

FOL16/615: RESURFACING AND RECONFIGURATION OF TENNIS COURTS

SCHEDULE 1 – INVITATION TO TENDER

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1. Introduction

### The Royal Parks (TRP) is inviting contractors from The Sport and Play Contractors Association (SAPCA) to tender for:

|  |  |
| --- | --- |
| Lot 1 | The resurfacing and reconfiguration of a block of ten macadam surfaced tennis courts including padel court construction at The Regent’s Park Tennis Centre. |
| Lot 2 | The resurfacing and reconfiguration of a block of six macadam surfaced tennis courts including padel court construction and new sports lighting at Hyde Park Tennis Centre. |

Tenderer’s can bid for as many or as few lots as possible. TRP will assess value for money across all lots.

1. Background

### TRP manages eight of London’s Royal Parks – St James’s Park, The Green Park, Hyde Park, Kensington Gardens, The Regent’s Park (& Primrose Hill), Greenwich Park, Richmond Park and Bushy Park. It is also responsible for a number of other areas including Brompton Cemetery, the Longford River, Victoria Tower Gardens, and the maintenance of Grosvenor Square Gardens and the gardens of numbers 10 and 11, Downing Street.

### TRP is currently an executive agency of the Department for Culture, Media and Sport but is due to merge with its sister organisation, the Royal Parks Foundation, to become a new charitable public corporation in March 2017.

1. TRP’s Corporate Objectives

2.1 TRP’s corporate objectives are to:

1. conserve and enhance sustainably, for the enjoyment of this and future generations, our world class natural and built historic environment and our biodiversity;
2. engage with our visitors, stakeholders and partner organisations and understand their views;
3. manage the parks efficiently and secure investment in the parks' assets and services through an appropriate combination of government funding, commercial income and philanthropy; and
4. be a centre of professional excellence where people want to work
5. Definitions

### These are the definitions of the terms found in the tender documentation:

1. Contract Data, *Contractor*, Works Information, Site Information and Price List have the meaning ascribed to them in the NEC3 Engineering and Construction Short Contract (NEC3 ECSC) April 2013 edition.
2. *Contractor’s* Offer is the completed Schedule 6 which includes the Form of Tender, completed *Contractor’s* Contract Data, Price List and Other Relevant Information. These documents demonstrate how a tenderer proposes to undertake the work defined in the Tender Work Package and how much it will cost the *Employer* including an allowance for compensation events.
3. The Price List is the Price List under the NEC3 ECSC (April 2013 edition) and is the document returned by the tenderer (who will become the *Contractor* if awarded the contract) as part of the *Contractor*’s Offer. It is developed by the tenderer from ‘Schedule 4D – Works Information itemising quantity of work required’ which is supplied as an MS Excel spreadsheet. It must be returned in this same file type.
4. Tender Work Package: these documents are provided by the *Employer* as part of the tender process for commissioning work i.e. Schedules 1 to 6 as identified in section of this Schedule below.
5. Works Package: this is the document that defines the final contract by referencing the completed Contract Data, Site Information, Works Information and Price List. It includes any alterations and additions to the original Tender Work Package as a result of the winning tenderer’s Offer as well as any developments necessary to avoid ambiguity and inconsistency i.e. clarifications identified during the tender process.
6. The Three Different Work Options

Due to pending planning permission for all proposed works, tenderers are asked to price three different works options for each lot. TRP will then select the preferred option following confirmation of planning permission and receipt of all bids.

The three options for each lot are as follows:

Option 1 - The Regent’s Park (Lot 1)

Resurfacing and colour coating of:

* Block of 10 tennis courts, 37m x 142m (5,254m2)
* 2 x single tennis courts, 33.5m x 18.2m (1,219m2)
* 2 x mini tennis courts, 31.2m x 9.2m (287m2)

A root barrier is to be installed along the southern side of court 3 (5m) using manual digging where required and, following agreement of a suitable method statement, as are five runs of plastic ducts across the courts for future floodlight provision.

Option 2 - The Regent’s Park (Lot 1)

As option 1, but with additional works required at a later date (in case of delay in obtaining planning permission) of planing up the existing 2 x singles courts and adding 150mm of stone plus a two layer macadam system. The gradient is to be corrected. A root barrier is to be installed - price based on linear metre.

Provision of:

* 10m x 20m double padel tennis court (200m2)
* 8m x 16m Mini tennis court (128m2)

Option 3 - The Regent’s Park (Lot 1)

Options 1 and 2 delivered together concurrently.

Tenderers shall:

* propose finished levels of perimeter edgings in their method statements;
* provide documentary evidence in the form of independent laboratory reports that the slip resistance of the colour coating meets the specified performance requirements; and
* inspect the site during the tender period to familiarise themselves with access, etc.

Option 1 – Hyde Park (LOT 2)

Full reconstruction of the existing 6 courts and 2 mini courts with replacement of the chainlink fencing (fence posts to be kept).

Option 2 – Hyde Park (LOT 2)

As Option 1, but with additional works required at a later date (in case of delay in obtaining planning permission):

* Convert the western court on the block of six (court 1) to a separately fenced multi sports MUGA
* Constructing a new singles court on the eastern end of the existing court block to create a block of five doubles courts and a singles court
* Convert the existing mini tennis courts into a Padel tennis facility
* Install a new LED lighting system. In addition to the layout shown on the design, the tenderers shall price for one column to the Padel court with LED fittings to deliver 200 lux to the Padel court. Tenderers shall also price for six runs of ducting across the courts with draw strings.

Option 3 – Hyde Park (LOT 2)

Options 1 and 2 delivered together concurrently.

For all options described above, tenderers are asked to enter costs against all items specifically listed in ‘Schedule 4D - Works Information itemising quantity of work required’.

1. Tender Work Package

### The Tender Work Package comprises the following documents:

|  |  |
| --- | --- |
| Schedule 1 | Invitation to Tender |
| Schedule 2 | *Employer*’s Contract Data, including amended and additional conditions of contract. |
| Schedule 3 | Site Information |
| Schedule 4A | Works Information documents and drawings  |
| Schedule 4B | Works Information itemising quantity of work required  |
| Schedule 5 | Pre-construction Health & Safety Information (supplied in accordance with the CDM 2015 Regulations) |
| Schedule 6 | The *Contractor*’s Offer  |
| Tender Return Label |  |

1. Timetable

### It is envisaged that the contract will be awarded as close as possible to the following timetable:

|  |  |
| --- | --- |
| **Action** | **Due date** |
| Tender Work Package issued  | Tuesday 19th December |
| Tenderers confirm their availability and intention to tender | Minimum 3 days after Tender Work Packages issued to Tenderers |
| Deadline for tender questions | Wednesday 11th January, 2017 |
| Tender submission deadline | Monday 16th January, 2017 |
| Contract Award/Commencement | Monday 6th February 2017 |

1. Tender Process Conditions

### The tenderer, who will become the *Contractor* if awarded the Work Package (as defined under the NEC3 Engineering and Construction Short Contract (April 2013 edition))*,* shall verify the numerical sequence of the Site Information and Works Information by examining the numbers on each page. If any page is missing or duplicated, or if any discrepancies are found the tenderer shall immediately notify the Contract Administrator.

### The tenderer shall not alter any text in the additional conditions of contract, the Site Information or Works Information, except as stated in order to develop ‘Schedule 4D - Works Information itemising quantity of work required’ into their Price List. Any other alteration or qualification made without written authority will be ignored and the text as originally printed will be adhered to.

### Should any alteration or addition to the documents issued to tenderers be deemed necessary by the *Employer* prior to the date for return of the tenders, it will be issued by, or on behalf of, the *Employer* in the form of a supplementary or amendment sheet or drawing. Tenderers will be required to acknowledge receipt of any such supplement, which will then be incorporated into the final contract.

### Tenderers will be required to provide a photocopy of their current CIS document with their tender submission. The successful tenderer will thereafter be required to produce the original certifying document before contract award. If the successful tenderer is unable to produce a valid document at the appropriate time the client reserves the right to award the contract to the next highest scoring tenderer.

### In developing the Price List from Schedule 4D, and hence arriving at their tender Prices, the tenderer must adhere to the following:

1. A price or rate shall be entered against each item in the Price List and any items not priced shall be deemed to have been allowed for in the other prices.
2. The grouping together of existing items from the original spreadsheet of Schedule 4D to give a single price is not permitted.
3. If the tenderer wishes, an item in the original spreadsheet of Schedule 4D may be broken down into not more than three sub-items. This may include separating out fixed and/or time related costs from quantity-related items in order to:
4. facilitate cash flow to the *Contractor* as work is completed; and
5. assist in the rapid and fair assessment of compensation events to take account of setting up, maintaining, moving, clearing away etc. costs.

### The tenderer should show their means of arriving at a price, so that they can be evaluated as part of the tender process and then equitably used.

### The tenderer must not state, in their Price List, assumptions that could be construed as qualifications to their bid as these potentially do not lead to a fair comparison of Prices between tenderers. Such assumptions will be treated as qualifications to a tender (see section below).

### Fluctuations or increases in prices charged to the *Contractor*’s Price List are not permissible as this is a fixed price tender.

### Where the price of items in Price List and the likely order of doing the work lead the *Employer* to believe that the tenderer has ‘frontloaded’ their Price List (to gain excessively positive cash flow which does not reflect the value of work delivered or approximately match the costs through time of doing the works), then this may render the tender liable to rejection.

### **Period of Validity of Tenders:** tenders must remain open for consideration (unless previously withdrawn) for not less than 120 days from the tender submission deadline.

### **Errors:** where examination of a tender which it is intended to accept reveals errors or discrepancies which would affect the tendered total of the Prices (or create uncertainty over these Prices), the tenderer will be given details of such errors and discrepancies and afforded an opportunity of confirming or amending his offer. Should the tenderer elect to amend his offer and the revised tender is no longer the lowest, the next tender, in competitive order, will be examined and dealt with in the same way.

### **Qualifications:** tenders shall be submitted strictly in accordance with this Invitation to Tender document and any qualifications to the tender shall render it liable to rejection. If there are any circumstances which give rise to doubt or uncertainty in the mind of the *Contractor* then these doubts shall be reconciled with or via the *Employer*’s representatives or agent before the tender is submitted.

### The following symbols and abbreviations are used in the Tendered Works Package:

|  |  |  |
| --- | --- | --- |
| m | = | metre |
| m2 | = | square metre |
| m3 | = | cubic metre |
| nr | = | number |
| kg | = | kilogramme |
| t | = | tonne |
| hr | = | hour |
| % | = | percentage |
| - | = | hyphen |
| mm | = | millimetres |

Where no suffix to a measurement is found, the measurement shall be deemed to be in millimetres.

### **Clarifications**: all contractor questions raised during the tender period must be emailed to procurement@royalparks.gsi.gov.uk. All questions and answers will be uploaded to the Contracts Finder web site. The deadline for questions is 5 days before tender return date.

### **Alterations**: the tenderer must not alter any of the documents in the Tender Works Package, except as necessary for completing the Contractor’s Offer. Should the tenderer make a change and not inform the *Employer*, and this change is then inadvertently incorporated into the contract, then the *Employer* shall consider this as misrepresentation in contract law.

### **Address label**: this is enclosed in the tender pack and must be used. Envelopes/packages should be plain and bear no reference to the tenderer's name; franking machines which automatically print the company name should not be used. Tenders without the label or in envelopes which in any way identify the tenderer will not be considered.

### **Contractor’s Offer**: the following must be submitted:

* Form of Tender
* Completed Tender Response Document
* Price List

### **Return of tenders:** it is tenderer’s responsibility to ensure that their tender is delivered no later than the appointed time. Tenders received after this time will automatically be rejected. Tenders are to be delivered to:

The Procurement Office

The Royal Parks

The Old Police House

Hyde Park

London

W2 2UH

**BY 14:00 ON MONDAY, 16TH JANUARY, 2017**

**NOTE:** couriers sometimes have difficulty locating our offices in the middle of Hyde Park, which must be approached from West Carriage Drive.

### **Number of tenders:** one electronic copy (our systems are compatible with Office 2007) of your tender should be submitted on CD-Rom or memory stick. Wherever possible, individual files should not exceed 10Mb in size.

### **email and fax:** tenders will not be considered if submitted by e-mail or fax.

### **Basis of prices:** all prices must be quoted on the basis indicated in the accompanying documents and should exclude VAT.

### **Incomplete tender:** tenders may not be considered if the complete information called for is not given at the time of tendering.

### **Guaranteed demand:** any references in the tender documentation to likely demand and available budget are for information purposes only. The *Employer* does not guarantee that any of the tenderers will be requested to provide any of the goods, services or works described in the Tender Work Package.

### **Confidentiality of tenders:** please note the following requirements, any breach of which will invalidate your tender:

1. You must not tell anyone else, even approximately, what your tendered total of the Prices is or will be, before the time limit for delivery of tenders. The only exception is if you need an insurance quotation to calculate your tendered total of the Prices: you may give your insurance company or brokers any essential information they ask for, so long as you do so in strict confidence.
2. You must not try to obtain any information about anyone else's tender or proposed tender before the time limit for delivery of tenders.
3. You must not make any arrangements with anyone else about whether or not they should tender, or about their or your tender price.

### **Extension of the tender period:** any request for an extension of the tender period must be received at least seven working days before the tender submission deadline, but no undertaking can be given that an extension will be granted.

### **Expenses and losses:** TRP will not be responsible for or pay any expenses or losses incurred by any tenderer in preparing its tender.

### **Freedom of Information Act:** we are committed to open government and to meeting our legal responsibilities under the Freedom of Information Act 2000. Accordingly, all information submitted to us may need to be disclosed by us in response to a request under the Act. We may also decide to include certain information in the publication scheme, which we maintain under the Act. If you consider that any of the information included in your tender is commercially sensitive, please identify it and explain (in broad terms) what harm may result from disclosure if a request is received, and the time period applicable to that sensitivity.

### **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. Contractors and those organizations looking to bid for public sector contracts should be aware that if they are awarded a new government contract, the resulting contract between the contractor 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.

### **Trading names/invoicing:** where invoices will be rendered by or payments are required to be made to an entity whose title differs in any respect from the title in which the tender is submitted, full details must be provided in a letter accompanying the tender. Successful tenderers who fail to provide this information at tender stage may well experience delays in settlement of their account.

1. Award Criteria

### The following price/quality ratio will be used to score all tenders:

|  |  |
| --- | --- |
| Quality | 40% |
| Price | 60% |

### The *Contractor*’s Offer will be assessed on the basis of the following weighted scoring example:

|  |  |  |  |
| --- | --- | --- | --- |
| **Criteria** | **Weighting** | **Sample score (0-4)** | **Weighted score** |
| Detailed method statement to include proposed arrangements, methods and materials for the construction of the works. It should detail procedures to ensure the specified parameters are met and the appropriate climatic conditions in which the surfacing can be laid. The method statement must indicate areas of work that will be sub-contracted and the names of sub-contractors who will be employed. | 2 | 3 | 6 |
| Contract resources/experience (provide CVs) for the team who will be dedicated to this contract, the appropriate Health and Safety requirements and training that personnel will undergo prior to working on site, and management structure. | 2 | 3 | 6 |
| Project plan showing key deliverables, allocated resources and critical path. | 2 | 3 | 3 |
| Please provide a construction phase Health and Safety plan tailored to this contract. | 1 | 3 | 3 |
| Environmental considerations to include but not be limited to: proposed materials; surface water discharge and flow; fleet and deliveries etc. | 1 | 3 | 3 |
| Proposed approach to quality management and assurance to include, but not be limited to: quality management systems; organisation of site management and supervision of workers and subcontractors. | 1 | 2 | 2 |
| TOTALout of a possible 36 maximum |  |  | 26 |
| **TOTAL QUALITY SCORE****out of a possible 40%** |  |  | **28.9%** |

### Each qualitative criterion will be scored on the following basis:

|  |  |
| --- | --- |
| **Score** | **Interpretation** |
| 0 | **Does not meet the requirement**Does not comply and/or insufficient information provided to demonstrate that the tenderer has the ability, understanding, experience, skills, resource and quality measures required to provide the supplies/services, with little or no evidence to support the response. |
| 1 | **Reflects limited understanding**Major reservations of the tenderer’s relevant ability, understanding, experience, skills, resource, and quality measures required to provide the supplies/services, with little or no evidence to support the response. |
| 2 | **Reflects adequate understanding**Some minor reservations of the tenderer’s relevant ability, understanding, experience, skills, resource, and quality measures required to provide the supplies/services, with little evidence to support the response. |
| 3 | **Good understanding and interpretation of requirements**Demonstration by the tenderer of the relevant ability, understanding, experience, skills, resource, and quality measures required to provide the supplies/services, with evidence to support the response. |
| 4 | **Excellent understanding and interpretation**Above average demonstration by the tenderer of the relevant ability, understanding, experience, skills, resource and quality measures required to provide the supplies/services. Response identifies factors that will offer potential added value, with evidence to support the response. |

### The price score shall be calculated as follows:

The lowest tendered price will be awarded the maximum price score. All other more expensively priced tenders will score proportionately less as follows:

|  |  |  |
| --- | --- | --- |
| **Tenderer** | **Tendered price** | **Score out of 60% max** |
| A | £100 | 60.0% |
| B | £200 | 30.0% |
| C | £300 | 20.0% |

1. Notes on the Method Statement

The tenderer shall clearly state the length of time required for the macadam to cure before the colour coating can be applied and also state the length of cure time following colour coating and line marking application before the courts can be put into use.

For the Hyde Park Tennis Centre (Lot 2), the tenderer shall provide a plan as part of its method statement of its proposed design for installing a perimeter drainage system around the courts and MUGA connected to a new soak away.

1. Notes on Pricing

The tenderer:

1. shall seek a price from Verde padel and include within its tender price together with the overhead for managing Verde on site.
2. shall provide a rate for a membrane type root barrier in case it is required (this will not to be included in the tender sum).
3. is at liberty to include a price for the lighting from a sub-contractor of its choice as long as the column layout, height of columns and performance requirements of the design as specified are followed.
4. shall include a price for the specialist sub-contractor Verde Padel to supply and install the posts and Padel glass walls and should contact Verde to discuss their requirements in more detail.