



The Coal
Authority

OFFICIAL: SENSITIVE - COMMERCIAL

Construction of a Minewater Treatment facility at Nent Hags

Procurement guidance & supporting information

Invitation to Tender

For Information Only

CA18/2/1/33



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Overview

Contractual References

This tender will be associated with Coal Authority reference CA18/2/1/33

The Department for Environment, Food and Rural Affairs (Defra) set up the “Water and Abandoned Metal Mines” (WAMM) Programme in 2010 to begin to tackle pollution from the hundreds of metal mines across the country. The programme is delivered as a partnership between Defra, the Coal Authority and the Environment Agency.

The River Nent fails to achieve good status for cadmium, lead, zinc, fish and invertebrates. The Northumbria River Basin Management Plan (RBMP), published in 2015, includes steps for addressing pollution from abandoned mines and managing the impacts to 2027. The WAMM programme has ranked the River Nent as the lowest quality in the Northumbria RBMP, and one of the lowest quality rivers in England, with respect to mine water related pollution. The pollution from the River Nent contributes to pollution in the River South Tyne up to 40 km downstream. Due to these impacts, the Nent Catchment has been a priority for investigation, assessment and targeted improvement measures.

The Haggs Horse Level Adit (Haggs Adit) is one of the point source contributors to the failure of the River Nent under the RBMP. The objective of the scheme is to reduce the metal loading (principally lead, zinc, cadmium) within the mine water discharge from the Haggs Adit by between 70% and 90%, providing betterment to the River Nent, whilst adhering to the conditions required for any consents, licences and permits.

The Coal Authority wishes to appoint a contractor to construct the mine water treatment scheme to treat the discharge from the Haggs Adit.

The conditions of contract are the core clauses and the clauses for the Option C, dispute resolution Option W2 and secondary Options X2, X4, X15, X18, Y(UK)2, Y(UK)3 and Z of the NEC3 Engineering and Construction Contract April 2013.

Indicative Timetable

Below is detailed the indicative timetable of the procurement process.

Task	Date
PQQ Published	8 April 2019
PQQ Return deadline	24 May 2019
Invitation to Tender published	10 June 2019
Accompanied site visit	3 July 2019
Tender submission deadline	2 August 2019

Tender Interviews	w.c. 19 August 2019
Contract Award	September 2019

Any changes to these timescales will be notified with the maximum possible notice.

PQQs received after the closing date and time will not be considered. Failure to comply with the provisions of these Instructions or to complete the PQQ document in full and without alteration may also result in the disqualification of your submission.

Site Visit

Tenderers are requested not to visit the site unless arranged by and accompanied by the Coal. Tenderers are invited to visit the site for an escorted inspection on

3 July 2019 at 1000 hrs – meet at Nenthead Mines Car Park

Please confirm your attendance at this visit by way of a message on the Coal Authority's e-sourcing portal.

Please also confirm names and contact details of those attending (maximum of 2 per tenderer)

A vehicle will be provided to escort tenderers around the key locations of the Nent Haggs scheme. Further details will be issued to attendees prior to the visit, including contact information, PPE requirements and any other special requirements.

Description of the works

The *works* are the construction of a mine water treatment scheme at Nent Haggs. The works include

- The provision of a site compound for the duration of the works and the reinstatement of the site compound site following completion of the works,
- The construction of a capture structure to capture the raw mine water at source (the capture point),
- The design of a rising main to transfer the mine water from the pumping station to the treatment site (the transfer route),
- The construction of gravity pipework and rising mains to transfer the raw mine water from the capture point to site 4 (the treatment site),
- The construction of a pumping station on site 38 (the pumping station site),
- The earthworks to form the finished levels at the treatment site,
- The construction of a hydrogen peroxide dosing system at the treatment site,
- The construction of flow control and distribution pipework at the treatment site,
- The construction of the outfalls for the treated mine water to the River Nent,
- The implementation of a landscape scheme,

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- The design and implementation of a scheme to reduce surface water flooding in Nentsbury and
- The commissioning of the treatment scheme.

Tender return, assessment & criteria

The ITT Bid evaluation will be based on the technical and financial proposals within the bids and the information set out in each compliant bid

Bidders must accept the Coal Authority's terms & conditions.

The Coal Authority will reject any Bid which is not a Compliant Bid.

A Bid shall only be a compliant bid if the following documents have been completed and submitted:

- Technical Assessment Responses - Completed in the Inbye e-portal

The tendering *Contractors* are to ensure that the registered contact details on the eTendering portal are correct for this process.

In order to register, please log on to <https://inbye.coal.gov.uk/s2c/> following the links; should you have any difficulties with this procedure, please contact Peter Kobryn on 01623 637302

The tender will be awarded on the basis of the most economically advantageous tender and will be assessed based upon a **60% Quality and 40% Financial split**, with the quality assessment being completed prior to the financial assessment.

The Evaluation of the ITT responses will be carried out based upon the Technical Assessment.

Bids meeting the project requirements will then be evaluated on the basis of the most economically advantageous tender. Your tender should be submitted on a fixed price basis and should remain open for acceptance for a period of 120 days from the closing date for the receipt of tenders.

Tenders received after the tender closing date will not be considered. Failure to comply with the provisions of these Instructions or to complete the tender document in full and without alteration may also result in the disqualification of your tender.

Your submitted tender rates and prices must be exclusive of Value Added Tax.

Quality Scoring Assessment

Technical Assessment - Details.

The scoring will be on the basis of the quality scoring approach below

Assessment	Detail	Score
Adds Value	The evaluators are satisfied that the submission demonstrates clearly and convincingly how all the <i>Employer's</i> requirements in the area being evaluated will be delivered in an excellent way adding value	5
Meets Requirements	The evaluators are satisfied that the submission demonstrates how the <i>Employer's</i> requirements in the area being evaluated will be met to an acceptable standard.	4
Minor Concerns	The evaluators consider that the submission demonstrates how most of the <i>Employer's</i> requirements for the area being evaluated will be delivered but there are areas of minor concern.	3
Significant Concerns	The evaluators consider that the submission leaves them with significant concerns about the requirements for the area being evaluated being delivered in an acceptable manner	2
Unacceptable	Either <ul style="list-style-type: none"> no proposals are submitted in relation to the aspect of the proposals for delivery being evaluated, the evaluators consider that the submission fails to demonstrate how the <i>Employer's</i> requirements for the area being evaluated will be delivered or the evaluators have major reservations about the approach or solution proposed in the submission in relation to the area being evaluated 	0

The Coal Authority reserves the right to deem any submission scoring a 0 or 2 for any scored question as non – compliant and as such may be excluded from consideration

Technical Assessment – Details

See below details, requirements and weightings for the quality elements of this tender.

Subject	Question	High Scoring Response
Approach to delivery of the Nent Haggs scheme – 70%	<p>Provide a detailed description of your approach to the delivery of the Nent Haggs Scheme. The response should make specific reference to the following key areas:</p> <ul style="list-style-type: none"> • Draft Method Statements for the following key tasks <ul style="list-style-type: none"> — Construction of the capture point, including traffic management and co-ordination with neighbouring properties, management of the mine water during the construction. — Co-ordination of, and management of, public utilities within the A689 and elsewhere on the scheme. — Design of the Contractor designed elements, including liaison with stakeholders. — Traffic management, public utility protection and tree protection on the rising main route. — Management and testing of the earthworks. — Management of odour and noise during the construction stage. — Commissioning of the scheme. • Approach to managing relationships with the local community and other key stakeholders. • Approach to managing risks associated with the remote location of the site, including maintaining safe access to the site and managing site security. • Approach to liaison with the client and managing the client relationship. • Approach to monitoring and managing compliance with the planning conditions and associated environmental statement. 	<p>Substantial evidence of a sound approach to the delivery of the Nent Haggs scheme. The response provides a comprehensive understanding of the scope of the project, the client drivers and the stakeholders to the contract.</p> <p>The response clearly demonstrates that the approach to the delivery of the scheme will provide the best opportunity for project success.</p>

Subject	Question	High Scoring Response
	<ul style="list-style-type: none"> • Approach to use of subcontractors. — The scope of work to be sub-contracted — The approach to selecting the sub-contractor — Your experience with delivering projects with this sub-contractor — Your approach to managing the sub-contractor — The name, experience and qualifications of the sub-contractor — Whether the sub-contractor will use local labour to deliver the scheme. <p>Where appropriate, provide evidence, in the form of previous project examples, of why the approach outlined above will provide benefit to the delivery of the Nent Hags scheme</p> <p>Within Contract Data Part 2, tenderers are required to provide an outline programme, and a risk register. As part of the response to this question provide a discussion of the programme and risk register. Make specific reference to how the risk register has been developed and how this has informed the programme.</p> <p>The successful tenderer will act as Principal Contractor under the Construction (Design and Management) Regulations 2015. As part of the response to this question, tenderers are requested to provide a draft Construction Phase Plan.</p>	
Project Team – 20%	<p>Provide details of the project team structure and the specific experiences of the key team members you propose for the delivery of the Nent Hags scheme.</p> <p>Provide CVs of key members and provide details of how their specific experiences will benefit the</p>	<p>An experienced and well-structured project team. Leadership with relevant leadership experience on similar schemes, and a clear demonstration that the selection of project</p>

Subject	Question	High Scoring Response
	<p>delivery of the Nent Hags scheme. The following CVs are required as a minimum:</p> <ul style="list-style-type: none"> • QS • Environmental manager • Site manager • Contracts manager • Health and Safety manager <p>Maximum 3 sides of A4 + CVs</p>	<p>team has been influenced by the specific requirements of the project.</p>
Innovation and added value – 10%	<p>Provide a discussion on your approach to incorporating innovation in the delivery of the Nent Hags scheme.</p> <p>Provide details of your approach to the assessment of cost reduction or value engineering opportunities, providing examples of any significant value added benefits you can bring to the delivery of the scheme – making specific reference to the impacts on the planning permission or environmental constraints on any variations.*</p> <p>Maximum 2 sides of A4.</p> <p>For the purposes of tender assessment, only a discussion of the value added benefits is required at this stage, tenderers must submit a compliant bid based upon the Works Information set out in Volume 2. Should the Coal Authority wish to pursue any value added options further, this will be treated as a Compensation Event following the award of the contract.</p>	<p>Evidence of a structured approach to the assessment and incorporation of innovation and added value solutions. Evidence of collaborative working with the aims of delivering significant benefits to the quality, cost or timescales of the project, whilst managing all other risks and relationships.</p>

Guidelines

The questionnaire should be completed by a partner/director/senior manager.

Please answer each question fully. The Authority stresses the value and importance of substantiating answers with supporting documentation when requested.

The questionnaire should be completed accurately, if successful this document will form part of the contract.

The response and supporting documents must relate specifically to the organisations policy and arrangements.

Assessment & Feedback

The tender submissions will be assessed in accordance with selection criteria.

The Coal Authority will recognise the required standstill period when notifying all bidders of the outcome of the process.

Feedback will be provided at that time to organisations which are not successful through the issue of a letter providing debrief information on the assessment of the tender, scoring and confirmation of the successful tenderer.

Acceptance Procedure

The Authority does not bind itself to invite you to tender for the project and will not be responsible for, nor pay for, any expenses or losses which may be incurred by you in the preparation of your tender.

It is intended that the procurement process will take place in accordance with the provisions of this ITT, but the Coal Authority reserves the right to terminate, suspend, amend or vary this procurement process by notice to all potential bidders in writing.

The Coal Authority will have no liability for any losses, costs or expenses caused to bidders as a result of such termination, suspension, amendment or variation.

No tender shall be deemed to have been accepted unless such acceptance has been notified in writing to the tenderer.

Whether or not your tender is accepted, you must treat the details of all tender documents as private and confidential. If you decide not to submit a tender, you must reply that you wish to reject the tender and provide a comment why.

If you require clarification then a query through the online messaging facility should be submitted.

Declaration

We declare that this is a bona fide tender, intended to be competitive, and that we have not fixed or adjusted the amount of the tender by or under or in accordance with any agreement or arrangement with any other person.

We also declare that we have not done and we undertake that we will not do at any time before the returnable date for this tender any of the following acts:-

- (a) Communicate to a person other than the person calling for these tenders the amount or approximate amount of the proposed tender;
- (b) Enter into any agreement or arrangement with any other person that he shall refrain from tendering or as to the amount of any tender to be submitted;
- (c) Offer, 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 or thing of the sort described above.

In this declaration the word 'person' includes any persons and any body or association, corporate or unincorporated; and 'any agreement or arrangement' includes any such transaction, formal or informal, and whether legally binding or not.

Appendix A – Communications

Enquiries and correspondence in connection with this Invitation to Tender should be addressed in writing using the message function within the InBye system. Should you wish to discuss this tender please contact Mr Peter Kobryn at the Coal Authority.

Appointment of the Project Manager and Supervisor will be confirmed by the Coal Authority prior to the award of the contract.

Site Information

Tenderers are provided with site information as part of the tender package. No guarantee as to the accuracy or completeness of this data is given nor as to the extent if at all to which such data is representative of the nature of the site, the ground and the subsoil. Tenderers' attention is drawn to clause 60.2 of ECC. Tenderers may make their own arrangement to carry out additional surveys, if required, on the proviso that prior notice is sought from the Employer.

Access to Private Land

The works are within private land owned by, or under option with, the Employer, and within the public highway. Details of the land ownership are included within the site information. Any other information obtained on the site visit or otherwise will not be held valid unless confirmed in writing by or on behalf of the Coal Authority before the closing date for the receipt of tenders.

CDM

The attention of tenderers is drawn to the Construction (Design and Management) Regulations 2015 and the Pre-Construction Information, provided in Volume 3 within this set of tender documents. The Coal Authority will undertake the role of Principal Designer and tenderers must be able to provide satisfactory evidence to show that they are competent and have made available adequate resources for health and safety.

As part of the technical assessment, tenderers are requested to provide outline method statements for key activities during the works to demonstrate that risks and hazards have been considered and mitigated, or eliminated, as appropriate. A risk assessment must be provided to identify any potential risks, or hazards, on site and show how they will be managed

The successful Contractor will be appointed as the Principal Contractor under the terms of the Construction Design & Management Regulations 2015 and shall ensure that its tender submission covers its responsibilities under the Regulations required of this role. The Contractor will be required to provide information to demonstrate competence under the Regulations. The Contractor should take into consideration the application of best practice in respect of health and safety legislation.

Tender closing date

The tenderers shall submit their tender, and accompanying information, through the Coal Authority's e-Tendering Portal, InBye no later than **5pm on 2 August 2019**.

Activity Schedule

Tenderers are required to provide an all-inclusive tender price, which will be deemed to be fully inclusive of everything contingently and indispensably necessary to Provide the Works. The tender price will be deemed to include all costs associated with the works, including all the labour, plant, material, temporary works, overhead and profit required to complete the works.

Tenderers are to submit a completed Activity Schedule with their tenders showing a lump sum price for each item of works identified in the Activity Schedule. The Employer has provided an indicative Activity Schedule in Appendix B, however tenderers may expand the list of items, as appropriate, to suit the tenderer's own works breakdown. The tendered price will be deemed to include all activities required to Provide the Works, as detailed in the Works Information, whether or not specifically identified in the Activity Schedule.

Should the Contractor have any doubt as to the inclusivity of any particular item he must raise the issue prior to tender return. Failure to do so will be deemed to be acceptance that the Contractor has fully understood the completeness of the works.

Insurance Queries

Insurance queries should be raised in writing with the Employer at the earliest opportunity but in any event no later than 15 days before return of the tender. Tenderers should note that failure to submit required insurance details will delay consideration of their tender by the Employer. A contract will not be awarded to a tenderer until their existing or proposed insurances have been verified.

Appendix B – Transparency Guidance

Transparency

Government has set out the need for greater transparency across its operations to enable the public to hold public bodies and politicians to account. This includes commitments relating to public expenditure, intended to help achieve better value for money.

As part of the transparency agenda, Government has made the following commitments with regard to procurement and contracting:

- All new central government ICT contracts over the value of £10,000 to be published in full online from July 2010.
- All new central government tender documents for contracts over £10,000 to be published on a single website from September 2010, with this information to be made available to the public free of charge.
- All new central government contracts over the value of £10,000 to be published in full from January 2011.
- New items of central government spending over £25,000 to published online from November 2010.

Suppliers and those organisations looking to bid for public sector contracts should be aware that if they are awarded a new Government contract, the resulting contract between the supplier and Government will be published. In some circumstances, limited redactions will be made to some contracts before they are published in order to comply with existing law and for the protection of national security.

The publication of information incorporates but is not limited to the following documentation/information. This will cover potential contract extensions and orders placed against a framework or term contract.

Contracts: contract, specification, terms and conditions, schedules and pricing – issued by both the tenderer and the Authority.

Tenders: invitation to tender, specification, terms and conditions, prequalification questionnaires, OJEU notices – issued by the Authority.

Spending: summary of invoice information in relation to payments made and includes invoice values – submitted by suppliers.