



Department
for Environment
Food & Rural Affairs

Bidder Pack

Procurement Specific Requirements

Hydrometry Measurement Instrumentation

(Lots 1 & 2)

Procurement Reference Number: C25633

07/2024

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Section 1: The Invitation

This procurement is being carried out by Defra group Commercial in accordance with the Open Procedure as set out in the Public Contract Regulations 2015 (PCR) on behalf of the Environment Agency.

The Bidder Pack comes in two parts. The first part, The Core Requirements, provides details of the General Requirements, Government Transparency Agenda and Government Priorities. This, **the second part, the Procurement Specific Requirements**, provides details of the Specification Requirements, Terms and Conditions of Contract, Evaluation Methodology, Procurement Timetable and Definitions.

The tendering process seeks to determine the Most Economically Advantageous Tender (MEAT). The Authority will evaluate the Tenders using the tender evaluation criteria and weightings listed in Section 4, Evaluation Methodology.

The Opportunity

This opportunity is advertised by Defra group Commercial on behalf of the Environment Agency.

Environment Agency is responsible for working to create better places for people and wildlife, and supporting sustainable development. For further information please visit <https://www.gov.uk/government/organisations/environment-agency>

The Environment Agency is looking to issue a tender for a contract covering **Two Lots, with 4 Sub- Lots (For Lot 2):**

1. Lot 1: Automatic Weighing Rain Gauges

This specification is specific to automatic rain gauges that measure rainfall by weighing the accumulated rainfall. It excludes rain gauges that use the tipping bucket method of measurement and non-collecting rain gauges, such as disdrometers.

We require two parts within this specification. We will appoint **One Contractor only** to meet this requirement.

- Part 1: minimum of 200cm² collection area and capability for the collection bucket to store a minimum of 1400mm rainfall equivalent volume or a reliable self-emptying collection system.

- Part 2: As above, with the addition that the gauge must be capable of measuring frozen precipitation.

2. Lot 2: Submersible Pressure Sensor

This Lot is sub-divided **Four** Lots. We will appoint **One Contractor** to meet **Each Sub-Lot**. Please find each Lot described below:

- **LOT 2.1 - Analogue output sensors**

This lot relates to 4-20mA analogue output sensor types.

- **LOT 2.2 - Digital output sensors**

This lot relates to SDI:12 and Modbus digital output sensors.

- **LOT 2.3 – Analogue output Sensors for harsh environments**

This lot relates to 4-20mA analogue output sensors to be used in corrosive environments, for example tidal monitoring, and will also require sensors to have a robust ceramic diaphragm to allow for regular cleaning and where the surrounding water is susceptible to freezing.

- **LOT 2.4 – Digital output Salt Water Sensors**

This lot relates to SDI:12 and Modbus digital output sensors to be used in corrosive environments, for example tidal monitoring, and will also require sensors to have a robust ceramic diaphragm to allow for regular cleaning and where the surrounding water is susceptible to freezing.

The following UK public sector bodies are authorised and enabled to use the contract;

1. Lot 1: Automatic Weighing Rain Gauges

Environment Agency, Natural Resources Wales, Scottish Environment Protection Agency, Met Office.

2. Lot 2: Submersible Pressure Sensor

Environment Agency & Natural Resources Wales

Timetable

The timetable below is subject to change from time to time as notified by the Authority. All Tenderers will be informed via the Authority's eSourcing System.

Activity Ref	Activity Title	Date (Time)
1	Opportunity Notice published in (Find a Tender System / Contracts Finder) and Bidder Pack released	31st July 2024
2	Deadline for clarification questions	2nd September 2024 @ 14:00H (BST)
3	Deadline for Responses	9th September 2024 @ 14:00H (BST)
4	Evaluation of Tender	10th September – 7th October 2024
5	Contract award notification	18th October 2024
6	Mandatory standstill period	19th – 29th October 2024
7	Contract award	6 th November 2024
8	Contract Start Date (Lot 1) Contract Start Date (Lot 2)	25th November 2024 25th November 2024

All timescales are set using a 24-hour clock and when referring to “days” it means calendar days unless otherwise specified (for example, working days).

Variant Tenders

The Authority shall not accept variant Tenders.

For the avoidance of doubt, if the Authority has reserved a right to waive a requirement in this Bidder Pack and chooses to exercise such discretion, the Tender will not be considered a variant Tender.

Abnormally Low Tenders

If the Authority considers your Tender to appear abnormally low, an initial assessment will be undertaken using a comparative analysis of the pricing proposals received from all Tenderers [and the Authority's valuation of the procurement]. If that assessment indicates that your Tender is abnormally low, the Authority will request a written explanation of your Tender, or of those parts of your Tender which the Authority considers contribute to your Tender being abnormally low. The Authority reserves the right to reject your Tender if the response does not satisfactorily account for the low level of price or costs proposed.

The assessment of abnormally low tenders will be undertaken strictly in accordance with Regulation 69 of the Public Contracts Regulations 2015, which outlines how abnormally low tenders must be assessed and the circumstances in which the contracting authority can reject the tender.

Pricing Anomalies

If in the opinion of the Authority your Tender contains any pricing anomalies (for example apparent discrepancies between the financial submission and other parts of your response) the Authority may seek clarification. If the clarification response indicates that the pricing anomaly was the result of a clear and obvious error, in the interest of fairness the resulting change will be taken into consideration. If the clarification response results in a change to the initial tendered Commercial Response and price, it will not be taken into account.

Section 2: The Specification of Requirements

The Authority's Priorities

Our social value priorities

This is a procurement of goods contract and will have indirect economic benefits under the Social Value Act.

The Authority is committed to promoting sustainability and delivering social value through our procurement processes.

These are our priorities in this procurement:

1. For the supply of goods, we are particularly interested in Suppliers who demonstrate a strong commitment to environmental responsibility, innovative use of technology, and comprehensive recycling policies.
2. The Authority is keen to understand how monies recirculate through local supply chains, how Suppliers upskill their workforce and provide job creation, and assemble and tests instrumentation before shipping them to us.
3. Understand the extent and impact of your social value contributions.

Scope

Schedule 2 - (2.1 & 2.2) sets out the Specification of Requirements.

Division of the Contract into Lots

This procurement requirement is divided into **Two** Lots (*with Four Sub-Lots under Lot 2*) as set out in the Specification of Requirements.

Tenderers must make clear which Lot they are bidding for. Each Lot will be evaluated separately in accordance with the details set out in Section 4: Evaluation Methodology.

The Authority intends to award a Contract to the most economically advantageous tender (in accordance with Section 4: Evaluation Methodology) for each Lot.

There are no limits to the number of Lots in which any one Tenderer can be awarded a Contract and if a Tenderer is successful in more than one Lot, the Authority may enter into a single Contract for all Lots awarded to that Tenderer.

- **Lot 1: Automatic Weighing Rain Gauges (1 Lot)**
- **Lot 2: (Submersible Pressure Sensors) – (4 Sub-divided Lots 2.1-2.4)**

Lot 2: (Submersible Pressure Sensors) sub-divided into **Four** Lots as set out in the Specification of Requirements. Tenderers must make clear which Lot they are bidding for. Each Lot will be evaluated separately in accordance with the details set out in Section 4: Evaluation Methodology.

There are no limits to the number of Lots in which any one Tenderer can be awarded a Contract and if a Tenderer is successful in more than one Lot, the Authority may enter into a single Contract for all Lots awarded to that Tenderer.

Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE) – N/A

Section 3: Terms and Conditions of Contract

The Terms and Conditions of Contract for this procurement are Mid-Tier.

The Terms and Conditions are split into Core Terms and Contracting Authority Terms within the Schedules, and details of the legal priority are provided in section 13 of the Contract Order Form.

The Authority proposes to enter into Contract(s) for a maximum period of 5 years with the successful Tenderer(s).

The initial contract term shall be for 3 years with the potential for 2 further extensions periods of 1 year each.

The anticipated commencement date of each Contract is as follows;

- **Lot 1:** 25 November 2024 – 25 November 2029
- **Lot 2:** 25 November 2024 – 25 November 2029 (*All 4 Lots*)

Suggested Changes to Conditions of Contract

Tenderers may raise clarification questions relating to the amendment of contract terms during the clarification period only, as specified in the Timetable, if it can be demonstrated that there is a legal or statutory reason why they cannot be accepted. Where a legal or statutory reason cannot be substantiated the Authority has the right to reject the proposed changes.

Such requests must follow the Clarifications Sought by the Tenderer process set out in the Core Requirements element of this Bidder Pack.

Section 4: Evaluation Methodology

The overall aim of the evaluation process is to select the Tender that is the most economically advantageous to the Authority, having regard to the Authority's overall objectives and the criteria set out below.

Evaluation of Tenders will comprise of the stages set out in the table below.

The Authority will carry out its evaluations of the Technical and Commercial elements according to the criteria, sub-criteria and weightings set out in the table below:

The detailed questions and guidance are set out in the Authority's eSourcing System.

	Section Reference	Evaluation Criteria	Question Scoring/Weighting (%)
Evaluation Stage 1	Selection Stage: Selection Questionnaire (SQ) responses submitted in response to the Contract Notice	Part 1: covers the basic information about the supplier (or organisation relied upon to meet the selection criteria in Part 3), such as the contact details, trade memberships, details of parent companies, group bidding and so on and is provided for information only.	Pass/Fail
		Part 2: covers a series of self-declarations by the supplier (or organisation relied upon to meet the selection criteria in Part 3) regarding whether or not any of the questionnaire exclusion grounds apply and will be assessed on that basis.	Pass/Fail
		Part 3: covers a series of self-declaration questions regarding whether or not the company meets the selection criteria in respect of their financial standing and technical capacity.	Pass/Fail

	Section Reference	Evaluation Criteria	Question Scoring/Weighting (%)
Evaluation Stage 2	Form of Tender	This stage is not scored but if you do not upload a complete, signed and dated Form of Tender in accordance with the instructions in the eSourcing System/accept the Form of Tender statement in the SQ your Tender will be rejected as non-compliant.	Pass/Fail
	Note that every organisation that forms part of your bidding group/consortium, as well as every organisation that is being relied on to meet the selection criteria must complete and submit responses to part 1 and the declarations in part 2		
	Note: Suppliers that pass Evaluation Stage 1 and 2 will be taken through to Evaluation Stage 3.		

	Section Reference	Evaluation Criteria	Question Scoring/Weighting (%)
Evaluation Stage 3	Evaluation Stage: Technical	This stage will be evaluated in accordance with the criteria set out below.	Scored
	(Parts P1-5) (Parts P6)	Lot 1: Automatic Weighing Rain Gauges P1-5 Technical Assessment P6 Sustainability	90% 10%
	(Parts P1-8) (Parts P9)	Lot 2: Submersible Pressure Sensor Lot 2.1 P1-8 Technical Assessment P9 Sustainability	90% 10%
		Lot 2.2 P1-8 Technical Assessment P9 Sustainability	90% 10%

		Lot 2.3 P1-8 Technical Assessment P9 Sustainability Lot 2.4 P1-8 Technical Assessment P9 Sustainability	90% 10% 90% 10%
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The Technical evaluation will account for **70%** of the total score for each Lot. All responses will be scored in accordance with the Technical Evaluation criteria below.

Tenderers must achieve a minimum Descriptor of **50 for Each Technical Question** (the 'Technical Threshold') in order to progress to the Commercial evaluation. Tenderers who fail to achieve the stated Technical Thresholds will not proceed to the Commercial evaluation.

Evaluation Stage 4	Section Reference	Evaluation Criteria	Question Scoring/Weighting (%)
	Evaluation Stage: Commercial - Pricing Schedule	Prices will be evaluated in accordance with criteria set out below.	Scored

The Commercial evaluation will account for **30%** of the total score for each Lot. All responses will be scored in accordance with the Commercial Evaluation criteria below.

Evaluation Stage 5	Section Reference	Calculation
	Final score	<p>The final score is calculated by adding the total quality weighted score with the total commercial weighted score.</p> <p>The most economically advantageous tender for each lot will be the Tender with the highest final score.</p>

Where the procurement is divided into lots (as set out in Lot 2) the Authority will evaluate each lot separately and will award a Contract for a lot to the Tenderer(s) which submits the most economically advantageous tender which will be the highest scoring Tender(s) for that lot. The evaluation process and weightings for each lot will be set out in (Evaluation Stage 3)

Selection Questionnaire - Financial standing

The Authority will review the economic information provided as part of the Selection Questionnaire response to evaluate a Tenderer's economic and financial standing. The Authority's evaluation will be based on all the information reviewed and will not be determined by a single indicator. If, based on its assessment of the information provided in a Response, the Authority decides that a Tenderer does not meet the Authority's required level of economic standing, the Authority may:

- ask for additional information, including information relating to the Tenderer's parent company, if applicable; and/or
- require a parent company guarantee, performance bond or other security.

If the Authority decides that a parent company guarantee, performance bond or other security is required, the Authority will reject a Response if the Tenderer is unable to offer a commitment to make such provision. In addition to the information provided in a Response, the Authority may, at its discretion, consult Dun & Bradstreet reports and other credit rating or equivalent reports depending on where a Tenderer is located.

The Authority's assessment of economic and financial standing will consider financial strength and risk of business failure. Financial strength is based on tangible net worth and is rated on a scale of 5A (strongest) to H (weakest) obtained from Dun & Bradstreet. There are also classifications for negative net worth and net worth undetermined (insufficient information). Financial strength will be assessed relative to the estimated annual contract value.

The Authority will also consider annual turnover. For this procurement, the Authority expects the contractor to have an annual turnover for each of its last two financial years of at least **£500,000** GBP.

In the case of a joint venture or a consortium bid, the annual turnover is calculated by combining the turnover of the relevant organisations in each of the last two financial years. In addition, the annual turnover of at least one of those organisations is expected to be **£250,000** GBP.

Risk of Business Failure is rated on a scale of 1 (minimal) to 4 (significant) obtained from Dun & Bradstreet. There is also a classification of insufficient information. The Authority regards a score of 4 as indicating inadequate economic and financial standing for this procurement. The Authority will also calculate and evaluate the Tenderer's:

- operating performance: growth or reductions in sales, gross profit, operating profit, profit before tax and earnings before interest, tax, depreciation, amortisation, exceptional items and profit/loss on sale of businesses;
- liquidity: net current assets, movements in cash flow from operations, working capital and quick ratios, and average collection and payments periods; and
- financial structure: gearing ratios and interest cover.

Evaluation Criteria

Technical Evaluation Criteria

The Tenderer must address the questions that are presented in the attached documents, which are applicable to Lot 1 and Lot 2 and align with the tables of specified evaluation weightings below.



Tender technical
Question to Supplier



Tender technical
Question to Supplier

Lot 1: Automatic Weighing Rain Gauges

Technical Evaluation Criteria	Percentage/ max score
Part 1-5 - Technical Assessment	90%
Part 6 - Sustainability	10%
Total Technical Evaluation Lot 1	100%

Lot 2: Submersible Pressure Sensors – (4 Sub-divided Lots 2.1-2.4)

Technical Evaluation Criteria	Percentage/ max score
LOT No 2.1 - Analogue output sensors	
Part 1-8 - Technical Assessment	90%
Part 9 - Sustainability	10%
Total Technical Evaluation Lot 2.1	100%

Technical Evaluation Criteria	Percentage/ max score
LOT No 2.2 - Digital output sensors	
Part 1-8 - Technical Assessment	90%
Part 9 - Sustainability	10%
Total Technical Evaluation Lot 2.2	100%

Technical Evaluation Criteria	Percentage/ max score
LOT No 2.3 - Analogue output Sensors for harsh environments	
Part 1-8 - Technical Assessment	90%
Part 9 - Sustainability	10%
Total Technical Evaluation Lot 2.3	100%

Technical Evaluation Criteria	Percentage/ max score
LOT No 2.4 - Digital output Salt Water Sensors	
Part 1-8 - Technical Assessment	90%
Part 9 - Sustainability	10%
Total Technical Evaluation Lot 2.4	100%

Commercial Evaluation Criteria

Lot 1 & 2: (Sub-Lots 2.1-2.4)

Please note Tenderers **should not** include commercial values in their technical responses; all price information should be submitted in the commercial section only.

Any technical responses that contain commercial details will not be evaluated.

Please Note: The Authority is unable to reveal the budget, based on a Policy decision.

Please complete the Pricing Schedule (***Appendix D - Commercial Pricing Work Book_Sensors Lot1 and Lot 2***), providing prices excluding VAT. Please detail any risks and assumptions made and what has been included in the prices. All expenses should be listed separately and included in the overall amount for your tender. Please indicate if VAT will apply to your services and at what rate. We welcome applications from individual organisations or from consortia.

Tenderers are required to submit a total fixed cost for completion of the project and include a breakdown of costs against each objective and against key personnel. Costs will need to be reasonable and competitive and offer value for money.

The contract will run a for 3 year fixed period with 2 further 12 months extensions possible, totalling 5 years maximum. The costs will be fixed for the first 3 years and after this point will be adjusted at CPI rate or 2% (whichever is lower) from the annual anniversary of the contract until the contract ends.

Evaluation

The calculation used is the following:

$$\text{Score} = \frac{\text{Lowest Tender Price}}{\text{Tender Price}} \times 30\% \text{ (Maximum available marks)}$$

For example, if three Tender Responses are received and Tenderer A has quoted £3,000 as their total price, Tenderer B has quoted £5,000 and Tenderer C has quoted £6,000 then the calculation will be as follows:

$$\text{Tenderer A Score} = \frac{£3000}{£3000} \times 30\% \text{ (Maximum available marks)} = 30\%$$

Tenderer B Score = £3000/£5000 x 30% (Maximum available marks) = 18%
Tenderer C Score = £3000/£6000 x 30% (Maximum available marks) = 15%

Evaluation of Responses

Evaluation of Responses will be undertaken by a panel appointed by the Authority. Each panel member will first undertake an independent evaluation of the Responses applying the relevant evaluation criteria for each question. Then, a moderation meeting will be held at which the evaluation panel will reach a consensus on the marking of each question.

During the consensus meeting, the decision may be taken that a Response will not be carried forward to the next evaluation stage if the consensus view is that the Tenderer has failed to meet any minimum or mandatory requirements, and/or provided a non-compliant response.

Scoring Criteria

The following scoring criteria is to be used when evaluating responses to Stage 3 Technical Questionnaire. A Tenderer's response will be assessed against the detailed criteria provided for each question and be assigned a Descriptor and score from the table below:

Descriptor	Score	Definition
Very good	100	Addresses all the Authority's requirements with all the relevant supporting information set out in the Bidder Pack. There are no weaknesses and therefore the tender response gives the Authority complete confidence that all the requirements will be met to a high standard.
Good	70	Addresses all the Authority's requirements with all the relevant supporting information set out in the Bidder Pack. The response contains minor weaknesses and therefore the tender response gives the Authority confidence that all the requirements will be met to a good standard.
Moderate	50	Addresses most of the requirements with most of the relevant supporting information set out in the Bidder Pack. The response contains moderate weaknesses and therefore the tender response gives the Authority confidence that most of the requirements will be met to a suitable standard.
Weak	20	Substantially addresses the requirements but not all and provides supporting information that is of limited or no relevance or a methodology containing significant weaknesses and therefore raises concerns for the Authority that the requirements may not all be met.
Unacceptable	0	No response or provides a response that gives the Authority no confidence that the requirement will be met.

Calculation Method

For both elements, providing the bidder has met any mandatory criteria and minimum quality thresholds, the total weighted scores are calculated as follows:

Technical (WT)

$$\left[\frac{\text{Bidder's Total Technical Score}}{\text{Highest Technical Score}} \times 100 = x \right] \text{ then } \left[\frac{x}{100} \times 70 \right]$$

Commercial (WC)

$$\left[\frac{\text{Lowest Commercial Score}}{\text{Bidder's Total Commercial Score}} \times 100 = x \right] \text{ then } \left[\frac{x}{100} \times 30 \right]$$

The Total Score (weighted) is then calculated by adding the Total Weighted Technical Score to the Total Weighted Commercial Score: **WT+ WC**.

Section 5: Appendices

1. Definitions

Unless the context otherwise requires, the following words and expressions used within the Bidder Pack (except for Section 3: Terms and Conditions of Contract) shall have the following meanings to be interpreted in the singular or plural as the context requires.

TERM	MEANING
“Authority”	the Environment Agency
“Bidder Pack”	this invitation to tender and all related documents published by the Authority and made available to Tenderers.
“Contract”	the contract (set out in Appendix B) to be entered into by the Authority and the successful Tenderer.
“EIR”	the Environmental Information Regulations 2004 (as amended) together with any guidance and/or codes of practice issued by the Information Commissioner or any Government Department in relation to those Regulations.
“eSourcing system”	eSourcing system is the eSourcing system used by the Authority for conducting this procurement, which can be found at https://defra-family.force.com/s/Welcome .
“FOIA”	the Freedom of Information Act 2000 (as amended) and any subordinate legislation made under that Act together with any guidance and/or codes of practice issued by the Information Commissioner or any Government Department in relation to that legislation.
“Form of Tender”	means the form contained in Appendix C to the Procurement Specific section of the Bidder Pack which must be signed, scanned and uploaded into the Authority’s eSourcing System by the Tenderer to indicate that it understands the Tender and accepts the various terms and conditions and other requirements of participating in the exercise.
“Information”	means the information contained in the Bidder Pack or sent with it, and any information which has been made available to the Tenderer by the Authority, its employees, agents or advisers in connection with the procurement.
“Involved Person”	means any person who is either working for, or acting on behalf of, the Authority in connection with this procurement and/or the Contract including, without limitation, any officer, employee, advisor, agent, member, partner or consultant”.
“Pricing Schedule”	the form accessed via eSourcing system in which Tenderers are required to submit their pricing information as part of a Tender.
“Regulations”	the Public Contracts Regulations 2015.
“Relevant Body”	means any other organisation, body or government department that is working with or acting on behalf of the Authority in connection with this procurement and/or the

	Contract including, without limitation, its officers, employees, advisors, agents, members, partners or consultants.
“Response”	means the information submitted in response to the Bidder Pack via the online response forms on eSourcing system including the Tenderer’s formal Tender.
“Specification of Requirements”	the Authority’s requirements set out in Section 2 of the Bidder Pack Procurement Specific Requirements.
“Tender”	the formal offer to provide the goods or services described in section 1.1 of part 1 of the Bidder Pack and comprising the responses to the questions in eSourcing system and the Pricing Schedule.
“Tenderer”	anyone responding to the Bidder Pack and, where the context requires, includes a potential tenderer.
“Timetable”	the procurement timetable set out in Section 1 of the Bidder Pack Procurement Specific Requirements.

2. Form of Tender

The Form of Tender document is located on the Authority's eSourcing system.

It is to be printed, signed, scanned and uploaded into the Authority's eSourcing System as instructed within the eSourcing system.

3. Specification

For information. Located on the Authority's eSourcing system.

See **Schedule 2 – Specification (2.1 & 2.2)**: This contains the Technical Specification, for work to be delivered.

4. Conditions of Contract

For information. Located on the Authority's eSourcing system. Mid-Tier Terms and Conditions apply.

5. TUPE Data – N/A

For information, see Section 2: The Specification of Requirements.