

West Midlands Forest District  
Lady Hill  
Birches Valley  
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WS15 2UQ

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Area Forester

Alan Dowell

<Insert Date>

<Insert bidder Name>

<Insert bidder Address 1>

<Insert bidder Address 2>

<Insert bidder Address 3>

<Insert bidder Postcode>

Dear Sirs

**INVITATION TO QUOTE FOR EQUIPMENT PURCHASE AND LANDSCAPING OF A NEW CHILDREN'S PLAY AREA**

**REF NO: ITQ NFWM 1/12**

You are invited to submit a quotation for the supply of the above to the Forestry Commission.

The following documents form the Invitation to Quote and provide details of our requirement:

- Invitation to Quote (ITQ)
- Statement of Requirement
- Our standard terms and conditions of contract for supply of services (operational)
- Contract Bill of Quantity

You need to complete and return the following items:

- Part A – Organisation and Contact Details

- Part B – Details of Insurance Policies
- Part C – Health and Safety Questions
- Part D – Specific Questions
- Part E– Pricing Schedule
- Part F – Declaration
- Part G – Certificate of Bona Fide Tender

Please send your completed quotation and any enquires about this invitation to:

Alan Dowell  
Area Forester  
West Midlands Forest District  
Lady Hill  
Birches Valley  
Rugeley  
Staffs  
WS15 2UQ  
Tel: 01889 586593  
Email: alan.dowell@forestry.gsi.gov.uk

Please mark the envelope with the initials 'ITQ' for Equipment Purchase and Landscaping of a new children's play area Ref No ITQ NFWM 1/12 - Not to be opened until 12:00pm on 24<sup>th</sup> February 2012.

We must receive your completed quote by **12:00pm on 24<sup>th</sup> February 2012**. We will keep quotes that we receive earlier and not open them until after the deadline. We will not consider any quotes received after the deadline. Please be aware that we may copy your documents, but only for our own use.

All quotes will be evaluated objectively as detailed in the Evaluation Matrix in the ITQ document.

You must follow these instructions:

- Any contract concluded as a result of this ITQ shall be governed by English Law and the Forestry Commission's Standard Term and Conditions of Contract, and any additional terms specified as attached to this ITQ, will apply. Your terms will not apply.
- Your quote and all accompanying documents are to be in English.
- All prices must be in sterling and exclusive of VAT.
- Costs remain the responsibility of those submitting a quotation.
- We will not return any part of the documents forming your quote.
- We reserve the right to cancel or withdraw from the process at any stage.
- We do not undertake to accept the lowest priced quote, or part, or all of any quote.
- All information supplied to you by us must be treated in confidence and not disclosed to third parties.
- All details of your quote, including prices and rates, must be valid for our acceptance for a period of 30 days.
- Once we have awarded the contract, we will not accept any additional costs incurred which are not reflected in your quote.
- Offering an inducement of any kind for obtaining this or any other contract with us will disqualify your quote and may constitute a criminal offence.
- We have not asked for financial details in this document; however we reserve the right to carry out checks if we think it is necessary.

Yours faithfully

**Alan Dowell**

**Area Forester**

**National Forest Beat**

### Statement of our Requirements

You are invited to quote for a contract covering the purchase of play equipment and landscaping of a new children's play area at the Forestry Commission's Hicks Lodge cycle centre. This centre is a new facility opened in June 2011 and is located on a recently restored opencast coalfield, within the heart of the National Forest. The full postal address of the site is:

Hicks Lodge Cycle Centre, Willesley Woodside, Moira, Derbyshire. LE65 2UP

**It is imperative that contractors undertake a site visit to ensure they are fully aware of the Forestry Commission's requirements before submitting a quote. Please contact Alan Dowell to arrange a site visit.**

Hicks Lodge is a public access area, and, as such the contractor will be responsible for ensuring appropriate safety measures are in place at all times to prevent members of the public from entering the construction site. Previous experience with working on public access sites will be beneficial.

The surfaced trail on the northern and eastern edges of the work area is a public bridleway, and designated cycle trail. The integrity of this trail must be maintained throughout the contract period.

Planning approval has been received for this play area, with an attached condition that the installed play equipment is sourced from Timber Play. The contractor will be expected to liaise with Timber Play with regard to the timing of the supply of the chosen pieces of equipment. The contractor must also ensure that the equipment provided is fully FSC compliant, with relevant Chain of Custody certificates.

The total contract price tendered price will include equipment purchase and landscaping as detailed in the contract Bill of Quantities. The estimated cost of the selected play equipment as shown on the attached documents is £28,388

Ideally the selected contractor will have had previous experience in the landscaping of similar play areas on restored ground, and demonstrate their ability to work safely on a popular public access woodland. Additional quantities of soil are available on site if required, within 200m of the construction zone.

The contractor will also be responsible for liaising with the on-site centre managers to avoid conflict with site users and organised events. The dates of any known events will be notified prior to work starting

All work must be completed, and the play area available for use by 30<sup>th</sup> April 2012. |

#### **Note:**

**If we ask, you must provide documentary evidence establishing your eligibility to tender and your qualifications to fulfil the contract if we accept your quotation. This may be in the form of literature, drawings or samples.**

**You must include details of any areas where you will not be able to comply with these requirements. If your quotation does not meet these requirements we reserve the right to reject it completely.**

## Evaluation Matrix

Section	Title	Weighting	Agreed Marking Criteria
A	Form A – Organisation and Contact Details	Mandatory	Completion of this Section is mandatory and is for our information purposes. We may confirm company identity and basic details with external bodies.
A	Form B – Grounds for Mandatory Rejection	Pass/Fail	If you answer 'Yes' to any questions relating to mandatory rejection you will fail this section and your submission will not be evaluated any further.
A	Form C – Grounds for Discretionary Rejection	Pass/Fail	If you answer 'Yes' to any questions relating to discretionary rejection you may fail this section, however we will look for information from you that clearly indicates that you have resolved any past conduct or problem and taken steps to prevent it recurring. If we are satisfied that this is the case, you will pass this section.
B	Details Insurance Policies	Pass/Fail	You must have the required levels of insurance as requested in Section B. If you do not have these, you must confirm that you will get them if successful, before the contract start date. If you do cannot confirm this, you will fail this section.
C	Health and Safety Questions	Pass/Fail	You must provide the information we have requested in Section C.
D	<u><b>Specific Selection Questions</b></u> <u><b>Specific Award Questions</b></u>	60	<p>The following evaluation system will be applied:</p> <p><b>0 – No response or totally inadequate response</b></p> <p>No response or an inadequate response</p> <p><b>1 – Major Reservations/Constraints</b></p> <p>The response simply states that the supplier can meet some of the requirements set out in the question or statement of requirements, but have not given information or detail on how they</p>

Section	Title	Weighting	Agreed Marking Criteria
			<p>will do this.</p> <p><b>2 – Some Reservations/Constraints</b></p> <p>Bidder has provided some information about how they propose to meet most of the requirements as set out in the question or statement of requirements. There is some doubt in their ability to consistently meet the full range of requirements.</p> <p><b>3 – Fully Compliant</b></p> <p>Bidder has provided detailed information covering all elements of the question, detailing how they propose to meet all the requirements as set out in the question or statement of requirements. This gives full confidence in their ability to consistently meet the full range of our requirements.</p> <p><b>4 – Exceeds Requirements</b></p> <p>Bidder meets the required standard in all respects and exceeds some or all of the major requirements, which in turn leads to added value within the contract</p>
E	Pricing Schedule	40	Pricing scores will be allocated based on lowest bid received and a weighted average determined for each bid
F	Declaration	Pass/Fail	You must provide a signed certificate with no exceptions on it.
G	Certificate of Bona Fide Tender	Pass/Fail	You must provide a signed certificate with no exceptions on it.

## Part A – Form A - Organisation and Contact Details

<b>Organisation Details</b>		
	<b>Question</b>	<b>Your Answer</b>
A1	Full name of organisation tendering (or of organisation acting as lead contact where a consortium bid is being submitted).	[ ]
A2	Registered office address.	[ ]
A3	Company or charity registration number.	[ ]
A4	VAT Registration number.	[ ]
A5	Name of immediate Parent Company.	[ ]
A6	Name of ultimate Parent Company.	[ ]
A7	Type of organisation.	i) a public limited company [ ]
		ii) a limited company [ ]
		iii) a limited liability partnership [ ]
		iv) other partnership [ ]
		v) sole trader [ ]
		vi) other (please specify) [ ]
A8	How many staff does your organisation (including consortia members and named sub-contractors where appropriate) employ relevant to the carrying out	[ ]

<b>Organisation Details</b>			
	<b>Question</b>	<b>Your Answer</b>	
	of services and/or delivery of goods similar to those required under this contract?		
A9	Total number of employees employed by your organisation. (Including Directors, Partners, Apprentices, Trainees etc.)	[ ]	
A10	Length of time your business has been operating.	[ ]	
A11	Please state whether there is any potential conflict of interest in relation to this contract, for example if any of those involved with the contract share private interests with anyone within the FC. Examples include freemasonry, membership of societies, clubs and other organisations, and family.	<b>No</b>	<b>Yes</b>
		[ ]	[ ]
		If you have answered "YES" please give details.	
		[ ]	
A12	Consortia and Sub-contracting.	a) Your organisation is bidding to provide the requirement itself.	[ ]
		b) Your organisation is bidding in the role of Prime Contractor and intends to use third parties to provide some services.	[ ]
		c) The potential Provider is a consortium.	[ ]
<b>If your answer is (b) or (c) please indicate in a separate annex (by inserting the relevant company or organisation name) the composition of the supply chain, indicating which member of the supply chain (which may include the Potential Provider solely or together with other providers) will be responsible for the elements of the requirement.</b>			

**Contact Details – Contact details for enquiries relating to this process**

A13	Name.	[ ]
A14	Address, including country and postcode.	[ ]
A15	Phone.	[ ]
A16	Mobile.	[ ]
A17	Email.	[ ]

**These questions must be completed by Non-UK Businesses**

A18	<p><b>Registration with professional body.</b></p> <p>Is your business registered with the appropriate trade or professional register (s) in the EU member state where it is established (as set out in Annexes IX A-C of Directive 2004/18/EC) under the conditions laid down by that member state?</p>	[ ]
A19	<p>Is it a legal requirement in the State where you are established for you to be licensed or a member of a relevant organisation in order to provide the requirement in this procurement? If yes, please provide details of what is required and confirm that you have complied with this.</p>	[ ]

## Part A – Form B – Grounds for mandatory rejection

### Important Notice:

In some circumstances we are required by law to exclude you from participating further in a procurement. If you answer 'Yes' to any question in this section it is very unlikely that we will accept your application, and you should contact us for advice before completing this form.

Please state 'Yes' or 'No' to each question.

<b>Has your organisation or any directors or partner or any other person who has powers of representation, decision or control been convicted of any of the following offences?</b>	<b>Answer</b>
(a) conspiracy within the meaning of section 1 of the Criminal Law Act 1977 where that conspiracy relates to participation in a criminal organisation as defined in Article 2(1) of Council Joint Action 98/733/JHA (as amended);	
(b) corruption within the meaning of section 1 of the Public Bodies Corrupt Practices Act 1889 or section 1 of the Prevention of Corruption Act 1906 (as amended);	
(c) bribery;	
(d) fraud, where the offence relates to fraud affecting the financial interests of the European Communities as defined by Article 1 of the Convention relating to the protection of the financial interests of the European Union, within the meaning of:	
(i) the offence of cheating the Revenue;	
(ii) the offence of conspiracy to defraud;	
(iii) fraud or theft within the meaning of the Theft Act 1968 and the Theft Act 1978;	
(iv) fraudulent trading within the meaning of section 458 of the Companies Act 1985 or section 993 of the	

Companies Act 2006;	
(v) defrauding the Customs within the meaning of the Customs and Excise Management Act 1979 and the Value Added Tax Act 1994;	
(vi) an offence in connection with taxation in the European Community within the meaning of section 71 of the Criminal Justice Act 1993; or	
(vii) destroying, defacing or concealing of documents or procuring the extension of a valuable security within the meaning of section 20 of the Theft Act 1968;	
(e) money laundering within the meaning of the Money Laundering Regulations 2003 or Money Laundering Regulations 2007; or	
(f) any other offence within the meaning of Article 45(1) of Directive 2004/18/EC as defined by the national law of any relevant State.	

## Part A – Form C – Grounds for discretionary rejection

### Important Notice

We are entitled to exclude you from consideration if any of the following apply but may decide to allow you to proceed further.

If you answer 'Yes' to any question in this section it is very unlikely that we will accept your application, and you should contact us for advice before completing this form. In the event that any of the following do apply, please set out (in a separate Annex) full details of the relevant incident and any remedial action taken subsequently. The information provided will be taken into account by us when considering whether or not you will be able to proceed any further in respect of this procurement exercise.

Please state 'Yes' or 'No' to each question.

Is any of the following true of your organisation?	
<p>(a) <u>being an individual,</u> is bankrupt or has had a receiving order or administration order or bankruptcy restrictions order made against him or has made any composition or arrangement with or for the benefit of his creditors, or has not made any conveyance or assignment for the benefit of his creditors or appears unable to pay or to have no reasonable prospect of being able to pay, a debt within the meaning of section 268 of the Insolvency Act 1986, or article 242 of the Insolvency (Northern Ireland) Order 1989, or in Scotland has granted a trust deed for creditors or become otherwise apparently insolvent, or is the subject of a petition presented for sequestration of his estate, or is the subject of any similar procedure under the law of any other state;</p>	<input type="checkbox"/>
<p>(b) <u>being a partnership constituted under Scots law,</u> has granted a trust deed, or become otherwise apparently insolvent, or is the subject of a petition presented for sequestration of its estate; or</p>	<input type="checkbox"/>
<p>(c) <u>being a company or any other entity within the meaning of section 255 of the Enterprise Act 2002</u> has passed a resolution, or is the subject of an order by the court for the company's winding up otherwise than for the purpose of bona fide reconstruction or amalgamation, or had a receiver, manager or administrator on behalf of a creditor appointed in respect of the company's business or any part thereof or is the subject of similar procedures under the law of any other state?</p>	<input type="checkbox"/>

Has your organisation	
(a) been convicted of a criminal offence relating to the conduct of your business or profession;	[ ]
(b) committed an act of grave misconduct in the course of your business or profession;	[ ]
(c) failed to fulfil obligations relating to the payment of social security contributions under the law of any part of the United Kingdom or of the relevant State in which you are established;	[ ]
(d) failed to fulfil obligations relating to the payment of taxes under the law of any part of the United Kingdom or of the relevant State in which you are established; or	[ ]
e) been guilty of serious misrepresentation in providing any information required of you under Regulation 23 of the Public Contracts Regulations 2006?	[ ]
f) Has your organisation and/or any or your contractors had a gangmasters licence refused or revoked for any reason in the past.	[ ]

## Part B – Details of Insurance Policies

<b>Weighting: This is a Gateway Section (Pass/Fail)</b>				
<b>You must either confirm that you have these levels of insurance in place for each and every claim rather than on an aggregate basis or, alternatively, undertake that should you be awarded a contract under this procurement such levels of insurance will be available to you and that you undertake to maintain these levels of insurance for the duration of the contract.</b>				
<b>Insurance Policy</b>	<b>Indemnity Value (£)</b>	<b>Yes</b>	<b>No</b>	<b>Will secure if successful</b>
Employers Liability (This is a legal requirement. There are a small number of exceptions. Please refer to HSE Guidance HSE 40 Employers Liability Compulsory Insurance Act 1969)	Min £5m per claim			
Public Liability	Min £5m per claim			
Products Liability	Min £2m per claim Copy of relevant guarantee certificates to be supplied by Timber Play			
<b>If you do not undertake to secure the stated levels of insurance, we will not consider your submission.</b>				

## Part C – Health and Safety Questions

This section allows us to assess your competency for health and safety. We have provided some guidance to help you understand the requirements for each area. You may also find it useful to refer to the Health and Safety Executive (HSE) website for some guidance before completing this section. You can find this here: <http://www.hse.gov.uk/>.

## General health and safety questions

	<b>Question</b>	<b>Yes</b>	<b>No</b>
1	Does your organisation have a written Health and Safety Policy?		
	<b>Note:</b> if your organisation has less than 5 employees, the Forestry Commission still requires you to have a written Health and Safety Policy.		
2	Please provide details of the health and safety training you provide to employees, relevant to this contract. If you do not provide any training, please tell us why this is not necessary. From your answer we will decide whether the training is appropriate or required for this contract.		
3	<p>Please provide details of how you manage health and safety at work. Your responses should include:</p> <ul style="list-style-type: none"> <li>• basic statement on safety awareness;</li> <li>• organisational structure;</li> <li>• nominated advisor or consultant for health and safety;</li> <li>• use of supervisory visits;</li> <li>• processes you have to make sure staff are up to date on health and safety requirements; and</li> <li>• details of how you monitor this.</li> </ul>		

4	<p>Please provide details of any Improvement or Prohibition Notices or Prosecutions served by the Health and Safety Executive, and explain what improvements you have made to make sure they do not reoccur. Your responses should include evidence of lessons that you have learned and acted on.</p>
5	<p>Please provide details if your organisation has been prosecuted or issued with an Improvement Notice or Order by the Environment Agency, Scottish Environmental Protection Agency, National Rivers Authority, a Local Authority, or any other enforcement body responsible for protecting the environment (including a Planning Authority for a breach of Planning Control).</p> <p>Your responses should include evidence of lessons that you have learned and acted upon.</p>

## Risk assessment

6	<p>Please provide examples of the risk assessment process you have applied in previous contracts of a similar nature to this requirement. Please provide copies of the following if relevant to the contract:</p> <ul style="list-style-type: none"> <li>• emergency plans;</li> <li>• lone working procedures, and;</li> <li>• records of inspection and testing of machinery and electrical equipment.</li> </ul> <p>The process should follow the HSE process or similar and you should provide all the relevant documents we ask for.</p>
7	<p>Please provide examples of the method statements you have applied in previous contracts of a similar nature to this requirement, and explain how you have linked these to the risk assessment. Please provide examples which show that in previous contracts you have produced method statements detailing how you will carry out the work and you have based these on your risk assessments.</p>

## Health and safety advice

8	How does your organisation obtain competent health and safety advice? (Either within the organisation or externally)? Please show us you have the following or equivalent: internal safety officers, consultants, appointed person in the organisation responsible for health and safety.
9	Please provide details of any safety organisations you belong to, for example RoSPA, IOSH etc. This is for our information only.

## Competence and qualifications

10	Do the employees, contractors and, or, sub-contractors who will deliver the contract if successful hold the following qualifications or certification for the following? Add or delete as appropriate.		
	First aid		
	Construction (CDM coordinator, designer, principal contractor or contractor)		
	Fork lift trucks		
	CITB/CSCS qualifications.		
		Yes	No
11	Do the employees who will deliver the contract, if successful, receive relevant update training?		

12	<p>Please provide details of the relevant update training that you provide to the employees who will deliver the contract. From your answer we will evaluate whether the level and frequency of training is appropriate.</p>
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## Accident records and reporting

13	<p>How does your organisation make sure you learn from incidents or accidents and change your working practices as necessary? Please provide examples. You must provide evidence that you have a process to record accidents.</p>
14	<p>How does your organisation ensure it reports under RIDDOR, where this is required? Your response should demonstrate recognition of RIDDOR reportable categories and timescales.</p>

## Working with sub-contractors

15	If you are planning to use sub-contractors for this contract, please provide details of your selection process either with the Forestry Commission or other organisations. This selection process should include assessment and review of their approach to risk assessment, competence and qualifications, and accident reporting and recording.

## Part D – Specific Questions

	Question	Weight %
D1	Provide details of the experience of the key personnel who will be involved in delivering this contract. You should provide a brief outline of their qualifications and experience in working on contracts of this type. Where possible, provide details of previous similar contracts.	60
		15
	<b>Answer:</b>	
D2	Demonstrate the capacity of your organisation to deliver this contract within the restrictive timescales and how you have dealt with fluctuations of demand from other contracts	10
	<b>Answer</b>	
D3	Provide an outline programme for contract delivery including float and risk time allowances	10
	<b>Answer:</b>	

D4	<b>Detailed proposals, including method statements and risk assessments for you to manage the proposed works safely bearing in mind the site will be open at all times to members of the public. This should also include any liaison you feel would be needed between yourself and the centre managers</b>	25
	<b>Answer:</b>	

## Part E – Pricing Schedule

Please provide details of your pricing in the schedule provided below.

**A total contract price, for all elements of this contract must be provided**

**Please complete the attached Bill of Quantities, detailing unit and individual costs for each element of this contract.**

Ref	Description	Price (£)
	Total Contract Price, including purchase of Timber Play equipment	

## Part F – Declaration

**Weighting: This is a Gateway Section (Pass/Fail)**

I declare that to the best of my knowledge the answers submitted in this ITQ are correct. I understand that the information will be used in the process to assess my organisation's suitability to be invited to tender for your requirement and I am signing on behalf of my organisation. I understand that the Contracting Authority may reject this ITQ if I have failed to answer all relevant questions fully, or if I provide false or misleading information.

Name: | |

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Date: | |

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Signature: | |

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Capacity or Title: | |

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For and on behalf of: | |

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## Part G – Certificate of Bona Fide Tender

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Invitation to Quote No: [ITQ NFWM 1/12]

Due for Return by: [12:00pm on 24<sup>th</sup> February 2012]

Subject: [Purchase of Equipment and Landscaping of a New Children's  
Play Area at Hicks Lodge]

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The essence of selective tendering is that the Forestry Commission will receive *bona fide* competitive tenders from all those tendering. In recognition of this principle, we certify that this is a *bona fide* tender, intended to be competitive, and that we have not fixed or adjusted the amount of the tender by or under or in accordance with any agreement or arrangement with any other person. We also certify that we have not done, and we undertake that we will not do so, at any time before the time specified for the return of this tender any of the following acts:

- communicate to a person other than the person calling for those tenders, the 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 premium insurance quotations required for preparing the tender;
- enter any agreement with any other person whereby they will refrain from tendering, or as to the amount of any tender to be submitted;
- offer or pay or give or agree to pay 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 this work, any act or thing of the sort described above.

In this certificate, the word 'person' includes any individual, partnership, association, or body either corporate or unincorporated; and 'any agreement or arrangement' includes any transaction, formal or informal, and whether legally binding or not.

Signature: [ ] Date: [ ]

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Name: [ ] Position: [ ]

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Signed for and on Behalf of: [ ]

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