

**INSTRUCTIONS TO TENDERERS**

**Visual Impairment Rehabilitation Service**

Submission Date: 15th September 2025**CONTENTS**

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**INSTRUCTIONS TO TENDERERS**

Conwy County Borough Council is procuring public services under Regulation 74 to 77 of the Public Contract Regulations 2015 (Light Touch Regime), listed under Schedule 3 of the Regulations. Please read these Instructions carefully and ensure that you are fully familiar with the nature and extent of the obligations. Failure to comply with these Instructions may result in rejection of the tender.

The Council wishes to appoint a Service Provider or a consortia for the provision of support services for adults with a learning disability and their families/carers across Conwy. The contract will be awarded for a period of 36 months (initial contract period) with an option to extend for further 24 months, with Conwy assuming the lead contracting role.

The tender document comprises of the following key areas:

1. Instructions to Tenderers (this document and associated schedules)
2. Invitation to Tender document
3. Service Specification describing the services required
4. Contract setting out the terms and conditions
5. GDPR Processing of Personal Information document set out in Schedule 1 to these instructions which will require full completion following Contract Award.
6. Forms which require completion and return including as detailed in Section 16 of these Instructions.

## 1. INTRODUCTION

This tender document has been issued by the Authority in connection with a competitive procurement conducted in accordance with the Open Procedure of the Public Contract Regulations 2015 setting out the information which is required in order to assess the suitability of Tenderers.

No information contained in this tender document, or in any communication made between the Authority and any Tenderer in connection with this Tender Document, shall be relied upon as constituting a contract, agreement or representation that any contract shall be offered in accordance with this Tender Document. The Authority reserve the right, subject to the appropriate procurement regulations, to change without notice the basis of, or the procedures for, the competitive tendering process or to terminate the process at any time. Under no circumstances shall the Authority incur any liability in respect of this Tender Document or any supporting documentation.

In assessing the answers to the tender questions, the Authority will be seeking evidence of the Service Provider’s suitability to provide the services as set out in the tender pack. Qualification criteria will be a combination of price and quality scoring as advised in the documentation and will be in accordance with Regulations 57 to 60 of the Public Contract Regulations 2015.

The Authority reserve the right, subject to the appropriate procurement regulations, to change without notice the basis of, or the procedures for, the competitive tendering process or to terminate the process at any time. Under no circumstances shall the Authority incur any liability in respect of this tender pack or any supporting documentation.

Information provided as part of the procurement process will be supplied in good faith. At any time prior to the tender submission deadline, the Authority may amend the tender document. Any such amendment shall be issued to all Service Providers and, if appropriate, to ensure that all potential Service Providers have reasonable time to take such an amendment into account, the tender response deadline shall at the discretion of the Authority be extended.

In assessing the answers to the tender questions, the Authority will be seeking evidence of the Service Providers’ suitability to provide the services as set out in the tender pack. Qualification criteria will be a combination of price and quality and in accordance with Regulations 57 to 60 of the Public Contract Regulations 2015.

## CONTRACT REQUIREMENTS, meeting the five ways of working and contributing to well-being objectives

The contract requires the Provider to deliver a service focusing on achieving positive outcomes for people with learning disabilities and their families in Conwy.

The Service Specification, Form of Agreement, and Contract terms and conditions further set out the expected requirements relating to this Service. Under this contract, the Five Ways of Working will be achieved by:

|  |  |
| --- | --- |
| Balancing short / long term  | By empowering individuals to voice needs and understand rights, this service promotes inclusion and reduces the risk of critical unmet needs now and in the future, aligning with long-term well-being goals. |
| Prevention | The service enables individuals to address issues early, access relevant early interventions and services, exercise their rights, and prevent needs from going unmet, consistent with legislative duties. |
| Collaboration | The service is delivered through a collaborative approach between the authority, the Provider, and Citizens, operating in close strategic partnership with Conwy County Borough Council (CCBC). Co-production, encouraging individuals to be involved in the design and delivery of support, is integral to this approach. |
| Integration | The service will help to ensure individuals' input actively contributes to service planning and evaluation, ensuring that service development and coordination are genuinely shaped by the lived experiences and expressed needs of people with learning disabilities and their families.  |
| Involvement | The service ensures the rights of all individuals to have their voices heard in decisions affecting them are upheld. It supports vulnerable and marginalised groups to express needs, so their input actively contributes to service planning and evaluation, treating them as equal partners in decision-making.  |

By submitting a tender response, the Service Provider is agreeing to be bound by the terms of this Invitation of Tender document and the Contract without further negotiation or amendment.

## Cost of tendering

The Authority will not be responsible for or pay for expenses or losses which may be incurred by any Tenderer during preparation of the tender. No payment shall be made by the Authority for abortive work during preparation of the tender, or any expenses incurred in connection herewith, if the contract does not proceed, or to any Tenderer who fails to submit a tender.

## Document Ownership

The tender documents are, and shall remain, the property of the Authority. If a tender is not to be submitted, this must be advised to the Authority, along with a statement of the reason(s) for declining to tender, to the Authority’s named contact point.

## CONFIDENTIALITY AND DATA PROTECTION

By receiving this Tender Document, applicants agree to keep confidential the information contained in it or made available in connection with any further enquiries or provided during the course of the procurement process. Tenderers should not disclose the fact that they have been invited to tender or release details of the Tender Document other than on an “In Confidence” basis to those who have a legitimate need to know or whom they need to consult for the purpose of preparing the Tender.

The information within this tender will be processed as set out in the Privacy Notice, accessible from the following link [CCBC Corporate Contracts and Procurement Privacy Notice](http://www.conwy.gov.uk/en/Council/Access-to-Information/Privacy-Notices/Corporate-Contracts-and-Procurement-Privacy-Notice.aspx).

## Prices

Tenderers are required to stipulate their price breakdown that will apply during the period of the initial contract period as set out in the Price Schedule provided with the tender documents.

The price breakdown should follow the pricing schedule template provided, noting the request to provide a separate pricing breakdown for each of the 4 areas of service described in the service specification.

All monetary values shall be in Pounds Sterling and exclude VAT.

## TENDER APPRAISAL

Tenderers should refer to the ‘Tender Appraisal’ of these tender documents.

## Acceptance of a tender

The Authority will make every effort to reach a decision on the award of any Contract within 60 days of the closing date for submission of tenders. If the 60 day period appears likely to be exceeded, the Authority will initially seek to negotiate an extension of that period with the tenderers; however, if exceptionally this is not possible or the delay appears to be excessive, the Authority shall re-tender the services. **Tenders MUST therefore remain open for acceptance for a minimum of 90 days from the tender return date.**

Following the outcomes of the Evaluation Panel’s recommendations, Service Providers are advised that there will be a standstill period of ten calendar days between publishing the information and agreeing the implementation date.

When the Authority is intending to award the contract, all Service Providers will receive details of the award, the scores they obtained, the name(s) of the successful Service Provider(s) and the score of the Service Provider(s) intended to be awarded the contract. A contract award notice will be issued on the sell2wales.gov.uk website. For this information to be issued electronically without delay, it is essential that tender submissions contain the name of the person within the Organisation to receive the details of the proposed contract award, together with their email address.

The Authority does not bind itself to accept the lowest or any tender.

No tender shall be deemed to be accepted until the Authority has notified such acceptance to the Service Provider in writing. A letter accepting the Contractor’s tender will constitute a binding contract between the Authority and the Contractor until Formal Contract is signed between the Parties.

It is essential that tender submissions contain the following information: -

* The name of the person within the organisation to receive the details of the proposed Contract award, together with their email address.

All information supplied by the Council in connection with this Tender document will be supplied in good faith but unless specifically warranted shall be treated as for information only and any defects, errors or omissions therein shall not vitiate the contract. All information shall be treated as confidential by prospective tenderers.

The tender shall be submitted in the Form of Tender (Appendix 1 of the Invitation to Tender). The form shall be signed by the tenderer and submitted in the manner and by the date and time stated.

All documents requiring a signature shall be signed: -

 11.1 Where the tenderer is an individual, by that individual.

 11.2 Where the tenderer is a partnership, by two duly authorised partners.

 11.3 Where the tenderer is a Company, by two Directors or by a Director and a Secretary of the Company, such persons being duly authorised for that purpose.

## Language

Tenderers should note that tenders and supporting information must be written in English or Welsh Language.

Any resulting contract, its formation, interpretation and performance will be subject to and in accordance with the law of England and Wales.

## Illicit Tender Information Requests

Any Tenderer who directly, or indirectly, canvasses any member or official of the Authority, concerning the award of the contract, or who directly or indirectly obtains, or attempts to obtain, by whatever means, from any such member or official, information concerning any other tender, or proposed tender, for the Service, will be disqualified.

## Errors

Should arithmetical errors be discovered in your tender submission, the tenderer will be afforded the opportunity to amend the tender and correct genuine arithmetical error(s), however, apart from these genuine arithmetical errors no other adjustment, revision or qualification will be accepted. Should any other errors be identified, the Service Provider will be required to stand by their submitted tender or withdraw from the process.

## Non-Compliant Tenders

Tenders which do not comply with these instructions will not be considered.

# 13. PROCUREMENT TIME TABLE

Set out below is the proposed procurement timetables. This is intended as a guide and, whilst the Authority does not intend to depart from the timetable, it reserves the right to do so at any time.

|  |  |
| --- | --- |
| **Date**  | **Activity** |
| 15/08/2025 | Submitted to Sell2Wales for publishing |
| 5/09/2024 | Deadline for tender queries via Sell2Wales (5 pm). |
| 15/9/2025 | Completed tender submission deadline date via Sell2Wales (5pm)  |
| w/b 15/09/2025 | Provisional date for the evaluation process to commence. |
| Not required | Interviews |
| w/b 15/9/2025 | Provisional date to advise Service Providers of the outcome |
| 10 days | Provisional standstill period ends. |
| 30/09/2024 | Provisional contract award date. |
| 1/10/2025 | Provisional Contract start date |

**14. CONTRACT COMMENCEMENT**

It is anticipated the Contract shall commence, following contract award on the 1st October 2025 (subject to the commencement date identified in the tender proposal).

**15. INSTRUCTIONS FOR COMPLETION**

Service Providers should follow the instructions outlined below when completing this Tender Document. The submission should focus on the criteria and exclude general statements of information.

Tenderers should answer all questions as accurately and concisely as possible in the Invitation to Tender Document. Where a question is not relevant to the Tenderer’s organisation, this should be indicated, with an explanation.

Failure to provide the required information, make a satisfactory response to any question, or supply documentation referred to in responses, within the specified timescale, may mean that a Tenderer is not invited to participate further. In the event that none of the responses are deemed satisfactory, the Authority reserves the right to terminate the procurement and where appropriate re-advertise the opportunity.

Tenderers must be explicit and comprehensive in their responses to this Tender as this will be the single source of information on which responses will be scored and ranked. Tenderers are advised neither to make any assumptions about their past or current Service Provider relationships with the Authority nor to assume that such prior business relationships will be taken into account in the evaluation procedure unless duly expressed in the submission.

No unauthorised alteration to the Tender Document can be made without prior permission from the Authority.

## Completion and submission of documents

16.1 In order for your Tender to be considered, please can you ensure that:

* You complete the Invitation to Tender document
* You complete and sign the Form of Tender (Appendix 2)
* You complete and sign the Declaration (Appendix 3)
* You complete and sign the Anti collusion certificate (Appendix 4)
* You complete the Conflict of Interest Declaration (Appendix 5)
* You arrange for the reference proforma to be completed and submitted (Appendix 6)
* You return the documents by the due dates and times (see below)
* You provide any requested supporting documentation

16.2 Conwy County Borough Council will accept electronic tender submissions via the Postbox facility [www.sell2wales.gov.wales](http://www.sell2wales.gov.wales). A user guide is available at <http://www.sell2wales.gov.uk/sitehelp/help_guides.aspx>

16.3 The completed tender submission, together with any requested supporting information, must be uploaded and submitted electronically through the Sell2Wales website and be received by and no later than the deadline for submission as detailed within the procurement timetable, clause 13.

16.4 Providers are advised to allow adequate time for uploading documents and to dispatch the electronic response well in advance of the closing time to avoid any last minute problems.

16.5 Failure to submit the tender submission as required may will result in the relevant Contractor being excluded from any further participation in this procurement.

* 1. Any tender submitted and / or received after the date and time specified above may not be considered and the Organisation will be advised accordingly.
	2. Reference number: CCBC/VIRS/2025

**17. AUTHORITY NAMED CONTACT POINT**

# For any queries relating to the procurement or specification, please use the Q&A on the notice on sell2wales website as described in section 19 below.

18. TENDERER CONTACT POINT

Tenderers are asked to include a single point of contact in their organisation for their response to the Tender. The Authority will not be responsible for contacting the Tenderer through any route other than the nominated contact. The Tenderer must therefore undertake to notify any changes relating to the contact promptly through the sell2wales facility.

## 19. Queries

The tender documents are being provided on the same basis to all Service Providers who have registered their interest for this opportunity.

All queries should be directed through the Q&A section of the Contract notice on the [www.sell2wales.gov.uk](http://www.sell2wales.gov.uk) website and will be responded by 5pm on 8/09/2025.

No telephone enquiries will be accepted. No approach of any kind in connection with this Tender or the procurement process generally should be made to any other person within, or associated with the Authority.

If it is considered any question or request for clarification to be of material significance, both the question and the response will be published through the Q&A section of the Contract Notice on the www.sell2wales.gov.uk website anonymously to all Tenderers who have registered their interest through the website.

All queries arising from these documents which may have a bearing on the offer should be received via the website as soon as possible but **no later than 5pm on the day specified in Section 13 Procurement Timetable.**

Please be advised that any and all changes relating to this Tender will be communicated through the Q&A and Additional Documents sections of the Contract Notice on the [www.sell2wales.gov.uk](http://www.sell2wales.gov.uk) website.

Subject to the provisions of the previous paragraph and to any legal requirements imposed upon the Authority (such as those relating to FOIA), all responses received and any communication from Contractors will, to the extent possible, be treated in confidence.

**20. ADDITIONAL INFORMATION AND AMENDMENTS**

**20.1 Additional information**

The Authority expressly reserves the right to require a Tenderer to provide additional information supplementing or clarifying any of the information provided in response to the requests set out in this Tender Document.

**20.2 Amendment to the tender documentation**

* 1. At any time prior to the deadline for receipt of questions, the Authority may modify the tender documents by amendments in writing.
	2. The Authority (at its sole discretion) may extend the deadline for receipt of Tenders.
	3. The Authority reserves the right to modify or to discontinue the whole of, or any part of, this tendering process at any time and accepts no obligation whatsoever to award a contract.

**21. CONSORTIA AND SUB-CONTRACTING**

Where a consortium or sub-contracting approach is proposed, all information requested should be given in respect of the proposed prime contractor or consortium leader. Relevant information should also be provided in respect of consortium members or sub-contractors who will play a significant role in the delivery of services or products under any ensuing contract. Responses must enable the Authority to assess the overall service proposed.

The Authority recognises that arrangements in relation to consortia and sub-contracting may be subject to future change. Service providers / Service Providers should therefore respond in the light of such arrangements as are currently envisaged. Service Providers are reminded that any future change in relation to consortia and sub-contracting must be notified to the Authority so that it can make a further assessment by applying the selection criteria to the new information provided.

Details should also be provided in relation to the proportion of any contract awarded that the Tenderer proposes to subcontract.

**22. DATA PROTECTION AND FREEDOM OF INFORMATION**

**22.1 Data Protection**

The information provided in this tender will be processed in accordance with the Privacy Notice that can be accessed through the following link: <http://www.conwy.gov.uk/en/Council/Access-to-Information/Privacy-Notices/Corporate-Contracts-and-Procurement-Privacy-Notice.aspx>.

In accordance with the obligations and duties placed upon public Authorities by the Freedom of Information Act 2000 (the ‘FoIA’), all information submitted to the Authority may be disclosed in response to a request made pursuant to the FoIA.

**22.2 Freedom of Information**

In respect of any information submitted by a Tenderer that it considers to be commercially sensitive the Tenderer should: -

* clearly identify such information as commercially sensitive;
* explain the potential implications of disclosure of such information; and
* provide an estimate of the period of time during which the Tenderer believes that such

information will remain commercially sensitive.

Please submit responses to the above as an Appendix with the completed tender submission.

Where a Tenderer identifies information as commercially sensitive, the Authority will endeavour to maintain confidentiality. Tenderers should note, however, that, even where information is identified as commercially sensitive, the Authority might be required to disclose such information in accordance with the FoIA. Accordingly, the Authority cannot guarantee that any information marked ‘commercially sensitive’ will not be disclosed.

**23. PRESENTATIONS/INTERVIEW**

It may be necessary to invite a specific Provider or Providers to attend an interview in order for clarify the information given in one, or more, responses before award can be considered. Should this be the case, the Provider must ensure that it sends staff members for interview on the date specified that are authorised, and able to answer clarification questions relating back to its submission. The Council will contact the Providers to arrange specific times and dates.

## 24. SERVICE PROVIDER SELECTION

The Authority may disqualify any Tenderer who fails to: -

* Comply with the requirements of Regulation 57 and / or fails to certify on the Declaration that it has fulfilled these requirements
* Provide a satisfactory response to any questions in the tender pack or inadequately or incorrectly completes any question.

Providers who are not disqualified in accordance with the above grounds shall be evaluated on the qualification criteria.

The Authority may seek independent financial and market advice to validate information declared or to assist in the evaluation.

Where a Service Provider has a valid reason for being unable to provide the information requested in relation to economic, financial and insurance matters, other information considered appropriate by the Authority will be accepted.

## 25. Tender appraisal

If Tenderers meet the Qualification Stage, their tender submission will be further considered as part of the Tender Evaluation with consideration given to quality and price. The Authority will contact Tenderers to arrange specific times for their Interview.

# Qualification Stage

The objective of this ‘Qualification’ stage is to enable the Evaluation Panel to the basic requirements as well as economic and financial standing prior to proceeding to the tender evaluation stage of the procurement. For avoidance of doubt, qualification question responses will not require supporting documents at this stage (for example certificates within the Qualification). The Evaluation Panel will risk assess the information in the submission as per the table below; The response for each section will be based on an assessment of low-medium-high risk.

|  |  |
| --- | --- |
| **Selection Criteria** | **Assessment** |
| Section 1 | Basic Information  | Information Only  |
| Section 2 | Subcontracting and Consortia | Risk Assessed |
| Section 3  | Financial | Risk Assessed |
| Section 4 | Insurance | Risk Assessed |
| Section 6 | Capacity and Commercial Aspects | Risk Assessed  |
| Section 10 | Other Information Required | Risk Assessed |

**Tender Evaluation**

Tenders shall be evaluated on 70% Quality / 30% Price basis as detailed below. The Authority is not bound to accept the lowest or any tender.

|  |  |
| --- | --- |
| **Award Criteria** | **Weighting %** |
| **Quality:** |  | **70%** |
| Section 5 | Previous Experience and Specialist Skills | 20% |
| Section 7 | Project Specific Information / Service proposal | 40% |
| Section 9 | Social Value * **Economic**
* **Environmental**
* **Social**
 | 10% |
| **Price:** | **30%** |
| **TOTAL:** |  | **100%** |

# Quality Evaluation – 70% weighting

The quality evaluation will be based on the following table with the associated weighting provided and the Supplier shall include within their Tender submission all necessary information in order to allow the quality evaluation to be completed.

The information supplied will be checked for compliance before responses are evaluated. The evaluation will be undertaken by a Panel who will follow a systematic and comprehensive process as detailed below.

This comprises scoring the submitted information against the required standard. The scoring system will give a score for your ability to meet each of the criteria. Each criterion will be weighted as shown below.

Conwy County Borough Council will be applying the following Award criteria:

**Price Evaluation – 30% Weighting**

The tender price will cover the initial contract period (36 months), with an option to extend for a further 24 months.

The estimated maximum available budget for this contract is £65, 373 (per annum) for the contract duration.

All prices, rates etc. quoted are to be exclusive of Value Added Tax.

The price evaluation will be based on the price detailed in the Form of Tender (Appendix 1).

The scoring of the price element equates to 30% of the total mark. The number of marks which will be scored by each tenderer is based on the submission of the lowest priced bid. The lowest bid will score maximum points of 100. All other tenders will be awarded points based on a proportion of this score reflected in a percentage i.e. lowest price / price of submission x 100. This will then be converted into a percentage out of 30% to give each tender their price total and a ranking in terms of price.

**Scoring**

### Questions in the qualification stage and risk assessment information will consider Pass/Fail.

|  |  |
| --- | --- |
| **Marks** | **Criteria** |
| Pass | Information provided as required and sufficient to indicate that there would be no risk or an acceptable level of risk if the Authority were to award a contract. |
| Fail | Information not provided or demonstrates that the level of risk associated with awarding a contract is unacceptably high. Service Providers will be eliminated if the elements detailed in the Invitation to Tender achieves a Fail score. |

The Quality Evaluation will be based on the tender score criteria shown in the table below.

|  |  |
| --- | --- |
| Score | Classification |
| 5 | Exemplar response with a high level of substantiating information and detail provided. The information provided is relevant and exceeds the standards as specified. |
| 4 | High standard response with a good level of substantiating information provided. The information is sufficient to indicate that the Supplier is capable of achieving the required standard of service delivery. Meets the standard as specified. |
| 3 | Good standard response with majority of requirements met but with some minor reservations. The information demonstrates the Supplier has ability / expertise / resources / structures to deliver the service required but some information has little relevance to the specific project requirements. |
| 2 | Adequate, basic response with reservations whether the Tenderer can meet the requirements. The information provided indicates the Tenderer has some relevant ability / expertise / resources / structures to deliver the service required but some information is irrelevant, lacking or not clearly evidenced. |
| 1 | Poor, unsatisfactory response. The information provided does not fulfil the requirement and does not meet minimum requirements in any way. |
| 0 | Unacceptable or unanswered response. |

**26. CONTRACT AWARD**

The Contract will be awarded based on the offer that is the most economically advantageous to the Authority taking into account price and quality. The successful Tenderer awarded the Contract will receive in writing an award decision notice pursuant to Regulation 86 of the Public Contracts Regulations 2015. The Council will be applying a “standstill” period from the date of the announcement of the decision to award the contract.

**27. TUPE**

Tenderers should be aware of the TUPE regulations. The Council acknowledges the requirements under TUPE regulations in preparation to a procurement activity. In preparation for this tender additional information relating to TUPE has been made available to enable tenderers to construct the submissions.