

## University Hospitals Birmingham NHSFT

## Invitation to tender Restricted Procedure - Express Interest and Pre-Qualification Questions response for **PET Centre Enabling Scheme - QEH**

.

## PQQ Ref Number: itt\_C163030

## **(**PROC.04.0202)

## Deadline for Responses and Express of Interest to be received: **16.05.2022 at 12:00**

## **SECTION A – INSTRUCTIONS AND INFORMATION**

## TABLE OF CONTENTS

[1 INTRODUCTION AND BACKGROUND 1](#_Toc412715221)

[2 TENDER TIMETABLE 4](#_Toc412715222)

[3 INSTRUCTIONS TO BIDDERS 6](#_Toc412715223)

[4 PQQ EVALUATION METHODOLOGY AND CRITERIA 11](#_Toc412715224)

[ANNEX A1 JCT Standard Form with Contractors Design 16](#_Toc412715226)

1. INTRODUCTION AND BACKGROUND
   1. The University Hospitals Birmingham NHSFT (the "**Authority**") is issuing this invitation to Pre-Qualification Questions selection process ("**PQQ**") in connection with the competitive procurement – Restricted Procedure - for New Pet Scanner Facility, Old QE Building, Queen Elizabeth Hospital.

The works comprise the refurbishment of the Old Kitchen facility in the old QE Building, primarily on the lower ground floor to accommodate a Pet Scanner Facility with supporting accommodation. Surrounding the site the buildings are 7 storey’s including the lower ground. The proposal for the PET Scanner Suite has been designed by the Trusts appointed design team.

The project is considered by the Trust to be complex.

The Works site is fully enclosed by ongoing hospital activities, which are also ongoing in all the building storeys surrounding it.

Despite an extensive asbestos strip out there is always the risk of undiscovered asbestos.

The Project is technically complex requiring a high level of Contractor management to co-ordinate both building trades and the specialist requirements of constructing a combined X-Ray and Nuclear Medicine facility.

Externally the hospital and road network must continue to function, within the rules agreed for site establishment, and vehicular movement.

Included is the construction of a new lifts and stairway enclosure serving four floors. The enclosure does not extend up to the remaining three floors. This is currently designed using pre-cast concrete sections lifted into position over the building.

Flat roofing – the entire flat roof over the PET Scanner is to be re-roofed, including other flat roofs over adjoining single storey buildings within the curtiladge of the quad. This forms a part of this project, using a roofing Contractor named on Bauder ‘approved’ list, to achieve a 25 year warranty.

The contractors are advised that the Trust have several incumbent sub-contractors who are responsible for installing and maintaining a number of the specialist systems. The contractors are referred to the Services Engineer’s Specification for further details. The Works are within a live working department, which must continue to function without disruption from these works. This is particularly relevant when cutting into/breaking into the existing structure. Works of this nature must be undertaken in agreement with the Trust, which means working outside of the standard construction working hours. The contractors are further advised that access for the works will involve cranage. Aside of obtaining the requisite licences/clearance, the contractor is also required to allow for any cranage works being undertaken at weekends.

The Architect, RPS, has prepared a site plan showing a proposed site establishment and the area around the site, drawing number 0077/S3/P02. This is attached, and also a loaded floor plan of the proposal, drawing number 0013/S3/P22.

Also attached is a draft programme prepared by the Architect dated 4th April 2023 ref: 0901-P02.

* 1. This ITT Section A contains further information about the procurement process.
  2. All PQQ responses and Expression of Interest must be returned no later than the deadline for receipt of PQQ specified on the front cover of this document.

# Contents of the PQQ

* 1. This PQQ document consists of:

|  |  |  |  |
| --- | --- | --- | --- |
| **Section A – Instructions and information** | | | |
| 1 | Introduction and background | | |
| 2 | Tender timetable | | |
| 3 | Instructions to Bidders | | |
| 4 | PQQ evaluation methodology and criteria | | |
| Annex A1 | JCT Standard Form with Contractors Design | | |
| **Section B – Tender Schedules** | | | |
| Annex B1-PQQ | | Part 3 of the Eligibility questions and responses - can be found on line in the e-tendering portal (Qualification Envelope) |
| Annex B2 - PQQ | Specification (short version) – Service Overview, Drawings, Standards | | |
| Annex B3 - PQQ | Technical Evaluation Bidder Response - complete and return (Technical envelope) | | |
|  |  | | |  |

# Introduction to the procurement

* 1. University Hospitals Birmingham NHS Foundation Trust (“UHB”) runs the Queen Elizabeth Hospital Birmingham (“QEHB”), Birmingham Chest Clinic, Heartlands Hospital, Good Hope Hospital, Solihull Hospital (collectively known as “HGS”) and various community services across the region.
  2. From October and November 2015 respectively, UHB’s Chief Executive and Chair held Interim corresponding roles at Heart of England NHS Foundation Trust, along with other senior managers, to improve its clinical, financial and operational position. The acquisition of Heart of England NHS Foundation Trust (HEFT) by UHB was concluded successfully on 1 April 2018.
  3. UHB is a Foundation Trust and now has approximately 50,000 members and employs more than 20,000 members of staff. It is one of the largest Trusts in England treating over 2.2 million patients each year.
  4. The Trust has regional centres for trauma, burns, plastics, neurosciences, dermatology and cancer. It also has centres of excellence for vascular, bariatric and pathology services, as well as the treatment of MRSA and other infectious diseases. We also have expertise in premature baby care, bone marrow transplants and thoracic surgery.
  5. UHB has the largest solid organ transplantation programme in Europe and runs Umbrella, the sexual health service for Birmingham and Solihull. It is also home to the West Midlands Adult Cystic Fibrosis Centre and a nationally-renowned weight management clinic and research centre.
  6. The Queen Elizabeth Hospital Birmingham is a Major Trauma Centre treating the most severely injured casualties from across the region. The hospital’s single site 100-bed critical care unit is the largest in Europe.
  7. The Trust hosts the Institute of Translational Medicine (ITM) and leads the West Midlands genomics Medicine Centre as part of the national 100,000 Genomes Project.
  8. UHB is also proud to host the Royal Centre for Defence Medicine (RCDM) at the Queen Elizabeth Hospital Birmingham. The RCDM provides dedicated training for defence personnel and is a focus for medical research.
  9. UHB also holds the contract for providing medical services to military personnel evacuated from overseas via the aero medical service. UHB is one of only a small number of hospitals that can provide the full range of medical specialties – trauma, burns, plastics, orthopaedics, neurosurgery, critical care - needed to treat the complex nature of conflict injuries, all under one roof.
  10. The pioneering techniques in surgery and pain control that have been developed whilst treating military patients are now being used for civilian surgery in the UK and elsewhere and are being progressed through the Surgical Reconstruction and Microbiology Research Centre (SRMRC).
  11. Full details of the Authority's requirements are set out in the Specification in Annex B2 of Section B.
  12. The Authority is committed to supporting the Government’s small and medium-sized enterprise (SME) initiative; its aspiration is that 25% of spend, direct and through the supply chain, goes to SMEs by 2015. Suppliers are encouraged to work with the Authority to support the wider SME initiative.
  13. The link below to the Cabinet Office website provides information on the Government’s Crown Representative for SMEs, a link to the definition of an SME and details on the SME initiative: <https://www.gov.uk/government/policies/buying-and-managing-government-goods-and-services-more-efficiently-and-effectively/supporting-pages/making-sure-government-gets-full-value-from-small-and-medium-sized-enterprises>.
  14. The Contractor is required to review all the documentation and ensure any implications are included in their subsequent proposals for this Contract.
  15. The contractor is advised that the Trust operates a site induction procedure which is undertaken by their PFI provider on the site. No operatives will be allowed to work on the site without their clearance.

The contractor is to refer and to comply with the Trust’s health & safety requirements – Health and Safety Requirements for Contractors.

* 1. All contractors will be required to develop a Site Waste Management Plan (SWMP) from the pre-design stage to inform the adoption of good practice waste minimisation in design and for the SWMP to be implemented on all construction site activities in line with good practice published in WRAP and the DTI Code of Practice.
  2. The Authority reserves the right to no-award, in case the Commercial proposals submitted exceed the capital budget expectations.
  3. The funding is subject to achieving desired multi year phasing. Main funding available during financial year 23/24. With balance payment during 24/25.
  4. Work commencement is expected Sept/Oct 2023.

Purpose and scope of this PQQ

* 1. This PQQ:
     1. invites Bidders to submit their PQQ responses and expression of interest in accordance with the instructions set out in the remainder of this PQQ;
     2. sets out the overall timetable and process for the procurement;
     3. provides Bidders with sufficient information to enable them to submit a compliant response;
     4. sets out the selection criteria and PQQ evaluation model that will be used to evaluate the Pre-Qualification Questions; and
     5. explains the administrative arrangements for the receipt of PQQ responses.

# Questions about this PQQ

* 1. You may submit, by no later than **09th May 2023** any queries that you have relating to this PQQ. The Authority is using the Atamias e-tendering portal to conduct the procurement process ("**The e-Tendering Portal**"). The e-Tendering Portal can be accessed <https://atamis.cloudforce.com/>

Please therefore submit such queries only via the e-Tendering Portal.

* 1. Any specific queries should clearly reference the appropriate paragraph in the PQQ documentation and, to the extent possible, should be aggregated rather than sent individually. The Authority may decline to answer queries received after the above deadline.
  2. Answers to the questions received by the Authority will be circulated to all Bidders via the e-Tendering Portal. Answers will not reveal the identity of the individual Bidder that asked a particular question. The Authority may decide not to disclose answers, or parts of answers, which would reveal confidential or commercially sensitive information in relation to a particular Bidder.

1. PQQ TIMETABLE

# Key dates

* 1. The procurement will follow a clear, structured and transparent process to ensure a fair and level playing field so that all Bidders are treated equally.
  2. The key dates for this procurement are currently anticipated to be as follows:

|  |  |
| --- | --- |
| **Event** | **Date** |
| PQQ issued | 14/04/2023 |
| Deadline for the receipt of clarification questions | 09/05/2023 |
| Target date for responses to clarification questions | 3 working days |
| Site Visits | tbc |
| Deadline for receipt of PQQ Responses | 16/05/2023 at 12:00hrs |
| Evaluation of PQQ – Supplier Selection | w/c 22/05/2023 onward |
| Notification of supplier selection decision | w/c 29/05/2023 onward |
| Stage 2 start – ITT issued | June 2023 |

* 1. Whilst the Authority does not intend to depart from the timetable, it reserves the right to do so at any stage.

# Deadline for receipt of PQQ

* 1. Bidders must submit their PQQ response in the manner prescribed in section 3 below no later than the date and time specified on the front cover of this PQQ.
  2. Any PQQ received after the deadline or by any method other than the method prescribed in section 3 below may not be considered. The Authority may at its discretion extend the deadline and in such circumstances the Authority will notify all Bidders of any change.

**Site visits**

* 1. All Bidders are invited, during the Pre-Qualification Question phase, to attend the Trust premises to support them in their submission.

Estates & Planning Department, Queen Elizabeth Hospital, Heritage Building.

Telephone 0121 371 4490

Adam Hill – 07584 445399

**Clarification Meetings**

* 1. Following the assessment of the Pre-Qualification Questions, the Authority may invite Bidder/s to a clarification meeting. If required this will take place between receipt of PQQ and announcement of successful suppliers. It is anticipated that Bidders will be provided with at least two (2) business days' notice if a meeting is to be required. The Authority typically will only requiremeetings with what it considers are the best one/two/three Bidders. In exceptional circumstances, all Bidders will be requested to attend a meeting.
  2. Bidders must ensure that key personnel attend. Those key personnel directly involved in performing the contract will be expected to attend.
  3. The purpose of the meeting is to gain a greater understanding of proposals and will take the form of a short presentation by the Bidder followed by a question and answer session. Topics for discussion for the presentation will be issued no later than 2 days before the presentation.
  4. Bidders can either accept or decline a request for such a meeting. However, it is in the interests of the Bidder to attend and provide additional confidence in its proposals to the Authority.
  5. The presentation will be scored and the additional score added to the technical/quality score. The presentation questions will be sent out at least 48 hours before the presentation, each question will be scored in line with the scoring system in 4.11, and the same subheadings will be used as in the scoring criteria. The session will also be used to confirm the technical / quality score assessments of the Tender evaluation. As such, scores achieved during the written PQQ evaluation may be adjusted (up or down) and the consolidated score of a Bidder amended.

**Supplier Selection award**

* 1. Supplier Selection is subject to the formal approval process of the Authority. The Trust will selects up to five Contractors.
  2. Once the Authority has reached a decision in respect of the supplier selelction, it will notify all Bidders of that decision in accordance with the Public Contracts Regulations 2015 before inviting to stage 2 - ITT.

* 1. When invited to stage 2 (ITT) - Full tender documentation will be available for the five Contractors, on the Atamis e-portal. The successful contractors will then be given up to six weeks to prepare their tender.

1. INSTRUCTIONS TO BIDDERS

**Eligibility Questions (Qualification Envelope – Atamis portal) and Responses**

* 1. The Eligibility Questions is a self-declaration, made by you (the potential supplier), that you do not meet any of the grounds for exclusion[[1]](#footnote-1). If there are grounds for exclusion, there is an opportunity to explain the background and any measures you have taken to rectify the situation (we call this self-cleaning).
  2. A completed declaration of the Eligibility Questions provides a formal statement that the organisation making the declaration has not breached any of the exclusions grounds. Consequently, we require all the organisations that you will rely on to meet the selection criteria to provide a completed Eligibility Questions. For example, these could be parent companies, affiliates, associates, or essential sub-contractors, if they are relied upon to meet the selection criteria. This means that where you are joining in a group of organisations, including joint ventures and partnerships, each organisation in that group must complete one of these self-declarations. Sub-contractors that you rely on to meet the selection criteria must also complete a self-declaration (although sub-contractors that are not relied upon do not need to complete the self-declaration).

Supplier Selection Questions:

* 1. This procurement document provides instructions on the selection questions you need to respond to and how to submit those responses. If you are bidding on behalf of a group (consortium) or you intend to use sub-contractors, you should complete all of the selection questions on behalf of the consortium and/or any sub-contractors.
  2. If the relevant documentary evidence referred to in the Eligibility Questions is not provided upon request and without delay the Authority reserves the right to amend the contract award decision and award to the next compliant bidder.

Consequences of misrepresentation

* 1. If you seriously misrepresent any factual information in filling in the Eligibility Questions, and so induce an authority to enter into a contract, there may be significant consequences. You may be excluded from the procurement procedure, and from bidding for other contracts for three years. If a contract has been entered into you may be sued for damages and the contract may be rescinded. If fraud, or fraudulent intent, can be proved, you or your responsible officers may be prosecuted and convicted of the offence of fraud by false representation, and you must be excluded from further procurements for five years.

Notes for completing the Eligibility Questions

* 1. “You” / “Your” refers to the potential supplier completing this standard Selection Questionnaire i.e. the legal entity responsible for the information provided. The term “potential supplier” is intended to cover any economic operator as defined by the Public Contracts Regulations 2015 (referred to as the “regulations”) and could be a registered company; the lead contact for a group of economic operators; charitable organisation; Voluntary Community and Social Enterprise (VCSE); Special Purpose Vehicle; or other form of entity.
  2. Please ensure that all questions are completed in full, and in the format requested. If the question does not apply to you, please state ‘N/A’. Should you need to provide additional information in response to the questions, please submit a clearly identified annex.
  3. The Authority recognises that arrangements set out in section of the Eligibility Questions, in relation to a group of economic operators (for example, a consortium) and/or use of sub-contractors, may be subject to change and will, therefore, not be finalised until a later date. The lead contact should notify the authority immediately of any change in the proposed arrangements and ensure a completed set of the Eligibility Questions is submitted for any new organisation relied on to meet the selection criteria. The authority will make a revised assessment of the submission based on the updated information.
  4. For the Eligibility Questions (Qualification Envelope) every organisation that is being relied on to meet the selection must complete and submit the self-declaration.
  5. All sub-contractors are required to complete the Eligibility Questions (Qualification Envelope)*.*
  6. For answers to Supplier Selection Questions -If you are bidding on behalf of a group, for example, a consortium, or you intend to use sub-contractors, you should complete all of the questions on behalf of the consortium and/ or any sub-contractors, providing one composite response and declaration
  7. The Authority confirms that it will keep confidential and will not disclose to any third parties any information obtained from a named customer contact, other than to the Cabinet Office and/or contracting authorities defined by the regulations, or pursuant to an order of the court or demand made by any competent authority or body where the authority is under a legal or regulatory obligation to make such a disclosure

**Formalities for submission of Eligibility Questions (Qualification Envelope)**

* 1. The Eligibility Questions are structured in three separate parts:
     1. Part 1: Basic information about the Bidder, including contact details, details of parent companies and group bidding;
     2. Part 2: Self-declaration regarding whether or not any of the mandatory or discretionary exclusion grounds apply; and
     3. Part 3: Self-declaration regarding whether or not you meet the selection criteria in respect of your financial standing and technical capacity.
  2. Bidders must log onto the e-Tendering portal in order to complete the eligibility questions.

**General Formalities for submission of Tenders** **(including the Eligibility Questions)**

* 1. Bidders must complete and submit the Annexes to Section B of the PQQ. The Annexes must be submitted using the e-Tendering Portal. Bidders should ensure that they **allow plenty of time to upload the Annexes**, particularly where there are large documents. If Bidders have any problems with the e-Tendering Portal, they should contact the helpdesk on 029 2279 0052 or via email [support-health@atamis.co.uk](mailto:support-health@atamis.co.uk) ; [info@atamis.co.uk](mailto:info@atamis.co.uk) **.** The helpline is open Monday to Friday between 9am and 4pm excluding public and bank holidays. As noted above, any **Tender responses received after the deadline may not be considered.**
  2. The maximum file size for uploading documents is 50Mb. You should split your Tender into small enough file sizes to upload. Note: the Authority does not guarantee that you will be able to upload files up to the maximum size, particularly at busy times. For this reason it is recommended that Bidders should ensure files are well below the maximum stated and allow plenty of time to upload, so they have enough time to resolve any technical difficulties before the deadline.
  3. Bidders must adhere to the following standard requirements when submitting their Tenders:
     1. Do not embed documents within other documents. Instead provide separate electronic copies of the documents, clearly labelled and referenced if necessary.
     2. The responses must be in English
     3. The PQQ must be fully cross-referenced and include a table of contents.
     4. The PQQ must include a list of all supporting material.
     5. Electronic copies of the PQQ shall be in [both Microsoft Office and PDF formats.
     6. Bidders should use Ariel 11.

* + 1. Line spacing must be Single.
  1. Where a word count limit is specified, Bidders should state how many words their response contains. The Authority reserves the right not to consider any part of a response exceeding the word limit. Words included within diagrams or other graphic representations will count towards the word limit.
  2. The response must be clear, concise and complete. The Authority reserves the right to mark Bidders down or exclude them from the procurement if their Tenders are ambiguous or lack clarity. Bidders should submit only such information as is necessary to respond effectively to this PQQ. Unless specifically requested, do not include extraneous presentation materials.

* 1. PQQ will be evaluated on the basis of information submitted by the deadline. Where information or documentation submitted appears to be incomplete or erroneous or specific documents are missing, the Authority reserves the right to request the Bidder to submit, supplement, clarify or complete the information or documentation.

* 1. The PQQ must be signed by a duly authorised representative of the Bidder.

# Modification and withdrawal of PQQ

* 1. Except as set out in paragraph 3.20, no Tender may be modified after the deadline for receipt of Tenders.
  2. The PQQ submission may be withdrawn at any time before the deadline for receipt of PQQ. Revised Tenders may be submitted up until the deadline for receipt of PQQ, provided such intention is notified to the Authority using the e-Tendering Portal.

# Terms and conditions

* 1. set out in Annex A1. It is vital that the Bidder reviews these carefully, and takes account of all information such as TUPE, key performance indicators and insurance requirements and that the Tender fully takes account of these. By submitting a Tender, Bidders are agreeing to be bound by the terms of this PQQ and the JCT Standard Form with Contractors Design.

# Consortia and subcontractors

* 1. If the Bidder is a consortium or will rely on sub-contractors to deliver the contract, it must explain in its PQQ precisely which entities will be the supplier.

* 1. For the purposes of this Tender, the following terms apply:
     1. *Consortium arrangement -* Groups of companies come together specifically for the purpose of bidding for appointment as the supplier and envisage that they will establish a special purpose vehicle as the prime contracting party with the Authority.
     2. *Subcontracting arrangement -* Groups of companies come together specifically for the purpose of bidding for appointment as the supplier, but envisage that one of their number will be the supplier, the remaining members of that group will be subcontractors to the supplier.
  2. If the Bidder intends to sub-contract any material parts of the contract, it must explain which parts will be sub-contracted, who the sub-contractor is, confirm the sub-contractor has agreed terms of supply and what contractual commitment it has from the sub-contractor to deliver.

# Warnings and disclaimers

* 1. While the information contained in this PQQ is believed to be correct at the time of issue, neither the Authority, its advisors, nor any other awarding authorities will accept any liability for its accuracy, adequacy or completeness, nor will any express or implied warranty be given. This exclusion extends to liability in relation to any statement, opinion or conclusion contained in or any omission from, this PQQ (including its annexes) and in respect of any other written or oral communication transmitted (or otherwise made available) to any Bidder. This exclusion does not extend to any fraudulent misrepresentation made by or on behalf of the Authority.
  2. If a Bidder proposes to enter into a contract with the Authority, it must rely on its own enquiries and on the terms and conditions set out in the contract(s) (as and when finally executed), subject to the limitations and restrictions specified in it.
  3. Neither the issue of this PQQ, nor any of the information presented in it, should be regarded as a commitment or representation on the part of the Authority (or any other person) to enter into a contractual arrangement.

# Freedom of Information Act 2000 and Environmental Information Regulations 2004

* 1. As a public body, the Authority is subject to, and must comply with, the Freedom of Information Act 2000 ("**FOIA**") and the Environmental Information Regulations 2004 ("**EIR**"). The Authority may therefore be required to disclose information submitted by the Bidder.
  2. In respect of any information submitted by a Bidder that it considers to be confidential or commercially sensitive the Bidder should:
     1. clearly identify such information as confidential or commercially sensitive;
     2. explain its reasons why disclosure of such information would be likely to prejudice or would cause actual prejudice to its commercial interests; and
     3. provide a reasoned estimate of the period of time during which the Bidder believes that such information will remain commercially sensitive.
  3. This information must be listed in this PQQ response, with a statement of which exemptions are relevant under FOIA and/or the EIR.
  4. Where a Bidder identifies information as commercially sensitive, the Authority will take those views into account. Bidders should note, however, that, even where information is identified as commercially sensitive, the Authority may be required to disclose such information in accordance with FOIA or the EIR. Accordingly, the Authority cannot guarantee that it will withhold information marked ‘confidential’, 'commercially sensitive' or otherwise exempt.

# Publicity

* 1. No publicity regarding the award of any contract will be permitted unless and until the Authority has given express written consent to the relevant communication. For example, no statements may be made to the media regarding the nature of any Tender, its contents or any proposals relating to it without the prior written consent of the Authority.

# Bidder conduct and conflicts of interest

* 1. Any attempt by Bidders or their advisors to influence the contract award process in any way may result in the Bidder being disqualified. Specifically, Bidders shall not directly or indirectly at any time:
     1. devise or amend the content of their Tender in accordance with any agreement or arrangement with any other person, other than in good faith with a person who is a proposed partner, supplier, consortium member or provider of finance;
     2. enter into any agreement or arrangement with any other person as to the form or content of any other Tender, or offer to pay any sum of money or valuable consideration to any person to effect changes to the form or content of any other Tender;
     3. enter into any agreement or arrangement with any other person that has the effect of prohibiting or excluding that person from submitting a Tender;
     4. canvass the Authority or any employees or agents of the Authority in relation to this procurement; and/or
     5. attempt to obtain information from any of the employees or agents of the Authority or their advisors concerning another Bidder or Tender (except for debrief information requests made through the e-Tendering Portal).
  2. Bidders are responsible for ensuring that no conflicts of interest exist between the Bidder and its advisers, and the Authority and its advisors. Bidders should notify the Authority promptly of any possible conflict and the proposed steps that the Bidder believes can be taken to avoid the conflict. Any Bidder who fails to comply with these requirements may be excluded from the procurement at the discretion of the Authority.

# Authority's rights

* 1. Subject to its obligations to act in a transparent, proportionate and non-discriminatory manner, the Authority reserves the right to:
     1. waive or change the requirements of this Tender from time to time;
     2. seek clarification or documents in respect of a Bidder's submission;
     3. disqualify any Bidder that does not submit a compliant Tender in accordance with the instructions in this PQQ;
     4. disqualify any Bidder that is guilty of serious misrepresentation in relation to its PQQ or the Tender process;
     5. withdraw this PQQ at any time, or re-invite Tenders on the same or any alternative basis;
     6. choose not to select any suppliers as a result of the current procurement process; and
     7. make whatever changes it sees fit to the timetable, structure or content of the procurement process.
     8. does not bind himself to accept any tender, or to refund any monies or expenses incurred in tendering.

# PQQ costs

* 1. The Authority will not be liable for any PQQ costs, expenditure, work or effort incurred by a Bidder in proceeding with or participating in this procurement, including if the procurement process is terminated or amended by the Authority.

# Language

* 1. Tenders, all documents and all correspondence relating to the Tender must be written in English.

# Transparency

* 1. In accordance with the Public Contracts Regulations 2015 and the Government’s policy on transparency, Bidders should be aware that the Authority intends to make the Tender and details of any subsequent contract publicly available, by publication on the Government's Contracts Finder portal.

# Governing Law and Jurisdiction

* 1. This PQQ and any dispute concerning it (including non-contractual disputes or claims) shall be governed by English law and subject to the jurisdiction of the English Courts.

1. TENDER EVALUATION METHODOLOGY AND CRITERIA

# Overview

* 1. This section of the PQQ sets out the criteria that the Authority will use to evaluate bidders responses.
  2. Bidders are required to submit a responses strictly in accordance with the requirements set out in this PQQ, to ensure the Authority has the correct information to make the evaluation. If a PQQ is equivocal or unclear, the Authority may deduct marks when scoring it, or it may treat the Response as non-compliant and reject it.
  3. The Authority will select up to five contractors to the Tender that scores the highest marks, applying the methodology below. Scoring will be carried out as follows:
     1. The Bidder must pass all Eligibility Questions (Qualification Envelope).
     2. The Authority will then mark Annex B3-PQQ of Section B Specification and Tender Response Document ("**Scored Questions**") for all Bidders that pass all the Eligibility Questions.

* 1. The Authority will mark Eligibility Questions as described in paragraphs 4.5 to 4.7. It will mark the Scored Questions as described in paragraphs 4.8 to 4.14.

# Criteria – Eligibility Questions (Qualification Envelope)

* 1. The Authority will score Eligibility Questions on the following basis (this is an example only):

|  |  |  |
| --- | --- | --- |
| Eligibility Questions | Selection criteria | Self-Certify |
| SQ 1: Potential supplier information | For information only | N/A |
| SQ 2: Grounds for mandatory exclusion | Pass or Fail | Yes |
| SQ 3: Grounds for discretionary exclusion | Pass or Fail | Yes |
| SQ 4 and 5: Economic and Financial Standing | Pass or Fail | Yes |
| SQ 6: Technical and Professional Ability | Pass or Fail | Yes |
| SQ 7: Modern Slavery Act 2015: Requirements under the Modern Slavery Act 2015. | Pass or Fail | Yes |
| SQ 8: Insurance | Pass or Fail | Yes |

* 1. To score a "pass", the PQQ must:
     1. for all questions where self-certification is required (as detailed above), include a self-certification and the successful Bidders will be asked to provide supporting evidence.; and
     2. for questions where self-certification is not required (as detailed above), adequately address all key points and include adequate supporting evidence / examples / information. It must give a reasonable degree of confidence that the Bidder has the capability, resource and experience to properly perform the contract.
  2. Where a Bidder scores a "fail" for any question, the Authority will treat the PQQ as non-compliant and it will not award a mark for the Scored Questions.
  3. As part of the Qualification evaluation a financial standing assessment will be undertaken.
* *Suppliers should achieve a minimum D & B risk indicator rating of 2 in order to proceed directly to the next stage of evaluation.*
* *For Suppliers who achieve a D & B risk indicator rating of 3, the Trust reserve the right to carry for a further financial evaluation of the Financial Statements/Annual Reports, this will be undertaken by the Trusts internal Finance Team. The assessment will conclude if the Supplier Passes or Fails the Financial section of the Qualification Envelope.*
* *For Suppliers who achieve a D & B risk indicator of 4 they will automatically fail and be rejected from the Tender process*

# Criteria – Scored Questions

* 1. The evaluation of submissions will be undertaken against the following criteria identified in the below
     1. Experience (**example** **only**)

Each criterion has been given a weighing factor as shown in the table on the next page.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Experience** | | **Max Score** | **Weighting** | **Maximum weighted score** |
|  |  |  |  |  |
| A1 | Describe the method of works to install the pipe-work? | 10 | 10 | 100 |
| A2 | Describe how the cooling will be maintained to the R Block (without fluctuations) during the works, acknowledging the fact that the theatre 8 chiller battery will have to be replaced on a weekend and outside normal working hours and shall be priced accordingly? | 10 | 20 | 200 |
| A3 | Provide a summary of the removal and disposal of the existing DX coils followed by the installation wet heater batteries? | 10 | 10 | 100 |
| A4 | Please provide details of any additional aftercare options that you can offer as part of the warranty? | 10 | 20 | 200 |
| A5 | How will you co-ordinate the installation of the pipe-work in an operational hospital? | 10 | 5 | 50 |
|  |  |  |  |  |
| A6 | As a company, what green credentials can you demonstrate which lower your overall carbon footprint as a company (How have you put sustainability at the core of your business)? | 10 | 10 | 100 |
| A7 | What measures are included to demonstrate improved efficiencies compared to the current arrangements? | 10 | 10 | 100 |
| A8 | Describe what measures you can put in place to meet the trusts 4 week delivery timescale on site (A More detailed programme)? | 10 | 15 | 150 |

* 1. This methodology would be repeated for all criteria identified in table 4.9.1, with the weighted mark for each criteria being added together to give an overall non-financial mark.
  2. The technical question PQQ evaluation will be scored in accordance with the table below:

Each Question to be marked out 0 to 10 by the evaluation group as a whole, using the scoring system shown below:

|  |  |  |
| --- | --- | --- |
| **Grade label** | **Grade** | **Definition of Grade** |
| Unacceptable | 0 | The proposal completely fails to meet the requirements or does not provide an answer. |
| Weak | 2 | The proposal significantly fails to meet the requirements, contains significant shortcomings, poor or limited evidence provided, and/or is inconsistent with other aspects of the Tender.. |
| Satisfactory | 5 | The proposal meets the requirements in all material respects, satisfactory evidence provided, with minor concerns. |
| Good | 7 | The proposal meets the requirements in all material respects and exceeds some or all of the minor requirements, good evidence provided. |
| Excellent | 10 | The proposal meets the required standard in all respects, and demonstrating best practice or delivering added value, with full supporting evidence. |

# Please see Annex B3-PQQ for Technical questions (Non-Commercial).

The score for each element will be added together and then multiplied by the weighting factor for the criteria. For example, if a bidder scores a mark of 10 for a question with a weighting of 20, the maximum weighted score for that question would be 200. If the bidder scored 2, the maximum weighted mark would be 40.

* 1. To assist the Trust as part of the evaluation process the Trust can request bidders to meet with the project group to clarify any aspects of their bid.
  2. The Suppliers rank in the top 5/8 may be invited into the Trust to present on questions related to the technical question. The presentation will be scored (out of 10 for each question asked) and the additional score added to the technical/quality score.
  3. The presentation questions will be sent out at least 48 hours before the presentation, each question will be scored in line with the scoring system in 4.11, and the same subheadings will be used as in the scoring criteria. The session will also be used to confirm the technical / quality score assessments of the Tender evaluation. As such, scores achieved during the written PQQ evaluation may be adjusted (up or down) and the consolidated score of a Bidder amended.

# Criteria – Scored Questions: pricing evaluation – Not Applicable for PQQ stage

## 

* 1. The price submitted by the bidders, will then be assessed against their final overall non-financial mark to give a £ per assessed benefit.

If it appears to the Authority that any Tender may be abnormally low then the Authority may ask the Bidder to explain its price or costs. If following the Bidder's explanations the Authority is not satisfied with the Bidder's account for the low level of price or cost in the Tender, the Authority may treat the Tender as non-compliant and reject it.

4.15 The formula to give a £per assessed benefit is as follows:

Bidders price / by bidders non-financial mark = £ per assessed benefit.

For example;

**Bidder A**

£50,000 (bidders price) / by 500 (bidders non-financial mark) = £100 (£per assessed benefit)

**Bidder B**

£60,000 (bidders price) / by 750 (bidders non-financial mark) = £80 (£per assessed benefit)

**Bidder C**

£55,000 (bidders price) / by 700 (bidders non-financial mark) = £78.57 (£per assessed benefit)

In the example above, Bidder C would be ranked the most economically advantageous bid.

4.16 The £ per assessed benefit will be completed after the technical evaluation to determine the 2/3 highest ranked suppliers and then again after the presentation scoring to determine the final ranking.

4.17 The Trust may then award a contract to the Bidder who in its sole opinion Tenders the most economically advantageous bid (the lowest £ per assessed benefit) following the completion of the evaluation process.

**ANNEX A1**

The Authority intends to enter into a contract with the successful Bidder on JCT Standard Form with Contractors Design.

1. For the list of exclusion please see

   <https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List_of_Mandatory_and_Discretionary_Exclusions.pdf> [↑](#footnote-ref-1)