

**INVITATION TO TENDER**

**TO RE-DEVELOP AN AREA OF MILLOM PARK**

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**6 Newton Street, Millom, Cumbria**

**LA18 4DR**

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1. **INTRODUCTION**

Millom Town Council are looking to appoint a preferred supplier for the build and construction of an outdoor area in the Millom Town Park set out in this document in order to further enhance the amenities and facilities which are available for the benefit of local residents and visitors of all ages, able and disabled.

Any prospective supplier is invited to submit their tender for the work in accordance with the specification set out in this document to the Millom Town Council.

1. **TENDER PROCESS**

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| **Item** | **Date** |
| Publication date of the contract notice and publication of tender documents | **12.04.24** |
|  |  |
| **Deadline for submission of Tenders** | **25.04.24 by 12 noon** |
| Evaluation of tenders (including clarification questions to tenders) | **27.04.24** |
| Notification to shortlisted applicants | **30.04.24** |
| Submission of shortlisted applicants’ tender responses to Millom Town Council, for the attention of The Clerk, together with complete Stage 2 submission | **03.05.24** |
| Evaluation Panel’s Recommendation to Council | **10.05.24** |
| Date of the full Council meeting | **15.05.24** |
| Notification to applicants and contract award | **17.05.24** |
| Construction works commencing | **Beginning June 2024** |
| End date for construction | **End Sept 2024** |

Prospective contractors must ensure that they are completely familiar with the nature and extend of the obligations to be accepted by them before submitting a tender. Before submitting a tender, any prospective contractor is advised, at his/her own discretion, to visit the site to satisfy themselves as to the full extent of the contract specification. No claims arising from failure to do so will be accepted at a later date.

Any queries regarding the interpretation of any part of the contract documents should be address to the Town Clerk within the timescales indicated above.

The tender shall be submitted only on the attached tender form.

If, having examined the tender documents, prospective contractors wish to submit a tender they should fully complete and return the tender form by the specified deadline to:

The Clerk

Millom Town Council

6 Newton Street, Millom

Cumbria, LA18 4DR

Or to [theclerk@millomtowncouncil.co.uk](mailto:theclerk@millomtowncouncil.co.uk)

Hard copy tender documents should be submitted in a sealed marked envelope.

Tenders received late will not be considered.

Prospective contactors should note that the Council is not bound to accept any particular tender. The Council’s decision is final and no correspondence will be entered into on the reasons which a tender has been rejected.

The successful tender together with the Council’s written acceptance shall form a binding agreement in the terms of the contract documents.

**Notes to Tenderers**

1. The prices to be included in the tender form are to be the full inclusive value of the work described, including all profits, costs and expenses, inflation and all general risks, liabilities and obligations, but excluding VAT (if applicable). No application from the contractor to adjust the contract price during the contract period for the works priced as part of this document will be considered.
2. No alteration to the text of the tender form is to be made by the contractor tendering. Should any alteration, amendment, note or addition be made, the same will not be recognised and the reading of the printed schedule will be adhered to.
3. The construction works have to be completed within a fixed term which prospective contractors are required to propose on the tender form. Save for force majeure, in the event of late completion of the contract, the total sum payable by Millom Town Council will be reduced by 2% for each 4-week period or part thereof during which the work is completed later than the agreed completion date.
4. Regular inspections will be carried out by the Council throughout the period of the contract to ensure the work is completed in accordance with the specification of works.
5. Invoices presented for payment must include a schedule of the works completed including the dates of the work.
6. Contractors are asked to contact the Town Clerk if any clarification is needed.
7. The Council reserves the right to make such enquiries at it sees fit regarding the suitability and experience of any tenderer.

**3. DESCRIPTION OF THE PROVISION**

Millom Town Council are looking to redevelop an area at the top of the Millom Park area. The upper part of the park has long since been neglected. Using locally sourced stones from the quarries and metal sculptures it is hoped to provide ample seating areas as well as a talking point for all visitors. This vision will provide a quiet place for people to enjoy the views over the park and improve their health and well-being. It is hoped that community groups/schools will be encouraged to use the areas for creative writing/poetry and make them more aware of their heritage. The proposed project is to incorporate Millom’s history from the prehistoric footprints to the boomtown years or the iron works and that the poetry of Norman Nicholson. Using these as stepping stones the design of the upper part of the Millom Park will bring together local natural stones, iron sculptures and local children’s poetry. The project will provide a quiet sensory garden which will stimulate the basic senses. It will increase the usage of all ages both for the able and disabled bodies too.

The Council prefers to have equipment installed with low maintenance and as few moving pieces as possible. Any equipment installed will have to be in keeping with the natural stone of the Millom Park.

Prospective suppliers are invited to submit tenders within a specified budget which should specify the following:

* All preparatory works to the site
* Groundworks
* Installation of electrical/water supplies
* Planting
* Any re-instatement works
* Health and Safety Provisions
* Welfare Provisions
* Evidence of any other completed similar facilities with 2 references for work undertaken
* Evidence of third party/public liability insurance with a sum insured of at least £10 million

1. **CONSIDERATIONS**

**Access**

Access to the proposed location LA18 5JW and can be facilitated off St George’s Road.

Care must be taken when approaching the site. Any damage to existing paths will need to be remediated at the contractor’s expense.

The successful supplier is likely to encounter members of the public during the works.

**Defects Maintenance Period**

On completion of the contract the Town Council shall sign off the work following a post-installation inspection (PII).

The Town Council and the supplier will agree the works required to rectify any defects. Note: not all risks identified (if any) in the PII are required to be rectified at the supplier’s cost.

A 12-month defect period shall commence from when all agreed findings have been rectified and signed off by the Town Council. On completion of the 12-month period the supplier will be required to repair any surface which show wear and tear over and above reasonable use of the area, ie where this a design flaw or installation issue due to settlement.

**Drainage/Ground Conditions**

It will be the appointed supplier’s responsibility to satisfy themselves that the ground is suitable for installation of services and drainage.

**Health and Safety**

All Health and Safety information must be communicated to the Town Council prior to works commencing on site. The supplier will need to be compliant with any site-wide working restrictions and on-site traffic management. A method statement for the works to be carried out will need to be supplied to the Town Council prior to any works commencing on site.

The supplier shall protect the public from the works and from any materials being transported to and from the working area.

At the end of each working day and at weekends the site must be left secure and lit as necessary.

The site allows for good visibility and is well used by members of the public for recreational purposes. The location is also sited along pathways to the tennis courts and bowling green as well as the play areas in the park. For these reasons the foot ways must be kept free from obstruction at all times.

There is no conflict of activities ie; no other existing recreational areas in the vicinity.

There are no protected trees in the proposed area.

The proposed site is not a protected site for wildlife/habitat considerations.

The supplier shall provide an outline programme of delivery including timescales for the delivery of the project.

**Public Relations**

To the general public the supplier’s employees working on the site are seen as Millom Town Councils. Each one of them is, therefore, a public relations officer and great care should be taken by the supplier in their personal instructions to the employees to make sure that they are all made aware of their responsibilities.

There should also be clear lines of communications to the Town Council on any complaints received from the public.

**Reinstatement**

The supplier shall be expected to leave the site in a clean and tidy condition upon completion of the project works.

All adjoining areas will be swept clean throughout the contract period as necessary and any ground or hard landscaping disturbed due to the works will be restored back to its original condition.

Photographic evidence of the original site condition and the surrounding area will be taken to help avoid any future disputes.

**Services**

Every effort will be made to provide the supplier with service details prior to commencement on site from the relevant utility companies. As utility records are approximate and often incomplete, the supplier should follow guidance from the Health and Safety Executive (HSE) for avoiding danger from underground services.

**Storage of Materials**

It may be feasible that a compound will need to be erected on the site to store materials and equipment. This will be subject to Council’s approval.

On completion of the work the supplier will be responsible for restoring any damaged ground or hard landscaping back to its original condition.

**Working Area**

The supplier will be working in restricted areas and, therefore, care should be taken to avoid damage and keep any inconvenience to a minimum.

The working area shall be fenced with 2.0m high Herras fencing panels of an approved design to properly secure the working area. The panels shall be of tubular steel frame construction with weldmesh infill. Each panel shall be securely clamped to its adjoining panel and will sit on concrete or rubber feet. The position of the Herras fencing panels will be agreed prior to the supplier commencing on site. The installation and maintenance of this fence during the contract will be the supplier’s responsibility.

The fencing must remain in situ at all times throughout the contract.

A wheel washing facility must be installed during the construction period to prevent soiling the adjacent pavements and roads.

1. **BUDGET**

The budget for the delivery of the redevelopment is: £135,000

**SITE**

The site for the re-development area is located in the Millom Park on St George’s Road Millom

A location plan and a constraints plan are attached to this tender notice.

The site is publicly accessible.

1. **PLANNING CONSIDERATIONS**

Planning consent will be (if required) obtained from the Local Cumberland Planning Authority

1. **CONSTRUCTION PERIOD**

The Construction works should start on or as soon as possible after the award of a contract. All associated works including reinstatement of any damaged ground are to be completed within four-months of awarding the contract, subject to adequate working conditions/exceptionally inclement weather delays (please refer to note c in the Notes to Tenderers above).

1. **EVALUATION CRITERIA**

The following section defines Millom Town Council ‘s method of evaluating the received tenders. Tenders will be evaluated in accordance with the Council’s Financial Regulations using the criteria and weighting below:

A tender evaluation panel will evaluate tenders based solely on the information provided in the tender form and its members will evaluate tenders in accordance with the process described below with the aim of establishing a preferred supplier for the Council’s requirements and, if appropriate, submitting a recommendation to the Council to award a contract to the preferred supplier.

Decision Making Process

All tenders will be checked for completeness and to ensure they are fully compliant. All complete and compliant tenders will then be evaluated in accordance with the evaluation criteria in terms of their ability to meet the technical requirements specified.

Following the completion of all stages of the evaluation process, the panel will present its recommendation to the full Council. Only following approval from the Council will the bidders be notified of the decision, and confidentiality restrictions lifted from the contract details.

Evaluation Criteria

Tenders will be evaluated on the basis of the most economically advantageous proposal in accordance with Regulation 67 of The Public Contracts Regulations 2015[[1]](#footnote-1), using the following criteria. Each criterion has been assigned a weighting to reflect the relative importance of such criterion to the Council.

|  |  |  |
| --- | --- | --- |
| **Criteria** | **Definition and Required Evidence** | **Weighting** |
| Price | The full and final cost over the full term of the contract, taking into account affordability and the commercial stability of a reasonable return for the supplier. Please submit evidence of   1. Your ability to carry out the contract to the proposed design and specification and within the stipulated budget 2. Your financial and/or operational capacity to deliver the contract 3. Your last year’s audited accounts   NB; If you are unable to provide audited accounts you may provide:   1. A statement of the turnover, Profit and Loss Account/Income Statement, Balance Sheet/Statement of Financial Position and Statement of Cash Flow for the most recent year of trading for this organisational or 2. A statement of the cash flow forecast for the current year and a bank letter outlining the current cash and credit position, or 3. An alternative means of demonstrating financial status if any of the above are not available. | 50% |
| Quality | The supplier’s ability to perform the contract to the highest standards. Please submit   1. Evidence of your knowledge in and experience of carrying out similar contracts or other relevant evidence during the last 5-years, 2. Two references from recent customers of similar works | 25% |
| Timeframe | The supplier is required to complete all works within a fixed term, a proposal for which should be made by the applicant on the tender form | 10% |
| Compliance | Evidence of the contractor’s compliance with all Health and Safety, employment laws and regulations and safeguarding procedures, e.g. by submitting a relevant policy(ies). | 10% |
| Environmental Issues | Evidence of the contractor’s approach to environmental issues and how you will manage the disposal of waste, e.g., by submitting a relevant policy(ies) | 5% |

1. **67.**—(1) Contracting authorities shall base the award of public contracts on the most economically advantageous tender assessed from the point of view of the contracting authority***.***

   (2) That tender shall be identified on the basis of the price or cost, using a cost-effectiveness approach, such as life-cycle costing in accordance with regulation 68, and may include the best price-quality ratio, which shall be assessed on the basis of criteria, such as qualitative, environmental and/or social aspects, linked to the subject-matter of the public contract in question.

   (3) Such criteria may comprise, for example—

   (a)quality, including technical merit, aesthetic and functional characteristics, accessibility, design for all users, social, environmental and innovative characteristics and trading and its conditions;

   (b)organisation, qualification and experience of staff assigned to performing the contract, where the quality of the staff assigned can have a significant impact on the level of performance of the contract; or

   (c)after-sales service and technical assistance, delivery conditions such as delivery date, delivery process and delivery period or period of completion.

   (4) The cost element may also take the form of a fixed price or cost on the basis of which economic operators will compete on quality criteria only.

   (5) Award criteria shall be considered to be linked to the subject-matter of the public contract where they relate to the works, supplies or services to be provided under that contract in any respect and at any stage of their life cycle, including factors involved in—

   (a)the specific process of production, provision or trading of those works, supplies or services, or

   (b)a specific process for another stage of their life cycle,

   even where those factors do not form part of their material substance.

   (6) Award criteria shall not have the effect of conferring an unrestricted freedom of choice on the contracting authority.

   (7) Award criteria shall—

   (a)ensure the possibility of effective competition; and

   (b)be accompanied by specifications that allow the information provided by the tenderers to be effectively verified in order to assess how well the tenders meet the award criteria.

   (8) In case of doubt, contracting authorities shall verify effectively the accuracy of the information and proof provided by the tenderers.

   Weighting

   (9) The contracting authority shall specify, in the procurement documents, the relative weighting which it gives to each of the criteria chosen to determine the most economically advantageous tender, except where this is identified on the basis of price alone.

   (10) Those weightings may be expressed by providing for a range with an appropriate maximum spread.

   (11) Where weighting is not possible for objective reasons, the contracting authority shall indicate the criteria in decreasing order of importance. [↑](#footnote-ref-1)