

City Building (Glasgow) LLP

Hire of Plant Equipment, Refuse Skips and Support Services

Contract Ref CBG135

Information and Guidance for:

European Single Procurement
Document – ESPD (Scotland) and
Contract Notice

***Bidders should read this document carefully.
This document will assist you in completing
the ESPD(S) and details the standards the
winning bidder must meet.***

ESPD(S) Guidance and Statements

City Building (Glasgow) LLP is referred to as CBG

The information contained below details additional relevant ESPD(S) information, which is not contained within the contract notice. This information will guide Bidders to the sections within the ESPD(S) which are required to be completed and the purpose of these questions. This document also details the standards that the winning bidder must meet.

Summary of the ESPD(S) questions which have been removed:

Part II 2A.18,

Part IV 4A.1 – 4A.2.3 Part IV 4B.1.1 -4B.4.1 4B.6 -4B6.1

Part IV 4C.1- 1.1, 4C.2 – 4C.12.2

Part IV 4E

Part V 5.1-5.3

ESPD(S) Part I Information concerning the procurement procedure & public body

PCS-T Section 1.1 Acceptance of Documentation to be completed

ESPD(S) Part II Information concerning the bidder (Questions A – D)

PCS-T Question 2A.1 – 2D1.2 to be completed with the exception of 2A.18, as this has been removed.

The details required for Questions 2A.1 – 2A.16 and 2B.1 – 2B.9 seek background information about the Bidder; this section is not normally evaluated, however the contracting authority may choose not to select Bidders that cannot provide basic company information.

Question 2A.17

Bidders should only select "Yes" to Question 2A.17 when bidding on behalf of a Consortium, Joint Venture or similar and not where you have a reliance on another supplier to meet the minimum requirements or propose to use sub-contractors which are dealt with at 2C.1 or 2D.1.

Please note that should you answer "Yes" to Question 2A.17, CBG may require the members of the group to assume a specific legal form and/or to hold you jointly liable for the performance of the contract should you be successful. All participants must provide a separate full ESPD(S) response, and these will be evaluated in relation to the criteria set out within the contract notice.

Should the Bidder be successful in progressing to award stage and there are certain critical tasks that require being performed directly by the Bidder or by any participant in the Group, then CBG may request proof of commitment by those participants. Should the Bidder fail to provide proof of commitment, then the Bidders participation in this procurement procedure may be discontinued at any time at the sole discretion of CBG.

Bidders should only select "Yes" to question 2C.1 where there is reliance upon the capacities of others to deliver any part / meet the minimum requirements of this contract. Sub-Contractors whose capacity you are not relying upon, if known at this stage, are dealt with at question 2D.1.1.

Please note that should you answer "Yes" to question 2C.1, CBG may require to hold you jointly liable for the performance of the contract should you rely on the capacities of others to meet the Economic & Financial Standing criteria should you be successful.

All participants must provide a separate ESPD(S) response (which will be evaluated in relation to the criteria set out within the contract notice) containing responses to:

Part II (A&B);

Part III;

and the relevant part of Section IV Selection Criteria as per the criteria stated in the contract notice which will be one or more of the following sections which the main bidder is reliant upon i.e. Economic & Financial Standing; Technical & Professional Ability; Quality Assurance Schemes (inc Health & Safety Procedures) & Environmental Management Standards; and Part V (if applicable) – Reduction of the number of qualified candidates.

All parts must be duly completed and signed by all of the entities.

Should CBG issue a Request for Documentation, then you must provide proof that you have the necessary resources at your disposal.

Should the response verify that there are mandatory grounds for exclusion as set out in section 3, Part III (A) of any such subcontractor, CBG will require the replacement of that subcontractor. CBG may also require the replacement of any subcontractor to which any of the discretionary grounds, set out in Section 3, Part III (B-D) for exclusion apply.

ESPD(S) Part III Exclusion Grounds (A – D)

PCS-T Questions 3A.1 – 3D.14 (Discretionary Pass /Fail)

PCS-T Question 3D.15 (Mandatory (Pass / Fail)

This section includes mandatory and discretionary Pass/Fail criteria and sets out the grounds on which a Bidder may be excluded from the process.

Bidders must ensure that all questions in this section are answered fully.

Economic operators may be excluded from this process if they are in any of the situations referred to in regulation 58 of the Public Contracts (Scotland) Regulations 2015

ESPD(S) Part IV Selection Criteria (A – D)

4A Suitability

PCS-T Questions 4A.1 – 4A.2.3 have been removed.

4B Economic and Financial Standing (Section III.1.2 of the contract notice)

City Building (Glasgow) LLP requirement for this element is as below –

Bidders must comply with the undernoted financial requirements in relation to Minimum Turnover, Trading Performance and Balance Sheet Strength in order to participate in the tendering process:-

- Minimum Turnover

Applicants require a Minimum Turnover level of £10m

- Trading Performance Ratio

An overall positive outcome on pre-tax profits over a 3 year period. Exceptional items occurring in the normal course of business can be excluded from calculation. The above would be expressed in the ratio Pre-tax Profits/Turnover.

- Balance Sheet Strength

Net worth of the organisation must be positive.

Intangibles can be included for purposes of the Total Asset figure.

The above would be expressed in the ratio Total Assets/Total Liabilities.

The above ratios and minimum turnover requirements should be calculated on last set of accounts filed at Companies House.

For non-UK Companies, ratios and minimum turnover should be calculated on information contained in the most recent audited accounts.

Bidders who have been trading for less than 3 years must provide evidence that they have met the above minimum financial requirements for the period during which they have been trading.

Bidders who do not comply with the above financial requirements but are part of a Group, can provide a Parent Guarantee if the Parent company satisfies the financial requirements stipulated above.

Where the bidder is a group of economic operators (such as a consortium), at least one of the members of that group must demonstrate compliance with minimum financial requirements.

CBG reserves the right, at its own discretion, to seek such other information from the bidder in accordance with Regulation 61(7) or Regulation 61(8) of the Public Contracts (Scotland) Regulations 2015 to prove the bidder's economic and financial standing.

During the course of CBG evaluations we may require the bidder to provide the last 2 years of fully audited accounts at Company House, in order to provide documentary evidence that the financial requirements have been met which shall be requested via a Request for Documentation on PCS-T.

4B Minimum Insurance requirements (Section III.1.2 of the contract notice)

PCS-T Question 4B.5.1 – 5.3 to be completed based on the criteria listed below:-

Bidders must hold or commit to obtain prior to the commencement of the contract if successful the following insurances –

Public Liability

The organisation/consultant shall take out and maintain throughout the period of their services Public Liability Insurance to the value of at least FIVE MILLION POUNDS STERLING (£5,000,000) in respect of any one claim and unlimited in the period including Pollution and Contamination cover (sudden and unforeseen) and in the aggregate. This policy should cover the removal and disposal of asbestos.

Products Insurance

The organisation/consultant shall take out and maintain throughout the period of their services Products Liability insurance to the value of at least FIVE MILLION (£5,000,000) POUNDS STERLING in respect of any one claim and in the aggregate.

Professional Indemnity

The organisation/consultant shall take out and maintain throughout the period of their services and for a further 3 years on completion of their service, Professional Indemnity insurance to the value of at least FIVE MILLION (£5,000,000) POUNDS STERLING in respect of any one claim and in the aggregate.

Motor Insurance

The organisation/consultant shall take out and maintain throughout the period of their services, at least statutory Motor insurance cover as per the Road Traffic Act 1988.

The above insurances shall be with an insurance company registered with Financial Conduct Authority (FCA) in the UK, or equivalent body for other EU member states. No organisation may sub-let or sub-contract any part of the commission unless the sub-contractor is similarly insured, except with CBG'S express permission in writing. It is the express responsibility of the lead organisation to ensure this is the case.

Should the Bidder not have the specified insurances at the time of expressing an interest then the Bidder must certify in their response to this ESPDS that the specified insurance will be obtained prior to contract award, should they be successful.

Confirmation of Insurances

The Bidder is required to confirm that these levels of insurance would be in place should the Bidder be awarded this contract.

If the Bidder does not have the specified insurances or not certify an undertaking to do so, this **WILL** result in the Bidder not being taken to the next stage in the evaluation process.

Bidders who do not currently have the required level of insurance and who indicate that they are not willing to obtain the appropriate level of insurance (prior to the commencement of the contract if their bid is successful) will be rejected.

CBG reserves the right to request copies of insurance certificates from bidders at any point during the contract period

4C Technical and Professional Ability (Section III.1.3 List and brief description of selection criteria of the contract notice)

PCS-T Question 4C.1.2 has to be completed based on the criteria listed below with the exception of 4C.1-1.1, 4C2 – 4C.12.2 as they have been removed.

Instructions

Bidders are required to provide evidence of having the necessary capacity and capability to deliver the requirement as described in Section II.2.4 of the Contract Notice and all other documentation found within the buyer’s attachment area on PCS-T.

In order to ensure that newer or start-up companies have a chance to demonstrate any experience relevant to the current requirement, examples may be provided from:

- Within your organisation (bidders may rely on the experience of personnel that they intend to use to carry out the current requirement, even if that experience was gained whilst working for a different organisation)
- Other consortium members (where a consortium bid is being proposed)
-

Bidders should be aware that they may be asked to confirm prior to the contract award stage that there has been no material change to the skills, experience and resources available to them since submitting their ESPDS response

Question Reference	Description
4C.1.2	<p><u>CBG’s guidance for this question is detailed below-</u></p> <p>Provide two relevant examples from within the last three years that demonstrate your organisation has the relevant and necessary skills, expertise and experience to deliver the service required by CBG. For each relevant example the following information should be provided but is not limited to –</p> <ol style="list-style-type: none"> 1. an overview of the contract including customer name, contract start and completion date and contract value. 2. a thorough and detailed description for each example of the scope of the requirement and service provided by you demonstrating experience in an on-site managed service or similar dedicated arrangement with a large scale hire of plant contract the same or similar in scope and complexity to the CBG requirement. Bidders who cannot provide examples on an onsite arrangement can provide examples where they have controlled a contract the same or similar to CBG’s requirement from a single location. 3. Innovation aspects provided by the bidder for each example to include details of any service development and innovation to improve performance and efficiency.

	<p>Your response to this question should not exceed, for each example, 4 x A4 sides, this page count includes all text (Arial font 11), photographs, figures and diagrams.</p> <p>Where a submission exceeds the maximum number of pages indicated per example, no account will be taken of the content of the pages beyond the maximum.</p> <p>Weighting The weighting will be out of 100 with 50% attributed to each example. A minimum pass mark of 60 out of 100 is required overall for this question. Any bidder who fails to achieve the minimum score for this question will be excluded from the process at this stage and the price submission will not be considered.</p>
--	--

Evaluation Process

CBG will take an overall view on the bidders response and use the below scoring methodology

Scoring Methodology

A total mark will be calculated and entered into a Score Calculator Evaluation Spreadsheet. This mark will be obtained by assessing the overall response in accordance with the following guide:

Scoring Guidance	Score
No Submission/Submission not relevant	0
Submission Partially Relevant but Poor	1
Submission Partially Relevant but Acceptable	2
Submission Completely Relevant and Acceptable	3
Submission Completely Relevant and Good	4
Submission Completely Relevant and Exceptional	5

For information, should you score 5 for example 1 you will secure 50% for that example, should you score 3 for example 2 you will secure a score of 30% for that example. The combined total 80% would result in pass for this stage.

4D – Quality Assurance Schemes and Environmental Management Standards **(Section III.1.3 Minimum level(s) of standards required of the contract notice)**

PCS-T Question 4D.1 - 4D.2.2 have to be completed based on the criteria listed below

Please CBG will request copies of certificates and any other information as detailed below via a Request for Documentation on PCS-T if appropriate to do so.

Question Reference	Questions from ESPD (Scotland) and related Statements for ESPD (Scotland)
<p>4D.1</p> <p>4D.1.1</p> <p>4D.1.2</p>	<p>Will the bidder be able to produce certificates drawn up by independent bodies attesting that the bidder complies with the required quality assurance standards, including accessibility for disabled persons?</p> <p>If not, please explain why and specify which other means of proof concerning the quality assurance scheme can be provided:</p> <p>If the relevant documentation is available electronically, please indicate:</p>
<p>. The bidder <u>must hold</u> a UKAS (or equivalent) accredited independent third party certificate of compliance in accordance with BS EN ISO 9001 (or equivalent),</p> <p>OR</p> <p>2. The bidder must have:</p> <p>a. a documented policy regarding its quality management which sets its out responsibilities and which is championed by its Chief Executive, or equivalent. The policy must be relevant to the nature and scale of the services to be provided and formally periodically reviewed.</p> <p>b. documented procedures for reviewing, correcting and improving quality performance including complaints handling and corrective action.</p> <p>c. be able to provide copies of its organisation’s documentation procedures that meet current agreed good practice. These must include the arrangements for quality management throughout the bidder’s organisation and how these are communicated to the workforce.</p> <p>d. have documented arrangements for providing it’s workforce with quality related training to ensure that the workforce has sufficient skills and understanding to discharge their various responsibilities. These must include a programme of training that will keep the workforce up to date with required knowledge about quality related issues, including copies of job profiles; training manuals and records.</p>	
<p>4D.2</p> <p>4D.2.1</p> <p>4D2.2</p>	<p>Will the bidder be able to produce certificates drawn up by independent bodies attesting that the bidder complies with the required environmental management systems or standards?</p> <p>If not, please explain why and specify which other means of proof concerning the environmental management systems or standards can be provided:</p> <p>If the relevant documentation is available electronically, please indicate:</p>
<p><u>CBG requirement for Environmental is stated below</u></p> <p>1 The Bidder <u>must hold</u> a UKAS (or equivalent) accredited independent third party certificate of compliance with</p> <p>BS EN ISO 14001 (or equivalent) or a valid EMAS (or equivalent) certificate,</p> <p>OR</p> <p>22. The bidder must have the following:</p> <p>a. a regularly reviewed documented policy regarding environmental management authorised by the Chief Executive, or equivalent.</p>	

- b. arrangements for ensuring that the bidder's environmental management procedures are effective in reducing / preventing significant impacts on the environment.
- c. arrangements for providing employees with training and information on environmental issues.
- d. arrangements for checking, reviewing and where necessary improving, the bidder's environmental management performance and the environmental impact of the organisation,
- e. arrangements for demonstrating that the bidder has a system for monitoring environmental management procedures on an on-going basis and for updating them at periodic intervals.
- f. arrangements for dealing with waste e.g. waste management plans, waste segregation, recycling etc.
- g. arrangements for ensuring that any suppliers the bidder engages apply environmental control measures that are appropriate to the work for which they are being engaged, including procedures for monitoring supplier's environmental management arrangements.

CBG Health and Safety Requirement -

Please note CBG will request copies of certificates and any other information as detailed below via a Request for Documentation on PCS-T.

The bidder must meet CBG's criteria for Health and Safety as detailed below and as per Contract Notice –

Has your organisation been convicted of breaching health and safety legislation, or had any enforcement notices served upon it by Health and Safety Executive (or equivalent body) in the past three years?

If your answer to the above is “yes” please provide details of the conviction or notice and details of any remedial action or changes you have made as a result of the conviction or notice served.

Guidance

CBG will exclude bidders that have been in receipt of any enforcement/remedial orders unless you can demonstrate to CBG's satisfaction that appropriate remedial action has been taken to prevent future occurrences.

The successful bidder must also meet the requirements below-

Health and Safety Procedures

The bidder must hold a current accredited certificate of registration to BS OHSAS 18001 / ISO 45001 or where the bidder does not have such registration they must be able to positively confirm compliance the below -

The bidder must have a regularly reviewed and documented policy for Health and Safety management, endorsed by the Chief Executive Officer, or equivalent. **Note** - Organisations with fewer than five employees are not required by law to have a documented policy statement.

4E – Global Question for all Selection Criteria

PCS-T Question 4 has been removed as relevant to this tender.

ESPDS Part V – Reduction of the number of qualified candidates

PCS-T Question 5.1 – 5.3 have been removed as not relevant to this tender

ESPDS Part VI – Concluding Statement

PCS-T Question 6.1 Declaration to be completed

Contract Notice Information

- **Section III.2.2 Contract Performance Conditions of the contract notice**

KPI's are listed in the tender documents.

- **Additional Information (section VI.3 of the contract notice)**

Terms and Conditions

Are located within the buyer's attachment area of PCS-T.

Transfer of Undertaking (TUPE)

CBG considers that the Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE) may apply. It is the bidder's responsibility to take their own advice and consider whether TUPE is likely to apply in the particular circumstance of the contract and act accordingly.

CBG currently contracts with a Service Provider for the delivery of the services which is being re-tendered for under this exercise. CBG envisages that it is likely that the Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE) will apply to the award of the new contract. Therefore, if this contract is awarded to a new service provider, it is possible that some of the staff employed by the existing Service Provider to deliver the services shall transfer to the new Service Provider(s) under TUPE. For bidders information CBG anticipates that one employee of the incumbent could be involved.

Affiliated Bodies

Bidders are asked to note that the following Affiliated Bodies may participate in this contract:

The contract will be with City Building (Glasgow) LLP, but may be extended, under the arrangements and terms and conditions agreed with the successful bidder(s) to City Building (Contracts) LLP, The Wheatley Housing Group, Glasgow City Council and affiliated bodies and Aleo's as per below -

Wheatley Group: means any direct or indirect subsidiaries (within the meaning of section 1159 of the Companies Act 2006) of Wheatley Housing Group Limited (company number SC426094, having its registered office at Wheatley House, 25 Cochrane Street Glasgow G1 1HL) or any joint venture company including Wheatley Housing Group Limited or a direct or indirect holding company of any of its direct or indirect subsidiaries (within the meaning of section 1159 of the Companies Act 2006 or any other person in which Wheatley Housing Group Limited has an interest or any other person nominated by Wheatley Housing Group Limited as a "Wheatley Group Entity";

Glasgow City Council ALEO's means anybody owned in whole or in part by the Authority (or any subsidiary of such a body) which performs or carries on any of the functions and/or activities that previously had been performed and/or carried on by the Authority, including without limitation, Cordia (Services) LLP, Cordia (Contracts) LLP, Cordia (Care) LLP, Culture and Sport Glasgow, Culture and

Sport Glasgow (Trading) C.I.C, City Parking (Glasgow) LLP, City Property (Glasgow) LLP, City Property Glasgow (Investments) LLP, City Property Glasgow (Operations SL1) LLP, City Property Glasgow (Operations SL2) LLP, City Property Glasgow (Operations SL) Limited, Community Safety Glasgow, Community and Safety Services Limited, Glasgow Security Service C.I.C, Jobs and Business Glasgow, Property by Jobs and Business Glasgow Ltd, Service Glasgow LLP, Clyde Gateway URC and Clyde Gateway Developments Limited;

Freedom of Information Act

Information on the FOI Act is within Instructions to Bidders. Bidders must note the implications of this legislation and ensure that any information they wish the CBG to consider withholding is specifically indicated on the FOI Certificate contained in the buyers attachments area within the PCS Tender portal (NB. City Building (Glasgow) LLP does not bind itself to withhold this information).

Non-Collusion

Bidders will be required to confirm their agreement to the statements listed in the non-collusion certificate which is contained in the buyers attachments area within the PCS Tender portal.

Bidders Amendment

Bidders must enter any clause, condition, amendment to specification or any other qualification they may wish to make conditional to the offer. Bidders will be required to complete the Bidders Amendment Certificate

Hand and Arm Vibration Legislation

It is a condition of this contract that all hand tools provided must adhere to all relevant and current Hand and Arm Vibration (HAV) Legislation with a daily exposure to the user remaining below 2.5 m/s². Bidders should confirm that products provided by them during the course of the contract will adhere to all Hand and Arm Vibration(HAV) Legislation in force throughout the contract term. CBG may request evidence at any time.

Noise Legislation

It is a condition of the contract that all hand tools provided must adhere to The Control of Noise at Work Regulations 2005 and in particular Guidance document L108 Controlling noise at work

- Noise – It is a condition of this contract that where practicable, only plant, equipment and machinery emitting the lowest levels of noise are hired or purchased.

The successful bidder should also confirm for plant they are proposing if this is likely to cause any CBG employee or sub-contractor to be exposed to the First Action Level or above the Peak Action

Waste Carrier and Waste Management Licences

The successful bidder, or any company working on their behalf to deliver the service of waste management, should hold the appropriate valid Waste Carrier Licence Certificate to ensure compliance with relevant environmental legislation for transporting waste to their disposal site. Waste transfer documentation should also be completed by those transferring waste and should contain suitable information in accordance with environmental legislation.

The successful bidder or company working on their behalf will be required to submit a copy of their Waste Carrier Licence certificate. A copy of the waste transfer notes will be periodically required during the term of the contract.

The final disposal site for the waste should hold an appropriate waste management licence as awarded by a regulatory authority, details of this licence should be documented on all waste transfer notes relating to the disposal of waste.

The successful bidder will be required to submit a copy of the Waste Management Licence held by the final disposal site for the waste. Adherence to all environmental legislation will be monitored by CBG throughout the term of the contract.

Asbestos

The successful bidder, or any company working on their behalf to deliver hire of Asbestos Plant should hold licence restricted to ancillary work with asbestos to ensure compliance with the Control of Asbestos Regulations 2012

The successful bidder or company working on their behalf will be required to submit a copy of their Asbestos Licence or that of the Company working on their behalf.

Evidence of such will be required from the successful bidder and will be assessed on a Pass/Fail basis at CBG's absolute and sole discretion.

Community Benefits

CBG expects the successful bidder to deliver a range of community benefits meeting CBG's priorities in partnership with CBG, to maximise the added benefit from the contract.

Community Benefits will be mandatory on a Pass/Fail basis and will therefore not be evaluated as part of the tender evaluation. Community benefits will therefore be a contractual requirement and form part of the awarded contract. The successful bidder will be obliged to deliver their commitments. This element will be monitored continuously throughout the contract life and measured via KPI's.

Bidders must commit to paying 0.5% of the annual income derived from this contract with CBG to Community Benefits the detail of which to be determined by CBG, acting reasonably, following constructive discussions with the successful bidder.

Request for Documentation

If so, required by CBG, the bidder will be expected to provide all documentation as specified in the ESPD(S). This is known as a Request for Documentation. When the Request for Documentation is made, Bidders must supply the relevant information within the time stipulated . CBG can request this information at any time in the evaluation process.

Failure to provide this information within the specified time may result in your bid being rejected.
Stage one – compliance with mandatory and discretionary elements. (Any bid failing at either of these elements will not progress)

Stage two – evaluation of ESPD(S) QUESTION 4C.2 - any bid failing to achieve the required score of 60% or above will not progress

Stage three. – evaluation of award criteria i.e. price/quality submission

Stage four – Request for Information (RFI) - Finance, Quality, Health and Safety, Environmental and any other evidence required to ensure compliance to the requirements. CBG can call upon RFI at any stage in the evaluation process from any bidder.