

Instructions and Terms of Participation – Phase 1

Competitive Procedure with Negotiation

Landscape and Architectural Design and Related Services for
The Grenfell Tower Memorial

On behalf of the Grenfell Tower Memorial Commission (The Commission) administered by RIBA with the Contracting Authority being the Ministry of Housing, Communities and Local Government (MHCLG).

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Appendix A – Selection Questionnaire

Appendix B – Procurement Overview (including evaluation criteria)

Appendix C – Core Participants

Appendix D – Registration for market engagement

1. General

- 1.1. Specifically in relation to this procurement, you should note that it is being carried out on behalf of the Grenfell Tower Memorial Commission (The Commission) administered by RIBA (Authorised Agent) with the Contracting Authority being the Ministry of Housing, Communities and Local Government (MHCLG), hereafter referred to as “The Authority”.
- 1.2. The “Authority” means the public sector Contracting Authority, or anyone acting on behalf of the Contracting Authority, that is seeking to invite “Potential Suppliers” to participate in this procurement process.
- 1.3. “You” / “Your” refers to the Potential Supplier completing this standard Selection Questionnaire 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 “PCR 2015”) 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.
- 1.4. The “Authority” is seeking Expressions of Interest through the completion and submission of this Selection Questionnaire (“SQ”) from suitably qualified and experienced landscape architect and architect design teams (“Potential Suppliers”) in relation to entering into a form of appointment (the “Appointment”) to provide landscape and architectural design and related services (the “Services”) for the Grenfell Tower Memorial.
- 1.5. This SQ should be read in conjunction with the Briefing Information available contained within the Design Brief and, the High Level Descriptive Document (HDD) (issued as stand-alone documents) which provide further details about the project and the procurement process. The briefing information is available publicly on the commission website at <https://www.grenfelltowermemorial.co.uk/design>, however, if you intend to express an interest and participate, you will be required to register at the MHCLG Supplier portal:-

[New User Registration \(site.com\)](#)

- 1.6. Responses to this SQ will be used to select up to five Potential Suppliers to be invited to participate in the Negotiation phase. The Authority is undertaking this procurement under the Competitive Procedure with Negotiation (CPN) process as set out by the Public Contracts Regulations 2015.

- 1.7. No information in this SQ, or in any communication made between the Authority and Potential Supplier in connection with this SQ, shall be relied upon as constituting a contract, agreement or representation that any contract shall be offered. If none of the responses are deemed satisfactory, the Authority reserves the right to consider alternative procurement options.
- 1.8. The Authority expressly reserves the right to require Potential Suppliers to provide additional information supplementing or clarifying any of the information provided in responses to the requests set out in this SQ.
- 1.9. Expressions of interest are sought from architect-led multi-disciplinary design teams. Each applicant's multi-disciplinary design team should consist of but not limited to the services of:
- Lead Designer (Lead Design Consultant or Principal Designer)
 - Landscape Architect, which is an essential requirement.
 - Architect, which is an essential requirement
 - Civil and Structural and Mechanical Engineer
 - Building Services Engineer
 - Community Engagement Consultant
 - Transport, Movement and Access Consultant
 - Town Planning Consultant
- 1.10. The design consultant firm must include an architect who has the right to practise in the country where they are qualified or in the country where they currently reside or practise. UK-based applicants should therefore be registered with the Architects Registration Board (ARB) with overseas-based applicants registered with an equivalent regulatory body.
- 1.11. Architects and Landscape Architects with more limited experience may wish to consider collaborating with another practice, but the proposed delivery arrangement should be clearly articulated in the return.
- 1.12. Teams based remotely from the UK should demonstrate their ability to deliver the project from within the UK should they be successful.
- 1.13. No member of the Grenfell Tower memorial Commission, Evaluation Panel, employees of the Client, their advisers, or any third party connected to the process (including any partners, close

associates, or employees of them) shall be eligible to compete in this design team selection process or assist a participating applicant.

2. How to Register

2.1. To be considered for the design team selection process, suitably qualified applicants must submit a completed Selection Questionnaire (SQ) (in electronic copy only) as per the requirements outlined in this Briefing Document.

2.2. The SQ is shown at **P1A - Appendix A – Standard Selection Questionnaire**

2.3. If you intend to express an interest and participate, you will be required to register at the MHCLG Supplier portal:-

[New User Registration \(site.com\)](#)

2.4. Documents can then be downloaded and the portal (Atamis) will be the single point of contact for this Phase of the procurement. We reserve the right to change to RIBASubmit in Phase 2 – if this should happen, shortlisted parties will be advised and provided with full instruction.

2.5. On registration, you will receive access to all the documents described in **HDD, P2D - Appendix D – Document Schedule for subsequent stages.**

2.6. No hard copy documents will be issued and all communication with the Authority (including submissions of Tenders) must be conducted via the e-tendering portal. The Potential Supplier must ensure that the details of the point of contact nominated in the e-tendering portal are accurate at all times as the Authority will not be under any obligation to contact any other point of contact.

3. Key Facts and what you need to submit during Phase 1

3.1. Document availability

3.1.1. At this stage, we cannot provide full documents relating to later stages of this selection process. We have therefore provided a High-Level Descriptive Document (HDD) which provides greater information and should support your decision to participate.

3.1.2. An overview of the procurement stages, key information and evaluation criteria is shown at P1B - **Appendix B – SQ Evaluation methodology.**

3.1.3. An overview of the indicative timeline and current stages is shown below:-

3.2. Design Team Selection Process Timetable¹:

| Activity | Estimated Date |
|---|------------------------------------|
| Brief and SQ available | 10 th July 2024 |
| Latest date for queries relating to the SQ | 30 th August 2024 |
| Deadline for receipt of SQ returns | 18 th September 2024 |
| Evaluation of SQ returns | 18th September – 15th October 2024 |
| Shortlisted teams notified and unsuccessful candidates notified | 8th November 2024 |
| Issue of ITPN and supplementary information for shortlisted teams | 15th November 2024 |
| Briefing session and site visit for shortlisted teams | TBC |
| Period for “negotiation” | 15th November - 19th March 2025 |
| Latest date for general clarification queries relating to the ITPN | TBC |
| Responses to general clarification queries in relation to the ITPN issued | TBC |
| Issue of ITSFT | 19th March 2025 |

¹ The above Timetable is indicative only and the Commission reserves the right to amend the Timetable or extend any period at its discretion. Applicants will be notified of any changes made to the Timetable. The Commission reserves the right not to proceed beyond the design team selection process stage in the event that no one scheme meets the requirements and aspirations in respect of the project. All honorarium payments will however be paid as indicated.

| Activity | Estimated Date |
|--|----------------|
| Deadline for general clarification queries in relation to the ITSFT | TBC |
| Responses to general clarification queries in relation to the ITSFT issued | TBC |
| Deadline for submission of Final Tenders (with design concepts) | April 2025 |
| Tender Evaluation commences | April 2025 |
| Final interviews and presentations | May 2025 |
| Issue of Intention to Award Contract | July 2025 |
| Standstill period | 10 days |
| Confirmation of Contract Award | August 2025 |
| Public Announcement of Result | September 2025 |

3.3. Minimum Requirements

3.3.1. Potential Suppliers' attention is drawn to the following minimum requirements as set out below:-

- **Professional Body Accreditation** - Lead Consultant to be registered with either the Landscape Institute, Architects Registration Board or equivalent regulatory body. This can be achieved via multiple supply chain members, however, you must be able to demonstrate registration with either entity. **Please provide the registration number for the relevant registration body as part of your response.**
- The Lead Consultant must include either a landscape architect or an architect who have the right to practice in the country where they are qualified or in the country where they currently reside or practice. UK-based Candidates should therefore be registered with the Landscape Institute or Architects Registration Board (ARB) with overseas-based Candidates registered with an equivalent regulatory body.
- **Insurance Requirements** - On appointment, the successful Supplier (via Design Team Lead Consultant) will be required to have or make available at the point of contract award:

Minimum **professional indemnity cover** of not less than GBP £2m for any one claim;

Third party / public liability insurance of not less than GBP £2m for each and every event with the number of events unlimited, and;

Employers (Compulsory) Liability Cover of not less than GBP £2m for each and every claim in respect of all customary risks.

3.4. Things you might want to consider to ensure you submit a compliant response

3.4.1. **Register Interest** - Register Interest on Atamis in this opportunity

3.4.2. **Question & Answer** - Raise all clarification questions via the messaging facility on Atamis, please review the documents early to make sure that you receive answers to questions promptly. All Q&A will be issued to all who express an interest in this procurement *unless* they are marked as confidential, and deemed to be commercially sensitive. More detail on clarifications is at [4.7 – More information about the clarification process](#).

3.4.3. **Market Engagement Event** - Advise which market engagement event you would like to attend using this form <https://forms.office.com/e/yHrfB89ZRc> or by sending an e-mail to SGB-Proc@communities.gov.uk with a copy of the form attached at **Appendix D – Registration for market engagement**

3.4.4. **Develop your team** – To make sure that you have enough time to complete the SQ responses and make sure you can provide relevant information for all of the team members in line with the instructions relating to consortia submissions

3.4.5. **Prepare your response fully and accurately** – Please review the Selection Questionnaire requirements, with particular attention on what you need to submit for this phase. This is set out clearly in Appendix B – Procurement Overview

3.4.6. **Upload your response documents** – Please make sure you leave enough time to upload your response documents before the deadline. If you are unclear on anything related to how to submit on Atamis, you must contact their helpdesk.

3.4.7. **A gentle reminder** - Any communication or attempt to solicit information from any member of the Evaluation Panel, or the Authority's staff, advisers or any third party connected to the procurement may result in your organisation being disqualified and not considered further.

4. The Selection Questionnaire

4.1. Format of document(s)

4.1.1. The Selection Questionnaire has 3 parts:

- **Part 1:** Information about Potential Suppliers
- **Part 2:** Self-declarations regarding whether, or not any exclusion grounds apply; and
- **Part 3:** Selection Questions.

4.1.2. If any of the information requested in this SQ is available in a relevant national database, free of charge, please state precisely where the requested evidence can be found - i.e. the name of the repository, website, identification of file and any other details needed in order to access the information.

4.2. Instructions for completing and submitting the SQ return

4.2.1. **Accessing the e-tendering portal** - Potential Suppliers who intend to submit an application must register on Atamis for this phase of the selection process.

4.2.2. The Authority is using the Atamis e-tendering portal to manage this Procurement and to communicate with Potential Suppliers. No hard copy documents will be issued and all communication with the Authority (including submissions of Tenders) must be conducted via the e-tendering portal. The Potential Supplier must ensure that the details of the point of contact nominated in the e-tendering portal are accurate at all times as the Authority will not be under any obligation to contact any other point of contact.

Link to e-tendering portal:

<https://mhclg.force.com/s/Welcome>

Technical Support:

support@atamis.co.uk

4.2.3. **Submitting your selection questionnaire** - The deadline for receipt of SQ returns is **12.00 midday (BST)** on **18th September 2024**. Late submissions will not be accepted.

Please submit your technical responses (i.e responses to Project Specific Questions to assess Technical and Professional Ability (Scored Questions) in a single document (PDF) which is uploaded separately to all other SQ documentation.

4.3. File Naming

4.3.1. **Naming your files** - The file name of the completed SQ return should be in the following format:-

- [Lead Consultant Firm Name]_[Document Name].pdf
- E.g A Lead Designer_SQ.pdf
- E.g A Lead Designer_Appendix A.PDF

4.3.2. **Any other appended files should follow a similar file-naming protocol.**

4.3.3. Potential Suppliers are strongly advised to familiarise themselves with the digital submission portal and allow sufficient time for their SQ return to successfully upload in advance of the deadline for receipt of returns. The e-tendering portal will not allow material to upload after the submission deadline has expired. The Authority and RIBA Competitions will not be responsible for any SQ returns delayed, lost or otherwise damaged or corrupted during transmission, however so caused.

4.3.4. Potential Suppliers should ensure that all questions are completed in full, and in the format requested. Please answer all questions as accurately and concisely as possible within the limitations set. Where a question is not relevant to the Potential Supplier's organisation, this should be indicated, with an explanation. Expressions of Interest may not be considered further if ***all relevant questions are not answered or do not meet the minimum requirements***. All the necessary self-declarations **must** be received for the selection stage evaluation.

4.3.5. A Potential Supplier that is part of a group should answer the questions specifically for the Supplier itself and not for the whole of the Group.

4.3.6. Where, however, Group policies, statements etc. are normally used by you, please answer accordingly. Also, you may provide details of capacities/resources of other entities or members of your group or consortium where you can show that you have those capacities/resources available to you. Where applicable, the authority may require an undertaking from those entities to that effect.

4.4. Exclusion Grounds – Requirement for all supply chain to complete

4.4.1. **Parts 1 and 2** of the SQ require Potential Suppliers to declare that they have not breached any of the exclusion grounds. **These self-declarations are mandatory.**

- 4.4.2. A **completed Part 1 and Part 2 declaration** is also required for **each** organisation that the **Potential Supplier relies on to meet the selection criteria** (i.e. all proposed consultant firms from all required design disciplines). These could be parent companies, affiliates, associates, or essential subcontractors. The List of exclusion grounds can be found at: [https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List of Mandatory and Discretionary Exclusions.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List_of_Mandatory_and_Discretionary_Exclusions.pdf)
- 4.4.3. If your organisation, or any organisation you rely on to meet the selection criteria, has breached any of the exclusion grounds, you have the opportunity to explain the background and any measures you have taken to rectify the situation (self-cleansing).
- 4.4.4. Particular attention is drawn to Appendix C – Core Participants. You are specifically required to provide detail of any requested information as set out in the SQ.
- 4.4.5. Please present your information in the Questionnaire as far as possible. Supporting information should be presented in the same order as, and should be referenced to, the relevant question. This is for ease of evaluation. Please do not cross-reference with your own internal identification, as this could potentially lead to errors occurring during the assessment of your application. All requirements and subsequent contracts shall be subject to English Law.
- 4.4.6. The Tender must be submitted in the English (UK) language.
- 4.4.7. The Authority will disregard any part of a response to a question which exceeds the specified page or word limit (i.e., the excess will be disregarded, not the whole response).
- 4.4.8. Responses submitted in MS Word (or converted to PDF) should be formatted as follows:
- Font - Arial;
 - Font colour - Black;
 - Font size - 12;
 - Paper size – A4
 - Line spacing – single line, with zero spacing before and after.
 - Text alignment – Aligned to the left.
 - Margins – minimum of “Normal” template setting of 2.54cm for all 4 sides
- 4.4.9. Font style can be “or equivalent”, however for accessibility please do not change the font size.

4.5. Bidding as part of a group

- 4.5.1. For answers to Part 3 of the SQ (technical response) - If you are bidding on behalf of a group, for example, a consortium, or you intend to use sub-contractors, you (the lead design consultant firm proposing to act as Lead Consultant for the design team) should complete all of the questions on behalf of the consortium and/ or any sub-contractors, providing one composite response and declaration.

4.6. Guidelines for response to technical questions within SQ

- 4.6.1. Potential Suppliers should submit the **responses to Section 9 (Project Specific Questions to assess Technical and Professional Ability) as a separate, collated Appendix** provided the requested information is presented and numbered in the order set-out in the SQ and the responses do not exceed the specified page limits. The Appendix should include a Front cover sheet displaying the name of the lead design firm, together with the names of proposed firms from the other required design disciplines.
- 4.6.2. Any images featured within the SQ return should be clearly annotated to explain to which projects they refer. A distinction should be clearly made between photographic images of completed projects, and computer-generated visualisations of ongoing projects.
- 4.6.3. Please do not include general marketing or promotional activity. The inclusion of an executive summary is not required and will not be considered in the evaluation of the SQ return.

4.7. More information about the clarification process

- 4.7.1. You may raise questions or seek clarification regarding any aspect of this Procurement at any time prior to the Tender Clarifications Deadline (see the Procurement Timetable set out at [Design Team Selection Timetable](#)). Questions must be submitted using the messaging facility provided within the e-tendering portal. Questions submitted via means other than the e-tendering portal may not be responded to.
- 4.7.2. To ensure that all Potential Suppliers have equal access to information regarding this Procurement, the Authority will publish all its responses to questions asked and/or clarifications raised by Potential Suppliers.
- 4.7.3. You should not refer to your identity in the body of the question. Responses to questions asked and/or clarifications raised will not identify the originator of the question and may be answered in batches, rather than one at a time, with updates appearing at regular (approximately two to three working days) intervals.

- 4.7.4. If a Potential Supplier wishes to ask a question or seek clarification in confidence it must provide justification for withholding the question and any response. If the Authority does not consider that there is sufficient justification for withholding the question and the corresponding response, the Authority will inform the Potential Supplier and the Potential Supplier will have an opportunity to withdraw the question or clarification. If the question and or clarification is not withdrawn, then the response will be issued to all Potential Suppliers.
- 4.7.5. You are responsible for monitoring the e-tendering portal and the question-and-answer bulletins, for any responses to questions, general clarifications or other information issued by the Authority. Answers to such questions may contain important information that could affect how you complete your Tender.
- 4.7.6. The Authority reserves the right to contact you at any time for clarification on all or any part of its Tender during this Procurement and you should respond promptly to such request.
- 4.7.7. The Authority may ask for further information at any point up to the entry into a contract with a Potential Supplier to satisfy itself that the Potential Supplier continues to qualify. Failure to provide any such information either as part of this SQ or at contract award stage may lead to a Potential Supplier being disqualified from further consideration.

4.8. General

- 4.8.1. Please ensure that you (and all organisations that you are relying on to meet the selection criteria) read carefully and sign the Declaration at the end of Part 3.
- 4.8.2. In submitting a completed SQ return, you warrant, represent and undertake an agreement that:
- 4.8.3. You have complied in all respects with these instructions;
- 4.8.4. All information, representations and other matters of fact communicated (whether in writing or otherwise) to the Authority by you or your employees in connection with or arising out of the SQ are true, complete and accurate in all respects;
- 4.8.5. You have carried out your own investigations and research, and are satisfied in respect of all matters relating to the SQ;
- 4.8.6. You are of sound financial standing and you and your partners, directors, officers and employees are not aware of any circumstances (other than such circumstances as may be disclosed in audited

accounts or other financial statements) which may adversely affect your financial standing in the future.

4.8.7. Failure to furnish the required information, make a satisfactory response to any question, or supply documentation referred to in responses, within the specified timescale, may mean that your SQ return will not be evaluated in full.

4.8.8. Except where specifically stated in this document, once the SQ submission closing date has passed, you will be unable to issue variations or revised documents to the Authority unless specifically requested by the Authority to clarify the answers given.

4.9. Right to disqualify at a later date

4.9.1. The Authority reserves the right to disqualify any Potential Supplier who no longer qualifies if it becomes aware that the Potential Supplier did not qualify at the time their SQ return was submitted or if it no longer qualifies as a result of information becoming available during ongoing due diligence checks, at any point before the formal entry into contract in relation to the services referred to in the Contract Notice.

5. Confidentiality

5.1.1. When providing details of contracts in answering Question 6 and Question 9 of Part 3 of this SQ (Technical and Professional Ability), the Potential Supplier agrees to waive any contractual or other confidentiality rights and obligations associated with this procurement.

5.1.2. The Authority reserves the right to contact any named customer contact in Question 6.1 of Part 3 of this SQ. The named customer contact does not owe the Authority any duty of care or have any legal liability, except for any deceitful or maliciously false statements of fact.

5.1.3. 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 or the Crown Commercial Service, 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.

5.1.4. It should be noted that the shortlisted suppliers who are taken forward to ITPN stage may be subject to completion of an NDA which covers all entities within the supply chain. You will be notified if this is a requirement.

6. Conflict of interest

- 6.1.1. In accordance with Question 3.1 (g) of Part 2 Conflict of interest, the Authority may exclude any Potential Supplier if there is a conflict of interest within the meaning of PCR 2015 Regulation 24 which cannot be effectively remedied. The concept of a conflict of interest includes any situation where relevant staff members have, directly or indirectly, a financial, economic or other personal interest which might be perceived to compromise their impartiality and independence in the context of the procurement procedure.
- 6.1.2. Where there is any indication that a conflict of interest exists or may arise then it is the responsibility of the Potential Supplier to inform the Authority and provide details of the conflict. Please note that any pre-market engagement carried out by the Authority should not represent a conflict of interest for an Applicant, provided that the engagement has been carried out in a transparent manner. Please note, no pre-market engagement has taken place in respect of this opportunity.
- 6.1.3. In completing this SQ, you are required to complete a response to **Appendix C – Designated core participants** which asks:-
- *Please confirm whether you have any potential, actual or perceived conflicts of interest that maybe relevant to this requirement – in relation to the response to and/or the investigation of the Grenfell Tower Fire and/or prior involvement in projects funded by Government, and/or current or prior involvement with the entities detailed within “APPENDIX C - Designated Core Participants of the Grenfell Enquiry”*
- 6.1.4. **Appendix B – Procurement overview** also sets out the evaluation methodology that will be applied in relation to responses received to this question.

7. Self-cleansing

- 7.1.1. Any Potential Supplier that answers "Yes" to any of the questions set out in Part 2 Exclusion Grounds Question 2 (Grounds for Mandatory Exclusion) and Question 3 (Grounds for Discretionary Exclusion) should provide sufficient evidence that provides a summary of the circumstances and any remedial action that has taken place subsequently and effectively "self-cleans" the situation referred to in that question. Potential Suppliers should demonstrate if they have taken such remedial action, to the satisfaction of the Authority in each case.

- 7.1.2. If such evidence is considered by the Authority (whose decision will be final) as sufficient, the Potential Supplier concerned shall be allowed to continue in the procurement process.
- 7.1.3. In order for the evidence referred to above to be sufficient, the Potential Supplier shall, as a minimum, prove that it has:-
- Paid or undertaken to pay compensation in respect of any damage caused by the criminal offence or misconduct; and/or
 - Clarified the facts and circumstances in a comprehensive manner by actively collaborating with the investigating authorities; and/or
 - Taken concrete technical, organisational and personal measures that are appropriate to prevent further criminal offences or misconduct.
 - The measures taken by any Potential Supplier under this section shall be evaluated, taking into account the gravity and particular circumstances of the criminal offence or misconduct. Where the measures are considered by the Authority to be insufficient, the Potential Supplier shall be given a statement of the reasons for that decision.

8. Evaluation of responses

- 8.1.1. Potential Suppliers' SQ responses will be evaluated in accordance with the procedures set out in **Appendix B – Procurement Overview**. In the event that none of the responses are deemed satisfactory, the Authority reserves the right to abandon this procurement and consider alternative procurement options.