

SECTION 2 - INFORMATION AND INSTRUCTIONS FOR SUBMITTING A TENDER

Tenders should be submitted in accordance with the following instructions.

1. Invitation to Tender

The Authority is seeking tenders from suitably experienced and equipped contractors to undertake the Services.

2. Basis of Tenders

Tenders are being invited on an open award procedure.

3. Scope

Tenders are being invited on the basis of undertaking the whole of the Services. However, the Authority reserves the right to split the award of the Services into packages.

4. Contract Period

Tenders are invited for period of a single task.

5. Presentation to the Authority

Tenderers may be asked to make a presentation to Officers of the Authority on methods proposed for the performance of the Services.

6. Tender queries

6.1 Tenderers are advised to study the tender documentation and all other documentation provided by the Authority. These documents should be read and their true intent and meaning ascertained before submitting a Tender.

Any queries concerning the information contained in this specification should be sent to:

Jackie.wragg@peakdistrict.gov.uk

Tender queries should be submitted no later than 2nd April 2025

6.2 There should be no other contact with the Authority on this matter. Any direct contact shall result in your exclusion from this ITT.

6.3 Please be aware that your query, together with our response may, to ensure transparency and fairness, be circulated to all undertakings expressing an interest on an anonymised basis. If you consider that your query discloses commercially confidential information you must, with or upon your query, clearly indicate which information you consider is commercially confidential and why. The Authority will then exclude this information from any circulation. Blanket statements indicating commercial confidentiality will be ignored.

7. Errors in completed tenders

Where examination of a Tender reveals arithmetical errors the tenderer will be afforded the opportunity of confirming the revised totals (in writing) or withdrawing its Tender within 7 days.

8. Sufficiency of Tender

The contractor shall be deemed to have undertaken all inspections, examinations and all other enquiries reasonable or necessary in connection with the terms and subject matter of the Tender and to have satisfied itself before submitting its Tender as to the correctness and sufficiency of its rates and prices. The Tenderer acknowledges and confirms that it has the requisite expertise, experience and equipment to perform its obligations under the Contract. The Authority will not accept and shall not be liable for any claims that are based upon a Contractor's failure to obtain or have due regard for any information necessary to prepare a fully compliant and complete tender.

9. Period of Validity

Tenderers are required to keep their tenders valid for acceptance for a period of 6 months from the Tender Return Date.

10. Tendering procedure

10.1. **Tenders must be submitted electronically:**

- 10.1.1. It is the Tenderer's responsibility to ensure that its Tender complies with the submission requirements and is received by the Authority by the date and time set out. The Authority accepts no responsibility for any problems arising from the Authority's or the Tenderer's it software, infrastructure, input or internet connectivity, the security of or access to the internet, the capability or capacity of the Authority's or the Tenderer's email systems or Tenderer's failure to check their email system for correspondence received from the Authority about this Tender. Tenderers must note that the current maximum size of any email receivable by the Authority is 10mb. It is the responsibility of the Tenderer to ensure that its Tender is received by the Authority. Tenderers are strongly advised not to submit their Tender immediately before the tender return deadline.
- 10.2. The time and date displayed by the server clock within the Authority's system shall be the standard upon which compliance with tender submission deadlines shall be determined.
- 10.3. The Tender shall be made on the Form of Tender at **Appendix 1**. It must be fully completed and signed on behalf of the Tenderer, submitted to us in pdf format and accompanied by:
- 10.3.1. Response to the Quality criteria set out in Section 2;
- 10.3.2. Tender Questionnaire at **Appendix 2** fully completed and signed on behalf of the Tenderer submitted to us in pdf format and accompanied by any documents referred to therein
- 10.3.3. Non-collusive tendering certificate at **Appendix 3** signed on behalf of the Tenderer and submitted to us in pdf format;
- 10.3.4. Details of any part of the Services to be sub-contracted;
- 10.3.5. Copies of all insurance certificates requested, for the Contractor and any sub-contractors;
- 10.3.6. Details of suppliers (if applicable);
- 10.3.7. Any other information requested in the ITT.

Tenders must be submitted by e mail to Tenders@peakdistrict.gov.uk

By 17.00pm ON 9th April 2025

The following, and only the following, must be used in the subject line:

REF: TENDER RETURN 'MORRIDGE HILL COUNTRY LEGAL AND GOVERNANCE PACKAGE'

All attachments must be in pdf form

No information must be included in the covering e mail apart from the identity of the sender and a list of attachments

10.4. **THE DEADLINE FOR RECEIPT OF TENDERS IS 17.00pm ON THE TENDER RETURN DATE.**

10.5. No tender received after the specified time on the Tender Return Date shall be considered.

10.6. The Authority does not undertake to accept the lowest or any tender/ rates.

11. Tender evaluation – general requirements

11.1. The Authority will be conducting a full financial and technical evaluation of all tenders.

11.2. In the evaluation of tenders the following may also apply:

11.2.1. Method statements, risk analysis and resources analysis;

11.2.2. Written technical and financial references(including the Tenderer's financial accounts for such period as shall be notified) may be requested and considered as part of the evaluation procedure;

11.2.3. As part of the evaluation of the Tenderer's technical and professional ability and previous experience of contracts delivered for the Authority or other public bodies the Authority is entitled to take into account any failure to discharge obligations under previous relevant contracts undertaken by the Tenderer (or any proposed sub-contractor) in assessing whether the required minimum standards for the Services are likely to be met. The Authority may ask the Tenderer (or any sub-contractor) for evidence (in the form of statements from previous clients or otherwise) evidencing performance on previous comparable contracts or consider evidence of performance on previous comparable contracts for the Authority;

11.2.4. All other matters and information which the Authority in its absolute discretion deems applicable or relevant.

11.3. The Authority may also seek clarification in respect of the methods and approach to project delivery and resources analysis in various ways including but not limited to interviews with the consultant's key personnel who would be assigned to the Contract and appropriate senior managers.

11.4 The successful tenderer will be selected based on an evaluation using the criteria set out below.

1. Price (20% of the total score value);
2. Quality criteria (80% of the total score value):
 - Proven experience and capability to undertake the services.
 - Proposed methods to ensure that the services are performed as efficiently as possible in response to the short project timescale.

Criteria	Weighting	Evaluation Criteria
Price	20%	20 x (Lowest Tender Price)/(Tenderer X's Price)
Experience and Capability to undertake the services (including information requested in the Tender Questionnaire at Appendix 2)	65%	13 x score (see methodology at Appendix 6)
Proposed methods and approach to delivery	15%	3 x score (see methodology at Appendix 6)

Quality Criteria responses will each be marked against the following scoring methodology

0	The Tenderer has given no response and/or if the response is not acceptable and/or does not cover the relevant heading/s.
1	There are major weaknesses or gaps in the information provided. The Tenderer displays poor understanding and there are major doubts about fitness for purpose. The approach to risk gives rise to major concerns. Major concerns about the Tenderer's experience and capability.
2	The proposal will in parts be sketchy with little or no detail given of how the Tenderer will meet the criteria. Information provided is considered weak or inappropriate and is unclear on how this relates to our requirements or the outputs/outcomes of the project. The approach to risk is not well supported and gives rise to concerns. Some concerns about understanding of the steps involved to deliver the aspects of the question posed, and/or the Tenderer's experience and capability.
3	The proposal has addressed the majority of our requirements but will lack some clarity or detail in how the proposed solutions will be achieved. Evidence provided, while giving generic or general statements, is not specifically directed toward the requirements or the outcomes/outputs of this project. The proposal demonstrates an acceptable approach to risk and clearly captures the understanding of the steps involved to deliver the aspects of the question posed, giving a reasonable level of confidence in the Tenderer's experience and capability.

4	The proposal has addressed, in some detail, all or the majority of our requirements. Evidence will have been provided to show not only what will be provided but will give some detail of how this will be achieved. It is clear how the proposals relate directly to the aims of the project and be specific, rather than general, in the way proposed solutions will deliver the desired outcomes and outputs. The proposal demonstrates an acceptable approach to risk and clearly captures the understanding of the steps involved to deliver the aspects of the question posed, giving a good level of confidence in the Tenderer's experience and capability.
5	As well as addressing all our requirements the Tenderer demonstrates a deep understanding of the project and / or may present innovative ideas (where appropriate). Proposals link directly to relevant project requirements, outcomes and outputs (as the case may be) and show how they will be delivered and the impact that they will have on other areas/stakeholders. Proposed solutions will deliver the desired outcomes and outputs. The proposal demonstrates little or no risk and fully captures the understanding of the steps involved to deliver the aspects of the question posed, giving a very high level of confidence in the Tenderer's experience and capability.

Tenderers scores for Quality and Price will then be added together to produce an overall score and the Tenderer with the highest overall score will be awarded the contract.

Rejected or eliminated tenders will not be scored.

12. Basis of Tender

- 12.1. The Tender shall show the Tendered sum for the actual Services and the VAT separately.
- 12.2. The Tender must include value of all of the Services performed by the Tenderer as part of the Services (if requested) and must cover all costs and expenses which may be incurred in order to complete the Services in accordance with the Tender Documentation and to assume all express and implied risks, liabilities and obligations imposed by the Conditions, the Specification and all other documents forming part of the Tender Documentation.
- 12.3. The value of the Contract, based on the tendered rates for Services, will be agreed in writing prior to Services Commencement Date.
- 12.4. The Tenderer shall be deemed to have satisfied itself before submitting its Tender as to the correctness and sufficiency of its rates and prices.

13. Sub-contracting

- 13.1. When submitting its Tender, the Tenderer must notify the Authority of any parts of the Services that it proposes to sub-contract. Failure to do so may invalidate any such Tender.
- 13.2. The Authority requires that a full résumé of the sub-contractors experience be submitted by the Tenderer.

14. Award of Contract

- 14.1. The Authority anticipates (but does not guarantee) to award a Contract within 1 month of the Tender Return Date.
- 14.2. The successful Contractor will be required to promptly execute and return to the Authority the Contract in the form attached at **Appendix 4** incorporating the Conditions at **Appendix 5** and Tender Documentation (and any variations as set out in the Contract) and until such execution the successful Tenderer together with the Authority's written acceptance shall constitute the Contract.

15. Obligations

Parties proposing to submit a tender are advised to ensure that they are familiar with the nature and extent of their obligations if their Tender is accepted.

16. Accuracy

Information supplied to Tenderers by the Authority (whether in these documents or otherwise) is supplied for general guidance in the preparation of tenders. Tenderers must satisfy themselves by their own investigations with regard to accuracy of any such information and no responsibility is accepted by the Authority for any inaccurate information obtained by Tenderers.

17. Confidentiality

All information supplied by the Authority in connection with this Invitation to Tender shall be regarded as confidential by the Tenderer except that such information may be disclosed for the purpose of obtaining sureties and quotes necessary for the preparation of the Tender.

18. Canvassing

Tenderers face automatic disqualification if they canvass for the Contract by approaching any Member or Officer of the Authority with a view to gaining more favourable consideration of their tender. Tenderers should state whether Members or Officers of the Authority have any direct or indirect interests in their organisation.