



Scientific Services

Invitation to Tender

Tender Reference: CA18/2/1/68

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Introduction

The Coal Authority (*Client*) was established by Parliament to undertake specific statutory duties, set out in the Coal Industry Act 1994, associated with licensing coal mining operations; managing property and the historic legacy arising from the ownership of the coal reserves and underground workings; settling subsidence damage claims not falling on coal mine operators and providing access to coal mining information.

The Coal Authority has a legal duty under the Coal Mining Subsidence Act 1991, to repair properties damaged by coal mining subsidence in the five coalfield regions. The works are funded by grant in aid from central government, in order that the Coal Authority can discharge its statutory duty.

The Coal Authority employs over 250, based mainly at the head office in Mansfield with some field staff remotely based in order to enable a fast response to incidents in the coal mining areas.

The Coal Authority is funded by grant in aid from the Department of Business, Energy and Industrial Strategy (BEIS).

By virtue of the Coal Industry Act 1994, the Authority is required to have a regard for the need to secure the safety of members of the public throughout the coalfield regions of Great Britain. Safety may be threatened by the occurrence of former coal mining related surface hazard incidents which may relate to collapses of ground, fissures, coal mine workings or mine entries, emissions of gas or water, combustion of in-situ coal and combustion or instability of any spoil heaps in the Authority's ownership.

We take pride in our achievements, quality and motivation of staff and are focused on delivering high-level objectives and works to the following mission, purpose and values;

Mission Making a better future for people and the environment in mining areas

Purpose keep people safe and provide peace of mind, protect and enhance the environment, use our information and expertise to help people make informed decisions, create value and minimise cost to the taxpayer.

Values

- | | |
|--------------------|---|
| Trusted | we act with integrity, we're open and transparent, we deliver on our commitments |
| Inclusive | we promote a culture of mutual respect, we recognise that our differences make us stronger, we work with others to achieve our vision |
| Progressive | we're open-minded and innovative, we recognise that the past can help us shape the future, we listen and learn |

Invitation

The Coal Authority invites you to tender for the provision of Scientific Services to support our Environment Strategy and Sustainability team in the development of novel treatment technologies and the improvement of existing treatment technologies on our schemes. In addition, the Coal Authority undertakes a range of works as part of a Public Safety & Subsidence activities that involve the monitoring and remediation of properties impacted by mining hazards including the build-up radioactive gases.

The *services* required are detailed within the Specification and tenderers are advised to read and consider all aspects of the tender documents before preparing your tender submission. The aim of the documents is to outline the minimum technical and performance levels required by the Coal Authority should your organisation be awarded a contract.

Services required under this contract are divided into two separate Lots:

Lot 1 – Laboratory Services

- *Analysis of samples, including analysis of samples obtained by the Authority*

Lot 2 – Radon Gas Monitoring

- *Specialist radiological monitoring*

The Coal Authority will appoint one provider per Lot onto the framework.

The contract duration is for total period of 4 years.

The instruction and guidance as provided in this document are designed to ensure that all tenderers are given equal and fair consideration. It is therefore important that you provide all the information asked for and in the format and order specified.

Tenderers shall be deemed to have examined fully, at the time of tendering, the tender documents and it is the responsibility of tenderers to ensure that submissions are accurate and as they intend. The Coal Authority will not ensure that bids are complete or correct, or allow omitted material to be submitted after the tender deadline should any errors occur.

Tenderers shall bring any ambiguities and inconsistencies to the attention of the Procurement Business Partner during the period allowed for tendering, otherwise it shall be accepted that all items in the tender documents have been understood and accepted for the purpose of submitting bids.

No unauthorised alteration, addition or removal shall be made to the tender documents. If any such alteration, addition or removal is made, or if the Price List is not duly completed, or if these instructions are not fully complied with the tender may be rejected.

All information is given by the Coal Authority as a guide and in good faith at the tender stage. However this information may change due to reasons beyond the control of The Coal Authority and no claim for additional costs shall be made by the successful tenderer if quantities or requirements subsequently differ.

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.

Conditions of Contract

Tenderers are to note that works will be undertaken in accordance with the Coal Authority's terms and conditions for the provision of services

Programme for delivery

Phase	Process	Date
Tender	Invitation to Tender published	21/08/2023
	Deadline for queries	12/09/2023
	Tender closing date	20/09/2023
Assessment	Selection Criteria / Scoring	04/10/2023
Award	Award notification*	11/10/2023
	Standstill period ends*	23/10/2023
	Contract Commencement*	01/11/2023

* Any changes will be notified as appropriate throughout the procurement process.

Procurement procedure / Tender Return

The Authority as a Non Departmental Public Body is required to undertake this process in compliance with the Public Contracts Regulations 2015 and has selected the open procedure for this requirement.

The process will be managed through the Coal Authority's eTendering portal, which provides a secure delivery mechanism and an auditable record of the process.

Tenders must be completed and submitted electronically through the InBye e-tendering portal by the due date and time.

Completed tenders must be uploaded by **16:00 hours on 20th of September 2023** to be considered for evaluation. The portal will automatically close at **16:00** hours any documents uploaded into the system after this time will be deemed late and will not be accepted.

Any questions related to the tender opportunity should be addressed in writing and sent to Procurement via the e-Tendering portal using the messaging facility within the system. This ensures that a complete audit trail of the process is achieved. Questions raised which result in additional information being provided will be shared with all tenderers together with the Authority's response, but will not breach any areas of commercially sensitive information.

Questions must be received no later than **16:00 on 12th of September 2023**. Questions received after this time will not be answered.

If you wish to discuss this tender please contact Peter Kobryn (Senior Procurement Business Partner) on 01623 63702 who will assist you throughout the process.

The Coal Authority accepts no liability for any costs incurred by tenderers in respect of preparing and submitting the Expression of Interest documentation or any element of the procurement process.

Domestic Reverse Charge

We are an end user for the purposes of Section 55A VAT Act 1994 reverse charge for building and construction services. Please issue The Coal Authority with a normal VAT invoice, with VAT charged at the appropriate rate. The Coal Authority will not account for the reverse charge.

Confirmation of award and Standstill Period

A contract award notification will be sent (subject to contract) to the successful tenderer by the date stated in the table programme for delivery. The unsuccessful tenderers will also be notified of the outcome at the same time.

Following the notification of an award decision and before entering into formal contract agreement tenderers shall be subject to a minimum mandatory standstill period of 10 calendar days from the day after the date of the letter of notification of the award decision.

Tender assessment selection criteria / scoring

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

- Tenderers must accept the Coal Authority's terms and conditions.
- The Coal Authority will reject any bid, which is not a compliant bid.

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

- Standard, Technical & Professional questionnaire and responses - completed in the InBye e-portal
- Commercial offer

Tenderers should ensure they allow sufficient time to prepare their bids allowing plenty of time for the closing date and time.

The Evaluation of the ITT responses will be carried out as per the table below. These elements will be assessed on a minimum 'meets requirements' basis.

The Coal Authority reserves the right to exclude any bid that does not meet the minimum requirements for these elements.

The Coal Authority will exclude a bid from this process if it establishes that the economic operator has been convicted of any of the offences defined in Regulation 57 of the Public Contract Regulations 2015.

Bids meeting requirements will then be evaluated on the basis of the most economically advantageous tender. The weighting to be applied to scoring questions within the tender will be as follows:

Stage 1	Weighting	All Tenderers
Price/ Commercial offer	30%	<p>The total costs for each tenderer will be calculated and a score out of 100 is awarded based on the percentage difference from the lowest bid received.</p> <p>Any tender where the submitted price is exceptionally low, i.e. 20% (or more) lower than the next lowest price, the relevant tenderer shall be requested to explain the basis of its tender price, which request, without limiting its scope, may include the requirement to provide some or all of the information stated in Regulation 69 (1) (2) (a) - (f) of the Public Contracts Regulations 2015. If the explanation is not considered adequate the tender may be rejected.</p>
Stage 2		All Tenderers
Technical Assessment	70%	<p>Tenders will be assessed to ascertain the <i>supplier's</i> ability to meet the technical requirements and will be scored in line with the 'Marking Criteria' below and a score out of 100 is awarded based on the percentage difference from the highest quality points received.</p> <p>Each question will be individually scored and weighted to enable the impact of the importance of each aspect to this Tender. There are a number of mandatory questions that tenderers must achieve a "Pass" Score as a minimum otherwise the submission will not be further assessed.</p>
Stage 3		Preferred Tenderer only
Health and Safety	Pass / Fail	The Preferred Tenderer must satisfy these requirements to be considered for the specific contract
Stage 4		Preferred Tenderer only

Due Diligence		During the evaluation process tenderer's may be asked to attend a clarification interview on their written responses, depending on the responses received panel scores may stay the same or be adjusted up or down.
Stage 5		Preferred Tenderer
Contract Award		A contract may be awarded to the tenderer who meets all specified requirements and with the highest overall score.

Submission of tender

Your tender should remain open for acceptance for a period of six calendar months from the closing date for the receipt of tenders and remain firm and fixed for this period.

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.

NB "Tenderers" submissions will be evaluated as follows;

Evaluation of your Bid is a one or two stage process depending on your Price.

Firstly, no matter what your Price, Your Bid must be Compliant with The Coal Authority's Criteria as outlined within this document. It is then treated as a Compliant Submission. The Coal Authority will then proceed to award a score for Price, the first stage, using the criteria outlined in the Tender documentation.

BUT

1. "If your Bid is Compliant, The Coal Authority may choose not to assess your Bid further where your Price is so High that it is not feasible for your bid to win the Tender because of your Price i.e. your Price is so high as to result in your Bid being Uncompetitive and unable to win the Tender on the basis of being the most Economically Advantageous, because of Price."
2. "Bids that ARE Competitive on Price will be taken to the second stage, as they will be regarded as Competitive Bids. The Competitive Bid with the highest overall score for both Price and technical will be the preferred Bid".
3. Before awarding a contract on the basis of price, The Coal Authority will consider whether the Lead Tenderers' score is abnormally low in relation to the Works and Services. If such bid appears to be abnormally low, in the opinion of The Coal Authority, The Coal Authority will request that the Lead tenderer explains the price of its tender in accordance with Regulation 69 of the Public Contracts Regulations 2015.
4. If at any stage any bid is withdrawn or removed from the assessment by The Coal Authority which affects the Price assessment, The Coal Authority will recalculate the Price scores and

reconsider whether any bids which originally did not progress to stage two, subsequently need to be assessed.

Technical assessment

Please ensure that all questions are completed in full, and in the format requested. Failure to do so may result in your submission being disqualified. If the question does not apply to you, please clearly state 'N/A'.

We will consider all applications submitted in accordance with the instructions set out within the tender documentation and evaluate all tenders on the quality questionnaire and prices offered. We may seek clarification where necessary and will determine to our satisfaction that the most economically advantageous tenderer is qualified to perform the contract satisfactorily and is financially viable.

Potential Supplier Information and Exclusion Grounds: Part 1 and Part 2

This is a self-declaration, made by you (the potential supplier), that you do not meet any of the grounds for exclusion¹. If there are grounds for exclusion, there is an opportunity to explain the background and any measures you have taken to rectify the situation (we call this self-cleaning). A completed declaration of Part 1 and Part 2 provides a formal statement that the organisation making the declaration has not breached any of the exclusions grounds. Consequently we require all the organisations that you will rely on to provide a completed Part 1 and Part 2. For example these could be parent companies, affiliates, associates, or essential sub-contractors, if they are relied upon to meet the tender criteria. This means that where you are joining in a group of organisations, including joint ventures and partnerships, each organisation in that group must complete one of these self-declarations. Sub-contractors that you rely on to meet the tender criteria must also complete a self-declaration (although sub-contractors that are not relied upon do not need to complete the self-declaration).

When completed, this form is to be sent back to the contact point given in the procurement documents along with the information requested in the procurement documentation.

Supplier Selection Question: Part 3

The procurement document will provide instructions on the tender questions you need to respond to and how to submit those responses. If you are bidding on behalf of a group (consortium) or you intend to use sub-contractors, you should complete all of the tender questions on behalf of the consortium and/or any sub-contractors.

¹ For the list of exclusion please see

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List_of_Mandatory_and_Discretionary_Exclusions.pdf

If the relevant documentary evidence referred to is not provided upon request and without delay we reserve the right to amend the contract award decision and award to the next compliant bidder.

Consequences of misrepresentation

If you seriously misrepresent any factual information in filling in the tender documentation and so induce an authority to enter into a contract, there may be significant consequences. You may be excluded from the procurement procedure, and from bidding for other contracts for three years. If a contract has been entered into you may be sued for damages and the contract may be rescinded. If fraud, or fraudulent intent, can be proved, you or your responsible officers may be prosecuted and convicted of the offence of fraud by false representation, and you must be excluded from further procurements for five years.

Notes for completing the questionnaire / Technical Form

1. The “authority” means the contracting authority, or anyone acting on behalf of the contracting authority, that is seeking to invite suitable candidates to participate in this procurement process.
2. “You” / “Your” refers to the potential supplier completing this tender documentation i.e. the legal entity responsible for the information provided. The term “potential supplier” is intended to cover any economic operator as defined by the Public Contracts Regulations 2015 (referred to as the “regulations”) and could be a registered company; the lead contact for a group of economic operators; charitable organisation; Voluntary Community and Social Enterprise (VCSE); Special Purpose Vehicle; or other form of entity.
3. Please ensure that all questions are completed in full, and in the format requested. If the question does not apply to you, please state ‘N/A’. Should you need to provide additional information in response to the questions, please submit a clearly identified annex.
4. The authority recognises that arrangements set out in section 1.2 of the supplier information, in relation to a group of economic operators (for example, a consortium) and/or use of sub-contractors, may be subject to change and will, therefore, not be finalised until a later date. The lead contact should notify the authority immediately of any change in the proposed arrangements and ensure a completed Part 1 and Part 2 is submitted for any new organisation relied on to meet the tender criteria. The authority will make a revised assessment of the submission based on the updated information.
5. For Part 1 and Part 2 every organisation that is being relied on to meet the tender criteria must complete and submit the self-declaration.
6. All sub-contractors are required to complete Part 1 and Part 2 of the selection criteria on any contract awarded under the framework and submitted as part of the contractors offer. (see PCR 2015 regulations 71 (8)-(9) for further details.

7. For answers to Part 3 - If you are bidding on behalf of a group, for example, a consortium, or you intend to use sub-contractors, you should complete all of the questions on behalf of the consortium and/ or any sub-contractors, providing one composite response and declaration.

The authority confirms that it will keep confidential and will not disclose to any third parties any information obtained from a named customer contact, other than to the Cabinet Office and/or contracting authorities defined by the regulations, or pursuant to an order of the court or demand made by any competent authority or body where the authority is under a legal or regulatory obligation to make such a disclosure.

Technical Envelope – Technical Ability

The questions included within this section will be evaluated at 100% of the overall assessment criteria, at the weighting given to each question.

Description	Weighting %
Weighted questions for both Lot 1 and Lot 2	
Subcontracting	5%
Consortium	5%
Social Value	10%
Sustainability	5%
Fraud Risk	5%
Weighted questions for Lot 1 only	
Sample Equipment Portfolio	9%
Sample Equipment Collection	4%
Deviant Sample procedure	4%
Analytical instruments	5%
QA/QC procedures	10%
Method Statements	10%
Reporting processes	4%
Queries and verification management	9%
Examples	15%
Weighted questions for Lot 2 only	
QA/QC procedures	35%
Monitoring	35%

Scoring Criteria

Scoring questions are identified within the tender and the table below provides a summary of the scoring to be applied.

Score categories	Meaning	Scores
Excellent adds value	The evaluators are satisfied that the submission demonstrates clearly and convincingly how all the <i>Client's</i> requirements for 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>Client's</i> requirements for the area being evaluated will be delivered to an acceptable standard.	4
Minor reservations	The evaluators consider that the submission demonstrates how most of the <i>Client's</i> requirements for the area being evaluated will be delivered but there are areas of minor concern.	3
Significant reservations	The evaluators consider that the submission leaves them with significant concerns about how the requirements for the area being evaluated will be 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 of the services being evaluated, the evaluators consider that the submission fails to demonstrate how the <i>Client'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 the area being evaluated 	0

Each question will be individually assessed. **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.**

It is essential that questions are answered fully, failure to do this may prevent The Authority's evaluation from being properly completed, and hence may lead to exclusion from this tender competition.

Additional scoring guidance can be found in the tender package to provide bidders further guidelines for how responses will be measured and assessed.

Guidelines

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

Please answer each question fully. The Coal 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.

Organisations currently providing services to the Coal Authority must provide full details as requested and not just refer to the Coal Authority.

Appendices in the form of attachments are either requested for the response to a specific question or can be included in the Supporting Documentation area within the questionnaire but where included must be clearly labelled and cross referenced to ensure the information supplied can be assessed in full.

Assessment and feedback

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

Feedback will be provided to tenderers, 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 Coal Authority does not bind itself to accept your tender 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.

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.

Transparency guidance

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 £12,000 inclusive of VAT ,to be published in full online from July 2010
- all new central government tender documents for contracts over £12,000 inclusive of VAT, 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 £12,000 inclusive of VAT, to be published in full from January 2011
- new items of central government spending over £30,000 inclusive of VAT, 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 Coal Authority

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

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

Countering Fraud

In keeping with our Counter Fraud vision; “Working together to find and stop fraud”, we have a fraud reporting tool which can be accessed via our public facing website –

[Fraud Reporting - Coal Authority \(groundstability.com\)](https://groundstability.com)

Should you be successful in contracting with the Coal Authority, we encourage you to share this with your teams that are working on those contracts.