

Volume Two (2) Applicant’s Offer

Selection Questionnaire /

Invitation to Tender

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| Contract for: Skatepark, Dracaena Community Playing Field, Falmouth. |

Closing time and date for return of submission:

15:00 hrs on 18 March 2019

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| Name of Applicant: |

This document must be completed and returned in the published format. Failure to comply with this instruction may result in your Submission being discounted.

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| **General Notes** |

* 1. This document should be read in conjunction with the supporting information contained within Volume 1 “Invitation to Tender - Background Information, Instructions and Conditions of Tender” and associated documents also referenced.
	2. This document and associated documents will form the basis of the Applicants formal Tender response. Care should be taken to ensure that it is completed accurately and all information required to submit a compliant tender is done ahead of submitting any final response.

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| **Selection Questionnaire** |

* 1. Notes for completion
1. The “Authority” means the contracting authority (the Town Council), 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 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 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 standard Selection Questionnaire, 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 selection 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 selection must complete and submit the self-declaration.
6. 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.
	1. The Town Council 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.
	2. The Applicants attention is further drawn to supporting guidance and information as included in “Volume 1” document related to this procurement process.

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| **Part 1: Potential supplier information**Please answer the following questions in full. Note that every organisation that is being relied on to meet the selection must complete and submit the Part 1 and Part 2 self-declaration. |
| **Section 1** | **Potential supplier information** |  |
| **Question number** | **Question** | **Response** |
| 1.1(a) | Full name of the potential suppliersubmitting the information |  |
| 1.1(b) – (i) | Registered office address (if applicable) |  |
| 1.1(b) – (ii) | Registered website address (if applicable) |  |
| 1.1(c) | Please mark ‘X’ in the relevant box to indicate your trading status | 1. a public limited company
 |  |
| 1. a limited company
 |  |
| 1. a limited liability partnership
 |  |
| 1. other partnership
 |  |
| 1. sole trader
 |  |
| 1. third sector
 |  |
| 1. other (please specify your trading status)
 |  |
| 1.1(d) | Date of registration in country of origin |  |
| 1.1(e) | Company registration number (if applicable) |  |
| 1.1(f) | Charity registration number (if applicable) |  |
| 1.1(g) | Head office DUNS number (if applicable) |  |
| 1.1(h) | Registered VAT number |  |
| 1.1(i) - (i) | If applicable, is your organisation registered with the appropriate professional or trade register(s) in the member state where it is established? |  |
| 1.1(i) - (ii) | If you responded yes to 1.1(i) - (i), please provide the relevant details, including the registration number(s). |  |
| 1.1(j) - (i) | Is it a legal requirement in the state where you are established for you to possess a particular authorisation, or be a member of a particular organisation in order to provide the services specified in this procurement? |  |
| 1.1(j) - (ii) | If you responded yes to 1.1(j) - (i), please provide additional details of what is required and confirmation that you have complied with this. |  |
| 1.1(k) | Trading name(s) that will be used if successful in this procurement |  |
| 1.1(l) | Please mark ‘X’ in the relevant box to indicate whether any of the following classifications apply to you | 1. Voluntary, Community and Social Enterprise (VCSE)
 |  |
| 1. Small or Medium Enterprise (SME)
 |  |
| 1. Public service mutual
 |  |
| 1.1(m) | Are you a Small, Medium or Micro Enterprise (SME)? |  |
| 1.1(n) | Details of Persons of Significant Control (PSC), where appropriate (Please enter N/A if not applicable) |
| Name: |  |
| Date of birth: |  |
| Nationality: |  |
| Country, state or part of the UK where the PSC usually lives: |  |
| Service address: |  |
| The date they became a PSC in relation to the company (for existing companies the 06 April 2016 should be used): |  |
| Which conditions for being a PSC are met: |  |
| Over 25% up to (and including) 50% |  |
| More than 50% and less than 75% |  |
| 75% or more |  |
| 1.1(o) | Details of immediate parent company (Please enter N/A if not applicable) |
| Full name of the immediate parent company: |  |
| Registered office address (if applicable): |  |
| Registration number (if applicable): |  |
| Head office DUNS number (if applicable): |  |
| Head office VAT number (if applicable): |  |
| 1.1(p) | Details of ultimate parent company (Please enter N/A if not applicable) |
| Full name of the ultimate parent company: |  |
| Registered office address (if applicable): |  |
| Registration number (if applicable): |  |
| Head office DUNS number (if applicable): |  |
| Head office VAT number (if applicable): |  |
| **Please note: A criminal record check for relevant convictions may be undertaken for the preferred suppliers and the Persons of Significant Control of them.** |

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| **Please provide the following information about your approach to this procurement.** |
| **Section 1** | **Bidding model** |  |
| **Question number** | **Question** | **Response** |
| 1.2(a) - (i) | Are you bidding as the lead contact for a group of economic operators?If **yes**, please provide details listed in questions 1.2(a) (ii), (a) (iii) and to 1.2(b) (i), (b) (ii), 1.3, Section 2 and 3.If **no**, and you are a supporting bidder please provide the name of your group at 1.2(a) (ii) for reference purposes, and complete 1.3, Section 2 and 3. | **Please indicate your answer by marking ‘X’ in the relevant box.** |
| **Yes** | **No** |
|  |  |
| 1.2(a) - (ii) | Name of group of economic operators (if applicable) |  |
| 1.2(a) - (iii) | Proposed legal structure if the group of economic operators intends to form a named single legal entity prior to signing a contract, if awarded. If you do not propose to form a single legal entity, please explain the legal structure. |  |
| 1.2(b) - (i) | Are you or, if applicable, the group of economic operators proposing to use sub-contractors? | **Yes** | **No** |
|  |  |
| 1.2(b) - (ii) | If you responded yes to 1.2(b)-(i) please provide additional details for each sub-contractor in the following table: we may ask them to complete this form as well. |
| Name: |  |
| Registered address: |  |
| Trading status: |  |
| Company registration number: |  |
| Head Office DUNS number (if applicable): |  |
| Registered VAT number: |  |
| Type of organisation: |  |
| SME (Yes/No): |  |
| The role each sub-contractor will take in providing the works and /or supplies e.g. key deliverables: |  |
| The approximate % of contractual obligations assigned to each sub-contractor: |  |
| **Contact details and declaration** |
| I declare that to the best of my knowledge the answers submitted and information contained in this document are correct and accurate.I declare that, upon request and without delay I will provide the certificates or documentary evidence referred to in this document.I understand that the information will be used in the selection process to assess my organisation’s suitability to be invited to participate further in this procurement.I understand that the authority may reject this submission in its entirety if there is a failure to answer all the relevant questions fully, or if false/misleading information or content is provided in any section.I am aware of the consequences of serious misrepresentation. |
| **Section 1** | **Contact details and declaration** |  |
| **Question number** | **Question** | **Response** |
| 1.3(a) | Contact name |  |
| 1.3(b) | Name of organisation |  |
| 1.3(c) | Role in organisation |  |
| 1.3(d) | Phone number |  |
| 1.3(e) | E-mail address |  |
| 1.3(f) | Postal address |  |
| 1.3(g) | Signature (electronic is acceptable) |  |
| 1.3(h) | Date |   |

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| **Part 2: Exclusion grounds**Please answer the following questions in full. Note that every organisation that is being relied on to meet the selection must complete and submit the Part 1 and Part 2 self-declaration. |
| **Section 2** | **Grounds for mandatory exclusion** |
| **Question number** | **Question** | **Response** |
| 2.1(a) | **Regulations 57(1) and (2)**The detailed grounds for mandatory exclusion of an organisation are set out on this [web page](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List_of_Mandatory_and_Discretionary_Exclusions.pdf), which should be referred to before completing these questions.Please indicate if, within the past five years you, your organisation or any other person who has powers of representation, decision or control in the organisation been convicted anywhere in the world of any of the offences within the summary below and listed on the [webpage](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List_of_Mandatory_and_Discretionary_Exclusions.pdf). |  |
| **Please indicate your answer by marking ‘X’ in the relevant box.** |
|  | **Yes** | **No** |
| Participation in a criminal organisationIf Yes please provide details at 2.1(b) |  |  |
| CorruptionIf Yes please provide details at 2.1(b) |  |  |
| FraudIf Yes please provide details at 2.1(b) |  |  |
| Terrorist offences or offences linked to terrorist activitiesIf Yes please provide details at 2.1(b) |  |  |
| Money laundering or terrorist financingIf Yes please provide details at 2.1(b) |  |  |
| Child labour and other forms of trafficking in human beingsIf Yes please provide details at 2.1(b) |  |  |
| 2.1(b) | If you have answered yes to question 2.1(a), please provide further details.Date of conviction, specify which of the grounds listed the conviction was for, and the reasons for conviction,Identity of who has been convictedIf the relevant documentation is available electronically please provide the web address, issuing authority, precise reference of the documents. |  |
| 2.2 | If you have answered Yes to any of the points above have measures been taken to demonstrate the reliability of the organisation despite the existence of a relevant ground for exclusion ? (Self Cleaning) | **Yes** | **No** |
|  |  |
| 2.3(a) | **Regulation 57(3)**Has it been established, for your organisation by a judicial or administrative decision having final and binding effect in accordance with the legal provisions of any part of the United Kingdom or the legal provisions of the country in which the organisation is established (if outside the UK), that the organisation is in breach of obligations related to the payment of tax or social security contributions? |  |  |
| 2.3(b) | If you have answered yes to question 2.3(a), please provide further details. Please also confirm you have paid, or have entered into a binding arrangement with a view to paying, the outstanding sum including where applicable any accrued interest and/or fines. |  |
| **Please Note: The Authority reserves the right to use its discretion to exclude a potential supplier where it can demonstrate by any appropriate means that the potential supplier is in breach of its obligations relating to the non-payment of taxes or social security contributions.** |
| **Section 3** | **Grounds for discretionary exclusion** |
| **Question number** | **Question** | **Response** |
| 3.1 | **Regulation 57 (8)**The detailed grounds for discretionary exclusion of an organisation are set out on this [web page](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List_of_Mandatory_and_Discretionary_Exclusions.pdf), which should be referred to before completing these questions.Please indicate if, within the past three years, anywhere in the world any of the following situations have applied to you, your organisation or any other person who has powers of representation, decision or control in the organisation. |  |
| **Please indicate your answer by marking ‘X’ in the relevant box.** |
| **Yes** | **No** |
| 3.1(a) | Breach of environmental obligations?If yes please provide details at 3.2 |  |  |
| 3.1 (b) | Breach of social obligations?  If yes please provide details at 3.2 |  |  |
| 3.1 (c) | Breach of labour law obligations?If yes please provide details at 3.2 |  |  |
| 3.1(d) | Bankrupt or is the subject of insolvency or winding-up proceedings, where the organisation’s assets are being administered by a liquidator or by the court, where it is in an arrangement with creditors, where its business activities are suspended or it is in any analogous situation arising from a similar procedure under the laws and regulations of any State?If yes please provide details at 3.2 |  |  |
| 3.1(e) | Guilty of grave professional misconduct?If yes please provide details at 3.2 |  |  |
| 3.1(f) | Entered into agreements with other economic operators aimed at distorting competition?If yes please provide details at 3.2 |  |  |
| 3.1(g) | Aware of any conflict of interest within the meaning of regulation 24 due to the participation in the procurement procedure?If yes please provide details at 3.2 |  |  |
| 3.1(h) | Been involved in the preparation of the procurement procedure?If yes please provide details at 3.2 |  |  |
| 3.1(i) | Shown significant or persistent deficiencies in the performance of a substantive requirement under a prior public contract, a prior contract with a contracting entity, or a prior concession contract, which led to early termination of that prior contract, damages or other comparable sanctions?If yes please provide details at 3.2 |  |  |
| 3.1(j) | Please answer the following statements |  |
| 3.1(j) - (i) | The organisation is guilty of serious misrepresentation in supplying the information required for the verification of the absence of grounds for exclusion or the fulfilment of the selection criteria.If Yes please provide details at 3.2 |  |  |
| 3.1(j) - (ii) | The organisation has withheld such information.If Yes please provide details at 3.2 |  |  |
| 3.1(j) –(iii) | The organisation is not able to submit supporting documents required under regulation 59 of the Public Contracts Regulations 2015.If Yes please provide details at 3.2 |  |  |
| 3.1(j)-(iv) | The organisation has influenced the decision-making process of the contracting authority to obtain confidential information that may confer upon the organisation undue advantages in the procurement procedure, or to negligently provided misleading information that may have a material influence on decisions concerning exclusion, selection or award.If Yes please provide details at 3.2 |  |  |
| 3.2 | If you have answered Yes to any of the above, explain what measures been taken to demonstrate the reliability of the organisation despite the existence of a relevant ground for exclusion? (Self Cleaning) |  |

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| **Part 3: Selection questions** |
| **Section 4** | **Economic and financial standing** |
| **Question number** | **Question** | **Response** |
| 4.1 |  | **Please indicate your answer by marking ‘X’ in the relevant box.** |
| **Yes** | **No** |
| Are you able to provide a copy of your audited accounts for the last two years, if requested?If no, can you provide **one** of the following: |  |  |
| (a) 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 organisation. |  |  |
| (b) A statement of the cash flow forecast for the current year and a bank letter outlining the current cash and credit position. |  |  |
| (c) Alternative means of demonstrating financial status if any of the above are not available (e.g. forecast of turnover for the current year and a statement of funding provided by the owners and/or the bank, charity accruals accounts or an alternative means of demonstrating financial status). |  |  |
| Where we have specified a minimum level of economic and financial standing and/ or a minimum financial threshold within the evaluation criteria for this procurement, please self-certify by answering ‘Yes’ or ‘No’ that you meet the requirements set out. |  |  |
| **Section 5** | **If you have indicated in the Selection Questionnaire question 1.2 that you are part of a wider group, please provide further details below** |
| **Question number** | **Question** | **Response** |
|  | Name of organisation |  |
| Relationship to the Supplier completing these questions |  |
|  | **Please indicate your answer by marking ‘X’ in the relevant box.** |
| **Yes** | **No** |
| 5.1 | Are you able to provide parent company accounts if requested to at a later stage? |  |  |
| 5.2 | If yes, would the parent company be willing to provide a guarantee if necessary? |  |  |
| 5.3 | If no, would you be able to obtain a guarantee elsewhere (e.g. from a bank)?  |  |  |
| **Section 6** | **Technical and professional ability** |
| **Question number** | **Question** | **Response** |
| 6.1 | Please provide details of three contracts, in any combination from either the public or private sector; voluntary, charity or social enterprise (VCSE) that are relevant to our requirement. VCSEs may include samples of grant-funded work. Contracts for supplies or services should have been performed during the past three years. Works contracts may be from the past five years.The named contact provided should be able to provide written evidence to confirm the accuracy of the information provided below.Consortia bids should provide relevant examples of where the consortium has delivered similar requirements. If this is not possible (e.g. the consortium is newly formed or a Special Purpose Vehicle is to be created for this contract) then three separate examples should be provided between the principal member(s) of the proposed consortium or Special Purpose Vehicle (three examples are not required from each member).Where the Supplier is a Special Purpose Vehicle, or a managing agent not intending to be the main provider of the supplies or services, the information requested should be provided in respect of the main intended provider(s) or sub-contractor(s) who will deliver the contract.If you cannot provide examples see question 6.3 |
|  | Contract 1 | Contract 2 | Contract 3 |
| Name of customer organisation |  |  |  |
| Point of contact in the organisation |  |  |  |
| Position in the organisation |  |  |  |
| E-mail address |  |  |  |
| Contract Start date |  |  |  |
| Contract completion date |  |  |  |
| Estimated contract value |  |  |  |
| **Description of the Contract:** |
| Contract 1: |
| Contract 2: |
| Contract 3: |
| 6.2 | Where you intend to sub-contract a proportion of the contract, please demonstrate how you have previously maintained healthy supply chains with your sub-contractor(s)Evidence should include, but is not limited to, details of your supply chain management tracking systems to ensure performance of the contract and including prompt payment or membership of the UK Prompt Payment Code (or equivalent schemes in other countries) |
| Response: |
| 6.3  | If you cannot provide at least one example for questions 6.1, in no more than 500 words please provide an explanation for this e.g. your organisation is a new start-up or you have provided services in the past but not under a contract. |
| Response: |
| **Section 7** | **Modern Slavery Act 2015: requirements under Modern Slavery Act 2015** |
| **Question number** | **Question** | **Response** |
|  |  | **Please indicate your answer by marking ‘X’ in the relevant box.** |
| **Yes** | **No** |
| 7.1 | Are you a relevant commercial organisation as defined by section 54 ("Transparency in supply chains etc.") of the Modern Slavery Act 2015 ("the Act")? |  |  |
| 7.2 | If you have answered yes to question 1 are you compliant with the annual reporting requirements contained within Section 54 of the Act 2015? | (Please provide relevant URL) | (Please provide an explanation) |
| **Section 8** | **Additional questions** |
| **Question number** | **Question** | **Response** |
| **8.1** | **Insurance** |  |
| Please self-certify whether you already have, or can commit to obtain, prior to the commencement of the contract, the levels of insurance cover indicated below(Please indicate your answer by marking ‘X’ in the relevant box): | **Yes** | **No** |
| Employer’s (Compulsory) Liability Insurance = £10m |  |  |
| Public Liability Insurance = £10m |  |  |
| Professional Indemnity Insurance = £2m |  |  |
|  |  |  |
| \* It is a legal requirement that all companies hold Employer’s (Compulsory) Liability Insurance of £5 million as a minimum. Please note this requirement is not applicable to Sole Traders. |  |  |

Additional questions that may be asked but which are reportable to CCS through the Mystery Shopper scheme:

|  |  |
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| **8.2** | **Environmental management** |
| (Please indicate your answer by marking ‘X’ in the relevant box): | **Yes** | **No** |
| Has your organisation been convicted of breaching environmental legislation, or had any notice served upon it, in the last three years by any environmental regulator or authority (including local authority)? 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 Authority will not select bidder(s) that have been prosecuted or served notice under environmental legislation in the last 3 years, unless the Authority is satisfied that appropriate remedial action has been taken to prevent future occurrences/breaches. |  |  |
| If you use sub-contractors, do you have processes in place to check whether any of these organisations have been convicted or had a notice served upon them for infringement of environmental legislation? |  |  |
| **8.3** | **Health and safety** |
| (Please indicate your answer by marking ‘X’ in the relevant box): | **Yes** | **No** |
| Please self-certify that your organisation has a Health and Safety Policy that complies with current legislative requirements.  |  |  |
| Has your organisation or any of its Directors or Executive Officers been in receipt of enforcement/remedial orders in relation to the Health and Safety Executive (or equivalent body) in the last 3 years? If your answer to this question was “Yes”, please provide details in a separate Appendix of any enforcement/remedial orders served and give details of any remedial action or changes to procedures you have made as a result. The Authority will exclude bidder(s) that have been in receipt of enforcement/remedial action orders unless the bidder(s) can demonstrate to the Authority’s satisfaction that appropriate remedial action has been taken to prevent future occurrences or breaches.  |  |  |
| If you use sub-contractors, do you have processes in place to check whether any of the above circumstances apply to these other organisations? |  |  |

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| **8.4** | **Project Specific Question(s)** |
| PROJECT SPECIFIC QUESTION: Project and Programme Delivery ability (see Volume 1 guidance) |
| Response: |

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| **Specification** |

* 1. This section sets out the Town Council’s specification and requirements for the actual Tender itself, and responses will be evaluated in line with the Award Criteria. The Applicant attention is further made to support and guidance details as set out in “Volume 1”.

**General Preambles**

* 1. The Town Council is seeking the design and construction of a modern concrete Skatepark of approximately 2500m2 that offers the best possible Value for Money, is durable and long lasting, comparatively maintenance free.
	2. The location of the proposed new skatepark is Dracaena Avenue Community Sports area, Dracaena Avenue, Falmouth, TR11 2EJ.
	3. The proposed area is encapsulated landfill currently used as a grass sports pitch, this limits the ability to excavate, so the design would need to take this into account. The construction therefore may need to be based on surface / above ground and durable in relation to foundations to avoid detrimental impact to the structure during its lifespan.
	4. The Skatepark structure is to have a minimum design lifespan of 20 years; and a structural default period of 20 years would be required.
	5. Whilst it is anticipated that the park will be used predominantly by skateboarders, it is also anticipated that the park will be used by BMXers and Scooters as well. Design therefore needs to be all encompassing and inclusive for this variety of usage.
	6. The park will not be supervised and so the finished design will need to take this into account to maintain safety to users of the Skatepark, members of the public and security around minimising vandalism or abuse.
	7. The Skatepark will be required to be designed and built to BS EN14974 standards or suitable equivalent.
	8. The Contractors will be deemed Principal Designer and Principal Contractor in relation to the Construction (Design and Management) Regulations (CDM), the Town Council will be “Client” in respect of CDM. The Contractor shall be compliant with the requirements of the Construction Industry Scheme (CIS) in relation to HM Revenue and Customs (HMRC).
	9. The Community and local young people have teamed up with the Council to raise funds towards a new above ground concrete skatepark, the successful Applicant of this Tender will base their design on the facilities identified(ref the appendix 1) from the consultation exercise that has been completed and the final design will also need to satisfy the scrutiny of the community group. (ref the appendix with the different elements jumps etc)
	10. The Town Council see’s the work falling into three key aspects:
* Phase 1: Design and feasibility work (including funding)
* Phase 2: Construction and delivery
* Overall Project Management
	1. These three areas will form the basis for the Quality part of the overall award and known as the Award Criteria.

**PHASE 1: Design and feasibility work (including funding)**

* 1. Informed by the initial background work undertaken, particularly the Community Consultation Outcomes (Appendix 1) and the Grant of Outline Planning Permission (Appendix 3) the supplier will be required to undertake a full detailed design sufficient for the purposes of:
* Obtaining detailed Planning Permission (and Building Regulations if required) satisfying the conditions as outlined in the Grant of Outline Planning Permission (see Appendix 3);
* Engagement as required with community groups and key stakeholders to ensure the design meets expectations;
* Supporting funding applications;
* For construction purposes such as the setting out and interpretation of onsite;
* Other purposes as may be necessary (e.g. Permissions of Statutory Undertakers or Land Drainage Authority).
	1. The detailed design will include both technical drawings and technical notes and supporting calculations. The design will clearly demonstrate how the key features identified from the consultation exercise have been considered.
	2. The Contractor will have to advise on and prepare any necessary Planning Permission documentations for an application to be submitted by the Town Council to secure Full Planning Permission. The Town Council will submit the application and pay the fees to the Planning Authority.
	3. Additionally, the Contractor will be required to lead and support the Town Council in the identification, pursuit and securing of additional funding streams to support the overall delivery of the scheme. This support may also include design consultation and engagement with potential funders, potential users and other stakeholders.
	4. The Town Council intention is for the Skatepark to be of international standard, individual and unique in respect of design and high quality regarding the finish. The Town Council would look to have the option to use the Skatepark for competitions and events, including pre and post the Olympics 2020.
	5. As such the design must aspire to be able to attract international competitions to be held, event sponsors to fund and celebrity riders to attend and promote the Skatepark and Falmouth in positive manner. To do this the Contractor will be able to demonstrate the understanding of layout in conjunction with open space that will enable riders to maximise the potential of flow and linked runs that form the backbone of such competitions. Ideally, the design will incorporate unique elements outside of the conventionally recognised skate items that will encourage them to be ridden in an exciting and challenging way.
	6. The Contractor will be responsible for acting as Agent in respect of the submission of the detailed Planning Application on behalf of the Town Council.

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| **SUPPLIER RESPONSE: Delivery of Phase 1 in relation to the Design and Feasibility (including funding).** |
| Town Council requirements for the Applicant’s response to this Method Statement is for the Applicant to provide a detailed method statement that focuses on specification set out for this Tender along with the objectives as set out in Volume 1.The Town Council is looking to the Applicant to provide details around how they will meet the requirements as set out in the associated Specification both the related parts of the General Preambles as well as the detail within **PHASE 1: Design and feasibility work (including funding) part of the Specification.****WHAT DOES GOOD LOOK LIKE?**A good response would clearly indicate an understanding of the requirements as set out and what is necessary to delivery high quality outcomes. It will clearly set out how each of the identified parts in the specification will be approached and met by the bidder.It would also set out the approach around undertaking the required activity any previous experience in similar situations (e.g. design of skateparks to required standards) and how that knowledge and experience and expertise would be applied in the Contract delivery in relation to the actions required in Phase 1 of the work (e.g. Design and Feasibility). A good response could include indication of a strong track record around obtaining funding, supporting successful planning applications (satisfying and fulfilling the conditions as in the Grant of the Outline Planning Application), working collaboratively with key stakeholders and an understanding on how this track record could successfully be applied in relation to this actual Contract and the expertise which the Contractor would bring to delivery of this in any awarded Contract.A good response would also inspire confidence that any design to be provided for consideration to Planning / Funding parties is one which is likely to both attract favourable response as well as being able to be successfully translated into actual built structure. This would likely include details on how the Contractor would build the design considering key features identified from the Community Consultation Outcomes (Appendix 1). To support any response a good response would likely include concept drawings that set out what the Town Council could expect as a delivered product. |
| **SUPPLIER RESPONSE:** |

**PHASE 2: Construction and delivery**

* 1. The construction and delivery phase will only commence based on formal instruction of the Town Council and will be subject to ensuring key elements are in place, including detailed Planning Permission and securing of necessary funding and budgets. Subject to this instruction and based on the full approved design the Contractor will be responsible for actual construction work of the modern Skatepark on site and shall include:
1. The Skatepark to be constructed in free form spray concrete, not pre-cast units, with in built steel protective edgings and conforming to C40/50 strength values, based on table 3.1 Eurocode 2. The Skatepark will have a high-quality surface finish with tolerance levels of setting out and finish +/- 3mm to ensure a uniformly flat and bump free riding surface;
2. As a minimum, achieving the standards set within BSEN14974 2006 (or suitable equivalent) and will be tested for compliance to this upon completion;
3. Supply and installation of appropriate drainage that forms part of the bespoke design that will meet all Environment Agency criteria for such developments and will show that the design has considered water flow direction in times of rainfall which will not lead to isolated ponding. satisfies planning requirements;
4. Full site clearance / preparation as required;
5. Supply and installation of appropriate signage regarding safe & appropriate use of the Skatepark;
6. Supply and installation of appropriate furniture (benches and seating etc.) and waste bins (as per Provisional Sum in Price Schedule). All seating to be installed on a properly constructed concrete base that should be at least 100mm longer each end of the bench and be a minimum of 1000mm front to back and 100mm thick, with the finished level the same as the surrounding ground. Bins to be installed on a properly constructed concrete base that should be at least 100mm longer each side and 100mm thick. Locations to be specified by the client.
7. To profile / shaping the areas to be planted with good quality topsoil, free from contamination or invasive seeds, to a minimum depth of 500mm. Note: The Town Council will undertake the finalised planting and landscaping elements;
8. In addition to the Skatepark itself, the project will also comprise of construction of an area of surfaced parking, road improvements and the construction of turning circle. These elements form part of the overall project but are to be delivered by others with value identified in the Price Schedule;
	1. The Contractor shall ensure that all costs of labour and materials are included within the priced element of this tender. In addition, all associated costs such as fees and charges to Statutory Undertakers should also be included.
	2. The construction methods will be of the highest standards which will need to be evidenced prior to construction commencement.
	3. The Town Council requires a warranty against the concrete structure of a minimum of 20 years.
	4. The works should also be undertaken in a manner that makes reference to and applies the guidance as detailed in Cornwall Council “Noise and Dust Control on Construction and Demolition Sites” guidance (as referenced in the Outline Planning Permission (Condition 6). The successful contractor would need to comply with Cornwall Council’s accepted hours of construction operations (i.e. any noise that will be heard outside the boundary of the site), namely: Monday to Friday: 0800 - 1800 Saturday: 0800 - 1300 Sundays and Bank Holidays: No working.
	5. In delivery of the Construction phase the Town Council would also be interested in how through this phase of the work the Contractor would be able to positively contribute to the local economy of Falmouth and the surrounding communities, for example, engagement with local suppliers as part of overall construction and delivery phase.

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| **SUPPLIER RESPONSE: Delivery of PHASE 2: Construction and delivery** |
| Town Council requirements for the Applicant’s response to this Method Statement is for the Applicant to provide a detailed method statement that focuses on specification set out for this tender along with the objectives as set out in Volume 1.The Council is looking to the Applicant to provide details around how they will meet the requirements as set out in the associated Specification both the related parts of the General Preambles as well as the detail within **PHASE 2: Construction and delivery.****WHAT DOES GOOD LOOK LIKE?**A good response would clearly indicate an understanding of the requirements as set out and what is necessary to delivery high quality outcomes in relation to the construction and delivery of the Skatepark. It will clearly set out how each of the identified parts in the specification will be approached and met by the Contractor.It would also set out the approach around undertaking the required activity any previous experience in similar situations and how that knowledge, experience and expertise would be applied in the Contract delivery in relation to the actions required in Phase 2 around the actual formal construction work. A good response could include indication of a strong track record around construction of Skateparks on how this track record and expertise could successfully be applied in relation to this actual Contract. This would include the interpretation of the design, applying the necessary associated Regulations and compliance matters, setting out and constructing onsite to a high-quality standard.A good response would also inspire confidence that the Contractor has the skills, expertise and capacity to construct the designed Skatepark. In relation to the construction aspects the Contractor response would provide a tangible link between the construction of the structure and ancillary works and clarity to costs that would be incurred.The response would also be clear around the contribution which the Contractor would make within the local economy for example through both the construction and delivery phase the use of (and percentage total) of local suppliers for sourcing of materials and / or through the design and overall delivery of the skatepark how it can contribute to wider economic benefits through staging of key events.  |
| **SUPPLIER RESPONSE:** |

**Overall Project Management**

* 1. With two key phases of delivery, e.g. Phase 1 Design / Feasibly and Phase 2 Construction, the Contractor will be required to apply sound Project Management principles to ensure that maximum opportunity of success is achieved.
	2. Key success features will include the obtaining of Planning Permissions and obtaining of required funding to enable the construction the be carried out, ensuring safety, ensuring quality, as well as ensuring the project is delivered on time and on budget.
	3. The Applicant shall provide a method statement detailing how it would plan, manage and deliver the Project, both the feasibility phases as well as including construction phase, including site supervision and project management for the new Skatepark, including the Contractors responsibilities of the Construction (Design and Management) Regulations are fulfilled.

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| **SUPPLIER RESPONSE: Overall Project Management** |
| Town Council requirements for the Applicant’s response to this Method Statement is for the Applicant to provide a detailed method statement that focuses on specification set out for this tender along with the objectives as set out in Volume 1.The Council is looking to the Applicant to provide details around how they will meet the requirements as set out in the associated Specification both the related parts of the General Preambles as well as the detail within Overall Project Management part of the Specification.**WHAT DOES GOOD LOOK LIKE?**A good response would include how the Contractor would ensure meeting the requirements around project planning, from the logistics around resourcing how they would go about efficiently and effectively managing the resources, through to the Project Management approach they would apply. This could include examples of previous experience and knowledge, along with the expertise on how that would be used and applied in this contract.A good response would also indicate the approach to be applied in relation to resourcing plan to undertake the work (both the phase 1 Design and Feasibility work as well as the actual Phase 2 Construction elements), including proposed project plan around when and how the work would be delivered, along with resourcing plan that maps out to the required work, and ensures resilience around service delivery and business continuity. A good response would demonstrate the appropriateness of the project team to meet the requirements of the Project, details of their previous experience of working in a project team environment, expertise they would bring to the Contract, and the project management structures that will be in place and the means by which they will communicate with the Council and key stakeholders throughout the life of the Contract.It would also clearly outline through the delivery of the Contract how the objectives of the Council would be achieved and take into account the different phases of the work required and demonstrates an understanding of managing key stakeholder’s expectations within a particular budget envelope.A good response would outline clearly how quality is to be maintained in relation to the delivery of the requirements as set out in the specification, and how staff are engaged to play an active part in the delivery of this during the course of their work.This would include details on how the Contractor monitors quality, what arrangements they would have in place to maintain the required quality, and arrangements for how any service failings are corrected.It would outline what arrangements would be put in place to enable the Town Council to raise comments and concerns, and how these would be captured and acted upon, including in monitoring and reporting arrangements.Contractors response will have to provided details of all warranties and any other after construction customer service facilities they offer including details of annual maintenance support and associated costs.Details on how the supplier would look to engage with the required contract monitoring and management arrangements would also form part of a good response, along with details on how it is proposed to deliver a high quality Skatepark that delivers the aspirations through interpretation of consultation criteria, on time, within budget, within any relevant planning constraints at competitive construction rates.In addition, a good response should also include a reference to a proven track record of delivering projects safely, perhaps evidenced by accident stats and how such safety would be maintained in any contract awarded. |
| **SUPPLIER RESPONSE:** |

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| **Price Schedule** |

* 1. Applicants are required to complete the accompanying Pricing Schedule. These costs will form the basis of the Bid submission. All prices shall be stated in pounds sterling and exclusive of VAT.
	2. The Tenderer is to provide proposals and pricing estimates for the following (itemised separately where possible/appropriate).
	3. If there is no charge for an item, please state none.
	4. Applicants must note the total maximum Project budget of £500k pounds excluding VAT for skatepark works, subject to this tender. The Contractor must not exceed the maximum budget for the skatepark element of this project.
	5. Applicants are required to give a breakdown of the costs in the below Price Schedule that would be allocated to each Project Phase required as against the total Project budget;
	6. The Contractor will not exceed the rates quoted within its Bid at any time during the Contract.

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| **Price Review Framework**  |

## Price Validity Period

1. 1. As a minimum, all prices submitted must remain fixed and firm for twelve (12) months from date of Contract commencement. In support of this, please detail exactly how long your prices will remain fixed and firm for.

## Price Review Proposals

* 1. The Authority does not expect the Applicant to implement any price increases throughout the life of this Contract and would conversely look to explore ways of reducing costs throughout its duration.
	2. The Applicant’s signature at section 5.6 Pricing Schedule Declaration will be assumed to be an acceptance of this condition. Applicant’s whose price review proposal differs from the Authority’s expectations under this 5.2 Price Review Proposals must state their proposal below.

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| Price Review Proposal if different from above:  |

## Contract Renewal

* 1. No Contract once awarded shall be renewed at a higher rate than agreed between the parties through this price review framework or through any other such agreement as submitted to and approved by the Town Council in writing.

## Pricing Schedule Declaration

I/We offer to supply the goods or services as per the pricing schedule above, in accordance with the Specification, terms and conditions and all other documents forming the Contract.

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| Signed\*:  | Date:  |
| Name *(in block capitals)*:  |
| In the capacity of: *(State official position, i.e. Director, Manager, etc.)* |
| Organisation name and postal address:  |
| Telephone No:  | Fax No:  |
| *\*(It must be clearly shown whether the Applicant is a limited company, statutory corporation, partnership or single individual, trading under his own or another name, and also if the signatory is not the actual Applicant, the capacity in which he/she signs or is employed).* |

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| **Certificates** |

Note to procurer: delete this section 7 if this document is being used as stage 1 (pre-qualification) of the restricted procedure.

## Conditions of Tender

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| **<INSERT NAME OF AUTHORITY>****CONDITIONS OF TENDER** |
| **Reference number and Title of Contract:** Shall be as per the Reference Number and Title of Contract as detailed on page one (1) of this Volume Two (2) Applicant’s Offer |
| 1. | By submitting a Tender, Applicants are agreeing to be bound by the terms and conditions without further negotiation or amendment.[ ]  I/We fully accept the terms and conditions of contract for the provision of goods/works/services |
| 2. | Having examined the tender documents for the provision of the above goods/works/services, we offer to provide the said goods/works/services in conformity, without qualification, therewith for the sum/sums enclosed at Schedule 5 of this Bid. |
| 3. | The Authority does not bind itself to accept the lowest or any Tender, and reserves the right to accept a Tender either in whole or in part, for such item or items specified in the Invitation to Tender, and for such place or places of delivery as it thinks fit, each item and establishment being for this purpose considered as tendered for separately. |
| 4. | I/We the undersigned DO HEREBY UNDERTAKE on the acceptance by the Authority of my/our Tender either in whole or in part, to supply (*or perform the services*), on such terms and conditions and in accordance with such specifications *(if any)*, as are contained or incorporated in the Invitation to Tender. I/We agree and declare that the acceptance of this Tender by letter on behalf of the Authority, whether for the whole or part of the items included therein, will constitute a Contract for the supply of such items, I/We agree to enter into a further agreement for the due performance of the Contract, and I/We declare that I am/We are acting as the Delegated Authority for the purposes of signing off this Tender, and therefore, the Contract. |
| Signed\*:  | Date:  |
| Name *(in block capitals)*:  |
| In the capacity of: *(State official position, i.e. Director, Manager, etc.)* |
| *\*(It must be clearly shown whether the Applicant is a limited company, statutory corporation, partnership or single individual, trading under his own or another name, and also if the signatory is not the actual Applicant, the capacity in which they sign or are employed).* |

## Certificate of Undertaking and Absence of Collusion or Canvassing

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| **CERTIFICATE OF UNDERTAKING AND ABSENCE OF COLLUSION OR CANVASSING** |
| The Applicant shall sign the below Certificate of Undertaking and Absence of Collusion clearly indicating whether they sign as a Consortium or Member of Consortium (Box A), or as a single body and/or individual (Box B) by striking through Box A or B, whichever does not apply. |
| Box A – ConsortiumI/We the undersigned do hereby certify that:- 1. the consortium’s tender is bona fide and intended to be competitive;
2. the consortium has not entered into any agreement with any person outside the consortium with the aim of preventing Tenders being made or asked the amount of another Tender of the conditions or which the Tender is made;
3. the consortium has not informed any person outside the consortium other than the person calling for the Tenders the amount or approximate amount of the Tender except where the disclosure in confidence of the approximate amount of the Tender was necessary to obtain insurance premium or other quotations necessarily required for the preparation of the Tender;
4. the consortium has not caused or induced any person to enter into such an agreement as is mentioned in (b) above or to inform the consortium of the amount or the approximate amount of any rival Tender for the Contract.
5. the consortium has not and will not canvass or solicit any Member, Officer or employee of the Authority in connection with the preparation, submission and evaluation of this Tender or award or proposed award of the Contract and that to the best of my knowledge and belief, no person employed by the consortium or acting on the consortium’s behalf has done or will do such an act.
6. I/We further undertake that the consortium will not do any of the acts mentioned in (b), (c), (d) and (e) above before the hour and date specified for the return of the Tender.
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| Box B – Single Body and/or IndividualI/We the undersigned do hereby certify that:-1. My/our Tender is bona fide and intended to be competitive and I/we have not fixed or adjusted the amount of the Tender by or under in accordance with any agreement or arrangement with any other person;
2. I/we have not indicated to any person other than the person calling for the Tender amount or approximate amount of the proposed Tender except where the disclosure in confidence of the approximate amount of the Tender was necessary to obtain insurance premium or other quotations necessarily required for the preparation of the Tender;
3. I/we shall have not entered into any agreement or arrangement with any other person that they shall refrain from Tendering or asked the amount of any Tender to be submitted;
4. I/we have not offered 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 nature specified and described above.
5. I/we hereby certify that I/we have not and will not canvass or solicit any Member, Officer or employee of the Authority in connection with the preparation, submission and evaluation of this Tender or award or proposed award of the Contract and that to the best of my knowledge and belief, no person employed by me/us or acting on my/our behalf has done or will do such an act.
6. I/we further undertake that I/we will not do any of the acts mentioned in (b), (c) and (d) above before the hour and date specified for the return of the Tender.
 |
| Signed\*:  | Date:  |
| Name *(in block capitals)*:  |
| In the capacity of: *(State official position, i.e. Director, Manager, etc.)* |
| *\*(It must be clearly shown whether the Applicant is a limited company, statutory corporation, partnership or single individual, trading under his own or another name, and also if the signatory is not the actual Applicant, the capacity in which they signs or are employed).* |

## Certificate of Confidentiality

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| **CERTIFICATE OF CONFIDENTIALITY** |
| I/we hereby agree with the Authority that I/we shall not at any time divulge or allow to be divulged to any person any information, confidential or otherwise, relating to information passed to me regarding this project.It is appreciated by the parties that in the event of negotiations in respect of the proposed Contract being entered into between the Authority and my organisation that it may be necessary to share information with colleagues within my organisation. In this event this confidentiality clause may be waived to allow such information sharing to take place but not further or otherwise. |
| Signed\*:  | Date:  |
| Name *(in block capitals)*:  |
| In the capacity of: *(State official position, i.e. Director, Manager, etc.)* |
| *\*(It must be clearly shown whether the Applicant is a limited company, statutory corporation, partnership or single individual, trading under his own or another name, and also if the signatory is not the actual Applicant, the capacity in which they signs or are employed).* |

## Commercially Sensitive Information

The Authority may be obliged to disclose information in or relating to this Bid following a request for information under the Freedom of Information Act (FOIA) or Environmental Information Regulations (EIR). Please outline in the table below items which you consider are confidential and genuinely commercially sensitive and which should not be disclosed in respect of your Bid.

I declare that I wish the following information to be designated as Commercially Sensitive.

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The reason(s) it is considered that this information should be exempt under Freedom of Information Act FOIA) or Environmental Information Regulations (EIR) is:

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## Conflict of Interest

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| **CERTIFICATE OF CONFLICT OF INTEREST** |
| I/we hereby notify the Authority that I/we consider the following declaration to be a conflict of interest (Applicant to insert details of the conflict of interest): |
| I/we hereby understand that in accordance with Article 24 of the Public Contract Regulations 2015 that the Authority is obliged to take appropriate measures to effectively prevent, identify and remedy conflicts of interest arising in the conduct of procurement procedures so as to avoid any distortion of competition and to ensure equal treatment of all economic operators. |
| Signed\*:  | Date:  |
| Name *(in block capitals)*:  |
| In the capacity of: *(State official position, i.e. Director, Manager, etc.)* |
| *\*(It must be clearly shown whether the Applicant is a limited company, statutory corporation, partnership or single individual, trading under his own or another name, and also if the signatory is not the actual Applicant, the capacity in which they sign or are employed).* |