venture or a consortium bid, the annual turnover is calculated by combining the turnover of the relevant organizations in each of the last two financial years. In addition, the annual turnover of the at least one of those organizations is expected to be £5m.

Risk of Business Failure is rated on a scale of 1 (minimal) to 4 (significant) obtained from Dun & Bradstreet. There is also a classification of insufficient information. The Authority regards a score of 4 as indicating inadequate economic and financial standing for this procurement. The Authority will also calculate and evaluate the Tenderer's:

- operating performance: growth or reductions in sales, gross profit, operating profit, profit before tax and earnings before interest, tax, depreciation, amortisation, exceptional items and profit/loss on sale of businesses
- liquidity: net current assets, movements in cash flow from operations, working capital and quick ratios, and average collection and payments periods; and
- financial structure: gearing ratios and interest cover.

Evaluation of Responses

Evaluation of Responses will be undertaken by a panel appointed by the Authority. Each panel member will first undertake an independent evaluation of the Responses applying the relevant evaluation criteria for each question. Then, a moderation meeting will be held at which the evaluation panel will reach a consensus on the marking of each question.

During the consensus meeting, the decision may be taken that a Response will not be carried forward to the next evaluation stage if the consensus view is that the Tenderer has failed to meet any minimum or mandatory requirements, and/or provided a non-compliant response.

Scoring Criteria

The following scoring criteria is to be used when evaluating responses to Stage 3 Technical Questionnaire. A Tenderer's response will be assessed against the detailed criteria provided for each question and be assigned a Descriptor and score from the table below:

Descriptor	Score	Definition
Very good	100	Addresses all the Authority's requirements with all the relevant supporting information set out in the Bidder Pack. There are no weaknesses and therefore the tender response gives the Authority complete confidence that all the requirements will be met to a high standard.
Good	70	Addresses all the Authority's requirements with all the relevant supporting information set out in the Bidder Pack. The response contains minor weaknesses and therefore the tender response gives the Authority confidence that all the requirements will be met to a good standard.
Moderate	50	Addresses most of the requirements with most of the relevant supporting information set out in the Bidder Pack. The response contains moderate weaknesses and therefore the tender response gives the Authority confidence that most of the requirements will be met to a suitable standard.
Weak	20	Substantially addresses the requirements but not all and provides supporting information that is of limited or no relevance or a methodology containing significant weaknesses and therefore raises concerns for the Authority that the requirements may not all be met.
Unacceptable	0	No response or provides a response that gives the Authority no confidence that the requirement will be met.

Calculation Method

The method below sets out the calculation method used by the Authority's eSourcing System.

For both elements, providing the bidder has met any mandatory criteria and minimum quality thresholds, the total weighted scores are calculated as follows:

Technical (WT)

Weighted Technical = (Sum of [Moderated Scores for each question X Question weighting]) X 60%

Commercial (WC)

$$\left[\frac{\text{Lowest Commercial Score}}{\text{Bidder's Total Commercial Score}} \times 100 = X \right] + \left[\frac{X}{100} \times [\text{Weighting}] \right]$$

The Total Score (weighted) is then calculated by adding the Total Weighted Technical Score to the Total Weighted Commercial Score: **WT+ WC**.

Section 5: Appendices

1. Definitions

Unless the context otherwise requires, the following words and expressions used within the Bidder Pack (except for Section 3: Terms and Conditions of Contract) shall have the following meanings to be interpreted in the singular or plural as the context requires.

TERM	MEANING
“Authority”	The Environment Agency.
“Bidder Pack”	this invitation to tender and all related documents published by the Authority and made available to Tenderers.
“Contract”	the contract (set out in Appendix B) to be entered into by the Authority and the successful Tenderer.
“EIR”	the Environmental Information Regulations 2004 (as amended) together with any guidance and/or codes of practice issued by the Information Commissioner or any Government Department in relation to those Regulations.
“eSourcing system”	eSourcing system is the eSourcing system used by the Authority for conducting this procurement, which can be found at https://defra-family.force.com/s/Welcome .
“FOIA”	the Freedom of Information Act 2000 (as amended) and any subordinate legislation made under that Act together with any guidance and/or codes of practice issued by the Information Commissioner or any Government Department in relation to that legislation.
“Form of Tender”	means the form contained in Annex 2 to the Procurement Specific section of the Bidder Pack which must be signed, scanned and uploaded into the Authority’s eSourcing System by the Tenderer to indicate that it understands the Tender and accepts the various terms and conditions and other requirements of participating in the exercise.
“Information”	means the information contained in the Bidder Pack or sent with it, and any information which has been made available to the Tenderer by the Authority, its employees, agents or advisers in connection with the procurement.
“Involved Person”	means any person who is either working for, or acting on behalf of, the Authority in connection with this procurement and/or the Contract including, without limitation, any officer, employee, advisor, agent, member, partner or consultant”.
“Pricing Schedule”	the form accessed via eSourcing system in which Tenderers are required to submit their pricing information as part of a Tender.
“Regulations”	the Public Contracts Regulations 2015.
“Relevant Body”	means any other organisation, body or government department that is working with or acting on behalf of the Authority in connection with this procurement and/or the Contract including, without limitation, its officers, employees, advisors, agents, members, partners or consultants.
“Response”	means the information submitted in response to the Bidder Pack via the online response forms on eSourcing system including the Tenderer’s formal Tender.
“Specification Requirements”	of the Authority’s requirements set out in Section 2 of the Bidder Pack Procurement Specific Requirements.

“Tender”	the formal offer to provide the goods or services described in section 1.1 of part 1 of the Bidder Pack and comprising the responses to the questions in eSourcing system and the Pricing Schedule.
“Tenderer”	anyone responding to the Bidder Pack and, where the context requires, includes a potential tenderer.
“Timetable”	the procurement timetable set out in Section 1 of the Bidder Pack Procurement Specific Requirements.

2. Form of Tender

The Form of Tender document is located as an attachment on the Authority's eSourcing system.

It is to be printed, signed, scanned and uploaded into the Authority's eSourcing System as instructed within the eSourcing system.

3. Specification

For information. Located on the Authority's eSourcing system (Schedule 2)

4. Conditions of Contract

For information. This is located on the Authority's eSourcing system, consisting of the Mid-tier Contract Award Form, Core Terms and Schedules 01 – 37, omitting any schedules that do not apply to this Contract.

5. TUPE Data

The Authority believes TUPE will not apply.