**COMAH Report**

**TENDER REFERENCE: STSC-JN-0034**

**Tender Issue Date: 12th April 2018**

**Tender Return Date: 4th May 2018**

South Tees Site Company Limited

Procurement Department

Teesside Management Offices

Redcar

TS10 5QW

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1. **Introduction**

South Tees Site Company Limited (STSC) have been appointed to maintain the safety of the Redcar site (formally SSI Steel).

South Tees Site Company is a Government owned Company that is part of the BEIS (Business, Energy & Industrial Stratergy) Department.

# Indicative Timetable

The anticipated timetable for this tender exercise is as follows. STSC reserves the right to vary this timetable. Any variations will be published on contracts finder or circulated to all organisations who have registered an interest in notifications.

|  |  |
| --- | --- |
| **Tender Timeline** | **Date** |
| Advert and full invitation to tender issued | 12th April 2018 |
| Site Visit | 27th April 2018 |
| Deadline for questions relating to the tender | 4th May 2018 |
| Responses to questions published | 11th May 2018 |
| Deadline for receipt of tender | 18th May 2018 |
| All suppliers informed of outcome | 25th May 2018 |
| Contract award on signature by both parties | 29th May 2018 Tbc |
| Contract start date | 1st June 2018 Tbc |

The contract is to be for the period of the specified job unless terminated or extended by the Authority in accordance with the terms of the contract.

1. **Procedure for Submitting Tenders**

The maximum page limit for tenders is 6 pages (excluding declarations).

Please send your proposal clearly marked as “TENDER” and include the Tender Reference Number e.g. STSC- JN-0034 **before** the deadline of 5pm on 18th May 2018 to Procurement via email at

[procurement@stscltd.co.uk](mailto:procurement@stscltd.co.uk)

For questions regarding the procurement process please contact [procurement@stscltd.co.uk](mailto:procurement@stscltd.co.uk).

Tenders will be received up to the time and date stated. Please ensure that your tender is delivered no later than the appointed time on the appointed date. STSC does not undertake to consider tenders received after that time. STSC requires tenders to remain valid for a period indicated in the specification of requirements.

STSC shall have the right to disqualify a bidder from the procurement if they fail to fully complete their response, or do not return all of the fully completed documentation and declarations requested in this ITT. STSC shall also have the right to disqualify you if it later becomes aware of any omission or misrepresentation in your response to any question within this invitation to tender. If you require further information concerning the tender process, or the nature of the proposed email [procurement@stscltd.co.uk](mailto:procurement@stscltd.co.uk). All questions should be submitted by 4th May 2018; questions submitted after this date may not be answered. Should questions arise during the tendering period, which in our judgement are of material significance, we will publish these questions with our formal reply by the end of 11th May 2018 on Contracts Finder. All contractors should then take that reply into consideration when preparing their own bids, and we will evaluate bids on the assumption that they have done so.

You will not be entitled to claim from STSC any costs or expenses that you may incur in preparing your tender whether or not your tender is successful.

1. **Evaluation of Responses**

The tender process will be conducted to ensure that bids are evaluated fairly and transparently, in accordance with agreed assessment criteria. Further details are provided in the specification.

There will be an overall 30/70 cost/quality weighting on the evaluation.

Tenders will be evaluated using criteria shown in the Price/Quality Evaluation Criteria Section.

1. **Terms and Conditions applying to this Invitation to Tender**

The Terms and Conditions published with this invitation to tender on Contracts Finder will apply to this contract.



1. **Further Instructions to Contractors**

STSC reserves the right to amend the enclosed tender documents at any time prior to the deadline for receipt of tenders. Any such amendment will be numbered, dated and issued by procurement. Where amendments are significant, STSC may at its discretion extend the deadline for receipt of tenders.

STSC reserves the right to withdraw this contract opportunity without notice and will not be liable for any costs incurred by contractors during any stage of the process. Contractors should also note that, in the event a tender is considered to be fundamentally unacceptable on a key issue, regardless of its other merits, that tender may be rejected. By issuing this invitation STSC is not bound in any way and does not have to accept the lowest or any tender and reserves the right to accept a portion of any tender unless the tenderer expressly stipulates otherwise in their tender.

1. **Documents to be Submitted**

|  |  |
| --- | --- |
| **Requirement** | **Assessment** |
| Declaration 1: Statement of non-collusion | Pass/Fail |
| Declaration 2: Form of Tender | Pass/Fail |
| Declaration 3: Conflict of Interest | Pass/Fail |
| Declaration 4: Questions for Tenderers | Pass/Fail |
| Declaration 5: Agreement to published T&C’s without deviation | Pass/Fail |
| Declaration 6: Use of Sub-Contractors | Pass/Fail |
| Declaration 7: Confirmation of Health and Safety Policy that complies with current legislative requirements. | Pass/Fail |
| Declaration 8: Enforcement/remedial orders in relation to the Health, Safety and Environment enforcement agencies (or equivalent body) in the last 3 years? | Pass/Fail |
| Pricing Schedule | Quantitative |
| Response to Quality Assessment Questions | Qualitative |
| Copy of Environmental Policy | Information |

Note: Failure to comply with one or more pass/fail requirements will deem your tender non-compliant and it will not be evaluated.

1. **Job Background**

South Tees Site Company (STSC) Ltd, manages the former Thai Owned SSI (UK) and former SSI UK (In Liquidation) site on behalf of the Official Receiver.

SSI UK (In Liquidation) removed significant quantities of COMAH Dangerous Substances; however, the Redcar site remains a Control of Major Accident Hazards (COMAH) Upper Tier Establishment due to the continued presence of Crude Coal Tar and Benzole Absorbing Oil in excess of the Upper Tier Qualifying Quantities.

Under the COMAH Regulations, an Upper Tier Establishment is required to review and update their Safety Report at least every 5-Years or whenever a significant change occurs on site.

Information related to the Dangerous Substances held on Site must be in accordance with the provisions laid out in the Seveso III Directive, which is implemented through COMAH 2015.

The Seveso III Directive came into force on 13th August 2012 and has been implemented through COMAH on 1st June 2015.

Changes include the re-classification of chemicals to align them with the United Nations’ Globally Harmonised System (GHS) for the Classification, Labelling and Packaging of Chemical Substances and Mixtures.

1. **Scope**

The new Safety Report must be in line with the requirements of the Seveso III Directive, (implemented in the United Kingdom as COMAH 2015) based on the CLP Classification of the remaining COMAH Dangerous Substances and will detail the Revised Risk Profile of the Site incorporating:

* The change from the COMAH Regulations 1999 to the COMAH Regulations 2015;
* Detailing the changes to the site operations and safety processes since SSI UK entered liquidation (as required by Regulation 10(5) of the COMAH Regulations) on 2 October 2015.
* Notification of the remaining inventories and classification of dangerous substances in accordance with Regulation 6 of the COMAH Regulations 2015 by the deadline of 1 June 2016.
* Review the Site Inventory, provided, and Operations and document in accordance with Seveso III and CLP

The new 2018 COMAH Safety report will be developed via a review and update of the existing COMAH Addendum Report and be amended as necessary to reflect the current Inventory of COMAH Substances and the On-Going Decommissioning Activities against the latest SRAM (Safety Report Assessment Manual) to include:

Section 1 – Introduction

* Provide general information related to the timeline including keep safe and decontamination activities.

Section 2 – Descriptive Aspects (SRAM Section 9)

* Provide updated information related to the remaining Dangerous Substances present on site along with an updated description of the Site Activities.

Section 3 – Predictive Aspects (SRAM Section 10)

* Review the known site hazards to identify any Major Accident Hazards and provide narrative description for removal.

Section 4 – MAPP & SMS Aspects (SRAM Section 11)

* Provide updated information related to the On-Going keep safe and decontamination activities on Site along with a Summary of the Management Systems and reviews being undertaken.

Section 5 – Technical Aspects (SRAM Section 12)

* Provide updated information related to the keep safe and decontamination activities being undertaken on Site, including examples of Contractor Management, Use of Management of Change.

Section 6 – Environmental Aspects (SRAM Section 13)

* Review existing site and local area information and summarise results of the recent CDOIF MATTE Assessment.

Section 7 – Emergency Response Aspects (SRAM Section 14)

* Provide updated information related to the Emergency Response Arrangements in place associated with the keep safe and decontamination Activities.

1. **Drawings & Specifications**

Data Requirements will be provided by STCS which include, but not confined to:

* Up to date Inventory of COMAH/Hazardous substances
* Existing COMAH Safety Report /Addendum report
* Supporting Evidence as requested during the Review, i.e.
  + Decommissioning Plans,
  + Contractor Management Reports
  + Audit Reports
  + Local authority exemption from preparing external emergency plan.

We require the provision of services to facilitate the requirement in full and to meet all HSE minimum requirements, ensuring site remains compliant to all legal obligations.

1. **Standards**

Control of Major Accident Hazards Regulations 2015

1. **Site Visit**

Site visit for discussion – Technical visit

A site visit is required for this work. This site visit is mandatory and MUST be confirmed via email to [Procurement@stscltd.co.uk](mailto:Procurement@stscltd.co.uk) by 1pm on 26th April 2018. Failure to confirm attendance will mean you will not be permitted on the site visit and will therefore not be considered further for this tender.

Date: 27th April 2018

Time: 11am

Site Host: Adrian Brady

You will be required to complete a site induction, this will take around 20 minutes, please make time for the induction.

1. **Health & Safety**



The successful bidder will be required to complete the above and provide copies of relevant insurances.

If one is held, please include a copy of your Environmental Policy within this tender.

1. **Budget**

The budget for this project is £10,000 to £25,000 excluding VAT.

It is estimated that this work will take no longer than 3 months to complete.

Bidders are required to submit a fixed cost for this project, showing breakdown of rates, expected programme of works as per the price schedule.

In submitting full tenders, contractors confirm in writing that the price offered will be held for a minimum of 60 calendar days from the date of submission. Any payment conditions applicable to the prime contractor must also be replicated with sub-contractors.

STSC aims to pay all correctly submitted invoices within 30 days in line with standard terms and conditions of contract.

1. **Price/Quality Evaluation Criteria**

The weighting for each criterion is presented in brackets.

**Price** 30 **Points**

This includes the ‘Tender Total’. The number of points will be awarded such that the lowest tender receives 30 points, the others will receive points based on their percentage above the lowest tender.

Example

Lowest Tender Total: £15k – 60 Points

Next Lowest Tender: £18k – (15/18 x 60) – 50 Points

Next Lowest tender: £22k – (15/22 x 60) – 41 Points

**Pricing Schedule**

Please provide a fixed lump sum price for this scope of work broken down into the elements below as required (but not exclusive to the tender).

|  |  |  |
| --- | --- | --- |
| Item | Description | Total |
|  | Hourly rate(s) | £ |
|  | Hourly rate(s) | £ |
|  | Travel | £ |
|  | Expenses | £ |
|  | Other | £ |
|  |  | £ |
|  |  | £ |
|  |  | £  £ |
|  |  | £ |
|  |  | £ |
|  |  | £ |
|  |  | £ |
|  |  | £ |
|  |  | £ |
|  | Total | £ |

If the work involves a labour element on site please supply a rate breakdown of each trade included in the quotation.

**Quality** 70 **Points**

Methodology – 30%

Please provide a comprehensive methodology of how you will meet the requirement set out in the specification (maximum 1 side of A4). Please include a preliminary programme (1 side of A4)

On award you will need to provide:

*Bidder guidance – The bidder should detail clearly how their bid will meet the requirement including (but not limited to) details of approach taken, the stages of development and the key considerations.*

Evidence of delivering similar projects – 40%

Please provide details of a minimum three and maximum five similar projects your company has been engaged in (maximum 3 side of A4).

*Bidder guidance – The bidder is required to outline key challenges faced and how these were overcome, any lessons learned, and how you will utilise these experiences to add value in the realisation of STSC’s commission objectives.*

Scoring Methodology

|  |  |
| --- | --- |
| 0 | The Question is not answered or the response is completely unacceptable. |
| 10 | Extremely poor response – they have completely missed the point of the question. |
| 20 | Very poor response and not wholly acceptable. Requires major revision to the response to make it acceptable.  Only partially answers the requirement, with major deficiencies and little relevant detail proposed. |
| 40 | Poor response only partially satisfying the selection question requirements with deficiencies apparent.    Some useful evidence provided but response falls well short of expectations.  Low probability of being a capable supplier. |
| 60 | Response is acceptable but remains basic and could have been expanded upon.  Response is sufficient but does not inspire. |
| 80 | Good response which describes their capabilities in detail which provides high levels of assurance consistent with a quality provider.   The response includes a full description of techniques and measurements currently employed. |
| 100 | Response is exceptional and clearly demonstrates they are capable of meeting the requirement.  No significant weaknesses noted.  The response is compelling in its description of techniques and measurements currently employed, providing full assurance consistent with a quality provider. |

Where an evaluation criterion is worth 10% then the 0-100 score achieved will be multiplied by 10.

**Example** if a Bidder scores 60 from the available 100 points this will equate to 6% by using the following calculation: Score/Total Points available multiplied by 10 (60/100 x 10 = 6)

1. **Procurement**

All communication relating to this tender must be made via the Procurement Team.

Email: [procurement@stscltd.co.uk](mailto:procurement@stscltd.co.uk)

Please use this email address to:

* Confirm the Tenderer intends to submit a tender.
* Raise any questions during the tender period.
* Return the completed tender.

**Declaration 1: Statement of non-collusion**

To: South Tees Site Company Limited

1. We recognise that the essence of competitive tendering is that STSC will receive a bona fide competitive tender from all persons tendering. We therefore certify that this is a bona fide tender and that we have not fixed or adjusted the amount of the tender or our rates and prices included therein by or in accordance with any agreement or arrangement with any other person.

2. We also certify that we have not done and undertake not to do at any time before the hour and date specified for the return of this tender any of the following acts:

1. communicate to any person other than STSC the amount or approximate amount of our proposed tender, except where the disclosure, in confidence, of the approximate amount is necessary to obtain any insurance premium quotation required for the preparation of the tender;
2. enter into any agreement or arrangement with any other person that he shall refrain for submitting a tender or as to the amount included in the tender;
3. offer or pay or give or agree to pay or give any sum of money, inducement or valuable consideration directly or indirectly to any person doing or having done or causing or having caused to be done, in relation to any other actual or proposed tender for the contract any act, omission or thing of the kind described above.

3. In this certificate, the word “person” shall include any person, body or association, corporate or unincorporated; and “any agreement or arrangement” includes any such information, formal or informal, whether legally binding or not.

……………………………………………………………………………….….

Signature (duly authorised on behalf of the tenderer)

……….………………………………………………………………………….

Print name

…………………………………………………………….…………………….

On behalf of (organisation name)

…………………………………………………………………….…………….

Date

**Declaration 2: Form of Tender**

To: South Tees Site Company Limited

1. Having considered the invitation to tender and all accompanying documents (including without limitation, the terms and conditions of contract and the specification) we confirm that we are fully satisfied as to our experience and ability to deliver the goods/services in all respects in accordance with the requirements of this invitation to tender.

2. We hereby tender and undertake to provide and complete all the services required to be performed in accordance with the terms and conditions of contract and the specification for the amount set out in the Pricing Schedule.

3. We agree that any insertion by us of any conditions qualifying this tender or any unauthorised alteration to any of the terms and conditions of contract made by us may result in the rejection of this tender.

4. We agree that this tender shall remain open to be accepted by STSC for x weeks from the date below.

5. We understand that if we are a subsidiary (within the meaning of section 1159 of (and schedule 6 to) the Companies Act 2006) if requested by the Authority we may be required to secure a Deed of Guarantee in favour of STSC from our holding company or ultimate holding company, as determined by STSC in their discretion.

6. We understand that STSC is not bound to accept the lowest or any tender it may receive.

7. We certify that this is a bona fide tender.

…………………………………………………………………………........

Signature (duly authorised on behalf of the tenderer)

…………………………………………………………………………………

Print name

………………………………………………………………………….

On behalf of (organisation name)

………………………………………………………………………….

Email address

………………………………………………………………………….

Telephone Number

………………………………………………………………………….

Date

**Declaration 3: Conflict of Interest**

I have nothing to declare with respect to any current or potential interest or conflict in relation to this tender (or any potential providers who may be subcontracted to deliver this work, their advisers or other related parties). By conflict of interest, I mean, anything which could be reasonably perceived to affect the impartiality of this tender, or to indicate a professional or personal interest in the outcomes from this tender.

Signed …………………………………….

Name …………………………………….

Position …………………………………….

***OR***

I wish to declare the following with respect to personal or professional interests related to relevant organisations\*;

X

X

*Where a potential conflict of interest has been declared for an individual or organisation within a consortia, please clearly outline the role which this individual or organisation will play in the proposed project and how any conflict of interest has or will be mitigated.*

X

X

Signed …………………………………….

Name …………………………………….

Position …………………………………….

Please complete this form and return this with your ITT documentation - Nil returns **are** required.

**\*** These may include (but are not restricted to);

A professional or personal interest in the outcome of this research

For evaluation projects, a close working, governance, or commercial involvement in the project under evaluation

Current or past employment with relevant organisations

Payment (cash or other) received or likely to be received from relevant organisations for goods or services provided (Including consulting or advisory fees)

Gifts or entertainment received from relevant organisations

Shareholdings (excluding those within unit trusts, pension funds etc.) in relevant organisations

Close personal relationship or friendships with individuals employed by or otherwise closely associated with relevant organisations

***All of the above apply both to the individual signing this form and their close family / friends / partners etc.***

If your situation changes during the project in terms of interests or conflicts, you must notify the OGA straight away.

A DECLARATION OF INTEREST WILL NOT NECESSARILY MEAN THE INDIVIDUAL OR ORGANISATION CANNOT WORK ON THE PROJECT; BUT IT IS VITAL THAT ANY INTEREST OR CONFLICT IS DECLARED SO IT CAN BE CONSIDERED OPENLY.

**Declaration 4: Questions for Tenderers**

In some circumstances STSC is required by law to exclude you from participating further in a procurement. If you cannot answer ‘no’ to every question in this section it is very unlikely that your application will be accepted, and you should contact us for advice before completing this form.

Please state ‘Yes’ or ‘No’ to each question.

|  |  |
| --- | --- |
| **Has your organisation or any directors or partner or any other person who has powers of representation, decision or control been convicted of any of the following offences?** | **Answer** |
| 1. conspiracy within the meaning of section 1 or 1A of the Criminal Law Act 1977 or article 9 or 9A of the Criminal Attempts and Conspiracy (Northern Ireland) Order 1983 where that conspiracy relates to participation in a criminal organisation as defined in Article 2 of Council Framework Decision 2008/841/JHA; |  |
| 1. corruption within the meaning of section 1(2) of the Public Bodies Corrupt Practices Act 1889 or section 1 of the Prevention of Corruption Act 1906; where the offence relates to active corruption; |  |
| 1. the offence of bribery, where the offence relates to active corruption; |  |
| 1. bribery within the meaning of section 1 or 6 of the Bribery Act 2010; |  |
| 1. fraud, where the offence relates to fraud affecting the European Communities’ financial interests as defined by Article 1 of the Convention on the protection of the financial interests of the European Communities, within the meaning of: |  |
| 1. the offence of cheating the Revenue; |  |
| 1. the offence of conspiracy to defraud; |  |
| 1. fraud or theft within the meaning of the Theft Act 1968, the Theft Act (Northern Ireland) 1969, the Theft Act 1978 or the Theft (Northern Ireland) Order 1978; |  |
| 1. fraudulent trading within the meaning of section 458 of the Companies Act 1985, article 451 of the Companies (Northern Ireland) Order 1986 or section 993 of the Companies Act 2006; |  |
| 1. fraudulent evasion within the meaning of section 170 of the Customs and Excise Management Act 1979 or section 72 of the Value Added Tax Act 1994; |  |
| 1. an offence in connection with taxation in the European Union within the meaning of section 71 of the Criminal Justice Act 1993; |  |
| 1. destroying, defacing or concealing of documents or procuring the execution of a valuable security within the meaning of [section 20](http://www.lexisnexis.com:80/uk/legal/search/runRemoteLink.do?langcountry=GB&linkInfo=F%23GB%23UK_ACTS%23section%2520%25sect%2520%25num%251968_60a%25&risb=21_T12077301839&bct=A&service=citation&A=0.5036676212568264) of the Theft Act 1968 or section 19 of the Theft Act (Northern Ireland) 1969; |  |
| 1. fraud within the meaning of section 2, 3 or 4 of the Fraud Act 2006; or |  |
| 1. making, adapting, supplying or offering to supply articles for use in frauds within the meaning of section 7 of the Fraud Act 2006; |  |
| 1. money laundering within the meaning of section 340(11) of the Proceeds of Crime Act 2002; |  |
| 1. an offence in connection with the proceeds of criminal conduct within the meaning of section 93A, 93B or 93C of the Criminal Justice Act 1988 or article 45, 46 or 47 of the Proceeds of Crime (Northern Ireland) Order 1996; or |  |
| 1. an offence in connection with the proceeds of drug trafficking within the meaning of section 49, 50 or 51 of the Drug Trafficking Act 1994; or |  |
| 1. any other offence within the meaning of Article 45(1) of Directive 2004/18/EC as defined by the national law of any relevant State. |  |

**Declaration 5: Agreement to Published Terms &Condition**

To: South Tees Site Company Limited

We confirm agreement to the published Terms and Conditions in relation to this tender without deviation.

……………………………………………………………………………….….

Signature (duly authorised on behalf of the tenderer)

……….………………………………………………………………………….

Print name

…………………………………………………………….…………………….

On behalf of (organisation name)

…………………………………………………………………….…………….

Date



**Declaration 6: Use of Sub-Contractors**

To: South Tees Site Company Limited

We intend to use the below sub-contracts in delivering this tender.

|  |  |
| --- | --- |
| Sub-contractor | Nature of Work |
|  |  |
|  |  |
|  |  |

…………………………………………………………………………….….

Signature (duly authorised on behalf of the tenderer)

……….………………………………………………………………………….

Print name

…………………………………………………………….…………………….

On behalf of (organisation name)

…………………………………………………………………….…………….

Date

***OR***

We do not intend to use sub-contractors in delivering this tender.

…………………………………………………………………………….….

Signature (duly authorised on behalf of the tenderer)

……….………………………………………………………………………….

Print name

…………………………………………………………….…………………….

On behalf of (organisation name)

…………………………………………………………………….…………….

Date

**Declaration 7: Health & Safety Policy**

|  |  |
| --- | --- |
|  | Please self-certify that your organisation has a Health and Safety Policy that complies with current legislative requirements. These should consider not only were your organisation is based but also any needs that are required in the country of delivery of the procurement. |
| Bidder guidance | The Bidder shall answer **Yes** or **No**  **Yes** – Pass  **No** - Fail |
| Scoring criteria | Mandatory Pass / Fail |

**Please sign in the appropriate box:**

|  |  |
| --- | --- |
| Yes | Sign:  Print Name: |
| No | Sign:  Print Name: |

**Declaration 8: Enforcement/remedial orders**

|  |  |
| --- | --- |
|  | Has your organisation or any of its Directors or Executive Officers been in receipt of enforcement/remedial orders in relation to the Health, Safety and Environment enforcement agencies (or equivalent body) in the last 3 years? |
| Bidder Guidance | The Bidder Shall answer yes or no  Yes = \*Fail  No = Pass  If your answer to this question is “Yes”, please provide details in a separate Appendix of the conviction or notice and details of any remedial action or changes you have made as a result of conviction or notices served.  The Contracting Authority will not select bidder(s) that have been prosecuted or served notice under Health and Safety legislation in the last 3 years, unless the authority is satisfied that appropriate remedial action has been taken to prevent future occurrences/breaches. |
| Scoring criteria | Mandatory Pass / Fail |

**Please sign in the appropriate box:**

|  |  |
| --- | --- |
| Yes | Sign:  Print Name: |
| No | Sign:  Print Name: |