

# **Gainsborough Town Council**

## **INFORMATION AND INSTRUCTIONS FOR TENDERING**

### **INVITATION TO TENDER**

Design and installation of a new play facility and refurbishment works at Aisby Walk Play Area, Aisby Walk, DN21 1UL.

Tenders must be submitted in accordance with the following instructions. Tenders not complying with these instructions, in any way, may be rejected by the Council whose decision on the matter is final.

Budget £134,792

### **PROJECT BRIEF**

Gainsborough Town Council (GTC) is seeking to invite tenders for the design and build of a new play facility for children aged from 2 to 13+ years of age as well as refurbishment of existing play equipment with all equipment and surfacing conforming to EN1176, EN1177 and all relevant standards.

We want to provide play equipment that is accessible, inclusive and inviting to all. The equipment should also be low maintenance whilst offering high play value.

The area assigned for development is located in Gainsborough (see location map). A budget of up to £134,792 has been set aside for the project.

The volume of goods and services should comprise as a minimum:

<b>Description</b>
Preliminaries such as but not limited to site security, storage, welfare facilities compliant with Construction Design and Management Regulations 2015 (CDM), skip hire
Roundabout promoting inclusive play
Seesaw promoting inclusive play
Swings (refurbish existing swings, provide additional swings for all ages and abilities)
Supernova roundabout or equivalent
Springers
Play panel
Meeting point/shelter
Benches utilising recycled materials and bins (please contact the Council to agree specifications)
Appropriate safety surfacing
Refurbishment and removal of existing equipment (please contact the Council)
Inclusive multiplay equipment for age 7+ for 7 or more users offering Multi-deck with 2 heights, Slide, Climbing Post, Rope Ladder, Climbing Wall, Curved Sliding Pole, climbing opportunity, Spinning and Bench Seat or similar encouraging interactive play and climbing, sliding and spinning.
Equipment for 7+ age range should complement each other but not offer the same play encouraging balance and co-ordination by producing swinging and rocking movement.
Equipment for users aged 7+ encouraging balancing, group play, hanging, rocking spinning, swinging and social play
All equipment to include, wherever possible, sensory activity.
Topsoil and turf
Post installation Inspection by RoSPA

Under the works you should allow for:

- No onsite or technical support will be provided by the Council.
- Planning submission/permission where applicable. Supplier to determine if this is applicable.
- Supplier to take full responsibility to check and ascertain the installation feasibility.
- Positioning, supply and installation of all play equipment and associated works, as per supplier design.

### **Safety surfacing**

- The supply and installation of safety barriers, e.g., for play equipment, in accordance with minimum use zones and EN regulations.
- Fall protection and safety surfaces for the play area should meet appropriate National Safety Standards for the equipment, activity, location, and child age ranges.
- All proposed types of safety surfacing should have appropriate ground preparation to ensure free drainage, geotextile membrane, edging and access ramps or transfer platforms (cross sectional details will be required along with your tender return).

### **Design**

Design must be inclusive and innovative.

### **Materials**

The Council want to avoid the use of wood but is not fixed about the type of materials to be used but will be looking for products that require minimal maintenance and are built for longevity. They should also have resistance to vandalism and offer inclusive play. This applies to all equipment, seating, bins and surfacing.

### **Furniture**

Benches and litter bins should be included in any new play facility themes, ensuring it is matching to the design, colour, and materials of the overall scheme.

### **Inclusivity**

The Council wants their parks to be as inclusive as possible, inclusive play equipment must be considered as part of the tender.

### **Value Added**

The Council encourages any additional value-added options within the proposal. These should be set out separately in the tender proposals.

## Location

Aisby Walk is located next to Thorndike Way within a well-established residential area. The address is Aisby Walk Play Area, Aisby Walk, Gainsborough, Lincolnshire, DN21 1UL



## CONTRACT ISSUES AND TENDER PROCESS

### Performance of contract and after sales

Suppliers must be able to respond quickly and effectively to any post installation maintenance requirements. Tenders should confirm that they are able to meet the conditions and the penalties set out in the table below

Requirement	Details	Penalty
<b>Completion of project on time</b>	Other than delays due to aspects not within the control of the contractor completion of 2 weeks beyond stated completion date	5% of value or project
<b>Resolution of Warranty related defects</b>	Beyond 2 weeks of notified defect if item is not safe to be used	5% listed value of equipment in question
<b>Retention</b>	Any defects or quality issues within 12 months of installation	5% (£6739.60) of the value of the project to be withheld until 12 months following completion of the project.

### Project Completion

The project will not be deemed complete until all snagging issues are resolved and the Post ROSPA Installation Inspection is complete and satisfactory (this will need to be included as part of the contract). As works will take place during potential wet weather with soft ground, any damage must be repaired and made good when leaving site.

### Tender Evaluation

Tenders will be evaluated in-line with the table below. Each category has a total number of points available which reflect the importance of the activity. Suppliers should therefore identify within their tender how they meet each of the categories.

Item	Score	Detail
<b>Overall Design</b>	30%	Meeting the project brief, design, layout, aesthetics of equipment and surfacing, inclusivity.
<b>Quality of Materials</b>	35%	Maintenance, expected longevity of equipment, surfacing and groundworks.
<b>Sustainability</b>	15%	Re-use/refurbishment of existing play equipment, surfaces and materials. Type of materials used, product origin and shipping, transport, use of local labour.

<b>Warranties</b>	5%	What is covered in the warranty, length of warranty for each type of material.
<b>Presentation</b>	5%	Quotation, quality of the visuals, general information included and format of response.
<b>Timetable and Service Levels</b>	10%	Can you meet the time frames and agree to the services levels detailed in this document.

### Scoring System

<b>Quality</b>	<b>Points</b>	<b>Criteria</b>
<b>Superior</b>	4	Exceptional demonstration of the relevant ability, understanding, experience, skills, resources & quality measures required to meet the project's aims or requirements. Response highly relevant with comparable contract value.
<b>Good</b>	3	A comprehensive response submitted in terms of detail and relevance and clearly meets most of the project's aims or requirements with no negative indications or inconsistencies.
<b>Below Expectations</b>	2	Minimal achievement of the requirements specified in the tender offer & presentation for that criterion. Several errors, risks, weaknesses or omissions, which are possible, but difficult to correct/overcome and make acceptable.
<b>Poor to deficient</b>	1	Limited response provided, or a response that is inadequate, substantially irrelevant, inaccurate or misleading.
<b>Unacceptable</b>	0	Totally deficient and non-compliant for that criterion.

Conformance and certification to BS EN1176 & EN1177 will be evaluated on a pass/fail basis.

The Questionnaire (refer to page 13) will be assessed on a pass/fail basis, and only those organisations that pass this stage will be considered for the project.

This evaluation exercise will be used to select no more than three tenders. These will go forward to a decision-making stage then onto a Council Meeting.

## Project timeline

Below is the project timeline. Suppliers will need to provide confirmation (or Programme of Works) that these dates for starting and finishing the project can be met within their tender response:

<b>Action:</b>	<b>Date Due By:</b>
Tender Response Due	15 <sup>th</sup> April 2024
Tender selected and decision notified	8 <sup>th</sup> May 2024
Completion Date, Play Area Open	17 <sup>th</sup> July 2024
All snagging / ROSPA issues resolved, fencing and storage removed, Play Area Open.	19 <sup>th</sup> July 2024

## Preparation of Tender and Tender Duties.

Suppliers will be asked to complete 3 key documents as part of their tender submission. These are attached in the appendices. They are as follows:

- ☐ **Form of Tender – Appendix A – please see page 10**
- ☐ **Qualification Questionnaire (plus associated documents Appendix B) – please see page 12**
- ☐ **Design, total cost and detailed breakdown of prices**

The Tender shall be made on the Form of Tender enclosed and signed in ink.

The Form of Tender must be signed where the Suppliers is an individual, by that individual. Where the Suppliers is a partnership, by two duly authorised partners. Where the Suppliers is a company, by a director, such persons to be duly authorised for the purpose.

Qualification Questionnaire should be completed and the following attached:

- ☐ Health & Safety Policy, Risk Assessments and Safe Working Procedures
- ☐ Copies of public liability, professional liability, product liability and employer's liability
- ☐ Insurance, all of which must identify the level of indemnity
- ☐ Proposals for undertaking the refurbishment of the play space
- ☐ Organisation and method of working
- ☐ Details of any part of the refurbishment programme of the play/recreation space to be sub-contracted
- ☐ A scale drawing of the proposed scheme 1:100
- ☐ Two A1 presentations of the proposed scheme along with a digital copy on a memory stick
- ☐ A schedule of works detailing the delivery and installation period between 8<sup>th</sup> May 2024 and 17<sup>th</sup> July 2024.
- ☐ Copies of the company's certificates in relation to BS EN1176 & 1177
- ☐ Details of any proposed sub-contractors
- ☐ Details of any added value.

**Total cost and detailed breakdown of prices showing:**

- Unit price per item of equipment
- Detailed costs of all items, including surfacing, benches and bins
- Installation costs per item of equipment and of all other items
- Details of any additional items /costs such as security, delivery and storage

**Site Visit**

Before submitting a tender for the project, suppliers are invited to arrange an accompanied visit to the site to ascertain all relevant conditions and means of access and to thoroughly acquaint themselves with the extent and nature of the project. Please call 01427 811573 to arrange a suitable date and time.

**Tender Questions, Clarifications and Site Visit**

Suppliers are advised to study the Conditions of Contract and Specification. Suppliers should seek to clarify any points of doubt or difficulty (including any apparent ambiguities, errors and omissions in the tender documents) with the Council prior to submitting a tender.

Any questions or matters of clarification regarding the tender procedure, contract documentation, specification or requests for further information should be submitted by e-mail to [townclerk@gainsborough-tc.gov.uk](mailto:townclerk@gainsborough-tc.gov.uk).

Suppliers shall be deemed to have satisfied themselves before submitting their Tender as to the accuracy and sufficiency of the rates and prices stated by them in their proposal, which shall (except in so far as it is otherwise provided for in the Contract) cover all their obligations under the Contract, and shall be deemed to have obtained for themselves all necessary information as to risks, contingencies and any other circumstances which might reasonably influence or affect their proposal.

Any response will be shared with all suppliers who have expressed interest.

**Period of Validity**

Suppliers are required to keep Tenders valid for acceptance for a period of 60 days from the closing date for receipt of tenders.

### **Submission of Tender**

Hard copy tenders shall be submitted in a plain sealed envelope / package clearly marked "Gainsborough Play Area Tender", in large bold print, by registered post, recorded delivery service to:

The Town Clerk, Gainsborough Town Council, Richmond House, Richmond Park, Morton Terrace, Gainsborough, Lincolnshire, DN21 2RJ.

A digital copy of the tender submission shall be included in the envelope on a memory stick.

The envelope must not bear any name or mark indicating the identity of the sender. Tenders must be received by no later than noon on 15<sup>th</sup> April 2024.

No Tender will be considered if it is received after the date and time specified, unless the Council, at its sole discretion, extends the closing date and time specified in writing.

Information supplied by Suppliers will be treated as contractually binding subject to the conditions and requirements laid down in this Invitation to Tender. The Council reserves the right to engage in a tender clarification process with one or more of the organisations who submit a proposal.

All unit rates and prices must be quoted in £ Sterling, exclusive of VAT and inclusive of all costs associated with the project.

The prices/fees to be inserted in the Form of Tender shall be the full inclusive value of the goods, works and services described (The Services). They shall represent all costs and expenses which may be incurred in order to provide the Services in accordance with the Conditions and Specification and to assume all express and implied risks, liabilities and obligations imposed by the Conditions, the Specification and all other documents forming part of the contract.

Suppliers shall be deemed to have satisfied themselves before submitting their Tender as to the accuracy and sufficiency of the rates and prices stated by them in their Tender, which, shall (except in so far as it is otherwise provided for in the contract), cover all their obligations under the contract, and shall be deemed to have obtained for themselves all necessary information as to risks, contingencies and any other circumstances which might reasonably influence or affect their tender. The Council is not bound to accept the lowest or any tender.

### **Scope of Tender**

Tenders are being invited on the basis of undertaking the whole of the project.

### **Contract Period**

Tenders are invited for the project which is to be completed by 17/07/2024. There will be no extension to this date under any circumstances, except in exceptional situations that have been communicated in good time to the Council, and it is a key condition of contract that the entire works and services are completed by this date.

### **Tender Costs**

The Council will not be liable in respect of any costs, expenses or losses incurred (of whatever nature) by Suppliers in the preparation of Tenders or any associated work effort in connection with this tender process.



**Inducements**

Offering an inducement of any kind in relation to obtaining this or any other contract with the Council will disqualify your proposal from being considered and may constitute a criminal offence.

**Payments**

Payments will be made within 30 days of receipt of an invoice subject to the project being completed to the satisfaction of the Council.

**Sub-contracting**

When submitting its Tender, the Supplier must notify the Council of any parts of the project which it proposes to sub-contract. Failure to do so will invalidate any such tender. The Council's prior written approval must be obtained before any part of the services is subcontracted. The Council reserves the right to refuse such approval at its absolute discretion.

An approved sub-contractor must give a direct warranty and undertaking to the Council, but the Contractor will nonetheless remain primarily liable for the provision of the Services.

**Award of Contract**

The Council expect to award the Contract on or about 8<sup>th</sup> May 2024.

**Health and Safety**

Suppliers will be required to comply with the Health and Safety at Work Act 1974 and all other regulations made under the Act.

**Accuracy**

Information supplied to Suppliers by the Council (whether in these tender documents or otherwise) is supplied for general guidance in the preparation of the tenders. Suppliers must satisfy themselves by their own investigations with regard to accuracy of any such information and no responsibility is accepted by the Council for any inaccurate information obtained by Suppliers.

**Confidentiality**

All information supplied by the Council in connection with this invitation to tender shall be regarded as confidential by the Supplier except that such information may be disclosed for the purpose of obtaining sureties and quotations necessary for the preparation of the Tender. Any data provided by the Council may only be used for the purposes of providing the Services and may not be used for any other purpose without the prior written consent of the Council.

**Freedom of Information**

The Council is a public authority within the meaning of the Freedom of Information Act 2000. Information in relation to this Tender and all correspondence received may be made available on demand in accordance with the Freedom of Information Act 2000. Suppliers should state if and why any of the information supplied by them in response to this Tender is confidential or commercially sensitive or exempt from disclosure under the aforementioned Act. Notwithstanding the foregoing, unless an exemption under the aforementioned Act or a duty of confidence applies, information shall be disclosed in accordance with the Freedom of Information Act 2000 in response to a freedom of information request where the public interest in favour of disclosure outweighs a Supplier's commercial interests in maintaining non-disclosure.

**Publication of Successful Tender**

The Council will publish the name of the successful Supplier.

## Appendix A

### FORM OF TENDER

**TO: The Town Clerk, Gainsborough Town Council, Richmond House, Richmond Park, Morton Terrace, Gainsborough, Lincolnshire, DN21 2RJ.**

I/We, .....  
(insert full legal name of Supplier including 'Ltd' or 'plc' or as the case may be – **please note:** if the legal name is a business name not followed by 'Ltd' or 'plc' or a similar expression, please state the legal nature of the Supplier, e.g. partnership or incorporated unlimited company)  
hereby offer to provide the works, services and goods ('the Services') in accordance with the Conditions of Contract and Specification Brief for the Fixed Sum of £..... excluding VAT

1. I/We hereby warrant and represent to, and undertake with the Council that: -

- a) I/We have not directly or indirectly canvassed any Member or Official of the Council with a view to gaining more favourable consideration of my/our Tender.
- b) All information, representations and other matters of fact communicated (whether in writing or otherwise) to the Council by myself/ourselves my/our employees or agents in connection with the Form of Tender (and without prejudice to the generality hereof) are true, complete, and accurate in all respects.
- c) I/We have not submitted the Form of Tender or entered into the Contract in reliance upon any representations or statement (whether made orally or in writing) which may have been made by the Council or on the Council's behalf.
- d) I/We have full power and authority to enter into the Contract and to provide the Service.
- e) I/We have sound financial standing and have sufficient working capital available to perform the contract in accordance with the conditions for the entire duration of the contract period.

2. I/We agree that:

- a) This tender shall be kept open for 60 days from .....
- b) The Contract shall become binding upon the Council's written acceptance of the Tender
- c) The Council is under no obligation to accept this or any other Tender.

Dated this ..... day of ..... 2024

Signature:

Name:

Organisation:

Please complete this form in full and return it with all other items referred to in the Instructions to Suppliers.

## Appendix B QUALIFICATION QUESTIONNAIRE

Suppliers should provide the following information to determine their financial and technical competence/suitability to supply the tendered Service. Please note the Council may obtain an independent appraisal of financial strength.

1. Trading Name of Contractor:
  
2. Full Name of Contractor: (i)
  
3. Address of Registered Office (ii)
  
4. Address and telephone number of office from where the Council's work would be carried out:
  
5. Person applying on behalf of the Contractor:  
Position in Company:  
Tel No:  
E-mail:
  
6. Date of Formation of Company:
  
7. Registration Number where a limited Company:

### 8. Health & Safety

The Council firmly believes that successful Health & Safety management is integral to the efficiency and effectiveness of any organisation. It is therefore essential that the following questions are fully completed.

- (i) Number of people employed by your organisation:
  
- (ii) Name and designation of person responsible for Health & Safety within your organisation:
  
- (iii) Do you have a Health & Safety Policy? If yes, please enclose. **YES/NO**

- (iv) Do you have risk assessments for the Services to be provided to the Council? If yes, please enclose. **YES/NO**
- (v) Do you have Safe Working Procedures for the Service to be provided to Gainsborough Town Council? If yes, please enclose. **YES/NO**
- (vi) Please provide the name and qualifications of the person used for competent health & safety advice to your organisation.
- (vii) Please list any improvement notices, prohibition notices or prosecutions served on your organisation within the last 5 years.
- (viii) How many accidents or near misses (if any) have been reported to you, by members of your staff in the last 12 months? Please detail below:
- (ix) How many RIDDOR reportable accidents (if any) have there been in the last 12 months? Please detail below:

## 9. Insurance

(iii) Name and address of Insurance Broker

(iv) Employers Liability Insurance - Please enclose a copy of your current policy.

Limit of Cover:

Insurer:

Policy No:

Expiry Date:

(v) Public Liability (Third Party) Insurance - Please enclose a copy of your current policy.

Limit of cover

Insurer:

Policy No:

Expiry Date:

- (vi) If your Public and Employers Liability Insurance cover is for less than £5 million, please confirm that you would be prepared to make cover of this amount available in the event of your being awarded a contract. **YES/NO**

- (vii) Professional Liability Insurance – Please enclose a copy of your current policy

Limit of cover:

Insurer:

Policy No:

Expiry Date:

#### 10. Previous Experience

Please give details of three of your most recent or current clients that we can contact, preferably with the public sector. By giving these details you consent to us contacting them.

Organisation and Address	Contact Name, telephone no & e-mail	Date	Contract Value	Contract Description
	Name: Tel: e-mail:			
	Name: Tel: e-mail:			
	Name: Tel: e-mail:			

11. Has your company had a contract terminated or its employment determined within the last three years?

If yes, please give details below: