



**Wincanton**  
Town Council



# WINCANTON TOWN COUNCIL

## TENDER DOCUMENT

Invitation to submit a Tender for the refurbishment of the two Wincanton Public Toilets owned and operated by Wincanton Town Council.

<p>To be submitted no later than 12 noon on Monday 3<sup>rd</sup> March 2025 Late submissions will be disregarded</p>
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Emma Curtis, Town Clerk  
Town Hall  
Market Place  
Wincanton  
Somerset  
BA9 9LD

Tel: 01963 31693  
Email: [townclerk@wincantontowncouncil.gov.uk](mailto:townclerk@wincantontowncouncil.gov.uk)

*3<sup>rd</sup> February 2025*



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## **1.0 INTRODUCTION**

- 1.1 Wincanton Town Council owns, manages and maintains two public toilets in Wincanton. The toilets operated by the Town Council are located at the Cale Park Recreation Ground with the other toilet sited in Churchfields Car Park. The Town Council has Community Infrastructure Levy (CIL) funding available that may be used to help fund the refurbishment of the two toilets.
- 1.2 Both toilets are of brick construction with a tiled roof. Windows have glass block windows in wooden frames. Doors are of wood construction and require repair and redecoration. Floors are concrete and are currently painted.
- 1.3 Both toilets are not aesthetically pleasing and require maintenance and redecoration. The toilets need to be manually locked and unlocked by the Works and Maintenance Team on a daily basis and there is currently no security at either toilet with both prone to being the target for vandalism.
- 1.4 Wincanton Town Council is seeking a suitably qualified contractor to refurbish the two Wincanton Public Toilets at Cale Park Recreation Ground and Churchfields car park.
- 1.5 The refurbishment programme provided by the Tenderer should include a detailed list of all the works to be carried out to ensure that the toilets are fit for purpose, safe, secure and easy to maintain.
- 1.6 The works specification should be based on the specification included in this tender document and should include the replacement of equipment, intended reuse of existing infrastructure and other improvements to the existing infrastructure. There should be provision for at least one DDA compliant toilet cubicle at each location.
- 1.7 This document establishes some broad parameters that Wincanton Town Council will take into account when selecting the successful Tenderer and offers guidance on the desired outcome of the project.

## **2. FINANCIAL REGULATIONS REGARDING CONTRACTS**

- 2.1 The following Financial Regulations are in place under Section 11 of the revised Financial Regulations:



## **11. CONTRACTS**

### **11.1. Procedures as to contracts are laid down as follows:**

- a) Every contract shall comply with these financial regulations, and no exceptions shall be made otherwise than in an emergency provided that this regulation need not apply to contracts which relate to items (i) to (vi) below:
  - i. for the supply of gas, electricity, water, sewerage and telephone services;
  - ii. for specialist services such as are provided by solicitors, accountants, surveyors and planning consultants;
  - iii. for work to be executed or goods or materials to be supplied which consist of repairs to or parts for existing machinery or equipment or plant;
  - iv. for work to be executed or goods or materials to be supplied which constitute an extension of an existing contract by the council;
  - v. for additional audit work of the external auditor up to an estimated value of £500 (in excess of this sum the Clerk and RFO shall act after consultation with the Chairman and Vice Chairman of the council); and
  - vi. for goods or material proposed to be purchased which are proprietary articles and / or are sold at a fixed price.
- b) Where the council intends to procure or award a public supply contract, public service contract or public works contract as defined by the Public Contracts Regulations 2015 ("the Regulations") which is valued at £25,000 or more, the council shall comply with the relevant requirements of the Regulations<sup>2</sup>.

The regulations require councils to use the Contracts Finder website to advertise contract opportunities, set out the procedures to be followed in awarding new contracts and to publicise the award of new contracts.

- c) The full requirement of The Regulations, as applicable, shall be followed in respect of the tendering and award of a public supply contract, public service contract or public works contract which exceed thresholds in The Regulations set by the Public Contracts Directive 2014/24/EU (which may change from time to time).

Thresholds currently applicable are:

- (i) for public supply and public service contracts £181,302



(ii) for public works contracts £4,551,413

- d) When applications are made to waive financial regulations relating to contracts to enable a price to be negotiated without competition the reason shall be embodied in a recommendation to the Council.
- e) Such an invitation to tender shall state the general nature of the intended contract and the Clerk shall obtain the necessary technical assistance to prepare a specification in appropriate cases. The invitation shall in addition state that tenders must be addressed to the Clerk in the ordinary course of post. Each tendering firm shall be supplied with a specifically marked envelope in which the tender is to be sealed and remain sealed until the prescribed date for opening tenders for that contract.
- f) All sealed tenders shall be opened at the same time on the prescribed date by the Clerk in the presence of at least one member of Council.
- g) Any invitation to tender issued under this regulation shall be subject to Standing Orders 18d and shall refer to the terms of the Bribery Act 2010.
- h) When it is to enter into a contract of less than £25,000 in value for the supply of goods or materials or for the execution of works or specialist services other than such goods, material, works or specialist services as are excepted as set out in paragraph (a) the RFO shall obtain 3 quotations (priced descriptions of the proposed supply); where the value is below £3,000 and above £500 the RFO shall strive to obtain 3 estimates. Otherwise Regulation 10.3 above shall apply.
- i) The Council shall not be obliged to accept the lowest or any tender, quote or estimate.
- j) Should it occur that the Council, or duly delegated committee, does not accept any tender, quote or estimate, the work is not allocated and the council requires further pricing, provided that the specification does not change, no person shall be permitted to submit a later tender, estimate or quote who was present when the original decision making process was being undertaken.

The Regulations require councils to use the Contracts Finder website to advertise contract opportunities, set out the procedures to be followed in awarding new contracts and to publicise the award of new contracts.



### **3.0 INSTRUCTIONS FOR TENDERING**

- 2.1 Tenders must be submitted in accordance with the following instructions. Tenders not complying with these instructions in any particular way may be rejected by the Council whose decision in the matter shall be final.
- 2.2 The Contract Documents comprise of:
- This Invitation to Tender;
  - Site Plans and photographs of the units.
- 2.3(a) The tender must be completed in ink and in English and those elements requiring a signature must be signed (an electronic signature is acceptable):
- Where the Tenderer is an individual by that individual
  - Where the Tenderer is a partnership, by two duly authorised partners
  - Where the Tenderer is a Company, by two Directors, or by a Director and the Secretary of the Company, such persons being duly authorised for that purpose
- (b) Tenderers will be evaluated on the basis of the most advantageous offer to the council.
- 2.4 The tender should be made on the Form of Tender incorporated in the tender documents at Appendix A. It should be signed by the Tenderer and submitted in the manner and by the date and time stated, together with the information set out in the Information for Tendering.**
- All documentation, supplied in compliance with the requirements shall relate directly and specifically to the requirements of this Contract and shall not contain any extraneous or irrelevant information.**
- Failure to comply with any of the above may result in the tender not being considered.**
- 2.5 Unit rates and prices must be quoted in pounds sterling and decimal fractions of a pound.
- Tenders should be submitted exclusive of Value Added Tax (VAT).





- If the Council suspects that there has been an error in the pricing of the Schedules of Prices, the Council reserves the right to seek such clarification as it considers necessary from that Tenderer only.
- The Tenderers attention is drawn to the need to complete every item within the Schedules of Prices: in the case of any omission the Council may deem that the price of the omitted item is aggregated with other rates.

- 2.6 Tenders must be submitted strictly in accordance with the Instructions for Tendering. Tenderers must not make changes to the contract documents. Tenders will be submitted for all of the Service. Only tenders submitted strictly in accordance with these instructions will be accepted for consideration. The Council's decision on whether or not a tender is acceptable will be final and the Tenderer concerned will not be consulted. If a tender is excluded from further consideration the Tenderer will be notified.

Tenderers must ensure that they are fully familiar with the nature and extent of the obligations of the Contract and be aware that the Contract will be strictly supervised and the standard of performance will be strictly enforced. The Tenderer will be deemed to have read, examined and accepted all of the Contract Documents and the terms and conditions contained therein prior to the submission of the tender. It is the responsibility of the Tenderer to obtain for itself at its own expense all information necessary for the preparation of its tender.

- 2.7 Where Tenderers have any enquiries arising from these Contract Documents which may have a bearing on the offer to be made these should be raised with the Council as soon as possible in writing, preferably via e-mail to:

Emma Curtis, Town Clerk  
Town Hall  
Market Place  
Wincanton  
Somerset BA9 9LD

Tel: 01963 31693  
Email: [townclerk@wincantontowncouncil.gov.uk](mailto:townclerk@wincantontowncouncil.gov.uk)

- 2.8 The Tenderer must be prepared:



- To allow the Council to inspect, within reason, any other contractual work of a relevant nature being carried out anywhere by the Tenderer; and
  - To attend at the Council before its officers, members or both in order to give presentation(s) regarding its proposals and other related matters should the tender be successful. No costs in connection with such presentation(s) will be reimbursed.
  - To provide Risk Assessments for the works to be undertaken and a copy of their Public Liability Insurance
- 2.9 The Council does not bind itself to accept the lowest or any tender and will evaluate all tenders in accordance with the matters referred to in **4.1** hereof.
- 2.10 (a) The Council reserves the right to make changes of a drafting nature to the Contract Documents. Such changes will be accepted by the Tenderer without reservation.
- (b) If the Council requires to make more substantial alterations to the Contract Documents, the Council shall have the right to price the changes, using the Tenderers own submitted prices applied on a quantum meruit basis. Should the revised price structure not be agreed by the Tenderer, then the Tenderer may withdraw notwithstanding the provisions of paragraph 2.11(b) hereof.
- 2.11 An electronic copy of all tender documentation should be provided in electronic form on suitable media.
- 2.12 If you wish to send a hard copy tender please ensure that all documents comprising your tender are securely packaged, clearly marked “Wincanton Town Council Toilet Upgrade Proposals Tender” and delivered to:

Emma Curtis, Town Clerk  
Town Hall  
Market Place  
Wincanton  
Somerset BA9 9LD  
Email: [townclerk@wincantontowncouncil.gov.uk](mailto:townclerk@wincantontowncouncil.gov.uk)





To as to arrive not later than: -

**12 noon on Monday 3<sup>rd</sup> March 2025**

**No name or mark indicating the sender must appear on the package.**

- 2.13(a) The tender shall be submitted on the basis that the offer therein shall remain in force for a minimum of twelve weeks from the date fixed for the submission of tenders.
- (b) If the Council shall not have accepted the tender within this period it shall remain in force without variation but the Tenderer may at any time thereafter give notice in writing to the Council to accept the same. Such notice may be delivered by hand or sent by Registered Post or by Recorded Delivery. The Council may accept the tender within seven days following the service of such notice (not including the day of service) but if the Council does not do so the tender will be deemed to be withdrawn. The Tenderer shall not withdraw the tender except in the manner provided in this paragraph.
- (c) The Tenderer in submitting the tender thereby undertakes that in the event of the tender being accepted by the Council, the Tenderer will within fourteen days execute a formal contract under seal and until such date as the contract is executed this tender, together with the formal written acceptance thereof by the Council, will form a binding agreement between the Council and the Tenderer.
- 2.14 Tenders shall be submitted on the basis that acceptance of a tender by the Council be binding for all purposes but subject to notice of rescission by either party if the Council shall by the proposed Commencement Date fail in either: -
- i. Obtaining the consent of any Government Department or other Authority competent to authorise the same to carry out the services.
  - ii. Agreement with the Tenderer of all details of the Specification and other documentation in relation to the proposed Contract.
  - iii. Should the contract be aborted at any stage, payment will be based on the appropriate point reached in the provision of the Service and based on the Schedule of Prices.
- 2.15 Tenders shall only be submitted on the basis that they are bona fide competitive tenders. In recognition of this principle, it is hereby agreed that the Council shall have the power to cancel the Contract and to



recover from the Tenderer the amount of any loss arising from the cancellation if either:

- i. The Tenderer shall have offered or given or agreed to give any officer or member of the Council any gift or consideration of any kind as an inducement or bribe to influence its decision in the tendering procedure. The word 'Tenderer' for these purposes shall be deemed to include any and all persons employed by the Tenderer, or who are purporting to act on the Tenderer's behalf whether the Tenderer is aware of their acts or not. The Tenderer's attention is drawn to Sections 94 to 98 and 117 of the Local Government Act 1972 (as amended);

or

The Tenderer

- ii. Shall have communicated to any person other than the Council the amount or approximate amount of the proposed tender (other than in confidence in order to obtain quotations necessary for the preparation of the tender or for insurance purposes) or
- iii. Shall have entered into any agreement or arrangement with any person as to the amount of any proposed tender or that any person shall refrain from tendering.

2.16 The tender documents are and shall remain the property of the Council and must be returned upon demand.

2.17 The Council is subject to the Freedom of Information Act 2000 and the Data Protection Act 2018. Information concerning the Council's policies on Freedom of Information and Data Protection can be found at [www.wincantontowncouncil.gov.uk](http://www.wincantontowncouncil.gov.uk) or from the Town Clerk

As part of its duties under the Acts the Council may subsequently disclose information forming part of a tender or contract to anyone who makes a request. The Council may also publish some of the information given in its publication scheme required under the Act.

If the Tenderer considers that any of the information submitted in their proposals should not be disclosed because of its sensitivity then this should be stated in its submission, together with the reasons for considering it sensitive.



Before releasing any information the Council will consult with the Tenderer and have regard to their comments or objections. Any Tenderer wishing to discuss this further should contact the Town Clerk.

### **3.0 PROJECT SPECIFICATION**

#### **3.1 Introduction**

##### **3.1.1 The Client**

The Client is Wincanton Town Council, Town Hall, Market Place, Wincanton, Somerset BA9 9LD

##### **3.1.2 Brief**

The client is inviting tenders to refurbish two toilet blocks sited in Wincanton. The purpose of this Brief is to obtain competitive tenders and to form the basis of the Contractor appointment. However, the client reserves the right to add to, omit from or amend the Brief in any way prior to execution of the contract. Changes that materially affect the provision of services described herein shall cause a change in the price of providing such altered services as agreed between the client and the Company appointed.

##### **3.1.3 Dimensions of the Toilets**

###### Cale Park Toilet

- Size of building 294cm x 203cm
- 1 x toilet
- 1 x sink
- No hot water
- Drain and pipe behind the building gets blocked

###### Churchfields Toilet

- Size of building 550cm x 210cm
- 2 x toilets
- 2 x sinks
- No hot water
- One glass panel has been completely removed and one is cracked due to vandalism.
- Moss on roof.



### 3.1.4 Specification for the Two Sites

TOILETS, CALE PARK	QUOTATION
Supply and install new electrical supply to Cale Park, in conjunction with SSEN to include new external meter cabinet with Aluminium cover. Please also includes all trenching works.	
Removal and disposal of all the existing sanitary ware within the toilet block.	
The refurbishment of the existing cubicles to create new unisex cubicles.	
<p>The following equipment should be included and should be DDA compliant:</p> <ul style="list-style-type: none"><li>• Appropriate hand rails to be provided that meet DDA requirements;</li><li>• Hand washing facilities;</li><li>• Toilet bowl and cistern. Flush mechanism should be push button;</li><li>• Toilet roll dispenser. This should be capable of holding large toilet rolls;</li><li>• Mirror;</li><li>• Baby changing unit.</li></ul> <p>Any other equipment considered appropriate should be recommended to Council for consideration.</p>	
Add hot water provision. Hand washing facilities should be DDA compliant.	
All sanitary and sharps receptacles will be secured on a rental deal and should not be included in this tender.	
<p>With regard to wall materials the Council's preferred option would be to decorate walls and ceilings with colours to be approved by the Town Clerk, and to apply antivandal coating to walls</p> <p>Proposals to use melamine faced MDF panels or proposals to tile the cubicles will be considered but Council has concerns that tiles can be easily damaged and difficult to replace.</p>	
Council's preferred option for flooring is to tile all floors with Quarry tiles.	



Options to provide vinyl floor covering may be considered but will need to meet the following criteria. (Colours to be agreed): <ul style="list-style-type: none"><li>• Hard wearing;</li><li>• Seamless surface;</li><li>• Easy to care for;</li><li>• Anti skid surface;</li><li>• Wear and tear resistant.</li></ul>	
Outside doors to the toilet block require repairs and decoration.	
The toilet block will be accessible to all during the hours of opening with the ability to lock and secure them when not in use.	
Supply and fit new electrical locking system to doors.	
Supply and fit new security guards to windows.	
All plumbing and electrical works should be included in the quotation submitted.	
Lighting should be sunk into the ceiling where possible.	
All plumbing works, cisterns, pipework etc. should be housed in the Service area to the rear of the toilet cubicles.	
As far as is practicably possible all pipework and other furniture should be inaccessible to users of the public conveniences. This is in order to reduce potential vandalism and damage to services and equipment.	
Add water bottle filler to outside of toilet block.	
Rod drain and issue report on Cale Park location.	
All materials to be used should be robust, suitable for frequent public use and have an acceptable life expectancy. The conveniences are heavily used and it is important for them to be easy to clean and remain attractive and welcoming in appearance.	
Minimum of 5 year guarantee on all fixtures and fittings required.	



<b>TOILETS, CHURCHFIELDS CAR PARK</b>	<b>QUOTATION</b>
Removal and disposal of all the existing sanitary ware within the toilet block.	
The refurbishment of the existing cubicles to create new unisex cubicles.	
<p>The following equipment should be included and should be DDA compliant:</p> <ul style="list-style-type: none"><li>• Appropriate hand rails to be provided that meet DDA requirements;</li><li>• Hand washing facilities;</li><li>• Toilet bowl and cistern. Flush mechanism should be push button;</li><li>• Toilet roll dispenser. This should be capable of holding large toilet rolls;</li><li>• Mirror;</li><li>• Baby changing unit.</li></ul> <p>Any other equipment considered appropriate should be recommended to Council for consideration.</p>	
Add hot water provision. Hand washing facilities should be DDA compliant.	
All sanitary and sharps receptacles will be secured on a rental deal and should not be included in this tender.	
<p>With regard to wall materials the Council's preferred option would be to decorate walls and ceilings with colours to be approved by the Town Clerk, and to apply antivandal coating to walls</p> <p>Proposals to use melamine faced MDF panels or proposals to tile the cubicles will be considered but Council has concerns that tiles can be easily damaged and difficult to replace.</p>	
Council's preferred option for flooring is to tile all floors with Quarry tiles.	





Options to provide vinyl floor covering may be considered but will need to meet the following criteria. (Colours to be agreed): <ul style="list-style-type: none"><li>• Hard wearing;</li><li>• Seamless surface;</li><li>• Easy to care for;</li><li>• Anti skid surface;</li><li>• Wear and tear resistant.</li></ul>	
Outside doors to the toilet block require repairs and decoration.	
The toilet block will be accessible to all during the hours of opening with the ability to lock and secure them when not in use.	
Supply and fit new electrical locking system to doors. Supply and fit new security guards to windows.	
All plumbing and electrical works should be included in the quotation submitted.  Lighting should be sunk into the ceiling where possible.	
All plumbing works, cisterns, pipework etc. should be housed in the Service area to the rear of the toilet cubicles.	
As far as is practicably possible all pipework and other furniture should be inaccessible to users of the public conveniences. This is in order to reduce potential vandalism and damage to services and equipment.	
All materials to be used should be robust, suitable for frequent public use and have an acceptable life expectancy. The conveniences are heavily used and it is important for them to be easy to clean and remain attractive and welcoming in appearance.	
Minimum of 5 year guarantee on all fixtures and fittings required.	

3..1.5 In order to assist those submitting a quotation the following additional material is attached for information:



- Photographs of existing facilities;
- Location plan of both facilities.

### **3.2 Project Information**

#### **3.2.1 The Budget**

The target budget available for this project, excluding VAT, is £30,000. Submissions should utilise the full allocated budget but not exceed it. If, in the view of the Tenderer, there is additional works required over and above the main specification of the refurbishment works to ensure the toilets are fit for purpose and safe then Tenderers are asked to provide a list of the works envisaged along with appropriate costs.

#### **3.2.2 The target budget will be expected to cover:**

- The cost of all replacement equipment;
- Removal of all equipment no longer required or in a poor state of repair;
- Cost of decoration and installation of new infrastructure.

#### **3.2.3 A full, itemised schedule of project costs is required showing clearly the individual elements of each item of works to be undertaken.**

#### **3.2.4 The Contractor is required to keep the quoted sum valid for a period of 12 weeks following the closing date for the submission of the application.**

### **4.0 SELECTION PROCESS**

#### **4.1 Evaluation of Tender**

The Council will take into account the information provided within the tender along with pricing information and any other information specifically related to the evaluation of tenders that have been requested. The information will be evaluated against the following award criteria set out in the tender documentation that has been published on Contracts Finder and summarised below:

<b>Criteria</b>	<b>Weighting</b>
Quality and detail of the Tender submission	60%
Value for Money	20%
Quality of materials proposed	15%
References	5%



### **4.3 Planning Approval**

The Service Provider will be required to identify any elements of its project that may require planning approval and provide relevant advice on obtaining permissions.

## **5.0 INFORMATION FOR TENDERING**

### **5.1 Tender Submission**

The following are to be provided by the Tenderers:-

- (a) Completed Form of Tender
- (b) Completed Non-Collusive Tendering Certificate
- (c) Schedule of Prices
- (d) Details of the Service Provider's main contact and any other team members

All communications or enquiries in respect of this tender shall initially be addressed in writing to:

Emma Curtis, Town Clerk, Town Hall, Market Place, Wincanton, Somerset  
BA9 9LD

Email: [townclerk@wincantontowncouncil.gov.uk](mailto:townclerk@wincantontowncouncil.gov.uk)

Responses to any queries that may affect the tender will be advised to all Tenderers.

Should a Tenderer discover an error or inconsistency in the enquiry documents, they shall immediately inform the Council in writing. Instructions from the Council detailing how to resolve the error or inconsistency will be circulated to all potential Tenderers in writing.

Submitted quotations will remain open for acceptance for a period of twelve weeks from the date fixed for the submission or lodgement of the quotation.

Failure to provide all the information requested may result in the Council rejecting your tender.

**APPENDIX A**

**WINCANTON TOWN COUNCIL**

**TENDER FOR THE REFURBUISHMENT OF THE TWO PUBLIC TOILETS IN WINCANTON**

**FORM OF TENDER**

Having examined the Contract Documents I/We offer to provide the whole of the Service for the prices set out in the Schedules of Prices.

We agree to enter into a formal agreement with the Council embodying this tender and in accordance with the terms and conditions within the tender document when required to do so by the Council.

Until a formal Agreement is prepared and executed, this tender together with the Council's written acceptance thereof, shall constitute a binding contract between this Council and ourselves.

I/We understand that the tender shall remain in force for a minimum of twelve weeks from the date fixed for the submission of tenders.

I/We understand that the Council is not bound to accept the lowest or any tender it may receive, and that the council reserves the right to accept all or part of any tender.

Signed .....

In the capacity of .....

Duly authorised to sign tenders.....  
for and on behalf of

Postal address .....

Telephone Number .....

**WINCANTON TOWN COUNCIL**

**TENDER FOR THE REFURBISHMENT OF THE TWO PUBLIC TOILETS IN WINCANTON**

**NON-COLLUSIVE TENDERING CERTIFICATE**

I/We certify that this is a bona fide tender and that I/We have not fixed or adjusted the Schedules of Prices by or under or in accordance with any agreement or arrangement with any other person. I/We undertake that we have not done and will not do at any time before the hour and date specified for the return of this tender any of the following acts: -

- a) Disclose the fact that I/We have been invited to tender or communicate to a person other than the person calling for those tenders the rates contained within the Schedules of Prices or any other information contained in the tender except where the disclosure, in confidence, of that information was necessary to obtain insurance premium quotations required for the preparation of the tender or the purpose of sub-contracting.
- b) Enter into any agreement or arrangement with any other person that they shall refrain from tendering or as to the Schedules of Prices to be submitted.
- c) Offer or pay or give or agree to pay or give any sum of money or valuable consideration directly or indirectly to any person for doing or having done or causing or having caused to be done in relation to any other tender or proposed tender for the said work any act of the sort described above.

(The word 'person' includes any persons and any body or association, corporate or incorporate and 'any agreement or arrangement' includes any such transaction, formal or informal, and whether legally binding or not).

Signed .....

In the capacity of .....

Duly authorised to sign tenders.....  
and give such certificates

.....

Postal address .....

.....

Telephone Number .....