

**Tender Response Document for the Open Process**

**Tree Service / SHL/Tree 2017**

**Closing Date: 12:00 noon 22nd March 2017**

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| **Instructions on Completing the Tender Response Document** |
| * **All Tenderers must read the ITT, Specification, Stockport Home’s Terms and Conditions and the Pricing Schedule before completing this form.** * **All Instructions to Tender outlined in the ITT Document are applicable when completing this form.** * Tenderers must complete all answers as fully as possible, bearing in mind any word limits and answering with as much relevant detail as possible * If a Tenderer is unable to meet a requirement they must state “unable to meet” and where possible explain why * All responses must be completed in ARIAL FONT SIZE 11 * **ATTACHMENTS:** Tenderers must label all attachments   Unnecessary attachments thathave not been asked for willbe disregarded and will not be marked   * Any clarification questions can be emailed to [joanne.cole@stockporthomes.org](mailto:joanne.cole@stockporthomes.org) up to 7 calendar days before the closing date. * All completed tenders are to be returned to [**procurementshl@stockporthomes.org**](mailto:procurementshl@stockporthomes.org) by 22nd March 2017 * It is the Tenderer’s responsibility to ensure all forms are correctly labelled and returned on time. |

**Evaluation of the Tender Response Document**

* The tender process is an Open process with “Selection” and “Award” assessments as part of the same scoring exercise.
* The tender will be evaluated as follows:

**Stage 1 (Supplier Suitability)** – will be based on a desktop assessment process. Only those Tenderers whose responses pass **all** the Pass / Fail criteria and demonstrate relevant financial strength will proceed to Stage 2 (Award)

**Stage 2 (Award)** – will be evaluated taking into consideration the evaluation criteria and methodology as outlined section 9 below and the ITT.

**Stage 1**

**Section 1 -Supplier Information – For information only (not scored)**

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| --- | --- | --- |
| **1.1 Supplier details** | **Answer** | |
| Full name of the Supplier completing the Tender Response Document |  | |
| Registered company address |  | |
| Registered company number |  | |
| Registered charity number |  | |
| Registered VAT number |  | |
| Name of immediate parent company |  | |
| Name of ultimate parent company |  | |
| Please mark ‘X’ in the relevant box to indicate your trading status | i) a public limited company | Yes  ☐ No |
| ii) a limited company | Yes  ☐ No |
| iii) a limited liability partnership | Yes  ☐ No |
| iv) other partnership | Yes  ☐ No |
| v) sole trader | Yes  ☐ No |
| vi) other (please specify) | Yes  ☐ No |
| Please mark ‘X’ in the relevant boxes to indicate whether any of the following classifications apply to you | i) Voluntary, Community and Social Enterprise (VCSE) | Yes  ☐ No |
| ii) Small or Medium Enterprise (SME) [[1]](#footnote-1) | Yes  ☐ No |
| iii) Sheltered workshop | Yes  ☐ No |
| iv) Public service mutual | Yes  ☐ No |

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| **1.2 Bidding Model** | |
| **Please mark “x” in the relevant box to indicate whether you are ;** | |
| 1. Bidding as a Prime Contractor and will deliver 100% of the key contract deliverables yourself | Yes  No |
| 1. Bidding as a Prime Contractor and will use third parties to deliver some of the services   If yes, please provide details of your proposed bidding model that includes members of the supply chain, the percentage of work being delivered by each subcontractor and the key contract deliverables each subcontractor will be responsible for. | Yes  No |
| 1. Bidding as a Prime Contractor but will operate as a Managing Agent and will use third parties to deliver all of the services   If yes, please provide details of your proposed bidding model that includes members of the supply chain, the percentage of work being delivered by each subcontractor and the key contract deliverables each subcontractor will be responsible for. | Yes  No |
| 1. Bidding as a consortium but not proposing to create a new legal entity   If yes, please include details of your consortium in the next column and use a separate Appendix to explain the alternative arrangements i.e. why a new legal entity is not being created.  Please note that SHL may require the consortium to assume a specific legal form if awarded the contract, to the extent that it is necessary for the satisfactory performance of the contract. | Yes  No |
| 1. Bidding as a consortium and intend to create a Special Purpose Vehicle (SPV)   If yes, please include details of your consortium, current lead member and intended SPV in the next column and provide full details of the bidding model using a separate Appendix | **Consortium Members**  **Current Lead Member**  **Name of Special Purpose Vehicle** |

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| **1.3 Contact details** | |
| Supplier contact details for enquiries about this Tender Response Document | |
| Name |  |
| Postal address |  |
| Country |  |
| Phone |  |
| Mobile |  |
| E-mail |  |

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| **1.4 Licensing and Registration (please mark “x” in the relevant box)** | |
| Registration with a professional body  If applicable, is your business registered with the appropriate trade or professional register(s) in the EU member state where it is established (as set out in Annex XI of the directive 2014/24/EU under the conditions laid down by that member state) | Yes  If yes please provide additional details within this box of what is required and confirmation that you have complied with this.  No |
| Is it a legal requirement in the state where you are established for you to be licensed or a member of a relevant organisation in order to provide the requirement in this procurement? | ☐ Yes  ☐ No |

**Section 2 - Grounds for Mandatory Exclusion – Pass / Fail**

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| **2.1 Within the past five years, has your organisation (or any member of your proposed consortium, if applicable), Directors or partner or any other person who has powers of representation, decision or control been convicted of any of the following offences?** | **YES** | **NO** |
| 1. conspiracy within the meaning of section 1 or 1A of the Criminal Law Act 1977 or article 9 or 9A of the Criminal Attempts and Conspiracy (Northern Ireland) Order 1983 where that conspiracy relates to participation in a criminal organisation as defined in Article 2 of Council Framework Decision 2008/841/JHA on the fight against organised crime; |  |  |
| 1. corruption within the meaning of section 1(2) of the Public Bodies Corrupt Practices Act 1889 or section 1 of the Prevention of Corruption Act 1906; |  |  |
| 1. the common law offence of bribery; |  |  |
| 1. bribery within the meaning of sections 1, 2 or 6 of the Bribery Act 2010; or section 113 of the Representation of the People Act 1983; |  |  |
| 1. any of the following offences, where the offence relates to fraud affecting the European Communities’ financial interests as defined by Article 1 of the Convention on the protection of the financial interests of the European Communities: |  |  |
| 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, the Theft Act (Northern Ireland) 1969, the Theft Act 1978 or the Theft (Northern Ireland) Order 1978; |  |  |
| iv) fraudulent trading within the meaning of section 458 of the Companies Act 1985, article 451 of the Companies (Northern Ireland) Order 1986 or section 993 of the Companies Act 2006; |  |  |
| v) fraudulent evasion within the meaning of section 170 of the Customs and Excise Management Act 1979 or section 72 of the Value Added Tax Act 1994; |  |  |
| vi) an offence in connection with taxation in the European Union within the meaning of section 71 of the Criminal Justice Act 1993; |  |  |
| vii) ) destroying, defacing or concealing of documents or procuring the execution of a valuable security within the meaning of section 20 of the Theft Act 1968 or section 19 of the Theft Act (Northern Ireland) 1969 |  |  |
| viii) fraud within the meaning of section 2,3 or 4 of the Fraud Act 2006; or |  |  |
| (ix) the possession of articles for use in frauds within the meaning of section 6 of the Fraud Act 2006, or the making, adapting, supplying or offering to supply articles for use in frauds within the meaning of section 7 of the Act; |  |  |
| 1. any offence listed - |  |  |
| 1. in section 41 of the Counter Terrorism Act 2008; or |  |  |
| 1. in schedule 2 to that Act where the court has determined that there is a terrorist connection; |  |  |
| 1. any offence under sections 44 to 46 of the Serious Crime Act 2007 which relates to an offence covered by subparagraph (f); |  |  |
| 1. money laundering within the meaning of sections 340 (11) and 415 of the Proceeds of Crime Act 2002 |  |  |
| 1. an offence in connection with the proceeds of criminal conduct within the meaning of section 93A, 93B, 93C of the Criminal Justice Act 1998 or article 45, 46, 47 of the Proceeds of Crime (Northern Ireland)Order 1996; |  |  |
| 1. an offence under section 4 of the Asylum and Immigration (Treatment of Claimants etc.) Act 2004 |  |  |
| 1. an offence under section 59A of the Sexual Offences Act 2003; |  |  |
| 1. an offence under section 71 of the Coroners and Justice Act 2009 |  |  |
| 1. an offence in connection with the proceeds of drug trafficking within the meaning of section 49,50 or 51 of the Drug Trafficking Act 1994; 0r |  |  |
| 1. any offence within the meaning of Article 57 (1) of the Public Contracts Directive - |  |  |
| 1. as defined by the law of any jurisdiction outside England and Wales and Northern Ireland or |  |  |
| 1. created, after the day on which these Regulations were made, In the law of England and Wales or Northern Ireland |  |  |
| **Non-payment of taxes**  **2.2 Has it been established by a judicial or administrative decision having final and binding effect in accordance with the legal provisions of any part of the United Kingdom or the legal provisions of the country in which your organisation is established (if outside the UK), that your organisation is in breach of obligations related to the payment of tax or social security contributions?**  If you have answered Yes to this question, please use a separate Appendix to provide further details. Please also use this Appendix to confirm whether you have paid, or have entered into a binding arrangement with a view to paying, including, where applicable, any accrued interest and/or fines? |  |  |

**Section 3 Grounds for discretionary exclusion (part1) – Pass / Fail**

SHL may exclude any supplier who answers “yes” in any of the following situations set out in paragraphs (a) to (i);

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| **3.1 Within the past three years, please indicate if any of the following situations have applied, or currently apply, to your organisation.** | **YES** | **NO** |
| 1. your organisation has violated applicable obligations referred to in regulation 56 (2) of the Public Contracts Regulations 2015 in the fields of environmental, social and labour law established by EU law, national law, collective agreements or by the international environmental, social and labour law provisions listed in Annex X to the Public Contracts Directive as amended from time to time; |  |  |
| 1. your organisation is bankrupt or is the subject of insolvency or winding up proceedings, where your assets are being administered by a liquidator or by the court, where it is an arrangement with creditors, where its business activities are suspended or it is any analogues situation arising from a similar procedure under the laws and regulations of any state; |  |  |
| 1. your organisation is guilty of grave professional misconduct, which renders its integrity questionable; |  |  |
| 1. your organisation has entered into agreements with other economic operators aimed at distorting competition; |  |  |
| 1. your organisation has a conflict of interest within the meaning of regulation 24 of the Public Contract Regulations 2015 that cannot be effectively remedied by other, less intrusive, measures; |  |  |
| 1. the prior involvement of your organisation in the preparation of the procurement procedure has resulted in a distortion of competition, as referred to in regulation 41, that cannot be remedied by other, less intrusive, measures; |  |  |
| 1. your organisation has shown significant or persistent deficiencies in the performance of a substantive requirement under a prior public contract, a prior contract with a contracting entity, or a prior concession contract, which led to early termination of that prior contract, damages or other comparable sections; |  |  |
| 1. your organisation –  * has been guilty of serious misrepresentation in supplying the information required for the verification of the absence of grounds for exclusion or the fulfilment of the selection criteria; or * has withheld such information or is not able to submit supporting documents required under regulation 59 of the Public Contract Regulations 2015; or |  |  |
| 1. your organisation has undertaken to |  |  |
| (aa) unduly influence the decision making process of the contracting authority, or |  |  |
| (bb) obtain confidential information that may confer upon your organisation undue advantages in the procurement procedure; or |  |  |
| 1. your organisation has negligently provided misleading information that may have a material influence on decisions concerning exclusion, selection or award |  |  |

**Section 4 – Grounds for discretionary exclusion (part 2) – Pass / Fail**

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| From 1 April 2013 onwards, have any of your company’s tax returns submitted on or after 1 October 2012.  (Please indicate your answer by marking “X” in the relevant box). | | |
| 4.1 | Given rise to a criminal conviction for tax related offences which is unspent, or to a civil penalty for fraud or evasion; | Yes  No |
| 4.2 | Been found to be incorrect as a result of:   * HMRC successfully challenging it under the General Anti Abuse Rule (GAAR) or the “Halifax” abuse principal; or * A tax authority in a jurisdiction in which the legal entity is established successfully challenging it under any tax rules or legislation that have an effect equivalent or similar to the GAAR or the “Halifax” abuse principle; or * The failure of an avoidance scheme which the supplier was involved in and which was, or should have been notified under the Disclosure of Tax Avoidance Scheme (DOTAS) or any equivalent or similar regime in a jurisdiction in which the Supplier is established. | Yes  No |
| If answering “Yes” to either 4.1 or 4.2 above, the Supplier may provide details of any mitigating factors that it considers relevant and that it wishes the Authority to take into consideration. This could include for example:   * Corrective action undertaken by the supplier to date; * Planned corrective action to be taken; * Changes in personnel or ownership since the Occasion of Non – Compliance (OONC); OR * Changes in financial, accounting, audit or management procedures since the OONC.   In order that SHL can consider any factors raised by the Supplier, the following information should be provided:   * A brief description of the occasion, the tax which it applied, and the type of “non-compliance” e.g. whether HMRC or the foreign tax authority has challenged pursuant to the GAAR, the “Halifax” abuse principle etc. * Where the OONC relates to a DOTAS, the number of the relevant scheme. * The date of the original “non – compliance” and the date of any judgement against the Supplier, or date when the return was amended. * The level of any penalty or conviction applied. | | |

**Section 5 – Economic and financial standing – Pass / Fail**

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| **FINANCIAL INFORMATION** | |
| **5.1 Please provide one of the following to demonstrate your economic / financial standing;**  Please indicate your answer with an “X” in the relevant box | |
| 1. A copy of the audited accounts for the most recent 3 years |  |
| 1. A statement of the turnover, profit and loss account, current liabilities and assets, and cash flow for the most recent year of trading for this organisation |  |
| 1. A statement of cash flow forecast for the current year and a bank letter outlining the current cash and credit position |  |
| 1. Alternative means of demonstrating financial status if any of the above are unavailable (e.g. forecast of turnover for the current year and a statement of funding provided by the owners and / or the bank, charity accruals accounts or an alternative means of demonstrating financial status). |  |
| 5.2 Where SHL has specified a minimum level of economic and financial standing and / or a minimum financial threshold within the evaluation criteria, please self-certify by answering “yes” or “no” that you meet the requirements set out here. | Yes  No |
| 5.3 (a) Are you part of a wider group (e.g. a subsidiary of a holding / parent company)?  If yes – please provide the name below:  Name of Organisation………………………………………….  Relationship to Supplier………………………………………..  If Yes, please provide Ultimate / parent company accounts if available.  If Yes, would the ultimate / parent be willing to provide a guarantee if necessary?  If no, would you be able to obtain a guarantee elsewhere (e.g. from a bank?) | Yes  No |

**Section 6 – Technical and professional ability– Pass / Fail**

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| --- | --- | --- | --- |
| **Relevant experience and contract examples** | | | |
| 6. Please provide details of three contracts, in any combination from either the public or private sector, that are relevant to SHL’s requirement. Contracts for supplies or services should have been performed during the past **three** years. Works Contracts may be from the past **five** years, and VCSEs may include samples of grant funded work.  The named customer contact provided should be prepared to provide written evidence to SHL to confirm the accuracy of the information provided below.  Consortia bids should provide relevant examples of where the consortium has delivered similar requirements. If this is not possible (e.g. the consortium is newly formed or a SPV will be created for this contract) then three separate examples should be provided between the principal member(s) of the proposed consortium or SPV (three examples are not required from each member).  Where the supplier is a SPV, or a managing agent not intending to be the main provider of the supplies or services, the information requested should be provided in respect of the principal intended provider(s) or sub – contractor(s) who will deliver the supplies and services. | | | |
|  | Contract 1 | Contract 2 | Contract 3 |
| 6.1 Name of customer organisation |  |  |  |
| 6.2 Point of contact in customer organisation  Position in the Organisation  Email address |  |  |  |
| 6.3 Contract Start Date  Contract Completion Date  Estimate Contract Value |  |  |  |
| 6.4 In no more than 500 words, please provide a brief description of the contract delivered including evidence as to your technical capability in this market |  |  |  |
| 6.5 If you cannot provide at least one example for question 6.1 – 6.4, in no more than 500 words please provide an explanation for this e.g. your organisation is a new start up | | | |

**Section 7**

**Part A – Project Specific Questions**

This section has been removed and will be covered within the Quality Section

**Part B – Insurance – Pass / Fail**

|  |  |
| --- | --- |
| 1. Please self-certify whether you already have, or can commit to obtain, prior to the commencement of the contract, the levels of insurance cover indicated below:   Employers (compulsory Liability Insurance = £10,000,000  Public Liability Insurance = £5,000,000  Professional indemnity Insurance = £10,000,000  Product Liability Insurance = £5,000,000  \*It is a legal requirement that all companies hold Employer’s (Compulsory) Liability Insurance of £5 million as a minimum. Please note this requirement is not applicable to Sole Traders. | Yes  No |

**Part C – Compliance with equality legislation – Pass / Fail**

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| --- | --- |
| For Organisations working outside of the UK please refer to equivalent legislation in the country you are located. | |
| 1. In the last three years, has any finding of unlawful discrimination been made against your organisation by an Employment Tribunal, an Employment Appeal Tribunal or any other court (oe in comparable proceedings in any jurisdiction other than the UK)? | Yes  No |
| 1. In the last three years, has your organisation had a complaint upheld following an investigation by the Equality and Human Rights Commission or its predecessors (or a comparable body in any jurisdiction other than the UK), on grounds or alleged unlawful discrimination?   If you have answered “yes” to one or both of the questions in this module, please provide, as a separate Appendix, a summary of the nature of the investigation and an explanation of the outcome of the investigation to date.  If the investigation upheld the complaint against your organisation, please use the Appendix to explain what action (if any) you have taken to prevent unlawful discrimination from reoccurring.  You may be excluded if you are unable to demonstrate to SHL’s satisfaction that appropriate remedial action has been taken to prevent similar unlawful discrimination reoccurring. | Yes  No |
| 1. If you use subcontractors, do you have processes in place to check whether any of the above circumstances apply to these organisations? | Yes  No |

**Part D – Environmental management – Pass / Fail**

|  |  |
| --- | --- |
| 1. Has your organisation been convicted of breaching environmental legislation, or had any notice served upon it, in the last three years by any environmental regulator or authority (including local authority)?   If your answer is “yes” please provide detail in a separate Appendix of the conviction or notice and details of any remedial action or changes you have made as a result of conviction or notices served.  SHL will not select bidder(s) that have been prosecuted or served notice under environmental legislation in the last 3 years, unless SHL is satisfied that appropriate remedial action has been taken to prevent future occurrences / breaches. | Yes  No |
| 1. If you use subcontractors, do you he processes in place to check whether any of these organisations have been convicted or had notice served upon them for infringement of environmental legislation? |  |

**Part E – Health and Safety – Pass / Fail**

|  |  |
| --- | --- |
| 1. Please self – certify that your organisation has a Health and Safety Policy that complies with current legislative requirements. | Yes  No |
| 1. Has your organisation or any of its directors or Executive Officers been in receipt of enforcement / remedial orders in relation to the Health and Safety Executive (or equivalent body) in the last 3 years?   If your answer is “yes”, please provide details in and Appendix of any enforcement / remedial orders served and give details of any remedial action or changes to procedures you have made as a result.  SHL will exclude bidder(s) that have been in receipt of enforcement / remedial action orders unless the bidder(s) can demonstrate to SHL’s satisfaction that appropriate remedial action has been taken to prevent future occurrences or breaches. | Yes  No |
| 1. If you use sub - contractors, do you have any processes in place to check whether any of the above circumstances apply to these organisations? | Yes  No |

**Section 8 - Terms and Conditions**

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| --- | --- | --- |
| All goods / services supplied under this contract will be supplied under the Stockport Home’s Terms and Conditions (attached)  NO variations to the standard Terms and Conditions will be considered. Tenderers must note that any bids tabling proposed amendments will be rejected without further consideration.  Tenderers must confirm that they have read the Terms and Conditions of contract and agree to these terms without any amendments, additions or deletions.  Please tick the relevant box below to confirm this: | | **PASS / FAIL** |
| **Yes**: | **No:** |  |

**Stage 2**

**Section 9 - Quality Question Responses – this section will be scored see ITT Doc**

**Section 9 - Checklist for Supporting Documents to be submitted:**

Can All Tenderer’s please submit the following documents;

|  |  |
| --- | --- |
| **Document(s)** | **Attached – Yes or No** |
| Last 3 year Accounts (if not already done so) |  |
| Form of Tender |  |
| Non Canvassing Form |  |
| Health and Safety Policy |  |
| Environmental Policy |  |
| Diversity and Equality Policy |  |

**Section 10 – Declaration**

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| I declare that to the best of my knowledge the answers submitted to these questions are correct. I understand the information will be used in the selection process to assess my organisation’s suitability to be invited to participate further in this procurement, and I am signing on behalf of ……………………………………..(insert name of supplier)  I understand that SHL may reject my submission if there is failure to answer all relevant questions fully or if I provide false / misleading information. I have provided a full list of any appendices used to provide additional information in response to questions.  I also declare there is no conflict of interest in relation to Stockport Homes Limited requirement.  The following appendices form part of our submission:   |  |  | | --- | --- | | **Section of Tender** | **Appendix Number** | |  |  | |  |  |   Form Completed By:   |  |  | | --- | --- | | **Name** |  | | **Role in Organisation** |  | | **Date** |  | | **Signature** |  | |

1. See EU definition of SME: http://ec.europa.eu/enterprise/policies/sme/facts-figures-analysis/sme-definition/ [↑](#footnote-ref-1)