

TMTii 53: M1 J13-16 CCTV

Secondary Competition Questions and Answers

Version 5 – 14/01/19

Our Ref	Date Received	Document Reference	Question and Answer	Date Released
1	05/12/18	RfQ	<p><u>Question:</u></p> <p>in the TMTF2 RFQ document contained within the ITT suite of documents; it states on page 9 that the "Last Date for Supplier Queries is 24th December (week 3).</p> <p>Yet on page 3 it states in Item 5 "Any queries from Suppliers regarding the quotation documents must be made via the e-sourcing portal and sent to the Procurement Officer no later than 7 calendar days prior to the date of return of quotations". The ITT return date being 8th January 2018.</p> <p>Therefore based upon this return date the TQ Deadline should be the 1st January 2018. Can you please confirm what the actual TQ Deadline is?</p>	
			<p><u>Answer:</u></p> <p>TENDER AMENDMENT 1 – TA1</p> <p>The tender return date has now been extended to 15 January to allow tenderers extra time due to the Christmas break. The tender query deadline date is now 8th January. See uploaded RfQ TA1.</p>	06/12/18
2	05/12/18	RfQ	<p><u>Question:</u></p> <p>Further to the review of the ITT documentation received today and the stated ITT return date of 8th January 2019, we would respectfully request an extension until Friday 15th January. As the tender period for this ITT encompasses the Christmas holiday's we have to manage our resource more efficiently and because of this we are effectively losing at least 8 working days for the Xmas & New Year holidays. We would in light of this be most grateful if you could please accept this extension request.</p>	

			<p><u>Answer:</u></p> <p>See above answer to Q1.</p>	06/12/18
3	06/12/18	RfQ	<p><u>Question:</u></p> <p>Hi. We have received 3 other Zero Light TVOS camera enquiries for SMART ALR schemes via the Highways England Bravo Solution portal in the last several of weeks. All of these other ITT's have a scoring weighting of 60:40 in respect Quality & Financial submissions.</p> <p>Our question is "Why does this ITT have a different scoring weighting of 65:35 in respect Quality & Financial submissions, when the other 3 x ITT's are 60:40 respectively, especially considering from our review there is no difference in tender or delivery requirements?" Is this an error?</p>	
			<p><u>Answer:</u></p> <p>The other schemes you are referring to our being delivered by Highways England delivery partners and not Highways England directly. This procurement (TMTii 53) is being procured by Highways England directly and therefore are some various differences to the others. I can confirm 65:35 is correct.</p>	07/12/18
4	06/12/18	RfQ	<p><u>Question:</u></p> <p>The email invitation for this ITT we received is titled "Project Title: TMTii 52 & 53: M1 J13-16 Signs and Signals and CCTV procurement", which confused us because we are only bidding for the CCTV element of works.</p> <p>Secondly have noted in the previous 2 x Zero Light TVOS camera enquiries (DP TMTii 504 & 506) for SMART ALR schemes via the Highways England Bravo Solution portal that we have received in the last 2 weeks, have EXACTLY the same Quality & Financial submission questions. Yet in this enquiry the Quality & Financial submission questions are different and there are references to "supplying, delivering and installing signs".</p> <p>This appears to be the quality submission for the procurement of signs and signals with some references changed to TVOS. Also on page 11 Item 1.1 it references 'SI 1000 & SI 1005' and on page 12 'Development of delivery plans as required and detailed in SI 405 in liaison with the Service Manager' to name but a few. This is not referenced in the 2 x ITT's stated above or any previous ITT's for TVOS procurement that we have recieved.</p> <p>Our question is "All the previous ITT's for Zero Light CCTV we have received via Bravo have exactly the same Quality & Financial Criteria Questions (and scoring weighting), yet this one does not; especially considering that they all came out via Bravo in the last 3 weeks. Should this ITT have the same Financial</p>	

			<p>& Quality criteria as the others which is geared towards TVOS procurement and delivery not signs and signals?"</p> <p>Can you please urgently advise?</p>	
			<p><u>Answer:</u></p> <p>TMTii 52 & TMTii 53 are being run concurrently and are for the same scheme (M1 Jct 13 – 16) of which there is a requirement for Message Signs and CCTV. It is Highways England's intention to run and award these procurements at the same time.</p> <p>Highways England has not procured CCTV directly since via TMTF since TMT 060 (TMTF1). All other procurements have been done indirectly via delivery partners who have scope to change the documents.</p> <p>Please can tenderers disregard anything they may have seen on any delivery partner procurements (TMTii 500 series) as these are completely separate to this procurement.</p> <p>TENDER AMENDMENT 2 – TA2</p> <p>I can confirm this ITT is correct other than the typo of 'signs' in H&S question 1.2 which should read TVOS. Which has been changed as part of TA2. See uploaded RfQ TA2</p>	07/12/18
5	07/12/18	RfQ	<p><u>Question:</u></p> <p>Further to the latest Q&A V2 received and your response to TQ4 that states "It is Highways England's intention to run and award these procurements at the same time".</p> <p>Can you please confirm that the Signs & Signals ITT and the TVOS ITT will be assessed AND awarded as TWO, COMPLETELY SEPARATE ITT CONTRACTS and not as one in the case of potential tenderers who have the ability to supply and deliver both?</p>	
			<p><u>Answer:</u></p> <p>That is correct</p>	07/12/18

Questions asked after the Tender Question Deadline (08/01/19 11:00)
Note Highways England can't guarantee to answer these questions however will endeavour to do so

6	08/01/19	Call Off Agreement	<p><u>Question:</u></p> <p>In consideration of the limited value of the works, will a Parent Company Guarantee be required?</p>	
			<p><u>Answer:</u></p> <p>Highways England is not requesting a PCG from any Supplier at this stage. We will if required at onset of contract. However, during the life of a contract, a situation may arise where one needs to be requested (for example, we find out a Supplier is in financial difficulties and/ or very late with accounts).</p>	09/01/19
7	08/01/19	Call Off Agreement	<p><u>Question:</u></p> <p>In Contract Data Part One, the Option X18 Limit for Indirect and Consequential Loss is £5,000,000, would the Employer consider reducing this to nil as these costs are unforeseeable at this point of time and would not be possible to evaluate.</p>	
			<p><u>Answer:</u></p> <p>We have reviewed this and can confirm that the X18 liability levels will remain as they are for this requirement. Bidders should complete their submissions to reflect these required levels.</p>	09/01/19
8	08/01/19	Call Off Agreement	<p><u>Question:</u></p> <p>Within Service Information Annex A – Insurances, the Contractor is required provide Property "All Risks" Insurance, please could the Employer confirm that the Contractors obligation to insure this property should cease on transfer of title in the sign to the Employer i.e. at SAT.</p>	
			<p><u>Answer:</u></p> <p>Insurance is as per Annex A and will apply for the duration of the contract</p>	09/01/19
9	08/01/19	Call Off Agreement	<p><u>Question:</u></p> <p>Considering the length of the contract far exceeding the standard duration of the CCTV contract, would the Employer consider including an Option X2 for Change in Law?</p>	
			<p><u>Answer:</u></p> <p>Option X2 is already included.</p>	09/01/19

10	08/01/19	Call Off Agreement	<p><u>Question:</u></p> <p>Please can the Employer confirm that if they do require a PCG at some point during the contract they are seeking a guarantee rather than an indemnity. We would also wish the Employer to consider that the guarantor should retain the right to perform the contract if a liquidator of the contractor disclaims it or be able to challenge the grounds for determination if this was to occur.</p>	
			<p><u>Answer:</u></p> <p>We will seek an alternative if there is no parent, or suitable parent, to provide the Employer with the protections set out in the contract conditions and S.I. There is a form of PCG in the S.I annex. The guarantee provided is subject to acceptance by the Service Manager. The actions to be taken in the event of liquidation will be considered as they arise, we cannot make any commitments at this point. The Contractor must ensure they comply with Z7 Merger, take over and change of control, Z54 Financial Distress, Z55 Change of Control – new guarantee, and Z29 Parent Company Guarantee.</p>	09/01/19
11	08/01/19	Call Off Agreement	<p><u>Question:</u></p> <p>Please can the Employer also confirm that should a PCG be required that the guarantor should not be prevented from referring a decision of any of those parties to a court for a final and binding decision.</p>	
			<p><u>Answer:</u></p> <p>Please see answer to Q11</p>	09/01/19
12	11/01/19	Service Information	<p><u>Question</u></p> <p>Can you please confirm if as part of our tender return we are to supply and install the CCTV masts as well as the TVOS cameras as we cannot find any reference to the supply of them as there is no Series 1300 or Series 1500 documentation provided as part of the ITT package?</p>	
			<p><u>Answer</u></p> <p>Yes as per the Service Information document, supply and install of masts is required. I have uploaded the Series 1300 and Series 1500 documents for your reference.</p> <p>TENDER AMENDMENT 3 – TA3</p> <p>The tender return date has now been extended by 24 hours to allow tenderers extra time due to the additional information uploaded. The tender query deadline date is now 14:00 16th January.</p>	14/01/19