

**Reconfiguration and  
Refurbishment of the  
Sports Pavilion and  
Extension Project**

**Memorial Park  
Necton Street Syston**

**Syston Town Council**

**Invitation to Tender  
Document**

**Tender Qualification  
Questionnaire**

Rev1

## **Introduction**

Syston Town Council are looking for a potential provider for the reconfiguration and refurbishment of The Pavilion. The submission of this document forms part of the Authority's Invitation to Tender and is **mandatory** for all providers competing for the Tender.

No information contained in this TQQ or in any communication made between Syston Town Council ("the Authority") or its Agents and any Potential Provider in connection with this TQQ shall be relied upon as constituting a contract, agreement or representation that any contract shall be offered in accordance with this TQQ. The Authority reserves the right, subject to the appropriate procurement regulations, to change without notice the basis of, or the procedures for, the competitive tendering process or to terminate the process at any time. Under no circumstances shall the Authority incur any liability in respect of this TQQ or any supporting documentation.

Direct or indirect canvassing of any public sector employee or agent by any Potential Provider concerning this requirement, or any attempt to procure information from any public sector employee or agent concerning this TQQ may result in the disqualification of the Tenderer from consideration for this requirement.

## **1. Purpose of this Tender Qualification Questionnaire (TQQ)**

This TQQ sets out the information which is required by the Authority in order to assess the suitability of Tenderers in terms of technical knowledge and experience, capability and capacity, organisational and financial standing to meet the requirements of the project.

The TQQ will be used to rate each individual Provider based on the information provided.

### **1.1 Structure of TQQ**

Tenderers must adhere to the format of this TQQ when answering the questions. Where questions cannot be answered fully, please provide relevant explanation and details. Please keep responses concise and relevant to the question. The terms Provider and Tenderer should be read as the same.

### **1.2 The Requirement**

The requirement to which this TQQ refers is the reconfiguration and refurbishment of the Sports Pavilion located at Syston Memorial Park, Necton Street, in the county of Leicestershire.

### 1.3 Outline Timetable

Set out below is the proposed procurement timetable. This is intended as a guide and whilst the Authority does not intend to depart from the timetable it reserves the right to do so at any stage.

Date	Activity
12 August 2020	Issue of Tender Invitation and TQQ
4 September 2020	Deadline for clarifications
Mid-day 11 September 2020	Tender and TQQ Return Date
W/C 14 September 2020	Evaluation of TQQ and Tenders completed
5 – 9 October 2020	Provider pre contract interviews
14 October 2020	Contract Award
tbc	Start on site

### 1.4 Additional Information

Recipients are invited to complete the attached TQQ and to submit it, together with any requested supporting information, as instructed in section 1.7 below.

All requests for clarification or further information in respect of this TQQ should be addressed to the named “Contact Officers” detailed in section 1.9 below. No approach of any kind in connection with this TQQ should be made to any other person within, associated with, or representing the Authority.

This TQQ is being provided on the same basis to all Providers.

The Authority expressly reserves the right to require a Tenderer to provide additional information supplementing or clarifying any of the information provided in response to the requests set out in this TQQ.

The Authority will not reimburse any costs incurred by providers in connection with preparation of their responses to this TQQ.

### 1.5 Freedom of Information

The Authority is committed to open government and to meeting their legal responsibilities under the Freedom of Information Act 2000. Accordingly, all information submitted to a public authority may need to be disclosed by the public authority in response to a request under the Act. The Authority may also decide to include certain information in the publication scheme, which the Authority maintains under the Act.

## 1.6 Instructions for Completion

Providers should follow the instructions outlined below when completing this TQQ.

Providers should answer all questions as accurately and concisely as possible in the same order as the questions are presented. Where a question is not relevant to the Provider's organisation, this should be indicated, with an explanation. Where insufficient space exists within the document the Provider should provide additional information as an attachment clearly stating company name, TQQ Part and Question number.

Questions should be answered in English.

The information supplied will be checked for completeness and compliance before responses are evaluated.

Responses will be evaluated in accordance with the procedures set out in section 1.13 Provider Selection. In the event that none of the responses are deemed satisfactory, the Authority reserves the right to terminate the procurement.

Failure to furnish the required information, make a satisfactory response to any question, or supply documentation referred to in responses, within the specified timescale, may mean that a Provider is excluded from the tender process.

## 1.7 Submission of Completed Tender Qualification Questionnaire

**Two (2) copies** of the completed Tender Qualification Questionnaire should be sent in the specific envelope provided with the Tender package, along with **the form of tender**

Do not write or add any label, marking, symbol or other device which identifies the Tenderer.

**The TQQ and fee document should be returned as instructed in the Invitation to Tender Document via the portal:**

## 1.8 Consortia and sub-contracting

Where a consortium or sub-contracting approach is proposed, all information requested should be given in respect of the proposed prime contractor or consortium leader. Relevant information should also be provided (as indicated in the TQQ) in respect of consortium members or sub-contractors who will play a significant role in the delivery of the requirement.

Responses must enable the Authority to assess the overall contract team to meet the requirement.

Where the proposed prime contractor is a special purpose vehicle or holding company, information should be provided of the extent to which it will call upon the resources and expertise of its members.

The Authority recognises that arrangements in relation to consortia and sub-contracting may (within limits) be subject to future change. Potential providers should therefore respond in the light of the arrangements as currently envisaged. Potential providers are reminded that any future change in relation to consortia and sub-contracting must be notified to the Authority so that it can make a further assessment by applying the selection criteria to the new information provided.

## 1.9 Queries about the procurement

Any questions concerning the Tender Qualification Questionnaire should be submitted in writing by email or letter for the attention of the Contact Officers at the address overleaf.

If the Authority considers any question or request for clarification to be of material significance, both the question and the response will be communicated, in a suitably anonymous form, to all Providers on the Tender List.

All responses received and any communication from Providers will be treated in confidence but will be subject to paragraph 1.5, Page 3.

The Council's **Contact Officers** for this Tender Qualification Questionnaire are:

### Commercial and Financial Information

Catherine Voyce  
Town Manager  
Community Centre  
Syston Town Council  
School St  
Syston  
Leicester  
LE7 1HN

Tel : 0116 260 7150

### Project and Technical Information

Nick Cooper  
HSSP Architects Ltd  
Pera Business Park  
Nottingham Road, Melton Mowbray  
Leicestershire  
LE13 0PB

Tel : 01664 563288

## 1.10 Provider contact point

Providers are asked to include a **single point of contact** in their organisation for their response to the TQQ. The Authority will not be responsible for contacting the Provider through any route other than the nominated contact. The Provider must therefore undertake to notify any changes relating to the contact promptly.

## 1.11 Provider selection

The Provider selection process for this Tender requirement is being undertaken concurrently with the formal Invitation to Tender. Consequently the evaluation of the TQQ will be used to determine that all bidders meet or exceed the Authorities minimum requirements.

The Authority may disqualify any Providers who fail to:

- (i) comply with the requirements of Regulation 23 and/or fails to certify at Part G that it has fulfilled these requirements
- (ii) provide a satisfactory response to any questions in the TQQ or inadequately or incorrectly completes any question
- (iii) submit its completed TQQ after the deadline

The Providers who comply with the above grounds shall be evaluated on the qualification criteria listed in the TQQ which takes into account the economic and financial standing and the technical or professional ability of the Provider and will be in accordance with Regulations 23-25 of the Public Contracts Regulations 2006 (as amended 2009).

## TQQ PART A – GENERAL INFORMATION

- 1 Full name, address and website of the Provider:

<b>Company Name</b>	
<b>Address</b>	
<b>Town/City</b>	
<b>Postcode</b>	
<b>Country</b>	
<b>Website</b>	

- 2 Name, position, telephone number and e-mail address of the main contact for this project.

<b>Name</b>	
<b>Position</b>	
<b>Telephone Number</b> <b>Mobile Number</b>	
<b>Fax Number</b>	
<b>E-mail</b>	

- 3 Please provide a one-page chart illustrating the ownership structure of the Provider including relations to any parent or other group or holding companies.

<b>Ownership structure enclosed (please ✓)</b>	
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- 4 **Registration with professional body**

Is the Provider registered with a trade or professional body applicable to the nature of the works involved in the scheme?

<b>Evidence of registration with appropriate professional/trade body</b> <i>Either insert required details or state 'None'</i>

- 5 Please indicate by ticking the appropriate box what type of Provider you are (please refer to paragraph 1.8 Consortia & Sub-contracting)

	Please (Tick one box)
<b>Type A Provider</b> A Provider able to provide the requirements (as stated in Para 1.2) itself, <i>or if unable to do so</i> , is bidding in the role of prime contractor and has sub-contractors <i>already in place</i> to deliver all the project requirements.	
<b>Type B Provider</b> A Provider able to provide the requirements as prime contractor (as stated in Para 1.2) but is <i>unable to confirm</i> all sub-contractors at this stage. This Provider will need to demonstrate a satisfactory methodology and track record of delivering sub-contracted works.	

- 6 **To be completed by Type A Providers only:** Please indicate in the table below (by inserting the relevant company/organisation name) the composition of the provider's sub-contractors, indicating which member of the sub-contractors (which may include the Provider itself or solely be the Provider) will be responsible for which element of the requirement.

Requirement	Company / Organisation	How much of the requirement and what will they directly deliver (%)
Building		
Foul & SW drainage		
Fencing walls and gates		
Utility services		



- 7 **To be completed by Type B Providers only:** Please complete the following table to indicate whether or not a sub-contractor is already identified as providing part of the requirement. If identified, please insert the relevant company/organisation name (which may include the Provider itself). If not identified indicate clearly what requirements will be assigned to a sub-contractor during the construction phase.

Requirement	Company / Organisation	How much of the requirement (%) and what will be directly delivered by them
Building		
Foul & SW drainage		
Fencing walls and gates		
Utility services		

- 8 **To be completed by Type B Providers only:** Please explain your methodology for procuring sub-contracted elements of the project leading to a successful solution. Please support this with details of relevant experience of this type of procurement and issues you have taken into account in selecting previous sub-contractors.

Methodology for procuring sub-contractors (300 words or fewer)

- 9 **To be completed by Type A and B Providers:** If details are available then please list any other identified members of your sub-contractor team.

Organisation name	Organisation address and contact details	Responsibility / Role and percentage of overall project they will be responsible for	Length of time as a sub-contractor to the prime contractor.

**Note** - If a sub-contractor is to be responsible for more than 33% of the delivery of the overall requirement in terms of Contract Value then the sub-contractor should complete and submit, as part of the overall TQQ documentation, a TQQ questionnaire giving full details about their organisation.

- 10 Does the Provider and/or any of its named sub-contractors have any potential conflicts of interest that may arise if selected to deliver this project (as outlined in paragraph 1.2)?

Potential conflicts of interest	YES / NO <i>(please delete)</i>
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## TQQ PART B - FINANCIAL DETAILS

- 11 Name and address of principal banker together with banker's reference.

<b>Bank Name</b>	
<b>Address</b>	
<b>Town/City</b>	
<b>Postcode</b>	

<b>Banker's reference enclosed (please ✓)</b>	
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- 12 **Accounts information** — please provide a copy of the full report and audited accounts for the last **2** financial years. If the accounts you are submitting are for a year ended more than 10 months ago please also enclose the latest set of management accounts

	<b>Please ✓ or state 'N/A'</b>
<b>Profit and Loss Accounts</b>	
<b>Balance Sheet</b>	
<b>Full accompanying notes</b>	
<b>Director's/Managing Partner's Report (if available)</b>	
<b>Auditor's Report</b>	

- 13 Please supply the following information for the last 3 financial years:

	<b>Amount (£K) 2017 / 2018</b>	<b>Amount (£K) 2018 / 2019</b>	<b>Amount (£K) 2019/ 20120</b>
<b>Overall turnover for last 3 years</b>			
<b>Operating Profit</b>			
<b>Current Assets</b>			
<b>Current Liabilities</b>			
<b>Net Assets</b>			
<b>Numbers of Staff working in relevant services</b>			

Providers not having 2 years of audited accounts should provide whatever audited accounts they may have. Newly formed Providers should provide a statement of the Provider's turnover, profit & loss account and cash flow for the most recent year of trading and / or a statement of the Provider's cash flow forecast for the current year and a letter from the Provider's bank outlining the current cash and credit position.

- |   |
|---|
| <p><b>Disclosure of legal proceedings (300 words or fewer)</b><br/> <i>Either insert required details or state 'None'</i></p> |
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## TQQ PART C - CONTRACTUAL MATTERS

Please answer the following questions regarding contracts. **If the answer to any of the questions is 'Yes', please provide a full explanatory statement below.**

- 16 Has the Provider or any of its named sub-contractors ever suffered deductions for liquidated and/or ascertained damages in respect of any contract within the last two years?

	<i>Please delete</i>
<b>Deductions for liquidated and/or ascertained damages</b>	YES / NO
<i>If yes, please answer the following two questions:</i>	
<b>Did the deduction exceed £50,000?</b>	YES / NO
<b>Was the deduction greater than 10% of the whole life value of the contract?</b>	YES / NO

- 17 Has the Provider or any of its named sub-contractors ever had a contract terminated or its employment determined under the terms of the contract in the last three years?

<b>Contract terminated / employment determined</b>	YES / NO <i>(please delete)</i>
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- 18 Has the Provider or any of its named sub-contractors ever failed to receive a contract renewal on the basis of unsatisfactory performance in the last three years?

<b>Failed to receive contract renewal</b>	YES / NO <i>(please delete)</i>
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- 19 Is there any material pending or threatened litigation or other legal proceedings connected with similar projects against the Provider and/or any of its named sub-contractors that may affect delivery of this project?

<b>Legal proceedings pending</b>	YES / NO <i>(please delete)</i>
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- 20 If you have answered 'Yes' to any of questions 17 to 19 please give an explanatory statement:

<b>Brief statement (300 words or fewer)</b> <i>Either insert required details or state 'None'</i>

## TQQ PART D –TECHNICAL ABILITY

- 21 Please provide details of the number of staff currently involved directly in the provision of similar requirements to those outlined in paragraph 1.2 above:

Permanent staff numbers	Temporary or third party staff numbers	Total staff turnover as a percentage of staff employed over the past 3 years (Where significant changes have occurred in respect of key management or specialist staff this should be identified)

- 22 Please provide details of **previous projects** similar to the requirements of this project as described in paragraph 1.2 that the Provider has delivered in the past 3 years. Please include dates or period on which the requirements were provided, the contract values and the details of the recipient of the requirements.

<b>Provision of similar services (300 words or fewer)</b> <i>Either insert required details or state 'None'</i>
<input type="checkbox"/> Dates or period on which the requirements were provided.
<input type="checkbox"/> The Contract values.
<input type="checkbox"/> The details of the recipient of the requirements.

- 23 Please provide details of three recent **private sector** contracts that the Provider (but not any envisaged sub-contractor) has been awarded for the provision of requirements similar to those outlined in paragraph 1.2. The Authority reserves the right to contact any or all of these companies for a reference and may wish to visit their premises. Providers should ensure that companies listed would be willing to provide a reference for them and be willing to discuss the Provider's performance with the Authority.

Customer name and address	Contact name, telephone number and email address	Date contract awarded plus, start and finish dates	Contract reference and brief description of requirements undertaken (and value of contract)	Names of sub contractors and/ or consortium members and their role
1.				
2.				
3.				

- 24 Please provide details of three recent contracts that the Provider (but not any envisaged sub-contractor) has been awarded by the **public sector** including but not limited to, central government departments, agencies or local authorities for the provision of requirements similar to those outlined in paragraph 1.2. The Authority reserves the right to contact any or all of these organisations for a reference and may wish to visit their premises. Providers should ensure that organisations listed would be willing to provide a reference for them and be willing to discuss the Provider's performance with the Authority.

Customer name and address	Contact name, telephone number and email address	Date contract awarded plus, start and finish dates	Contract reference and brief description of requirements undertaken (and value of contract)	Names of sub contractors and/ or consortium members and their role
1.				
2.				
3.				

- 25 Please state the number of individual contracts (excluding term maintenance contracts) undertaken by the Provider in the last 3 years in the public or private sector in the following categories:

	Contract Value 100k-250k	Contract Value 251-350k	Contract Value 351-450k	Contract Value 451-600k
Refurbishments and alterations				
New build Community type projects				

## TQQ PART E – PROJECT-SPECIFIC QUESTIONS

- 26 Please provide details of any Quality Assurance systems operated by the Provider, both internally and externally.

<b>QA Systems (300 words or fewer)</b>

- 27 Please describe the internal controls used by the Provider to manage the delivery of this type of project to ensure that the requirements are met fully in terms of quality and timely delivery.

<b>Internal Controls (300 words or fewer)</b>

- 28 Please provide details of the Health and Safety Management System operated by the Provider.

<b>Health &amp; Safety Management System information enclosed (please ✓)</b>	
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- 29 Please identify any specific (medium-high) Health and Safety risks the Provider would normally anticipate when constructing the requirements of this project as described in paragraph 1.2 (If none state "NONE")

<b>Identification of Project Health &amp; Safety Risks</b>

- 30 Within the last 5 years, has the Provider been subject to any prosecutions, infringement notices or other actions by the Health and Safety Executive or Environment Agency in respect of any breach or suspected breach by the Provider of health and safety or environmental or equivalent legislation? If 'yes', please enclose full details here of the nature of the notice or action (etc.) and of any remedial steps subsequently taken by the Potential Provider.

<b>Health and Safety Breaches</b> <i>Either insert required details or state 'None'</i>



- 31 Providers plant and equipment resources.

<b>Does the Provider own and operate its own plant?</b>	YES / NO
<b>What percentage of the plant for the project requirements would be owned and operated by the Provider.</b>	%

- 32 Providers construction phase resources and division of works. The Provider is to indicate which project phases it anticipates undertaking using its own or sub contracted resources.

	Provider	Sub-contracted
<b>Top soil stripping and earthworks re-profiling</b>	%	%
<b>Road, footpath &amp; car-park construction excluding surfacing works</b>	%	%
<b>Laying of surfacing materials</b>	%	%
<b>Installation of surface water drainage system</b>	%	%
<b>Finished ground preparation, seeding and soft landscaping</b>	%	%
<b>Site supervision, setting out &amp; on site health &amp; safety</b>	%	%

- 33 Equal Opportunities

<b>Does the Provider have an equal opportunities and/or race relations policy? If 'yes', please enclose a copy</b>	YES / NO <i>(please delete)</i>
<b>Do the Provider and/or its named sub-contractors require its staff to receive training on equal opportunities?</b>	YES / NO <i>(please delete)</i>
<b>Is it the policy of the Provider and/or its named sub-contractors as employers to comply with their statutory obligations under the Race Relations Act 1976, the Sex Discrimination Act 1975, the Equal Pay Act 1970, the Disability Discrimination Act 1995 and the Equality Act 2006?</b>	YES / NO <i>(please delete)</i>
<b>In the last 3 years has any finding of unlawful discrimination in the employment field been made against the Provider and/or its named sub-contractors by the employment tribunal, the employment appeal tribunal, or any court or in comparable proceedings in any other jurisdiction?</b>	YES / NO <i>(please delete)</i>
<b>If the answer to the previous question is yes, what steps have been taken by the Provider and/or its named sub-contractors as a result of that finding?</b>	

- 34 Please provide details of any environmental management certification that the Provider and any envisaged sub-contractor holds e.g. ISO 14001 or equivalent standard. Please include a copy of applicable certificates.
- 35 Do you operate a documented environmental management system?

<b>If you do which of the following statements best describes it? (Please tick box)</b>	
A) It has effective management processes and procedures to manage the significant environmental impacts of our business.	
B) It defines the significant environmental impacts of our business but only has plans for the introduction of effective management processes and procedures.	
C) It only identifies the environmental impacts of our business.	
D) None of the above.	

## TQQ PART F - CHECKLIST OF ATTACHMENTS

Please ensure that the following attachments are included within your response:

Document	Applicable Question	Included
Ownership Structure	6	Y / N
Banker's Reference	11	Y / N
Accounts Information	12	Y / N
Health & Safety Systems	31	Y / N
Sample Method Statements	33	Y / N
Environmental Mgmt Info	35	Y / N
Part G – Statement Relating to Good Standing		Y / N
Other Supporting Information	Any	Y / N

## TQQ PART G — STATEMENT RELATING TO GOOD STANDING

**STATEMENT RELATING TO GOOD STANDING — GROUNDS FOR OBLIGATORY EXCLUSION (IN ELIGIBILITY) AND CRITERIA FOR REJECTION OF CANDIDATES in accordance with Regulation 23 of the Public Contracts Regulations 2006 (as amended)**

**PROJECT: Memorial Park Pavilion – Necton Street, Syston Town Council**

We confirm that, to the best of our knowledge, the Tenderer is not in breach of the provisions of Regulation 23 of the Public Contracts Regulations 2006 (as amended) and in particular that:

**Grounds for mandatory rejection (ineligibility)**

The Provider (or its directors or any other person who has powers of representation, decision or control of the named organisation) has not been convicted of any of the following offences:

- (a) conspiracy within the meaning of section 1 of the Criminal Law Act 1977 where that conspiracy relates to participation in a criminal organisation as defined in Article 2(1) of Council Joint Action 98/733/JHA (as amended);
- (b) corruption within the meaning of section 1 of the Public Bodies Corrupt Practices Act 1889 or section 1 of the Prevention of Corruption Act 1906 (as amended);
- (c) the offence of bribery;
- (d) fraud, where the offence relates to fraud affecting the financial interests of the European Communities as defined by Article 1 of the Convention relating to the protection of the financial interests of the European Union, within the meaning of:
  - (i) the offence of cheating the Revenue;
  - (ii) the offence of conspiracy to defraud;
  - (iii) fraud or theft within the meaning of the Theft Act 1968 and the Theft Act 1978;
  - (iv) fraudulent trading within the meaning of section 458 of the Companies Act 1985;
  - (v) defrauding the Customs within the meaning of the Customs and Excise Management Act 1979 and the Value Added Tax Act 1994;
  - (vi) an offence in connection with taxation in the European Community within the meaning of section 71 of the Criminal Justice Act 1993; or
  - (vii) destroying, defacing or concealing of documents or procuring the extension of a valuable security within the meaning of section 20 of the Theft Act 1968;
- (e) money laundering within the meaning of the Money Laundering Regulations 2003; or
- (f) any other offence within the meaning of Article 45(1) of the Public Sector Directive.
- (g)

<b>Organisation's name</b>	
<b>Signed</b>	
<b>Position</b>	
<b>Date</b>	

## 36 Grounds for discretionary rejection

The Tenderer (or its directors or any other person who has powers of representation, decision or control of the named organisation) confirms that it:

- (a) being an individual is not bankrupt or has not had a receiving order or administration order or bankruptcy restrictions order made against him or has not made any composition or arrangement with or for the benefit of his creditors or has not made any conveyance or assignment for the benefit of his creditors or does not appear unable to pay or to have no reasonable prospect of being able to pay, a debt within the meaning of section 268 of the Insolvency Act 1986, or article 242 of the Insolvency (Northern Ireland) Order 1989, or in Scotland has not granted a trust deed for creditors or become otherwise apparently insolvent, or is not the subject of a petition presented for sequestration of his estate, or is not the subject of any similar procedure under the law of any other state;
- (b) being a partnership constituted under Scots law has not granted a trust deed or become otherwise apparently insolvent, or is not the subject of a petition presented for sequestration of its estate;
- (c) being a company or any other entity within the meaning of section 255 of the Enterprise Act 2002 has not passed a resolution or is not the subject of an order by the court for the company's winding up otherwise than for the purpose of bona fide reconstruction or amalgamation, nor had a receiver, manager or administrator on behalf of a creditor appointed in respect of the company's business or any part thereof or is not the subject of similar procedures under the law of any other state;
- (d) has not been convicted of a criminal offence relating to the conduct of his business or profession;
- (e) has not committed an act of grave misconduct in the course of his business or profession;
- (f) has fulfilled obligations relating to the payment of social security contributions under the law of any part of the United Kingdom or of the relevant State in which the organisation is established;
- (g) has fulfilled obligations relating to the payment of taxes under the law of any part of the United Kingdom or of the relevant State in which the economic operator is established;
- (h) is not guilty of serious misrepresentation in providing any information required of him under this regulation;
- (i) in relation to procedures for the award of a public services contract, is licensed in the relevant State in which he is established or is a member of an organisation in that relevant State when the law of that relevant State prohibits the provision of the services to be provided under the contract by a person who is not so licensed or who is not such a member.

<b>Organisation's name</b>	
<b>Signed</b>	
<b>Position</b>	
<b>Date</b>	