



Invitation to Tender (ITT) Professional Services Brief: HMS Warrior Interpretative Planner

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Contents

1. Summary Instructions and Details of Contract	3
2. Company Overview	4
3. Project Introduction & Overview	4
4. Tender Process (“Procurement Process”)	5
4.1 Applying before the Submission Deadline	5
4.2 Instructions for Submitting Tenders	6
4.3 Clarification Requests	7
4.4 Evaluation Criteria	7
Annex 1 - Tender Specification	10
1. Scope of Work	10
2. Deliverables	11
Annex 2 – Supplier Response	13
Annex 3 – Pricing Approach	15
Annex 4 – Tender Conditions & Contractual Requirements	17
Annex 5 - T&Cs (Separate Document)	
Annex 6 - HMS Warrior Guiding Principles of Interpretation (Separate Document)	

1. Summary Instructions and Details of Contract

SUBJECT	DETAILS
Contract Description	The National Museum of the Royal Navy (NMRN) wishes to appoint an experienced consultant to work with the Museum's curatorial and learning staff to create an exciting Interpretation Strategy for the reinterpretation of HMS Warrior. (For Specification on the Scope of Work and Deliverables see Annex 1)
Programme	To be completed as part of the HLF-funded project ' <i>Revealing the Secrets of Shipwrights & Sailors</i> '
NMRN Contact during tender period	Clarifications and enquiries during the tender process can be sent to HST.procurement@nmrn.org.uk . Please note that this email address is different to the submission email.
Date of Tender Return	Monday 4 th December 2017, 12:00 Tender's must be submitted to tenders@nmrn.org.uk
Content for Submission	Content requirements for tender returns are listed in Annex 2 of this ITT.
Last date for Clarifications	Tuesday 28 th November 2017, 12:00
Annexes	Annex 1 – Tender Specification Annex 2 – Supplier Response Documents Annex 3 – Pricing Approach Annex 4 – Tender Conditions & Contractual Requirements Annex 5 – Terms and Conditions of Contract (separate document)

2. Company Overview

- 2.1 The National Museum of the Royal Navy (NMRN) spans a number of sites across the UK, detailing the past, present and future of the Royal Navy. The Museum boasts the largest fleet of historic vessels in the world, the most well-known being HMS Victory, HMS Caroline, HMS Warrior, HMS Trincomalee and HMS Alliance. These ships are managed and cared for by the Historic Ships Team within the Heritage Directorate, who promote Heritage Best Practise in the conservation and care of historic vessels.

3. Project Introduction & Overview

- 3.1. Launched in 1860, HMS Warrior, was the pride of Queen Victoria's Navy". Today she is moored near the entrance to the Historic Dockyard in Portsmouth where she serves as one of the most popular heritage attractions. Warrior's significance is acknowledged by her designation as a national historic ship of local, regional, national and world significance. She is listed on the National Register of Historic Vessels (NRHV) as a member of The National Historic Fleet. These are the 200 or so most significant historic vessels which are distinguished by:

- Being of pre-eminent national or regional significance
- Spanning the spectrum of UK maritime history
- Illustrating changes in construction and technology
- Meriting a higher priority for long term conservation

Warrior ranks as one of the most eminent ships in that elite group for a number of reasons but ultimately, at the time of her build, she represented a revolution step change in warship design which changed the way future ships were conceived, designed and built. Constructed at a time of transition from sail to steam, Warrior and her sister ship Black Prince were the fastest, largest, strongest and most powerfully- armed warships in the world, and confirmed Britain's place as the ruler of the waves.

Delivery of a new interpretative approach and improved visitor experience forms one of the key aims of the HLF funded HMS Warrior 1860 - Revealing the secrets of shipwrights and sailors project. In March 2015, WPT received a Second Round Heritage Grant from HLF based on a number of key proposals including a detailed Interpretation Plan which focussed on providing:

- New interpretation, signage and inter-actives throughout the ship with a new deck plan and family trail.
- New interpretation along the adjacent jetty.

For a variety of reasons, post HLF award, the interpretation approach has been through a number of revisions, the interpretative side of the project has stalled and not moved forward in line with the ship repair aspects of the project; the latter is due to complete in May 2018.

Since drafting of the original Interpretation Plan (late 2014), major changes have taken place within the dockyard. In particular:

- HMS M33 has opened to visitors delivering an award winning visitor experience.
- HMS Victory has undergone a £600,000 reinterpretation.
- The final iteration of the Mary Rose Museum has opened to visitors.

Over the next few years, further major change to the historic dockyard will be delivered:

- Relocation of the Royal Marines Museum to the dockyard.
- The opening of a yet-to-be-named centre for discovery in the present NMRN library building.

More widely, a number of projects have been completed by NMRN that can provide valuable lessons to the way a historic ship can be interpreted:

- HMS Alliance, Gosport reopened to the public in April 2014
- HMS Caroline opened to the public in Belfast in June 2016.

These changes have fundamentally altered the nature of a visitor's experience of the historic dockyard (and in particular the ships), have set new standards for the interpretation of historic ships both within and without the dockyard and, with the addition of the forthcoming new Royal Marines Museum and Centre for Discovery, will alter greatly a visitor's experience of the historic dockyard.

The merger of the HMS Warrior Preservation Trust (WPT) with the NMRN in July 2017 has brought about considerable organisational change and provides an opportunity to reconsider and revitalise the visitor experience to this iconic historic ship based on a new coherent and compelling interpretative narrative.

- 3.2 In response to this, the NMRN wishes to commission the preparation of an Interpretation Strategy for HMS Warrior that develop a strong, coherent and compelling narrative that drives the interpretive approach to maximise visitor enjoyment, engagement with and understanding of the ship's powerful heritage. The Strategy should also embed Warrior within a wider visit to the Historic Dockyard and take full account of recent and future developments within Portsmouth Historic Dockyard (PHD).
- 3.3 The purpose and scope of this ITT and its supporting documents is to explain in further detail the requirements of the NMRN and the procurement process for submitting a tender proposal.

4. Tender Process (“Procurement Process”)

This section explains the Procurement Process for tenderers before the submission deadline and the evaluation of tenders after submission. Further information on Tender Conditions & Contractual Requirements are found in Annex 4 and must be read before submission.

4.1 Applying before the Submission Deadline

4.1.1 Work Specification

The NMRN wishes to appoint an experienced consultant to work with the Museum's curatorial and learning staff to create an exciting Interpretation Strategy for the reinterpretation of HMS Warrior. For a full, detailed specification of the services required refer to Annex 1.

4.1.2 Key background documents

Further relevant background documents may be provided to the potential suppliers on request.

The following additional documentation / information can provided as part of this ITT:

- HMS Warrior Activity Plan; October 2014; Conservation Plus
- BDRC Portsmouth Historic Dockyard Baseline research; 2011; BDRC Continental

- Audience Segmentation Portsmouth Historic Dockyard; Sept 2015; BDRC Continental

Consultations and site visits are available for contractors before tender submission. Please contact HST.Procurement@NMRN.org.uk to arrange.

4.1.3 Timescales

Subject to any changes notified to potential suppliers by the NMRN in accordance with the Tender Conditions, the following timescales shall apply to this Procurement Process:

Activity	Date / time
Issue of Contract Notice / availability of ITT documents	Friday 3 rd November 2017, 12:00
Deadline for clarification questions (Clarification Deadline)	Tuesday 28 th November 2017, 12:00
Deadline for submission of ITT responses by potential suppliers (Tender Response Deadline)	Monday 4 th December 2017, 12:00
Award decision standstill letters issued	Monday 11 th December 2017
Contract concluded with winning supplier	Thursday 21 st December 2017
Contract start date	Tuesday 2 nd January 2018

4.2. Instructions for Submitting Tenders

- 4.2.1 The documents that must be submitted to form your tender response are listed in Annex 2 (Supplier Response) to this ITT.
- 4.2.2 Tender submissions must be sent to tenders@nmrn.org.uk before the submission deadline.
- 4.2.3 The following requirements should be complied with when submitting your response to this ITT:
- Please ensure that you send your submission in good time to prevent issues with technology – late tender responses may be rejected by the NMRN.
 - Please ensure that information provided as part of your response is of sufficient quality and detail that an informed assessment of it can be made by the NMRN.
 - Do not submit any additional supporting documentation with your ITT response except where specifically requested to do so as part of this ITT. PDF, JPG, PPT, Word and Excel formats can be used for any additional supporting documentation (other formats should not be used without the prior written approval of the NMRN).
 - All attachments/supporting documentation should be provided separately to your main tender response and clearly labelled to make it clear as to which part of your tender response it relates.
 - If you submit a generic policy / document you must indicate the page and paragraph reference that is relevant to a particular part of your tender response.
 - Unless otherwise stated as part of this ITT or its Annexes, all tender responses should be in the format of the relevant NMRN requirement with your response to that requirement inserted underneath.

- Where supporting evidence is requested as 'or equivalent' – you must demonstrate such equivalence as part of your tender response.
- Any deliberate alteration of an NMRN requirement as part of your tender response will invalidate your tender response to that requirement and for evaluation purposes you shall be deemed not to have responded to that particular requirement.
- Responses should be concise, unambiguous, and should directly address the requirement stated.
- Your tender responses to the tender requirements and pricing will be incorporated into the Contract, as appropriate.

4.3. Clarification Requests

- 4.3.1 All clarification requests should be submitted to HST.Procurement@NMRN.org.uk by the Clarification Deadline, as set out in the Timescales section of this ITT. The NMRN is under no obligation to respond to clarification requests received after the Clarification Deadline.
- 4.3.2 Any clarification requests should clearly reference the appropriate paragraph in the ITT documentation and, to the extent possible, should be aggregated rather than sent individually.
- 4.3.3 The NMRN reserves the right to issue any clarification request made by you, and the response, to all potential suppliers unless you expressly require it to be kept confidential at the time the request is made. If the NMRN considers the contents of the request not to be confidential, it will inform you and you will have the opportunity to withdraw the clarification query prior to the NMRN responding to all potential suppliers.
- 4.3.4 The NMRN may at any time request further information from potential suppliers to verify or clarify any aspects of their tender response or other information they may have provided. Should you not provide supplementary information or clarifications to the NMRN by any deadline notified to you, your tender response may be rejected in full and you may be disqualified from this Procurement Process.

4.4. Evaluation Criteria

- 4.4.1 You will have your tender response evaluated as set out below:

Stage 1: Tender responses will be checked to ensure that they have been completed correctly and all necessary information has been provided. Tender responses correctly completed with all relevant information being provided will proceed to Stage 2. Any tender responses not correctly completed in accordance with the requirements of this ITT and/or containing omissions may be rejected at this point. Where a tender response is rejected at this point it will automatically be disqualified and will not be further evaluated.

Stage 2: If a bidder succeeds in passing Stage 1 of the evaluation, then it will have its detailed tender response to the NMRN's requirements evaluated in accordance with the evaluation methodology set out below.

- 4.4.2 Award Criteria – Responses from potential suppliers will be assessed to determine the most economically advantageous tender using the following criteria and weightings and will be assessed entirely on your response submitted:

Criteria	Weighting
Quality of Method & Approach	70%
Commercial/ Value for Money	30%

4.4.3 Scoring Model – Tender responses will be subject to an initial review at the start of Stage 2 of the evaluation process. Any tender responses not meeting mandatory requirements or constraints (if any) will be rejected in full at this point and will not be assessed or scored further. Tender responses not so rejected will be scored by an evaluation panel appointed by the NMRN for all criteria other than Commercial using the following scoring model:

Points	Interpretation
0	Very Poor (does not meet any of the requirement) or Very High/Extreme Risk The response is significantly below what would be expected because of one or all of the following: <ul style="list-style-type: none"> • The response indicates a significant lack of understanding • The response fails to meet the requirement
1	Poor (meets some of the requirement) or Above Average/High Risk The response meets elements of the requirement but gives concern in a number of significant areas. There are reservations because of one or all of the following: <ul style="list-style-type: none"> • There is at least one significant issue needing considerable attention • There is insufficient evidence to demonstrate competence or understanding • The response is light and unconvincing
4	Fair (meets most, but not all the requirement) or Average Risk The response meets most of the requirement, but there is a least one significant issue of concern or several smaller issues. These would require some further clarification or attention later in the procurement process and may arise through lack of demonstrated capability and/or appropriate evidence. The response therefore shows: <ul style="list-style-type: none"> • Basic understanding of the requirements • Sufficient competence demonstrated through relevant experience • Some areas of concern that require attention
7	Good (meets the requirement) or Low Risk The response broadly meets what is expected for the criteria. There are no significant areas of concern, although there might be limited minor issues that need further exploration or attention later in the procurement process. The response therefore shows: <ul style="list-style-type: none"> • Good understanding of the requirements • Sufficient competence demonstrated through relevant experience • Some insight demonstrated into the relevant issues.
9	Very Good (exceeds the requirement) or Very Low Risk The response exceeds what is expected for the criteria. Leave no doubt as to the capability and commitment to deliver what is required. The response therefore shows: <ul style="list-style-type: none"> • Very good understanding of the requirement • Considerable competence demonstrated through relevant experience • Considerable insight into the relevant issues The response is also likely to propose additional value in several respects above that expected

4.4.4 Quality & Method of Approach Evaluation 70%

The Quality & Method of Approach will be evaluated using the following criteria by the evaluation panel:

Criteria	Weighting %
Previous experience of developing successful Interpretation Strategies/ Plans for historic ships, museums or heritage sites.	20
Track record of developing interpretation/exhibition projects of a similar scale and complexity, ideally within a multi-partner/asset environment.	20
Previous relevant HLF experience.	15
Methodology.	15
Total	70%

4.4.4 Commercial Evaluation 30% – Your “Overall Price” (as calculated in accordance with requirements of Annex 2 (Pricing Approach) for the goods and/or services will be evaluated by the evaluation panel for the purposes of the commercial evaluation. Prices must not be subject to any pricing assumptions, qualifications or indexation not provided for explicitly by the NMRN as part of the pricing approach. In the event that any prices are expressed as being subject to any pricing assumptions, qualifications or indexation not provided for by the NMRN as part of the pricing approach, the NMRN may reject the full tender response at this point. The NMRN may also reject any tender response where the Overall Price for the goods and/or services is considered by the NMRN to be abnormally low following the relevant processes set out under the EU procurement rules. A maximum offer score will be awarded to the tender response offering the lowest “Overall Price”.

4.4.5 Moderation and application of weightings – The evaluation panel appointed for this procurement will meet to agree and moderate scores for each award criteria. Final scores in terms of a percentage of the overall tender score will be obtained by applying the relevant weighting factors set out as part of the award criteria table above. The percentage scores for each award criteria will be amalgamated to give a percentage score out of 100.

4.4.6 Interview – Following the desktop assessment, NMRN reserves the right to interview selected candidates only. Interviews will be used to clarify and validate information received in the tender submission and scores may be adjusted accordingly. Interviews will not be scored in their own right.

4.4.6 The winning tender response – The winning tender response shall be the tender response scoring the highest percentage score out of 100 when applying the above evaluation methodology

Annex 1 - Tender Specification

The following sets out a full, detailed specification of the services required by the potential supplier as part of this ITT.

1. Scope of Work

1) Develop an Interpretation Strategy for HMS Warrior.

We anticipate that this work will draw on the existing Activity Plan consultation carried out in late 2014, and develop the work further through discussion and workshops with NMRN staff, trustees and other key stakeholders in PHD.

It is not envisaged that the consultation exercise will be an overly extensive piece of work as the current Activity Plan and detailed appendices (available on request) were informed by wide ranging consultation with:

- Visitors
- Local community group leaders
- Educational establishments: local teachers, University of Portsmouth
- WPT Volunteers, Staff and casual staff/freelancers
- Mary Rose Trust
- Wider heritage organisations (including Chatham Dockyard)

However, the significant changes noted in the Brief at 3.1 above have taken place since the Activity Plan consultation was undertaken, whilst consultation with the NMRN is a notable gap in the detailed Activity Plan. Further consultation should, therefore, fully consider recent and future changes within the Dockyard offer and the impact upon visitors, and reflect the changes in Warrior's governance structure. The various HLF Second Round submission documents also outline the key audiences, both current and future, barriers and what currently works well.

The Interpretation Strategy must respect and understand that HMS Warrior is a ship and not a set of museum galleries. The Interpretation Strategy should be informed by the set of Guiding Principles of Interpretation at Annex 6. The NMRN is open to being challenged on the Guiding Principles and welcomes robust discussion.

2) Next Steps

Work closely with the NMRN'S external Project Managers (Conservation Plus) to develop a brief for the appointment of Interpretation Designers and/or contractor to deliver the interpretation and fit out works.

The Interpretation Strategy is not expected to commence or provide concept or detailed design drawings. The emphasis with this work is to ensure that any emerging interpretation is fully informed by the Interpretation Plan.

The subsequent design and fit out procurement strategy will be developed in discussion with the Interpretation Planner, Project Manager and the NMRN's Project Director following completion of the Interpretation Strategy.

3) Ongoing Involvement

It is anticipated that the successful consultant will stay involved with the project through procurement, detailed design and off-site production to ensure the vision of the Interpretation Strategy is maintained throughout. A fee and scope will be agreed for this in due course but for the sake of tender pricing please allow a minimum of 1 day per month for the period May 2018 - February 2019).

2. Deliverables

1) Interpretation Strategy Document

As a minimum the Interpretation Strategy should include:

- Background and Context (including Executive Summary, Introduction, Current Situation)
- Aims and objectives of the interpretation (what we specifically want people to experience, learn, feel and do as a result of the interpretation etc).
- Content Parameters (i.e being clear on the interpretative boundaries/scope for the ship and its collections rather than sweeping historic narratives which the collections cannot support).
- Audiences (key Issues and Barriers, Current, target and learning audiences etc)
- Interpretative Narrative
- Themes and Stories (key messages, GLOs and a summary description for each separate deck/area. Story suggestions with recommendations)
- Identify and suggest outline methods, approaches and media for interpreting each theme/story.

2) Next Steps

Support to NMRN to develop a brief for the appointment of Interpretation Designers and/or contractor to deliver the interpretation and fit out works.

3) Ongoing Involvement

Support throughout procurement, detailed design and off-site production. A fee and scope will be agreed for this in due course but for the sake of tender pricing please allow a minimum of 1 day per month for the period May 2018 - February 2019).

3. Additional Requirements

The Consultant should have:

- A proven track record of developing Interpretation Strategies/Plans for historic ships, museums or heritage sites.
- Considerable experience of implementing successful interpretation schemes for HLF funded projects.
- Experience of working closely alongside client teams (curatorial, learning and conservation staff) and external Project Managers to deliver a well coordinated and outstanding final scheme.
- Demonstrable experience of developing and enhancing the visitor offer within a broader and complex heritage site that includes several heritage attractions.

Budget:

- The budget for fit out of the final interpretation scheme is approximately £275,000 (excluding VAT and professional fees).

Programme

- It is anticipated that the new Interpretation Strategy will be completed by April 2018.
- Implementation of the plan will proceed throughout 2018 with a view to the new interpretative offer being completed no later than February 2019.

Annex 2 – Supplier Response

Part 1: Checklist

Below is a checklist of the desired content of the tender response to this ITT, in reference to the Specification in Annex 1:

Ref	Content	Ref	Detail	✓
1	Details of tendering organisation	1.1	Name of company	<input type="checkbox"/>
		1.2	Legal status (e.g. limited company, partnership, etc.)	<input type="checkbox"/>
		1.3	Company registration number (if applicable)	<input type="checkbox"/>
		1.4	Office Address	<input type="checkbox"/>
		1.5	Name and Contact Details of main contact for tender	<input type="checkbox"/>
		1.6	The professional skills and qualifications of people involved in the project, including the names and CV's of proposed team members, their specific responsibilities and any arrangements for subcontracting.	<input type="checkbox"/>
2	CVs & Qual.s	2.1	Descriptions (no more than 200 words each) of up to three projects for which your named Interpretative Planner has developed and written the Interpretation Strategy/Plan. Please include names and contact details of the client lead, project manager or lead consultant to whom we may refer in connection with these projects. You may include an electronic copy of one recent Interpretation Plan within with your submission.	<input type="checkbox"/>
		2.2	Provide a list of all other HLF-funded projects with which you have been involved stating briefly your team's role in these projects.	<input type="checkbox"/>
3	Methods	3.1	Outline your proposed methodology for delivering the work within time, quality and budget parameters, giving consideration to the particular nature of the HMS Warrior and Portsmouth Historic Dockyard project. This should explain how you will work with the client in order to maximise a partnership and consultative approach to develop the right solution for this project. Consultants may wish to outline their expectations of the client team.	<input type="checkbox"/>
4	Schedule Work Programme	4.1	Scheduled work programme (in days) for all stages of the work with milestones and dates.	<input type="checkbox"/>
5	Costs (see Annex 3 for Pricing Approach)	5.1	A breakdown of costs for the work and materials as specified in Annex 1.	<input type="checkbox"/>
		5.2	Any travel, subsistence and accommodation cost for the work proposed in Annex 1.	<input type="checkbox"/>
		5.3	Schedule of hourly rates for the proposed labour, including sub-contractors	<input type="checkbox"/>

Part 2: Confidential/Commercially Sensitive Document Template

Below is a recommended template to allow potential suppliers to indicate any confidential/commercially sensitive information in accordance with the requirements of the Confidentiality and Information Governance section of this ITT.

Specify the precise elements which are considered confidential and/or commercially sensitive

Why do you consider an exemption under the POIA or EIR would apply?

Specify the estimated length of time during which the exemption will apply

Annex 3 – Pricing Approach

The following sets out information and a recommended template for the content and format of the pricing proposals for a bid.

Information

The potential supplier is requested to use terminology consistent with this ITT.

All pricing should be in Pound Sterling (GBP) and Exclusive of VAT.

As part of this ITT the NMRN require two types of pricing proposals;

- 1) A breakdown of costs for the works specified within this ITT (see Annex 1)
- 2) A breakdown of hourly costs for the supplier and any subcontractors, including any travel, subsistence and accommodation.

Template

- 1) A breakdown of costs for the works specified within this ITT

The following is a template for the fee proposal breakdown. It is recommended that this breakdown should include reference the scheduled works programme, bringing in milestones and dates. Please note this template is a guidance document and therefore is not all encompassing. Stages and Tasks can be added or removed by tenderers where seen fit:

Item	Description	Staff Member	Days	Cost (£) (Lump Sum)	Program & Milestone
1	Stage 1 – [insert]				
1.1	[detail stage 1]		0.25	£X	Week commencing (w/c)
1.2			-		w/c -
2	Stage 2				
2.1					w/c
2.2					
2.3					
	<i>Half-way stage invoice</i>				
3	Stage 3				
3.1					w/c
3.2					
4	Stage 4				
4.1					
4.2					
5	Stage 5				
5.1					
6	Revisions to draft				
7	Publication & Printing				

8	Submission of final				
	<i>Final invoice</i>				
TOTAL (EXC. VAT)			X Days	£X	w/c – w/end

- 2) A breakdown of hourly costs for the supplier and any subcontractors, including travel, subsistence and accommodation..

Below is a desired template of daily rate costs from the supplier and their sub-contractors:

Staff Member	Daily Rate (£)	Travel (per day or per visit) (£)	Accommodation (per night) (£)	Subsistence (per day) (£)
	£X	£X	£X	£X
	£X	£X	£X	£X
	£X	£X	£X	£X

Annex 4 – Tender Conditions & Contractual Requirements

1. Contracting requirements

1.1 The contracting authority is NMRN Operations, or any NMRN subsidiary companies and other organisations that control or are controlled by the NMRN from time to time.

1.2 The appointed supplier will be expected to travel to NMRN Portsmouth

1.3 The NMRN's contracting and commercial approach in respect of the required goods and/or services is set out at Annex 5 (Terms and Conditions of contract) ("**Contract**"). By submitting a tender response, you are agreeing to be bound by the terms of this ITT and the Contract without further negotiation or amendment.

1.4 The Contract awarded will be for a duration as quantified by the tenderer during the tendering process with an option for an extension if the need arises and on permission by the NMRN.

1.5 In the event that you have any concerns or queries in relation to the Contract, you should submit a clarification request in accordance with the provisions of this ITT by the Clarification Deadline (as defined below in the Timescales section of this ITT). Following such clarification requests, the NMRN may issue a clarification change to the Contract that will apply to all potential suppliers submitting a tender response.

1.6 The NMRN is under no obligation to consider any clarifications / amendments to the Contract proposed following the Clarification Deadline, but before the Tender Response Deadline (as defined below in the Timescales section of this ITT). Any proposed amendments that are received from a potential supplier as part of its tender response shall entitle the NMRN to reject that tender response and to disqualify that potential supplier from this Procurement Process.

2. Policy Requirements

2.1 By submitting a tender response in connection with this Procurement Process, potential suppliers confirm that they will, and that they shall ensure that any consortium members and/or subcontractors will, comply with all applicable laws, codes of practice, statutory guidance and applicable NMRN policies relevant to the goods and/or services being supplied.

2.2 For the successful delivery of the work the tenderer should have an in-depth understanding of interpretive planning.

2.3 The tenderer must also comply with IOSH Health & Safety Standards when on the NMRN's site and when undertaking the tendered work [<http://www.iosh.co.uk/>]. When working in confined spaces or at height, the contractor and/or any sub-contractor must have the necessary relevant training in confined spaces and/or working at height before work commences.

2.4 The Copyright of any information and/or data generated by the awarded supplier as part of the works as set out in this ITT shall be considered as under the ownership of the NMRN.

3. General Tender Conditions ("**Tender Conditions**")

3.1 Application of these Tender Conditions – In participating in this Procurement Process and/or by submitting a tender response it will be implied that you accept and will be bound by all the provisions

of this ITT and its Annexes. Accordingly, tender responses should be on the basis of and strictly in accordance with the requirements of this ITT.

3.2 Third party verifications – Your tender response is submitted on the basis that you consent to the NMRN carrying out all necessary actions to verify the information that you have provided, and the analysis of your tender response being undertaken by one or more third parties commissioned by the NMRN for such purposes.

3.3 Information provided to potential suppliers – Information that is supplied to potential suppliers as part of this Procurement Process is supplied in good faith. The information contained in the ITT and the supporting documents and in any related written or oral communication is believed to be correct at the time of issue but the NMRN will not accept any liability for its accuracy, adequacy or completeness and no warranty is given as such. This exclusion does not extend to any fraudulent misrepresentation made by or on behalf of the NMRN.

3.4 Potential suppliers to make their own enquires – You are responsible for analysing and reviewing all information provided to you as part of this Procurement Process and for forming your own opinions and seeking advice as you consider appropriate. You should notify the NMRN promptly of any perceived ambiguity, inconsistency or omission in this ITT and/or any in of its associated documents and/or in any information provided to you as part of this Procurement Process.

3.5 Amendments to the ITT – At any time prior to the Tender Response Deadline, the NMRN may amend the ITT. Any such amendment shall be issued to all potential suppliers, and if appropriate to ensure potential suppliers have reasonable time in which to take such amendment into account, the Tender Response Deadline shall, at the discretion of the NMRN, be extended. Your tender response must comply with any amendment made by the NMRN in accordance with this paragraph 3.3.5 or it may be rejected.

3.6 Compliance of tender response submission – Any goods and/or services offered should be on the basis of and strictly in accordance with the ITT (including, without limitation, any specification of the NMRN's requirements, these Tender Conditions and the Contract) and all other documents and any clarifications or updates issued by the NMRN as part of this Procurement Process.

3.7 Format of tender response submission – Tender responses must comprise the relevant documents specified by the NMRN completed in all areas and in the format as detailed by the NMRN in Annex 2 (Supplier Response). Any documents requested by the NMRN must be completed in full. It is, therefore, important that you read the ITT carefully before completing and submitting your tender response.

3.8 Modifications to tender response documents once submitted – You may modify your tender response prior to the Tender Response Deadline by giving written notice to the NMRN. Any modification should be clear and submitted as a complete new tender response in accordance with Annex 2 (Supplier Response) and these Tender Conditions.

3.9 Rejection of tender responses or other documents – A tender response or any other document requested by the NMRN may be rejected which:

- contains gaps, omissions, misrepresentations, errors, uncompleted sections, or changes to the format of the tender documentation provided;
- contains hand written amendments which have not been initialled by the authorised signatory;

- does not reflect and confirm full and unconditional compliance with all of the documents issued by the NMRN forming part of the ITT;
- contains any caveats or any other statements or assumptions qualifying the tender response that are not capable of evaluation in accordance with the evaluation model or requiring changes to any documents issued by the NMRN in any way;
- is not submitted in a manner consistent with the provisions set out in this ITT;
- contains information which is inconsistent with answers already given in the pre-qualification questionnaire completed as part of this Procurement Process or;
- is received after the Tender Response Deadline.

3.10 Disqualification – If you breach these Tender Conditions, if there are any errors, omissions or material adverse changes relating to any information supplied by you at any stage in this Procurement Process, if any other circumstances set out in this ITT, and/or in any supporting documents, entitling the NMRN to reject a tender response apply and/or if you or your appointed advisers attempt:

- to inappropriately influence this Procurement Process;
- to fix or set the price for goods or services;
- to enter into an arrangement with any other party that such party shall refrain from submitting a tender response;
- to enter into any arrangement with any other party (other than another party that forms part of your consortium bid or is your proposed sub-contractor) as to the prices submitted;
- to collude in any other way;
- to engage in direct or indirect bribery or canvassing by you or your appointed advisers in relation to this Procurement Process; or
- to obtain information from any of the employees, agents or advisors of the NMRN concerning this Procurement Process (other than as set out in these Tender Conditions) or from another potential supplier or another tender response,

the NMRN shall be entitled to reject your tender response in full and to disqualify you from this Procurement Process. Subject to the “Liability” Tender Condition below, by participating in this Procurement Process you accept that the NMRN shall have no liability to a disqualified potential supplier in these circumstances.

3.11 Tender costs – You are responsible for obtaining all information necessary for preparation of your tender response and for all costs and expenses incurred in preparation of the tender response. Subject to the “Liability” Tender Condition below, you accept by your participation in this procurement, including without limitation the submission of a tender response that you will not be entitled to claim from the NMRN any costs, expenses or liabilities that you may incur in tendering for this procurement irrespective of whether or not your tender response is successful.

3.12 Rights to cancel or vary this Procurement Process - By issuing this ITT, entering into clarification communications with potential suppliers or by having any other form of communication with

potential suppliers, the NMRN is not bound in any way to enter into any contractual or other arrangement with you or any other potential supplier. It is intended that the remainder of this Procurement Process will take place in accordance with the provisions of this ITT but the NMRN reserves the right to terminate, suspend, amend or vary (to include, without limitation, in relation to any timescales or deadlines) this Procurement Process by notice to all potential supplier in writing. Subject to the “Liability” Tender Condition below, the NMRN will have no liability for any losses, costs or expenses caused to you as a result of such termination, suspension, amendment or variation.

3.13 Consortium Members and sub-contractors – It is your responsibility to ensure that any staff, consortium members, sub-contractors and advisers abide by these Tender Conditions and the requirements of this ITT.

3.14 Liability – Nothing in these Tender Conditions is intended to exclude or limit the liability of the NMRN in relation to fraud or in other circumstances where the NMRN’s liability may not be limited under any applicable law.

4. Mandatory Requirements / Constraints

4.1 As part of your tender response, you must confirm that you meet the mandatory requirements / constraints, if any, as set out in the NMRN’s specification forming part of this ITT. A failure to comply with one or more mandatory requirements or constraints shall entitle the NMRN to reject a tender response in full.

5 Confidentiality and Information Governance

5.1 All information supplied to you by the NMRN, including this ITT and all other documents relating to this Procurement Process, either in writing or orally, must be treated in confidence and not disclosed to any third party (save to your professional advisers, consortium members and/or sub-contractors strictly for the purposes only of helping you to participate in this Procurement Process and/or prepare your tender response) unless the information is already in the public domain or is required to be disclosed under any applicable laws.

5.2 You shall not disclose, copy or reproduce any of the information supplied to you as part of this Procurement Process other than for the purposes of preparing and submitting a tender response. There must be no publicity by you regarding the Procurement Process or the future award of any contract unless the NMRN has given express written consent to the relevant communication.

5.3 This ITT and its accompanying documents shall remain the property of the NMRN and must be returned on demand.

5.4 The NMRN reserves the right to disclose all documents relating to this Procurement Process, including without limitation your tender response, to any employee, third party agent, adviser or other third party involved in the procurement in support of, and/or in collaboration with, the NMRN. The NMRN further reserves the right to publish the Contract once awarded and/or disclose information in connection with supplier performance under the Contract in accordance with any public sector transparency policies (as referred to below). By participating in this Procurement Process, you agree to such disclosure and/or publication by the NMRN in accordance with such rights reserved by it under this paragraph.

5.5 The use of blanket protective markings of whole documents such as “commercial in confidence” will not be sufficient. By participating in this Procurement Process you agree that the NMRN should not and will not be bound by any such markings.

5.6 In addition, marking any material as “confidential” or “commercially sensitive” or equivalent should not be taken to mean that the NMRN accepts any duty of confidentiality by virtue of such marking. You accept that the decision as to which information will be disclosed is reserved to the NMRN, notwithstanding any consultation with you or any designation of information as confidential or commercially sensitive or equivalent you may have made. You agree, by participating further in this Procurement Process and/or submitting your tender response, that all information is provided to the NMRN on the basis that it may be used by the NMRN in accordance with the provisions of this ITT.

5.7 Tender responses are also submitted on the condition that the appointed supplier will only process personal data (as may be defined under any relevant data protection laws) that it gains access to in performance of this Contract in accordance with the NMRN’s instructions and will not use such personal data for any other purpose. The contracted supplier will undertake to process any personal data on the NMRN’s behalf in accordance with the relevant provisions of any relevant data protection laws and to ensure all consents required under such laws are obtained.

6. Tender Validity

6.1 Your tender response must remain open for acceptance by the NMRN for a period of ninety days from the Tender Response Deadline. A tender response not valid for this period may be rejected by the NMRN;

7. Payment and Invoicing

7.1 The NMRN will pay correctly addressed and undisputed invoices within 30 days in accordance with the requirements of the Contract. Suppliers to the NMRN must ensure comparable payment provisions apply to the payment of their sub-contractors and the sub-contractors of their sub-contractors. General requirements for an invoice for the NMRN include:

- A description of the good/services supplied is included.
- The NMRN’s reference number/Purchase Order number is included.
- The address must reflect that supplied on the NMRN Purchase Order.