Invitation To Tender - Bidding Instructions

# Instructions to Bidders

1. We are inviting bids for the services described within the Invitation to Tender.. Any prices quoted will need to remain valid for a minimum of 30 days from the date of the submission deadline.
2. Tenders not complying (or which cannot properly be rendered compliant) with any mandatory requirement shall be rejected. A mandatory requirement is indicated by the word "shall" or "must".
3. This Invitation to Tender does not itself constitute an offer. The Council is not bound to accept any tender or make an award following the publication of this Invitation To Tender.
4. If you have any queries about the Invitation to Tender that may affect the preparation of your Bid please raise them without delay (preferably in writing) with the Contact Officer.
5. We will not reimburse any Bid costs and/or expenses.
6. Bidders should not discuss any bids with the media, Member or officer of SCDC (or any individual representing SCDC) with the intention to influence the outcome of the Invitation to Tender. If you do so, you risk your bid being rejected.
7. In submitting a Bid, your organisation acknowledges that SCDC is subject to the requirements of the Freedom of Information Act 2000, Data Protection Act 2018, and/or the Environmental Information Regulations 2004 and any subordinate legislation and you will assist and cooperate with SCDC (at your expense) to enable SCDC to comply.
8. Your bid must not be qualified, conditional or accompanied by statement that might be construed as rendering the Bid unworkable.
9. Bidders must obtain for themselves all information necessary for the preparation of their Bid and satisfy themselves that the quality and standards specified by them-selves (or SCDC) are appropriate and to the accuracy of information.
10. It is your responsibility to make sure that you have understood the contract documents and that they are completed correctly. You must seek clarification if you do not understand. The Council bears no responsibility for contract documents that are returned and completed incorrectly.

# Bid submission

1. One electronic copy should be sent by the electronic tendering portal listed in the Invitation To Tender by the end date and time.
2. All submissions should be made on the questionnaire within the Invitation To Tender. Only information relating to the Bid should be submitted unless otherwise requested.
3. The form of Tender shall be signed by persons authorised to submit Tenders and make contracts for the Bidder, which is normally:
   * + - Where the Bidder is a partnership, by one (1) duly authorised partners;
       - Where the Bidder is a company, by one (1) directors or by a director and the secretary of the company, such persons being duly authorised for that purpose;
       - Where the Bidder is a limited liability partnership, one (1) duly authorised member.
4. Every item should be priced in sterling on the basis that VAT is excluded, and the submission totalled.
5. Only one Bid must be submitted from your organisation for this work.
6. The questionnaire should be completed and delivered by the method specified in the ITT by the end date and time. Late Bids will be automatically rejected.
7. Where SCDC regards an amendment to the original Invitation to Tender documents as significant, an extension of the closing date may, at the discretion of SCDC, be given to all Bidders
8. If there appears to be an error in a submission or supporting information the Bidder will be invited to confirm or withdraw its Bid. However if the error relates tender total then the individual figures will be totalled and the corrected figure will be confirmed with the Bidder, who will then confirm or withdraw its Bid.
9. Tenders must not be qualified, conditional or accompanied by statements that might be construed as rendering the Tender equivocal. Only unqualified, unconditional Tenders will be considered. SCDC’s decision as to whether or not a Tender is in an acceptable form will be final.
10. Tenders and supporting documents shall be in English and any contract subsequently entered into and its formation, interpretation and performance shall be subject to and in accordance with the law of England and subject to the exclusive jurisdiction of the English Courts.
11. The bidder must ensure that they have full power and authority to enter into the contract and perform the obligations specified in the ITT and will, if required, produce evidence of such to SCDC.
12. The bidder must be of sound financial standing and has and will have sufficient working capital, skilled staff, equipment and other resources available to it to perform the obligations specified in the ITT.
13. The bidder shall not at any time during the duration of the contract or at any time thereafter claim seek to enforce for the purposes of this contract, any lien, charge, or other encumbrance over property of what nature owned or controlled by SCDC and which is for the time being in the possession of the Bidder.
14. It shall provide, and include in the Tender for, all resources necessary for the completion of the Contract.
15. Our Legal Terms and Conditions will apply to this contract. The link to these terms is provided within the ITT.

# How bids will be evaluated

1. The award will be based on the highest scoring Bid on the basis of the following weighting: Price 40% and Quality 60%.
2. References obtained from the submitted referees will be assessed for relevance on a pass or fail basis Where either the responses from referees or relevance give rise to concerns about the bidders ability to undertake the contract, then at the discretion of the Council, the bid may be considered a fail.  
     
   Price
3. Price will be assessed as follows:   
   The lowest cost will be awarded the maximum 40% of the total evaluation marks. All other Bidders scores will be a evaluated by dividing the lowest cost by the Bidders comparison cost and multiplying that proportion by 40% to provide each Bidder with their percentage of the total evaluation marks available. The following is a worked example:

Bid A lowest cost (£1): Score 40  
Bid B comparison cost (£2): Score 20

(The lowest cost divided by the comparison cost multiplied by 40 equals their percentage of the total evaluation marks available.  
1/2 x 40 = 20)  
  
Quality

1. Quality therefore accounts for 60% of the score with the breakdown as per the Award Criteria Table A within the Invitation To Tender and with the evaluation of answers as per the Table B below.
2. Bidders’ responses to the questions will be scored out of a possible maximum of (5) marks. The following table explains how the Council will evaluate and score answers:

|  |  |
| --- | --- |
| **Evaluation of answer** | **Marks** |
| Proposal meets the required standard in all material respects | 5 |
| Proposal meets the required standard in most material respects, but is lacking or inconsistent in others | 4 |
| Proposal fall short of achieving expected standard in a number of identifiable respects | 3 |
| Proposal significantly fails to meet the standards required, contains significant shortcomings and/or is inconsistent with other proposals | 2 |
| Completely fails to meet required standard or does not provide a proposal | 1 |
| Nil response (no answer provided) | 0 |

Table A: Evaluation of answers

1. The evaluation of the Bids received will be carried out jointly by a panel of officers from the Council. Following the assessment of Bids the top scoring companies may be invited to attend a clarification interview about the bidder’s submission, this may result in their score being adjusted up or down. It is unlikely that the number of companies invited to clarification interview shall exceed the top 3.
2. The Council reserves the right to conduct post tender clarifications.

# The Award Process

1. Bidders will be notified simultaneously and as soon as possible of any decision made during the Bid process, including award. When the submissions have been evaluated, we will notify all Bidders about the intended award but such award may be subject to member approval where necessary.
2. For contracts above the OJEU Threshold, a formal 10 day standstill period will be undertaken, but will not be undertaken for below threshold. Feedback will be provided detailing the bidders scores for the questions within the ITT and the relative merits and disadvantages of their bid vs the winning bid.
3. Acceptance of the Bid by SCDC will be in writing to the Bidder.
4. You should not undertake work without a formal contract, purchase order or works order, confirming that you have been awarded the contract and are required to start work.