

FORM 1

NOTICE OF DELEGATION OF DECISION TO CABINET MEMBER BY STRONG LEADER

Section 15(4) of the Local Government Act 2000, the senior executive member may discharge any of the functions that are the responsibility of the Cabinet or may arrange for them to be discharged by another member of the Cabinet or Officer. On 1st December 2010, the Council adopted the Strong Leader Model for Corporate Governance 2011 as required under Part 3 of The Local Government and Public Involvement in Health Act 2007 (The 2007 Act).

I, Cllr Marcus Hart, as Strong Leader, delegate the decision to procure 8 x 3500 GVW tippers as part of the capital renewals program for the Parks and Open Spaces section at Green Street, as detailed in the Forward Plan to the Cabinet Member detailed below:

Cabinet Member for Operational Services

13.12.18.

Dated:

Signed:

.....
Leader of the Council

To: Cabinet Member for Operational Services, Councillor Becky Vale

From: Corporate Director: Community Wellbeing & Environment

Date: 26 Nov 2018

Contract for the Supply and Delivery of 1 x 3500 GVW Caged Tipper bodied Vehicle, 2 x 3500 GVW Tipper Bodied vehicle and 5 x 3500 GVW Tippers with Tool Pods

1. PURPOSE

1. To seek Cabinet approval for the tender evaluation model proposed for the Supply and Delivery of 1 x 3500 GVW Caged Tipper bodied Vehicles, 2 x 3500 GVW Tipper Bodied vehicles and 5 x 3500 GVW Tippers with Tool Pods, as per Paragraph 9 of the Contract Procedure Rules.
- 1.2 The report also seeks approval for delegated authority to be given to the Corporate Director: Community, Well-Being and Environment, in consultation with the Cabinet Member for Operational Services, to appoint a supplier for the 8 x 3500 GVW Tipper bodied vehicles, following a competitive tender exercise.
- 1.3 As the combined contract value is approximately £240,000, this procurement is being carried out in accordance with the Public Contracts Regulations 2015, therefore subject to a strict procurement timetable. The Tender will be advertised on the Official Journal of the European Union (OJEU). The Open Procedure route will be taken; therefore no pre-qualification of suppliers will be carried out.

2. RECOMMENDATION

That the Leader:

Approves the tender evaluation model contained in paragraph 4 of the Report; and

Grants delegated authority to the Corporate Director: Community, Well-Being and Environment in consultation with the Cabinet Member for Operational Services to award the contract, in line with the approved evaluation model.

3. BACKGROUND

- 3.1 The council approved the capital budget for the vehicle replacement schedule which included the cost for the supply and delivery of 1 x 3500 GVW Caged Tipper bodied Vehicle , 2 x 3500 GVW Tipper Bodied vehicles and 5 x 3500 GVW Tippers with Tool Pods as part of the Council’s fleet renewal schedule.
- 3.2 The vehicles are to replace 8 existing 3500 GVW tippers which have reached the end of there useful life and will enable the parks and open spaces team to maintain operational efficiency.

4. EVALUATION CRITERIA

- 4.1 Tenders will be evaluated on a price and quality basis, 40% price 60% quality. The quality elements of the tender will be evaluated in accordance with the below criteria.

Criteria	Weighting
Delivery in weeks	20
Warranty Period	10
Predicted payload	20
Construction / Suitability of body and also anti corrosive properties	15
Combined fuel figures and suability of engine	13
Vehicle features above specification	17
Service Support	5

- 4.2 Bidders are required to provide a written response to the questions contained in the tender documents relating to the quality. The following matrix illustrates how responses to the questions will be assessed. The scores for each question will be used to calculate a percentage weighting based on the weightings attributed to each question in the qualitative assessment.

Performance	Judgement	Score
Exceeds all expectations	Exceptional	10
Exceeds almost all expectations	Outstanding	9
Exceeds most expectations	Very Good	8
Above Expectations	Good	7
Slightly exceeds expectations	Fair	6
Meets expectations	Average	5
Satisfactory but below expectations	Below Average	4
Below expectations	Poor	3

Well below expectations	Weak	2
Almost unacceptable	Very Weak	1
Unacceptable		0

4.3 The price assessment will be based on the tender returns and are worth 40% of the overall marks. The bidder with the lowest tender price will score the maximum score of 40%. The other tenders will be scored pro rata as a percentage of their tender compared with the lowest tender.

Please see the illustrated example below for clarity:

Tender A	Tender B	Tender C	Tender D
30,000	32,000	34,000	36,000
40%	37.5%	35.2%	33.3%

- Tender A is the lowest and scores a maximum of 40%
- Tender B – $30,000/32,000 \times 0.4 \times 100 = 37.5$
- Tender C – $30,000/34,000 \times 0.4 \times 100 = 35.2$
- Tender D – $30,000/36,000 \times 0.4 \times 100 = 33.3$

5. FINANCIAL IMPLICATION

5.1 The capital budget for the supply and delivery of x 8 3500 GVW tipper bodied vehicles @ £30,000 is approved as part of the capital replacement programme. The total cost of this procurement is estimated to not exceed £240,000. Budget approval has been granted within the council's capital budget for vehicle replacement

6. LEGAL AND POLICY IMPLICATIONS

The Contract Procedure Rules require Cabinet approval to enter into contracts where the estimated value of the contract exceeds £240,000.

7. CONCLUSION

Due to the value of the vehicles to be refurbished, authorisation is required for the proposed evaluation model that will be used to assess the tenders. This model has been provided in section 4 of this report.

The successful tender appointment will enable the operational team to deliver a professional, efficient and reliable service through operational efficiencies.

8. RISK MANAGEMENT

The Procurement risk is mitigated by utilising the OJEU procurement agreement.

9. EQUALITY IMPACT NEEDS ASSESSMENT

This report relates solely to the procurement of fleet vehicles, the fundamental EU principles of no discrimination and transparency apply to all the procurement exercises, there is no requirement for an Equality Impact Needs Assessment.

10. CONSULTEES

Helen Ogram Financial Services Manager
Derek Simmonds Fleet and Garage Officer
Steve Brant Operational Services Manager
Sally Tallon Legal services

11. BACKGROUND PAPERS

11.1 None



INVITATION TO TENDER

Xxth 2019

Dear Sirs

Contract for the Supply and Delivery of 1 x 3500 GVW Caged Tipper bodied Vehicles , 2 x 3500 GVW Tipper Bodies and 5 x 3500 GVW Tippers with Tool Pod

Ref No: DN - /03/19

You are invited to Tender for the above contract. The Invitation to Tender consists of the following documents:

- Form of Tender
- Part 1 - Tendering Instructions
- Part 2 - Conditions of Tender
- Part 3 – Specification

You are required to hold all information pertaining to this contract confidential and to limit the dissemination of information within your organisation on a need-to-know basis.

Information in relation to this tender and any subsequent contract may be made available on demand in accordance with the requirements of the Freedom of Information Act 2000.

Bidders should state if any of the information supplied by them is confidential or commercially sensitive. Bidders should state why they consider the information to be confidential or commercially sensitive.

This will not guarantee that the information will not be disclosed but will be examined in the light of the exemptions provided in the Act.

The Council will be obliged under the Transparency Code to publish details of the contract once awarded.

Your Tender must be received 30 days after being published on Due North Portal, which date will be the Tender Date in the attached Invitation to Tender.

Yours sincerely

Jackie Reed
Assistant Accountant (Procurement)

FORM OF TENDER

Contract for the Supply and Delivery 1 x 3500 GVW Caged Tipper bodied Vehicles , 2 x 3500 GVW Tipper Bodies and 5 x 3500 GVW Tippers with Tool Pod

Ref No: DN - 229/08/17

To: Director of Community Well-Being and Environment

1. I/we have read the information provided in your Invitation to Tender and subject to and upon the Council's terms and conditions. I/we offer to supply the services described in the Tender documents in such manner as may be required.
2. Amount of tender: the prices shown in Appendix A of our Tender; or, if the Council selects any alternative proposal offered, then the prices shown in the alternative offer will be used.
3. Estimated number of weeks/days for delivery following exchange of contracts and receipt of an orderweeks/days.
4. I/We understand that the Council is not bound to accept the lowest or any Tender it may receive.
6. My/our tender is a firm price and valid for 90 days from the Tender date, 30 days after being published on Due North Portal.

Signed:.....

Name of signatory

Position in Company:.....

Name of Company:

Address:.....
.....
.....

Date: Tel No:.....

Email address:

FAILURE TO COMPLETE THE WHOLE OF THE ABOVE DETAILS MAY RENDER THIS TENDER INVALID. ANY ALTERATIONS e.g. CROSSINGS OUT, USE OF CORRECTION FLUID ETC., SHOULD BE INITIALLED. FAILURE TO DO SO, MAY RENDER THIS TENDER INVALID

PART 1 – TENDERING INSTRUCTIONS

1. Introduction

- 1.1** Wyre Forest District Council (“the Council”) wish to appoint a Contractor to supply and deliver 1 x 3500 GVW caged tipper 2 x 3500 GVW tipper bodied vehicle and 5 x 3500 GVW Tippers with tool pod. The appointment will be by way of competitive Tender.

If a Tenderer wishes to Tender on the basis of an amended or altered specification or condition of contract, then he should submit one Tender in exact compliance and another separate Tender offering an alternative.

- 1.2** The requirements are set out in the Specification, which is included as Part 3.

2. Completion of Tender

- 2.1** Your Tender should comprise the following documents:

- Form of Tender - Offer letter
- Appendix A - Tenderer’s Submission
- Appendix B - Other information required by the Council

You are required to submit additional documents as requested in Appendix B.

2.2 Form of Tender

Complete and sign the Form of Tender.

No alterations or additions are to be made to the printed wording of the Tender Form. Should any alteration, amendment, note or condition be so made, or should you submit a Tender accompanied by your own conditions, the alteration, note, addition, or the conditions will not be recognised and the Tender will be invalid

If any alteration is required to that part of the Tender Form which the Tenderer is required to complete then such an alteration should be clearly done and initialled by the signatory to the Tender Form

2.3 Appendix A - Tenderer’s Submission

Complete Appendix A by inserting all of the detail requested. Your answers should relate only to the services set out in the Specification.

The prices you quote should exclude VAT.

This Appendix forms part of the offer made in the Form of Tender.

If you are successful in your Tender, the prices you have offered in Appendix A (or in any alternative offer, if appropriate) will be entered into the Contract Documents.

The Tenderer may be required to supply all, none or some of the items that are mentioned.

2.4 Appendix B - Additional Information Required by the Council

Section I of this Appendix forms part of the offer made in the Form of Tender.

Section II is for additional information not supplied elsewhere.

PART 2 - CONDITIONS OF TENDER

1. General

1.1 Contents of the Invitation to Tender

The Tender is to be made strictly in accordance with the requirements of this Invitation to Tender and the Council's Contract Procedure Rules which, together with any amendments that are issued, are together referred to as the Invitation to Tender.

1.2 Enquiries concerning the Tender

Any queries regarding the Invitation to Tender should be sent via the website below, a reply will be issued back to you via the portal.

<http://procontract.due-north.com>

The response by the Council as well as the nature of the query will be notified to all Tenderers, without disclosing the name of the Tenderer who initiated the query. On no account before the Tender Date is the Tenderer to contact or communicate with any other person involved in work concerning this Invitation to Tender unless the Council redirects the enquiry.

1.3 Independent Tender

By submission of a Tender, the Tenderer warrants that:

- (a) The prices in the Tender have been arrived at independently, without consultation, communication, agreement or understanding for the purpose of restricting competition, as to any matter relating to such prices, with any other Tenderer or with any competitor.
- (b) Unless otherwise required by law, the prices which have been quoted in the Tender have not knowingly been disclosed by the Tenderer, directly or indirectly, to any other Tenderer or competitor, nor will they be so disclosed.
- (c) No attempt has been made or will be made by the Tenderer to induce any other person or firm to submit or not to submit a Tender for the purpose of restricting competition.

1.4 Modification by the Council

Any advice of a modification to the Invitation to Tender shall be issued at least seven days before the Tender Date and shall be issued as an amendment to, and shall be deemed to constitute part of, the Invitation to Tender. If necessary, the Council shall revise the Tender Date in order to comply with this requirement. Except under exceptional circumstances

no extension of time and date by which the Tender must be submitted will be granted.

2. Preparation of Tender

2.1 Cost of Tender

The Council will not be responsible for any costs or expenses incurred by the Tenderer in connection with the preparation or delivery or in the evaluation of the Tender.

2.2 Language of Tender

The Tender and all accompanying documents are to be in English.

2.3 Validity Period of Tender

See note on Form of Tender

All details of the Tender, including prices and rates, are to remain valid for acceptance for 90 days from the Tender date.

2.4 Currency of Tender

Tender prices shall be in sterling.

3. Submission of Tender

3.1 Submission Date

The Tender must be submitted no later than 30 days after being published on Due North Portal, this date being the Tender Date.

3.2 Submission

Tenders should be submitted back to Due North's portal by the deadline date above.

<http://procontract.due-north.com>

4. Treatment of Tender

4.1 The Council's discretion

It is the Council's intention to award the contract to one contractor, however, the Council does not undertake to accept the lowest Tender, or part, or all of any Tender, and the acknowledgement of receipt of any submitted Tender shall not constitute any actual or implied agreement between the Council and the Tenderer. The Council reserves the right to accept any part, or all, of any Tender or Tenders at its sole discretion.

4.2 Tender not Returned

No part of the Tender submitted will be returned to the Tenderer.

4.3 Results of Tendering

An evaluation team will consider all Tenders correctly submitted and will select one with a view to reaching a contractual agreement subject to clarification of any outstanding matters. When the final decision on the results of the Invitation to Tender has been taken all Tenderers will be informed in writing whether or not they have been successful. No other information shall be given on the progress of the Tender.

4.4 Evaluation Criteria

All submissions will be evaluated on the quality criteria listed below. Tenderers are requested to **format any response in line with the below criteria** e.g. use the criteria as headings for the various sections of any submission.

All Tenders will be evaluated on a **60/40** split in favour of quality over price,

The quality criteria and weightings are as follows:

Criteria	Weighting
Delivery in weeks	20
Warranty Period	10
Predicted payload	20
Construction / Suitability of body and also anti corrosive properties	15
Combined fuel figures and suitability of engine	13
Vehicle features above specification	17
Service Support	5

The following matrix illustrates how response to questions will be assessed. The scores for each question will be used to calculate a percentage weighting based on the percentage weightings listed above.

In order for your submission to be valid, you must complete the following evaluation data sheet.

Any elements of the evaluation data sheet that are not completed will score 0 in the quality evaluation.

Any additional information must be clearly referenced in the accompanying appendices.

Evaluation Data Sheet

<p>1. Delivery in Weeks</p> <p>List the estimated delivery time in weeks.</p> <p>What provisions, if any are in place if this delivery date is not met?</p>	
<p>2. Warranty Period</p> <p>What period of warranty is being offered for the :-</p> <ol style="list-style-type: none"> 1. Chassis 2. Body <p>List what is included in your warranty period as per specification.</p> <p>List what is excluded.</p>	
<p>3. Predicted Payload</p> <p>What is the predicted payload of the complete vehicle, to include fuel and crew (@ 1 driver and x2 crew) in kilograms</p>	
<p>4. Construction</p> <p>List the tipper body internal dimensions for the three different body / vehicle combinations</p> <p>List the height of the floor to tipper bed.</p> <p>List a brief description of the Construction / Suitability of body and also the anti corrosive properties</p>	<ul style="list-style-type: none"> • Tipper body length mm : • Tipper body width mm : • Tipper body depth mm : • Tool pod height mm : • Floor to loading deck height (un-laden) mm: • List dimensions of plastic tool box • Suitability of body • Anti corrosive properties
<p>5. Fuel figures</p> <p>List the combined fuel figures of the vehicle under normal use.</p> <p>Fuel Tank capacity</p> <p>Ad blue tank capacity</p> <p>Is the engine / emission systems suitable for short start stop journeys</p>	<ul style="list-style-type: none"> • Predicted Urban mpg : • Fuel tank capacity ltr : • Ad blue capacity ltr : • Suitability of engine /emissions systems :
<p>6. Vehicle Features</p> <p>What special features are included above specification?</p> <p>What innovation is being used?</p> <p>List the vehicle dimensions for wheel base, and kerb to kerb turning circle.</p>	<ul style="list-style-type: none"> • Wheel base mm: • Kerb to kerb turning circle mm : • Overall vehicle length mm: • Overall vehicle width mm: • What is included above specification to provide added value :
<p>7. Service Support</p> <p>List nearest repair facility to Kidderminster for commercial vehicle, the call out period from point of breakdown and parts backup</p>	<ul style="list-style-type: none"> • Nearest repair facility to Kidderminster : • Call out time for VOR to site attendance : • Contact details for parts, vehicle and body : • Non Warranty call out charge :

Please clearly list the make, models and engine cc of the vehicles to be supplied:

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.....

.....

Scoring:

Performance	Judgement	Score
Exceeds all expectations	Exceptional	10
Exceeds almost all expectations	Outstanding	9
Exceeds most expectations	Very good	8
Above Expectations	Good	7
Slightly exceeds expectations	Fair	6
Meets expectations	Average	5
Satisfactory but below expectations	Below average	4
Below expectations	Poor	3
Well below expectations	Weak	2
Almost Unacceptable	Very Weak	1
Unacceptable		0

5. Contract Period

The delivery date will be evaluated as part of the evaluation process.

6. Prices

Prices quoted MUST be held for the contract period which will commence from the date the contract is awarded.

Appendix A (the Price Schedule), which must be completed in order for your Tender to be considered as valid.

7. Payment Information

The Council's standard payment terms are 30 days from receipt of invoice, payment will be paid upon satisfactory completion of project.

No invoices will be accepted from any Contractor without an official written order from the Council and the order number in full being quoted on all invoices

APPENDIX A – TENDERER’S SUBMISSION

The price has been assigned an overall weighting of 40%. the Bidder with the lowest tender price will score the maximum score. The other tenders will be scored pro rata as a percentage of their tender sum compared with the lowest tender.

Description	Cost per Vehicle	Total Cost
Supply and delivery of 1 x 3,500 GVW Caged Tipper as per specification (INC RFL & 1 st reg fee)		
Supply and delivery of 2x 3500 GVW Tipper		
Supply and delivery of 5 x 3500 GVW Tipper with Tool Pod		
Total for All Vehicles		£

This pricing schedule submitted **MUST** be inserted at the front of your submission.

Value Added Tax.

The prices contained herein shall **exclude** Value Added Tax which shall be chargeable, where appropriate, in accordance with Government legislation.

APPENDIX B – FORM OF TENDER

Additional Information Required by the Council

Section I: Information Required for Inclusion in the Contract

1. Name of Contractor:

2. Contractor's Address:

3. Name, Designation, Telephone No., Email address and Fax No. of Contractor

Representative:

Tel No:

Email address:

Note: If your organisation is a limited company you must include the Registered Office and Registered Number

Registered Office:

Registered No.

Section II: Other Information Required by the Council:

Number of Employees in your organisation	
Is your organisation a voluntary or community sector organisation?	
If your answer is yes to the above please state your registration number.	

PART 3 - SPECIFICATION

Wyre Forest District Council currently operates a number of 3,500kg Tipper Bodied Vehicles. The vehicles have been in use since 2008 and used daily. Routine maintenance is carried out by the garage based at the Green Street depot. The vehicles are used by all sections to deliver their service requirements, which include movement of staff, supplies and equipment. A high percentage of these journeys are made up of short distances, and the replacements must be able to cope with this, without detriment to emission controls. They are now at the end of their useful life and we are looking to replace with a vehicles that can operated for longer service periods whilst also delivering better fuel economy and payload.

3500 GVW chassis minimum specification

- All chassis supplied to be of the same type
- Turbo diesel engine 1900 cc (minimum capacity)
- Vehicle **must** be suitable for short journeys
- 3500kg GVW
- Right hand drive
- 5 speed Manual gear box minimum
- Rear wheel drive preferred
- Minimum wheel base 3300 mm
- Maximum overall complete vehicle length must NOT exceed 6200mm
- 2 passenger seats
- Spare wheel / tyre to be supplied separate to vehicle
- Air conditioning
- DAB Radio preferred
- VPG VanWeigh overload protection / load optimisation system. Display in cab but not obstructing the drivers view of the road,. The system must operate to a better than 3% FSD. Must have both axel and gross overload alarms.
- Reverse parking sensors
- Tow bar and electrics to rear to suit 3500kg towing capacity with 7 pin electrical adaptor
- Colour rear view camera and monitor to be fitted. Monitor to be fitted in the cab in view of full view of driver but not impeding passenger space of drivers view of road
- LED beacons front and rear facing at grill height and cab mounted LED beacon
- Chapter 8 Chevrons on rear of tipper body
- Completed vehicle to be weighed and the un-laden weight displayed on front of tipper body in 80mm tall black numbers / letters (i.e. 9999kg ULW)
- Minimum 12 month warranty
- Vehicle and body to be painted in the colour specified: Bright White. Chassis painted black / dark grey

Tipper Body specification

- Preferred construction aluminium or other material with suitable anti corrosive characteristics
- Electric / hydraulic power pack, chassis mounted
- Red Safety prop
- Raised body audible and visual warning in cab
- Preferred Tipper bed dimensions 3400mm long, width to match vehicle cab
- Overall vehicle / body combination **must not** exceed **2400mm** height.
- Floor to be solid construction
- X3 drop sides, 400mm deep fitted to o/s, n/s & rear, lockable with heavy duty locks. Bulkhead end to be fixed with 400mm solid panel and mesh to infill under H frame.
- Yellow, removable safety system to be fitted to help prevent fall from height, when stood on the tipper bed.
- H frame at cab end of tipper body, cross bar just above cab height to aid carrying long lengths.
- Rear tailboard to incorporate a tow ball deflection plate and chapter 8 chevron marking
- Step and grab handle to be fitted to front of tipper body on the nearside only
- Tipper body to be supplied with a removable net cover, fixed with bungee cord
- ABS Plastic, lockable storage box to be fitted underside of tipper body. Preferred dimensions 1200mm x 450mm x 450mm
- Minimum 800kg payload
- Minimum 12 month warranty
- Vehicle and body to be painted in the colour specified: Bright White. Chassis painted black / dark grey

Caged Tipper Body specification

- Preferred construction aluminium or other material with suitable anti corrosive characteristics
- Electric / hydraulic power pack, chassis mounted
- Red Safety prop
- Raised body audible and visual warning in cab
- Internal storage hooks for broom and shovel to be supplied mounted to internal front nearside tipper bulk head
- Tipper bed dimensions 3400mm long, width to match vehicle cab
- Overall vehicle / body combination **must not** exceed **2400mm** height.
- Twin barn doors to rear, hinged through 270 degrees and securable in open and closed positions. Cam locks to secure in closed position.
- Chains with quick release clip to hold rear doors open when tipping
- 400mm of solid panel on lower sides, o/s, n/s & bulkhead.
- Sliding side door to be fitted to N/S/F of tipper body above 400mm solid panel, lockable in the open and closed positions. Minimum 1000mm opening
- Floor to be solid construction
- Sides to be mesh above lower panel
- Roof to have a removable net cover with metal twist lock fixings
- ABS Plastic, lockable storage box to be fitted underside of tipper body. Preferred dimensions 1200mm x 450mm x 450mm
- Minimum 800kg payload
- Minimum 12 month warranty
- Vehicle and body to be painted in the colour specified: Bright White. Chassis painted black / dark grey

Tipper Body and Tool pod specification

- Preferred construction aluminium or other material with suitable anti corrosive characteristics
- Electric / hydraulic power pack, chassis mounted
- Red Safety prop
- Raised body audible and visual warning in cab
- Tool pod 600 mm wide, height to match vehicle cab roof
- Roller shutter doors fitted to both O/S & N/S, lockable with a heavy duty hasp and staple style lock.
- Single removable shelf, full width of pod to be fitted at half floor to roof height
- Led lighting within pod to illuminate to both levels
- Tipper bed dimensions 2800mm long, width to match vehicle cab
- Overall vehicle / body combination **must not** exceed **2400mm** height.
- Sliding side door to be fitted to N/S of tipper body lockable in the open and closed positions
- Floor to be solid construction
- Sides minimum 400mm deep at the bottom on all 4 sides
- Yellow, removable safety system to be fitted to help prevent fall from height, when standing on the tipper bed.
- Rear tailboard to incorporate a tow ball deflection plate and chapter 8 chevron marking
- Step and grab handle to be fitted to front of tipper body on the nearside only
- Tipper body to be supplied with a removable net cover, fixed with bungee cord
- Minimum 800kg payload
- Minimum 12 month warranty
- Vehicle and body to be painted in the colour specified: Bright White. Chassis painted black / dark grey