

Volume Two (3) Applicant's Offer

NOTE: THIS DOCUMENT IS PROVIDED SOLELY FOR INFORMATION PURPOSES AT SUPPLIER QUESTIONNAIRE STAGE. IT WILL BE ISSUED AS PART OF STAGE TWO TO THOSE SUPPLIERS WHO HAVE SUCCESSFULLY PASSED THE SUPPLIER QUESTIONNAIRE STAGE.



Tender for: Professional Services
THE FORMER ASSIZE COURT, DEVIZES

Invitation to Tender

Closing time and date for return of submission:

[Insert Time HH:MM and insert date]

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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1. General Notes

This document should be read in conjunction with the supporting information contained within “Volume 1 - Instructions and Conditions of Tender” and associated documents also referenced.

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 submitting a compliant tender is done ahead of submitting any final response.

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2. Specification

- 2.1 This section sets out the Trusts requirements for the actual Tender and responses will be evaluated in line with the Award Criteria. The Applicant attention is further made to the support and guidance details as set out in “Volume 1”.
- 2.2 The appointed design team will be required to provide services covering items 1: Preparation and Brief and 2: Concept design as outlined in the RIBA Plan of Work 2013 and to include the submission / approval of applications for Planning Permission and Listed Building Consent.
- 2.3 Development of the project beyond this stage will depend on securing grants from public and private sources and this will also determine the rate of progress. It is possible that the design team will be employed for the whole project but this will be for a later decision and will depend on satisfactory performance and on the Trust securing sufficient funds to move to stages 3 to 7.
- 2.4 The Trusts vision is
- to conserve, adapt and extend the Grade II* court building, designed in 1835 by the architect TH Wyatt, as the new and enlarged premises for the Wiltshire Museum all as set out in the project Brief.
- 2.5 The Trust’s objectives are:
- To provide purpose made facilities for the museum and all its functions
 - To ensure the full repair and conservation of the historic building to reflect its quality and architectural interest
 - To extend the Assize Court in a manner that respects and enhances the building and its environs
 - To provide a creative and inspiring space in which to think, learn and enjoy
 - To enhance the setting of the building and its contribution to Devizes and to contribute to the economy of Devizes and the regeneration of the Devizes Wharf area
 - To secure planning permission and listed building consent
- 2.6 The below are pass fail questions, and in the event that you answer “no” to any of the questions then we will not evaluate your tender any further and will not be able to contract with you.

Ref	PASS / FAIL QUESTIONS – Confirmation that Tender is submitted on the following understanding:	Please delete as appropriate
1	The lead for the design team is required to be RIBA Chartered Architect and you can confirm that in submitting the Tender that you are Chartered Architect.	Yes / No
2	You will be appointed as Principal Designer as defined under the Construction Design Management (CDM) Regulations.	Yes / No
3	You will contract with the Trust under the RIBA Standard Professional Services contract 2018. Other professionals will be expected to use the equivalent for their profession.	Yes / No

THE DESIGN TEAM:

The design team is expected to comprise a lead Architect, Cost Consultant, Services Engineer and Structural Engineer. For the historic building element of the scheme those selected to work on the project will be required to have full conservation accreditation with details of qualifications and experience included in the tender. Tenderers may offer any further services or may suggest any variations. However, any variations must be clearly stated, and any costs identified separately.

WHAT DOES A STRONG RESPONSE LOOK LIKE?

A strong response should indicate clear details for the design team to include the full range of professional advisers required to complete the project to stage 2, plus some assurance on continuity to future stages which may come on stream depending on funding.

A strong response would clearly indicate that the proposed team has the right blend of professional experience, knowledge and expertise required to work on such a prestigious project. The response would clearly indicate the roles which the individual team members would bring to project and how this project would benefit from their experience, knowledge and expertise.

This experience, knowledge and expertise would also look to demonstrate a clear connection to work on similar projects of similar scale / reputation within a historic and conservation context and how this would benefit this project including experience of working on grant funded projects.

The response would provide detail on how the team would operate and provide assurance and confidence that the assembled team around how that team is set up robustly from a commercial / contractual basis. For example, Lead Practice and Associate model.

Where the design team is established from across independent personal or companies the proposal would provide details on who the team is, what companies are involved.

We would be looking for details of the key individuals of the design teams CV's and the demonstration through this that they have the right experience, knowledge and expertise, and that this is transferable and relevant to this project. This would include details on what projects that have been involved in and the role that they played. The individuals indicated should be those that will work on the project.

SUPPLIER RESPONSE:

ISSUED FOR INFORMATION ONLY

NOT FOR COMPLETION AT THIS STAGE OF THE PROJECT

UNDERSTANDING THE BRIEF:

The Invitation to Tender documents provides details of the services required and importantly the setting in which those services are to be provided. Accordingly, please provide your response to demonstrate your understanding of the brief and project and how you will meet the required timescales.

We would be looking for you to highlight procedures, major issues, constraints, risks etc., and demonstrate your approach to achieving the objectives of creating a high quality and innovative new Museum.

WHAT DOES A STRONG RESPONSE LOOK LIKE?

A strong response would clearly evidence you understand the project and required outcomes, from both the overall aspirations of the Trust to the stages required and complexities around things like funding, interest parties and importantly the role you will be expected to delivery in any awarded contract. In short, a strong response would demonstrate you fully understand what is required and know how you would go about your role in this project.

SUPPLIER RESPONSE:

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DELIVERY METHOD AND PROGRAMME:

Please provide details on how you intend to approach the design of the project and how this will be taken forward with the Trust. This should include how you intend to secure the conservation and adaptation of the listed building and the design of the proposed extension.

Please show how you envisage linking the building with its surroundings and enhancing its setting.

Please include an outline programme to stage 2.

WHAT DOES A STRONG RESPONSE LOOK LIKE?

A strong 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 the approach to be taken in the design work including both sign off from the Trust at key stages and wider engagement with key stakeholders (e.g. Planning Authority).

A strong response would set out the approach around undertaking the required activity any previous experience in similar situations (e.g. design in historical and conservation settings) and how that knowledge and experience and expertise would be applied in the Contract delivery in relation to delivery of stages 1 and 2.

A strong response would include an indicative programme and timeline which is credible in relation to the wider expectations of the Trust's vision and objectives. In addition the response would provide clarity on expectations around response and delivery timescales for the services provided, as well as details on how issues would be escalated and resolved.

To support any response, it may also include concept drawings that set out what the Trust what could expect as a delivered product.

SUPPLIER RESPONSE:

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PARTNERING AND COLLABORATION:

Progress on the project will need to build upon a long-term arrangement across partners, to deliver the overall vision and objectives. The appointed design team will play a critical part in supporting the Trust and key stakeholders achieve the intended outcomes. As with all such projects it is vital to ensure the right partners who both share the ethos but also understand how to work with and advance the project in a way that effectively balances and takes account of the individual stakeholder needs and expectations.

Please provide details of your partnering ethos and experience and how you would look to bring your experience of working on complex collaborative projects to this project.

WHAT DOES A STRONG RESPONSE LOOK LIKE?

A strong response would be clear on how the design team members would work with both the Trust and key stakeholders, the approach they would adopt and the experience and credentials they have elsewhere which they would bring to this project to make it a success.

A strong response would include also an indication of a strong track record regarding successful planning applications (satisfying and fulfilling the conditions of the Planning Authority), and success with funding authorities e.g. NHLF and working collaboratively with key stakeholders. It would provide confidence on how this track record could successfully be applied in relation to this actual Contract and the expertise which the team would bring to delivery of this in any awarded Contract.

It would also inspire confidence that any design to be provided for consideration to Planning / Funding parties (e.g. NHLF) is one which is likely to both attract favourable response as well as being able to be successfully translated into actual delivery onsite. This would likely include details on how the design team would support the Trust in any necessary community engagement and community consultation.

Whilst recognising the commercial nature of any contracted appointment of the design team it would however also provide the trust with confidence and reassurance that the design team share the passion to deliver the vision and objectives and aspirations for the project to be a success.

SUPPLIER RESPONSE:

ISSUED FOR INFORMATION ONLY

NOT FOR COMPLETION AT THIS STAGE OF THE PROJECT

3. Price Schedule

- 3.1 Applicants are required to complete the Schedule 1 - Price. These costs will form the basis of the Bid submission. All prices shall be stated in pounds sterling and exclusive of VAT. If there is no charge for an item, please state none.
- 3.2 A fixed fee for work to the end of stage 2 of the RIBA Plan of Work to include making applications for Planning Permission and Listed Building Consent, this should include all necessary professional elements as outlined in the Applicants design team.
- 3.3 In regard to any additional work, individual quotations for each professional appointment. The fee scale for all consultants as set out in the Price Schedule. DACT would seek contacts direct with the individual consultants to have more control over the process.
- 3.4 The fee proposal should include all members of the proposed design team. The team will need to work with the client to gain statutory consents for the scheme and be available to attend relevant meetings and presentations as necessary.
- 3.5 Payments to be made on completion of satisfactory sign off on Milestones to stages as outlined in Schedule 1 – Price.

Price Validity Period

- 3.6 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

- 3.7 The Trust does not expect the Applicant to implement any price increases throughout the life of this Contract.
- 3.8 will be assumed to be an acceptance of this condition. Applicant's whose price review proposal differs from the Trust's expectations under this
- 3.9 Price Review **Proposals** must state their proposal below.

Price Review Proposal if different from above:

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.

Signed*:	Date:
Name <i>(in block capitals)</i> :	
In the capacity of: <i>(State official position, i.e. Director, Manager, etc.)</i>	
Organisation name and postal address:	
Telephone No:	Fax No:
<i>*(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).</i>	

4. Certificates

Conditions of Tender

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. <input type="checkbox"/> 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 Trust 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 Trust of my/our Tender either in whole or in part, to supply (<i>or perform the services</i>), on such terms and conditions and in accordance with such specifications (<i>if any</i>), 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 Trust, 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 (<i>in block capitals</i>):	
In the capacity of:	
<i>(State official position, i.e. Director, Manager, etc.)</i>	
<i>*(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).</i>	

Certificate of Undertaking and Absence of Collusion or Canvassing

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 – Consortium

I/We the undersigned do hereby certify that:-

- (a) the consortium's tender is bona fide and intended to be competitive;
- (b) 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;
- (c) 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;
- (d) 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.
- (e) 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.
- (f) 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.

Box B – Single Body and/or Individual

I/We the undersigned do hereby certify that:-

- (a) 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;
- (b) 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;
- (c) 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;
- (d) 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.
- (e) 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.
- (f) 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

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.

--

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

--

Conflict of Interest

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).*