



Environment, Roads & Facilities

Flood Risk & Infrastructure

NoWCIPP – Old Colwyn Coastal Defence and Active Travel Improvements – Phase 3

Volume 1: Instructions for Tendering & Guidance Notes

January 2026

G.B. Edwards BEng (Hons) CEng FICE
Head of Environment, Roads & Facilities,
Coed Pella
Conway Road
Colwyn Bay,
LL29 7AZ.

Tel. (01492) 574000 Fax. (01492) 575199

LIST OF DOCUMENTS WITH INVITATION TO TENDER

The following is a list of documents included with this invitation:

VOLUME 1: INSTRUCTIONS FOR TENDERING & GUIDANCE NOTES

- (a) **Instructions for Tendering**
- (b) **Guidance to Tenderers**
- (c) **Quality / Financial Tender Assessment**

VOLUME 2: TENDER INFORMATION

- (a) **Form of Tender**
- (b) **Contract Data Part One (Data provided by the Client)**
 - Annex A Schedule of Amendments to the Contractual Agreements
 - Annex B Special Requirements
 - Annex C Pre-Construction Information
- (c) **Contract Data Part Two (Data provided by the Contractor)**
 - Annex D Illustrative Activity Schedule
- (d) **Miscellaneous Information**
 - Annex E Non-Collusion Certificate
 - Annex F Form of Agreement
 - Annex G Tax Certificate Information
 - Annex H Notification of Intention to use Sub-Contractors
 - Annex I Parent Company Guarantee
 - Annex J Collateral Warranties
 - Annex K Risk Register

VOLUME 3: SCOPE

- (a) **Scope, including:**
 - (i) General Requirements
 - (ii) Specification
 - (iii) Drawings
 - (iv) Consents
 - (v) Outline Site Waste Management Plan (OSWMP)
 - (vi) Project Environmental Management Plan (PEMP)

VOLUME 4: SITE INFORMATION

- (a) **Site Information, including:**
 - (i) Statutory Undertakers Searches
 - (ii) Prom Topographical Survey (2008) – Survey Ops

- (iii) Ground Investigation Information (2010)
- (iv) Ground Investigation Information (2019)
- (v) Ground Investigation Desk Study (2020)
- (vi) Ground Investigation Factual Report (2021)
- (vii) Ground Investigation Interpretative Report (2021)
- (viii) Ground Penetrating Radar Survey (2020)
- (ix) Drainage Surveys (2020)
- (x) PAS Survey (2020)
- (xi) Promenade Geophysical survey (2010)
- (xii) Beach Surveys 2015
- (xiii) Beach Surveys 2021-2024
- (xiv) Seawall Inspections (2010)
- (xv) Topographical beach surveys (2019)
- (xvi) Historic Drawings
- (xvii) Previous Phase 1&2 Drawings
- (xviii) Previous Phase 1&2 Topographical Survey

Index

1 Part 1: Instructions to Tenderers 6

2 Part 2: Guidance to Tenderers 14

3 Part 3: Quality / Financial Tender Assessment..... 15



Issue and Revision Record

| | |
|-----------------------|--|
| Document Title | NoWCIPP – Old Colwyn Coastal Defence and Active Travel Improvements – Phase 3 |
| Version | 1 st Issue |
| Status | Final |
| Filename | Tender Volume 1 – Instructions for Tendering & Guidance Notes |

| Revision | Notes | Date |
|-----------------|--------------|-------------|
| 1 | Tender Issue | 26/01/2026 |

| | Signature | Name | Date |
|--------------------|------------------|-------------|-------------|
| Prepared by | | M. Lloyd | 26/01/2026 |
| Checked by | | B. Poulton | 26/01/2026 |
| Approved by | | O. Conry | 26/01/2026 |

1 Part 1: Instructions to Tenderers

PREAMBLE

TENDERS MUST BE SUBMITTED IN ACCORDANCE WITH THE FOLLOWING INSTRUCTIONS. TENDERS NOT COMPLYING WITH THESE INSTRUCTIONS IN ANY PARTICULAR WAY MAY BE REJECTED BY THE CLIENT WHOSE DECISION IN THE MATTER SHALL BE FINAL.

- 1.1 These Instructions for Tendering relate to a contract for the construction, completion, testing, commissioning and maintenance of the following works: Old Colwyn Coast Defence and Active Travel Improvements Phase 3 all as detailed in the Scope. The Client will be Conwy County Borough Council (CCBC).
- 1.2 The works will be carried out under terms and conditions of the NEC4 Engineering and Construction Contract under Option A Priced Contract with Activity Schedule, all as amended and supplemented in the manner set out in the tender documents. Tenderers must familiarise themselves with these conditions.
- 1.3 A letter accepting the Contractor's tender offer will constitute a binding contract between the Client and Contractor until an Agreement by Deed is prepared and executed under seal.
- 1.4 A list of documents provided with this invitation, and a list of documents to be returned with the Tender, is provided on the preceding pages and in Part 2 of these instructions respectively. The Tenderers' attention is drawn to the requirement to complete the Anti-Collusion Certificate.

NEC4 ECC FEATURES

Tenderers must be aware of the following:

- 1.5 **Shorter Schedule of Cost Components**
This schedule will be used to value any compensation events arising during the contract. Tenderers must provide certain facts for this Schedule as required in Contract Data Part Two.
- 1.6 **Discrepancies**
If any discrepancy arises between the priced activity schedule and the tendered price stated on the form of tender, the tendered price will take priority.
- 1.7 **Queries**
Any queries arising from the tender documents which may have a bearing on the offer should be raised with the Client via the Q & A section of the Notice on the Sell2Wales website

(www.sell2wales.gov.uk). 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. No requests for an extension of the tender period will be granted. 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 and Additional Information section of the Notice on the Sell2Wales website anonymously to all tenderers.

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 12 noon one week before the Deadline for Receipt of tenders.**

1.8 **Site Information**

Tenderers are provided with Site Information. No guarantee as to the accuracy or completeness of this data is given nor as to the extent if at all to which such data is representative of the nature of the site, the ground and the subsoil. Tenderers' attention is drawn to clause 60.2 of the contract. Tenderers may make their own arrangement to carry out additional surveys at no cost to the Client. Prior notice must be sought from the Client for such surveys.

1.9 **Additional clauses**

Tenderers' attention is drawn to additional "Z" clauses which Conwy County Borough Council has added to ECC. These are set out in Contract Data Part One, Annex A Schedule of Amendments to the Contractual Agreements.

1.10 **Lump sums**

Lump sums must be quoted in pounds and pence, as appropriate, to two decimal places. The terms 'nil', 'n/a' or 'included' are not to be used but should be indicated as '£0'. Figures must be inserted against each item or activity - credit values in favour of the Client must not be used. The Client will make any necessary corrections to arithmetic errors found to be present in the tender and will require the Tenderer either to confirm all such corrections or withdraw his tender.

1.11 **Risks**

The Contractor will take on risks associated with adverse weather conditions without recourse to claims for additional costs.

1.12 **Activity Schedule**

Tenderers are to submit an Activity Schedule with their tenders showing proposed activities with lump sum payments. This document will form part of Contract Data Part Two and comprise a list of activities with an amount entered against each activity. Each amount is the sum due to the Contractor on completion of each activity unless it is included in a group. If groups of activities are required to be identified on the schedule, payment for each group

becomes due when all the activities in that group are completed. Activity descriptions must be clear and complete so that the work included in each can be identified after construction. An illustrative Activity Schedule is included in Annex D of Tender Volume 2.

The Activity Schedule must encompass all items in the Scope and Preliminaries contained within Volumes 2, 3, 4 and 5. The activities may be sub-divided and it is advised that the Tenderer consider Clauses 11.2(21, 23, 28 & 29), 50.1 and 50.2 of the conditions of contract when considering each activity, especially in terms of how the Project Manager would assess the amount due.

Activity descriptions must be clear and complete so that the work included in each can be identified and the completion of each activity easily recognised.

1.13 Mandatory Activities

The activities incorporated into the Illustrative Schedule in Annex D of Tender Volume 2 must be included in the Activity Schedule but may be subdivided.

1.14 Tidal Working

Tenderers should note that some of the works falls within the tidal range and all measures and allowances should be made for this.

1.15 Agreed rate for additional/reduced revetment length

In order to secure the maximum benefit of the funding available to the Client, it is likely to be necessary to increase or decrease the overall length of the revetment to achieve the full spend, including any additional funding made available. In order to achieve this, it is envisaged that a Compensation Event or Compensation Events will be raised during and within the contract period to revise the overall length of the revetment.

The Contractor is required to provide a linear metre length cost (plus the relevant extension to the Completion Date) for increasing the length of the revetment along a standard section as described in the Brief. The Contractor is also required to provide a linear metre cost saving (without a time penalty for the Contractor) for reducing the length of the revetment for a standard section.

These rates will be considered within the tender scoring mechanism. On award of contract these will be considered as agreed rates in accordance with Clause 63.2, and will be used to evaluate the cost of any Compensation Event raised to increase or decrease the length of the revetment.

1.16 Procurement Timetable

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

| Date | Activity |
|---|--|
| Tuesday 26/01/2026 | Notice published on sell2wales |
| Tuesday 26/01/2026 4pm | Tender packs available for download from sell2wales website |
| Thursday 05/03/2026 4pm | Completed tender document return / tender submission date and time |
| Friday 06/03/2026 – Tuesday 24/03/2026 | Tender evaluation and approvals |
| Wednesday 25/03/2026 | Notification of intent to award |
| Friday 27/03/2026 | Tender Award |
| Tuesday 31/03/2026 | Contract Commencement Date |
| Monday 07/09/2026 | Site Access Date |
| Tuesday 17/12/2027 | Contract Completion |

GENERAL REQUIREMENTS

1.17 Knowledge of Site Conditions

Tenderers will be deemed to have knowledge of the site and by independent observation and enquiries to have become fully informed and satisfied as to the nature of the Site, means of access, local facilities, climate conditions, labour conditions and practices, any security, fire, safety or other regulations which may affect the execution of the works, the nature, extent and practicability of the works, the positions relative thereto the exposed work, buildings, structures and any underground services and all matters whatsoever affecting the tender. In particular, Tenderers are to satisfy themselves that there is sufficient access and manoeuvring space for Contractor's equipment into working areas.

1.18 Confidentiality

The tender must be treated as private and confidential. Tenderers should not disclose the fact that they have been invited to tender or release details of the tender documents, 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. All documents, whether a tender is submitted or not, remain the property of Conwy County Borough Council. Tenderers shall not at any time release information concerning the invitation to tender and/or the tender documents for publication in the Press or on radio, television, screen or any other medium.

1.19 Special Requirements

Tenderers should note the special requirements of statutory undertakers as set out in Tender Volume 2, Contract Data Part One, Annex B Special Requirements. It may be necessary when arranging insurance cover required by clause 84 of the contract to let insurers know of these special requirements.

1.20 Grant Funding Requirements

Grant funding time constraints require a significant value of the works to be paid by the end of March 2026. In order to achieve this spend profile, the Authority requires that the Contractor arranges an advanced payment bond before the end of March 2026. The cost of the bond is to be paid by the Contractor, and should be included within the relevant section of the Activity Schedule.

1.21 Language and Law

Tenderers should note that tenders and supporting documents must be written in English and that any resulting contract, its formation, interpretation and performance will be subject to and in accordance with the law of England and Wales.

The successful Tenderer will need to ensure that services provided through this contract are compliant with Conwy County Borough Council's Welsh Language Policy – policy document included within this tender pack

1.22 Insurance

Details of insurance policies held stated in the Contract Data Part One must be submitted with tenders for the Client's approval. If an insurance policy contains any excess amount the following levels will be permitted:

- (a) for insurance risks relating to loss of or damage to the works, plant and materials, as follows:
 - (i) where the tendered price is below £1m an excess limit of £5,000.
 - (ii) where the tendered price is above £1m an excess limit of £10,000.
- (b) for all other insurance risks, i.e. relating to loss of or damage to equipment and property, bodily injury or death to the Contractor's employees and bodily injury or death to third parties, as follows:
 - (i) an excess limit of £2,500
 - (ii) an excess limit over £2,500 will not be approved.

1.23 Claims within excess

Tenderers must include with their tenders a statement undertaking responsibility for dealing with claims, or parts of such claims, within the excess amount.

1.24 Insurance Queries

Should be raised in writing with the Client at the earliest opportunity but in any event not later than one week before return of the tender. Tenderers should note that failure to submit

required insurance details may result in their tender being rejected by the Client. A contract will not be awarded to a Tenderer until their existing or proposed insurances have been verified

1.25 CDM

The attention of Tenderers is drawn to the Construction (Design and Management) Regulations 2015. It is proposed to formally appoint the successful Tenderer as Principal Contractor under the Regulations at the time of contract award. Tenderers must therefore be able to satisfy the Client that they are competent and have made available adequate resources for health and safety.

1.26 Pre-Construction Information

A Pre Construction Information Report is included in Tender Volume 5.

1.27 Considerate Constructors Scheme

Tenderers are required to provide evidence within their tender submission that they are registered with the Considerate Constructors Scheme

1.28 Community Benefits

It will be mandatory that the Principal Contractor delivers a social, economic and environmental return on investment through the adoption of a Community Benefits approach.

The Principal Contractor shall complete The Welsh Community Benefits Tool - community-benefits-measurement-tool-for-services-goods-v8-1.xls after contract award.

It will be expected that the level of community benefit shall exceed the minimum threshold for the project.

TENDER SUBMISSION AND EVALUATION

1.29 Qualified Tenders

Tenders must not be qualified or accompanied by statements or a covering letter that might be construed as rendering the tender equivocal and/or placing it on a different footing from other tenders. Only tenders submitted **strictly in accordance with the tender document as issued (or as subsequently amended by the Client) will be accepted for consideration.** The Client's decision on whether a tender is acceptable will be final and the tenderer will not be consulted. **Qualified tenders will be excluded from the competition and the tenderer will be notified.**

1.30 Tender Evaluation

Tenders will be assessed on the basis of price (70%) and quality (30%) as detailed in Part 3 Quality / Financial Assessment. The contract is awarded to the Tenderer submitting the most economically advantageous offer assessed on the basis of price and quality proposals in accordance with Part 3. Any obvious errors in pricing or arithmetic will be dealt with as stated in paragraph 1.10 above.

1.31 Form of Tender

The Tenderer must state its full legal name and full business address in the tender, followed by the signature and designation of the person authorised to bind the Tenderer in this matter. The Form of Tender must be completed and returned together with all the information requested in Part 2 of this document. The completed documentation must be submitted to the address and by the date and time stated below. No unauthorised alteration or addition should be made to any component of the tender documents.

1.32 Cost of Tendering

All costs, expenses or losses incurred by the Tenderer in the preparation and submission of the tender is to be borne by the Tenderer. No payment shall be made by the Client for abortive work during preparation of the tender, or any expenses incurred in connection therewith, if the contract does not proceed, or to any Tenderer who fails to submit a tender.

1.33 Ratification of Recommendation to Award the Contract

In accordance with the Authority's Contract Procedure Rules, the recommendation to award shall be referred to Cabinet.

1.34 Delivery of tender

Recipients are invited to complete the Tender and to submit it, together with any requested supporting information/documentation via the e-tendering portal by the due date for return in accordance with the procedures set out below.

The Authority will only accept electronic submissions via the Postbox facility on www.sell2wales.gov.uk. A user guide for the Postbox facility is available at: http://www.sell2wales.gov.uk/sitehelp/help_guides.aspx. The Authority will not accept any paper submissions.

The tender must remain open and valid for 90 days.

Tenders shall be submitted no later than **4pm on Thursday 5th March 2026**.

We are not in a position to offer any extensions to this date due to funding constraints.

Tenders received later than the given date and time for any cause or reason other than the fault of the Client or their servants, agents or contractors shall be disregarded.

1.35 Tender acceptance

The Client reserves the unconditional right to reject any or all tenders.

SUBMISSION OF ALTERNATIVE DESIGNS

1.36 Alternative tender:

Alternative tenders will not be considered.

2 Part 2: Guidance to Tenderers

2.1 Project Manager and Supervisor Roles

The Supervisor is normally resident on Site with the main duty of examining and checking workmanship to ensure that requirements of the contract are being met. The Project Manager is not normally resident on Site but will make regular and frequent visits. Both the Project Manager and Supervisor are empowered to carry out actions and make decisions required under NEC4.

2.2 List of documents to be returned with Tender:

- Completed Form of Tender, signed and dated;
- Signed Deed
- Signed Form of Agreement.
- Signed Freedom of Information Declaration;
- Signed Certificate of Good Standing
- Tender Programme;
- Tender Compensation event;
- Completed Non-Collusion Certificate.
- Completed Tax Certificate Information.
- Completed Schedule of proposed Sub-Contractors form.
- Parent Company Guarantee.
- Completed Activity Schedule.
- Contract Data Part Two.
- Completed – Tender Stage Quality Submission.
- Evidence of registration with Considerate Constructors Scheme.
- Collateral Warranty

3 Part 3: Quality / Financial Tender Assessment

The Authority shall award the contract for the NoWCIPP Old Colwyn Coast Defence and Active Travel Improvements Phase 3 project on the basis of the most economically advantageous offer as set out in the following evaluation methodology.

Guidance Notes

Please read these guidance notes carefully before completing this document.

All parts of the Quality Questionnaire must be answered.

1. The questionnaire is to be completed by suitably qualified and experienced Companies who wish to tender for the Contract to undertake the NoWCIPP Old Colwyn Coast Defence and Active Travel Improvements Phase 3 project.
2. Companies shall refer to the Instructions to Tenderers Document which sets out the procedure which Conwy County Borough Council shall follow in procuring this Contract.
3. Where an applicant is required to submit relevant supporting information, it should be provided within a separate appendix and cross-referenced to correspond with the relevant section of the questionnaire.
4. Tenderers shall note that answers to questions and submitted information must be both relevant and concise. The Evaluation Team appraising these tenders may deduct marks where answers are considered to be generic in nature or contain little relevance to the work in question. The Company shall ensure that their submission is both well formatted and easily navigable by the Evaluation Team.
5. Tenders returned with any sections or questions left unanswered are liable to be rejected without further consideration.

3.1 Compliance Check

The Tender submission will be initially checked by the Authority for compliance. These compliance checks shall comprise a review of each tender submission to ensure that tenders have been submitted in accordance with the Instructions to Tenderers section of the Tender Documents. The reviewers shall check Tenderers completion of the Form of Tender and Anti-Collusion Certificate as well as their response to the Quality Submission and Price Submission.

Should Tenderers not provide a positive response to any of the requirements, or fail to provide a detailed reason acceptable to the Authority as to why a positive response cannot be given, the Authority may exclude the Tenderer from further participation in the evaluation process or, at the Authority's discretion, may seek clarification. In the case of the latter, a failure by the Tenderer to provide a satisfactory response within the deadline specified in the request for clarification may result in its disqualification from the evaluation process.

Part A - Company Information (For information only)

| | | |
|----|---|--|
| A1 | Full name of company making application | |
|----|---|--|

| | | |
|----|---------------------------------|--|
| A2 | Main address for correspondence | |
|----|---------------------------------|--|

| | | |
|----|--|--|
| A3 | Name of person applying on behalf of the company | |
|----|--|--|

| | | |
|----|-------------------------|--|
| A4 | Position within company | |
|----|-------------------------|--|

| | | |
|----|--|--|
| A5 | Contact Details for person applying on behalf of company | |
| | Telephone | |
| | Mobile | |
| | E-mail | |

| | | |
|----|---------------------|------------------------|
| A6 | Category of company | |
| | Sole Trader | Other (please specify) |
| | Partnership | |

NoWCIPP – Old Colwyn Coast Defence and Active Travel Improvements Phase 3
Volume 1: Instructions for Tendering & Guidance Notes

| | | |
|-------------------------|--|--|
| Private Limited Company | | |
| Public Limited Company | | |

| | | |
|--|--|--|
| A7 | In the case of a Limited Company (whether Private or Public) | |
| Date of Registration | | |
| Company Registration Number | | |
| Full Name of Company | | |
| Registered Address of Company | | |
| Telephone Number of Registered Address | | |

| | | | |
|-----|---|--------------------------|--------------------------|
| A8 | As an employer, do you have an Equal Opportunities Policy that complies with all current legislation as set out in the Equality Act 2010? If yes, can you supply details if asked? | <input type="checkbox"/> | <input type="checkbox"/> |
| A9 | As an employer, do you comply with the requirements set out in the Equality Act 2010 and if appropriate, the Statutory Duties (Wales) Regulations 2011 (relevant to public sector Organisations)? If yes, can you supply details if asked? | <input type="checkbox"/> | <input type="checkbox"/> |
| A10 | As an employer, do you comply with the requirements placed on you to make reasonable adjustments for disabled people under the Equality Act 2010? If yes, can you supply details if asked? | <input type="checkbox"/> | <input type="checkbox"/> |
| A11 | In the last three (3) years, has your Organisation been investigated by the Equality and Human Rights Commission because of allegations of unlawful discrimination? If yes, please supply details: | <input type="checkbox"/> | <input type="checkbox"/> |
| A11 | In the last three (3) years, has any Court or Employment Tribunal found that your Organisation has discriminated against someone because of their identity | <input type="checkbox"/> | <input type="checkbox"/> |

| | | | |
|-----|---|--------------------------|--------------------------|
| | connected with a protected characteristic (sex, race, disability, age, religion or belief, gender reassignment, sexual orientation, marriage / civil partnership or pregnancy / maternity) under the Equality Act 2010 or previous equality legislation? If yes, please supply details: | | |
| A12 | In the last three (3) years, has any Court or Employment Tribunal found that your Organisation has discriminated against someone in relation to the level of pay you gave them because of a protected characteristic under the Equality Act 2010 or previous equality legislation? If yes, please supply details: | <input type="checkbox"/> | <input type="checkbox"/> |
| A13 | Is your Organisation able to provide evidence of monitoring and promoting Equal Opportunities and adhering to Equality and Human Rights Legislation? If yes, would you be able to provide examples of any monitoring undertaken if requested? | <input type="checkbox"/> | <input type="checkbox"/> |
| A14 | In the last three (3) years, has your Organisation been investigated by the Employment Agencies Standards Inspectorate? If yes, please supply details: | <input type="checkbox"/> | <input type="checkbox"/> |
| A15 | Has your Organisation, or any subsidiary, been the subject of a successful Employer Liability or Public Liability claim against you, whether settled privately or through your insurers within the last three (3) years? If yes, please supply details: | <input type="checkbox"/> | <input type="checkbox"/> |
| A16 | Do both your Employers and Public Liability Insurance Policies include a 'Principals' clause that would indemnify Conwy County Borough Council in the event of claims arising from your activities whilst providing this service? If yes, can you supply details if asked? | <input type="checkbox"/> | <input type="checkbox"/> |
| A17 | Have any of your contracts been terminated for poor performance in the last five (5) years? If yes, please supply details: | <input type="checkbox"/> | <input type="checkbox"/> |
| A18 | In the last three (3) years, has your Organisation not had a contract renewed due to failure to perform the terms of the contract? If yes, please supply details: | <input type="checkbox"/> | <input type="checkbox"/> |
| A19 | In the last three (3) years, has your Organisation become involved in any litigation in respect of a contract or its delivery? If yes, please supply details: | <input type="checkbox"/> | <input type="checkbox"/> |
| A20 | Do any of the following apply to your Organisation: Been committed for an act of gross misconduct in the course of delivering services? Is guilty of serious misrepresentation in supplying information? Is not in possession of relevant licences or membership of an appropriate Organisation where required by law? If yes to any, please supply details: | <input type="checkbox"/> | <input type="checkbox"/> |
| A21 | Is there any business, establishment or person who has, or may have, any right(s) of veto over your Organisation's decision-making whether operational or financial? If yes, please supply details: | <input type="checkbox"/> | <input type="checkbox"/> |

| | | | |
|-----|--|--------------------------|--------------------------|
| A22 | Does your Organisation have a documented Health and Safety Policy? If yes, are you able to provide a copy if requested?: | <input type="checkbox"/> | <input type="checkbox"/> |
| A23 | Does your Organisation have a recognised Health and Safety Manager or a nominated person with responsibility for Health and Safety? If yes, please supply details: | <input type="checkbox"/> | <input type="checkbox"/> |
| A24 | Is your Organisation accredited by, or is your Organisation working towards, a Contractor Assessment scheme that is a member of the Safety Scheme in Procurement (SSIP)? Please supply details: | <input type="checkbox"/> | <input type="checkbox"/> |
| A25 | Does your Organisation have a documented Environmental policy? If yes, are you able to provide a copy if requested? | <input type="checkbox"/> | <input type="checkbox"/> |
| A26 | The Authority is working towards becoming a carbon net zero Council by 2030 as part of its Climate Challenge Programme: (https://www.conwy.gov.uk/en/Council/Strategies-Plans-and-Policies/Climate-Change/Climate-Challenge-Programme.aspx). Is your Organisation actively working towards reducing its carbon emissions? If yes, please state what your Organisation has achieved so far and state your future plans for reducing carbon emissions. If no, please state what your plans are for addressing your Organisation's carbon emissions in near future: | <input type="checkbox"/> | <input type="checkbox"/> |
| A27 | If successful, is your Organisation willing to provide the Authority with any carbon emission related data it may require from your Organisation in delivering this Contract? | <input type="checkbox"/> | <input type="checkbox"/> |
| A28 | Does your Organisation comply with the requirements of General Data Protection Regulations (GDPR)? If asked, can you provide evidence of compliance, policy, employee training for GDPR, etc? If yes, can you supply details if asked? | <input type="checkbox"/> | <input type="checkbox"/> |
| A29 | Does your Organisation comply with the principles of the Well-being of Future Generations (Wales) Act 2015? If yes, could you provide evidence to confirm your compliance with this Act? If yes, can you supply details if asked? | <input type="checkbox"/> | <input type="checkbox"/> |
| A30 | Does your Organisation, along with sub-contractors utilised for the delivery of this contract (if applicable), agree to comply with Authority's Corporate Safeguarding Policy? http://www.conwy.gov.uk/en/Resident/Social-Care-and-Wellbeing/Im-worried-about-somebody/Corporate-Safeguarding-Policy.aspx If yes, can you supply details if asked? | <input type="checkbox"/> | <input type="checkbox"/> |
| A31 | Does your Organisation comply with the requirements set out in the Code of Practice Ethical Employment in the Supply Chain? If yes, can you supply details if asked? | <input type="checkbox"/> | <input type="checkbox"/> |
| A32 | It is of paramount importance to the Authority to ensure that the equal treatment of all Suppliers is maintained. Does your Organisation have any association, either directly or indirectly, with any Member or employee of Conwy County Borough Council, or service provider or proposed service provider acting on behalf | <input type="checkbox"/> | <input type="checkbox"/> |

| | | | |
|-----|---|--------------------------|--------------------------|
| | of Conwy County Borough Council, that could constitute a conflict of interest (such as a financial, economic or personal interest)? If yes, please complete Appendix 5 to provide details. | | |
| A33 | Do you have the facility or experience of being able to engage with people in the Welsh language? If yes, please supply details: | <input type="checkbox"/> | <input type="checkbox"/> |

| | | | |
|-----|--|---|--|
| A34 | Does the Company have an interest or control over any other company, firm or organisation or is your company part of any other organisation such as a holding company? | | |
| Yes | | If the answer is Yes, please provide details separately as an appendix to this document. Please tick below if details have been enclosed. | |
| No | | Enclosed | |

| | | | |
|-----|--|--|--|
| A35 | If applicable, would the ultimate parent company be prepared, in principal, to guarantee the performance of the applicant Company? | | |
| Yes | | If the answer is No, please provide a reason why | |
| No | | | |

| | | |
|-----|-------------------------|--|
| A36 | VAT Registration Number | |
|-----|-------------------------|--|

Part B - Financial Information

The purpose of assessing the economic and financial standing of Applicants is to:

- Assess and mitigate the risk to the Council which would result if a potential contractor bidding for a contract were to go out of business during the life of the contract, or have inadequate financial resources to perform the contract;
- When justified, eliminate from procurement any potential contractor whose current financial capacity would pose an unacceptable risk to the Council, its service users and public money; and
- Ensure that an Applicant continues to pass these tests throughout the procurement process.

As such, evaluation of Part B shall be undertaken on a pass / fail basis, if a Candidate fails this section, the remainder of its Quality submission will not be evaluated.

The Council's Finance Department, in the strictest of confidence, will review the information provided. The Council's procedures in respect of data confidentiality will be followed and this information will

not be disclosed or used for any other purpose. All Applicants will be treated fairly and with equal diligence during the process.

In order to demonstrate that the Tenderer has sufficient economic and financial standing to successfully deliver the contract, the following minimum thresholds must be met as evidenced in the latest company accounts:

TABLE 1

| Criteria | Requirement | Threshold |
|-----------------------|---|----------------------|
| Turnover | The accounts must evidence that the company has generated a minimum average annual turnover in excess of the amount stated in the last two reporting periods. | 1.5 x contract value |
| Current Ratio | The accounts must demonstrate the minimum threshold has been met in the most recent year of trading. | x 1.5 |
| Trade Debtors Ratio | The accounts must demonstrate that the ratio does not exceed the stated threshold in the most recent year of trading. | 45 Days |
| Trade Creditors Ratio | The accounts must demonstrate that the ratio does not exceed the stated threshold in the most recent year of trading. | 30 Days |
| Debt to Equity Ratio | The accounts must demonstrate that the ratio does not exceed the stated threshold in the most recent year of trading. | 50% |

Economic and financial standing shall be assessed based on the following:

- Low - No perceived financial risk. The Council has no, or limited, grounds for concern in relation to the Applicant's financial stability to provide the required services.
- Medium - Acceptable financial risk. The Council has identified a risk of financial instability, but the risk is acceptable to the Council in relation to the Applicant's ability to provide the required services.
- High - Unacceptable financial risk. The risk of financial instability of the Applicant is too high for the Council to accept in relation to the Applicant's ability to provide the required services.

The required minimum threshold for an Applicant to pass the financial assessment is a Low or Medium Financial Risk Score.

Notwithstanding the above assessment ratings, in situations where Applicants have received a High rating of financial risk, the Council reserves the right to report to the Council's Section 151 Officer. The Section 151 Officer will review all the financial information submitted and assess any mitigating

circumstances and determine whether an Applicant may be finally determined as having a score of Medium or Low and may consequently pass the financial assessment.

The Council reserves the right to request any further information or clarifications as required to alleviate any concerns raised as a result of assessment of an Applicant's financial standing at any stage of the procurement process.

In situations where an Applicant receives a High risk rating in relation to their financial standing and is reported to the Council's Section 151 Officer, the decision of the Council's Section 151 Officer will be final in relation to whether the Applicant passes or fails.

Insufficient completion of this section / unwillingness of potential provider to disclose some of the information requested with no valid reasoning for this will be treated as a Fail and the Contractor shall be excluded from the remainder of the tender appraisal

B1

| | | |
|---|-----|--------------------------|
| Are you able to provide a copy of your audited accounts for the last two years, if requested? | YES | <input type="checkbox"/> |
| | NO | <input type="checkbox"/> |

If no, can you provide **one** of the following: answer with Y/N in the relevant box:

| | | |
|--|-----|--------------------------|
| (a) A statement of the turnover, Profit and Loss Account/Income Statement, Balance Sheet/Statement of Financial Position and Statement of Cash Flow for the most recent year of trading for this organisation. | YES | <input type="checkbox"/> |
| | NO | <input type="checkbox"/> |

| | | |
|--|-----|--------------------------|
| (b) A statement of the cash flow forecast for the current year and a bank letter outlining the current cash and credit position. | YES | <input type="checkbox"/> |
| | NO | <input type="checkbox"/> |

| | | |
|--|-----|--------------------------|
| (c) Alternative means of demonstrating financial status if any of the above are not available (e.g. forecast of turnover for the current year and a statement of funding provided by the owners and/or the bank, charity accruals accounts or an alternative means of demonstrating financial status). | YES | <input type="checkbox"/> |
| | NO | <input type="checkbox"/> |

B2

| | | |
|--|-----|--------------------------|
| (a) Where we have specified a minimum level of economic and financial standing and/ or a minimum financial threshold within the evaluation criteria for this procurement, please self-certify by answering 'Yes' or 'No' that you meet the requirements set out. | YES | <input type="checkbox"/> |
| | NO | <input type="checkbox"/> |

| |
|---|
| (b) If you do not meet any of the minimum requirements set out in Table 1 above, please provide an explanation why and give a compelling reason why this should not be seen as representing a significant risk to the financial stability of your organisation. |
| <div></div> |

Please Complete the Example Tender Compensation Event below

The total will be added to the tender price for financial scoring purposes only
(rates submitted in Contract Data part 2 to be used)

| Category of person | Unit | Rate | Number of hours | Total |
|-----------------------------|------|------|-----------------|-------|
| Contracts Manager | Hr | | 20 | |
| Project Manager | Hr | | 50 | |
| Commercial Manager | Hr | | 20 | |
| Site Agent | Hr | | 60 | |
| Sub Agent | Hr | | 1,20 | |
| Site Engineer | Hr | | 2,00 | |
| Assistant Site Engineer | Hr | | 1,00 | |
| General Foreman | Hr | | 2,00 | |
| Health and Safety Officer | Hr | | 20 | |
| Senior Quantity Surveyor | Hr | | 20 | |
| Quantity Surveyor | Hr | | 50 | |
| Assistant Quantity Surveyor | Hr | | 50 | |
| Programmer | Hr | | 25 | |
| General Operative | Hr | | 2,00 | |
| Skilled Operative Rate 4 | Hr | | 2,00 | |
| Skilled Operative Rate 3 | Hr | | 2,00 | |
| Skilled Operative Rate 2 | Hr | | 2,00 | |
| Skilled Operative Rate 1 | Hr | | 2,00 | |
| Craft Rate | Hr | | 2,00 | |
| Banksman | Hr | | 1,00 | |
| Grand Total | | | | |

Part C - Health and Safety

The Health and Safety Review shall be passed to the Council's Principal Designer to assess the competence of the Contractor in relation to health and safety and to assess the adequacy of the Contractor's management arrangements, which shall be undertaken on the basis of Contractor responses to the questions below (Pass/Fail).

| | | | |
|-----|--|---|--|
| C1 | Does the Company have a documented health and safety policy? | | |
| Yes | | If the answer is Yes, please enclose a copy of the policy as an appendix to this document. Please tick below if enclosed. | |
| No | | Enclosed | |

| | |
|----|--|
| C2 | If the answer to D1 is yes, please provide a signed, current copy of the company policy (indicating when it was last reviewed and by whose authority it is published). |
| | |

| | |
|----|--|
| C3 | Please provide details of the arrangements for health and safety management within the company and arrangements for discharging the company's duties under the CDM Regulations 2015. |
| | |

| | | | |
|---|--|--|--|
| C4 | Does the company employ a competent person to advise on health and safety? If no, please provide details of arrangements the company has for accessing competent health and safety advice. | | |
| Yes | | | |
| No | | | |
| If no, please provide details of arrangements the company has for accessing competent health and safety advice. | | | |

| | | | |
|----|--|--|--|
| C5 | Please provide details of the health and safety training (including induction training for site based workers) the company provides its employees. | | |
| | | | |

| | | | |
|---------------------|---|----|--|
| C6 | Has the Company received any of the following from the Enforcement Authority in the past three years? | | |
| | Yes | No | |
| Improvement Notices | | | |
| Prohibition Notices | | | |
| Prosecutions | | | |

| |
|---|
| <p>If the answer to any of the above is yes, please detail the action taken by the company to put matters right</p> |
|---|

| | |
|----------|--|
| C7 | Please provide details of the Company's accident statistics for the last three years as an attachment to this document. Please tick below if enclosed. |
| Enclosed | |

| | |
|----|---|
| C8 | Please provide details of arrangements the company has in place to ensure that any sub-contractors appointed by the company are competent. Please include details of arrangements the company has in place for monitoring sub-contractor performance. |
| | |

| | | | | |
|------------------------------|---|--|----------|--|
| C9 | Does the Company have accreditation under a Safety in Procurement Scheme? | | | |
| Yes | | If the answer is Yes, please detail below which scheme and enclose evidence of accreditation as an appendix to this document. Please tick below if enclosed. | No | |
| Safety in Procurement Scheme | | | Enclosed | |
| C10 | Does the Company have a carbon emission data / decarbonisation plans and/or policy? | | | |
| Yes | | If the answer is Yes, please enclose a copy of the policy as an appendix to this document. Please tick below if enclosed. | | |
| No | | Enclosed | | |

3.2 Appraisal of Quality Submission

The quality submission from all tenders deemed to pass the initial checks shall be evaluated by the full evaluation team.

The evaluators will have had sight of the price submission during the tender opening and the compliance check; however the price submission shall not be considered and shall have no bearing on the appraisal during the evaluation of the quality submissions.

The Quality Submission comprises the following criteria with the adjacent percentage of the overall mark for the quality submission available for each criterion:

| Description | Percentage of overall mark |
|--|----------------------------|
| <p>1. The Contractor's approach and methodology for the sourcing, procurement, delivery and placing of the rock armour. Please include details relating to where the rock is coming from, how the supply will be secured, the rate of supply, access to the beach arrangements and how the rock armour will be placed. Also what guarantees can be given that supply won't be disrupted during the course of the contract?</p> <p>Responses will be limited to a maximum word count of 3000 words</p> | <p>20%</p> |
| <p>2. The Contractor's outline programme for the works, including details of :</p> <ul style="list-style-type: none"> • Start date, access dates, key dates and completion date. • Order and timing of the works. • Provisions for risk allowance. • Health and Safety Requirements. <p>Details of the Contractor's proposed approach and methodology for each planned operation that is required, including any proposals for the use of Equipment, sub-contractors and any other resourcing arrangements.</p> <p>Responses will be limited to a maximum word count of 2000 words.</p> | <p>10%</p> |
| <p>3. The Contractor's proposed approach and methodology for the construction of the coastal structures on the project including beach accesses, culverts, and raising the height of the sea wall. Also provide details of temporary measures required to construct and safeguard the works. including prevention of flooding and stability of existing seawall.</p> <p>Responses will be limited to a maximum word count of 3000 words.</p> | <p>15%</p> |

| | |
|--|-------------------|
| <p>4. The Contractor's proposed approach to minimising disruption to local residents, businesses and the general public at Colwyn Bay Promenade. In particular details are required for managing the flow of pedestrians and cyclists through or around the area during the works who use the coastal route (NCR5 & Wales Coastal Path) and the adjoining public footpaths/rights of way.</p> <p>Responses will be limited to a maximum word count of 3000 words</p> <p><i>Note – The management of any diversion of National Cycle Route 5 in this area is likely to be considered the key disruption in this area. Sustrans and Cycling UK have significant relevant experience of these issues following the recent works at Old Colwyn. It is likely to be beneficial for the tenderers to liaise with these organisations in developing their proposals.</i></p> | <p>15%</p> |
| <p>5. Please provide a costed risk register including employers and contractors risk. The risk register will be scored on its content and completeness. Please include a probability of occurring, and a minimum, most likely and maximum cost for each risk. The costs are requested for information only and will not be added or included in the price score.</p> | <p>5%</p> |
| <p>6. The contractor's proposals for resourcing the project including details of key staff, time allocation on the scheme, and their duties/responsibilities, and management and co-ordination of subcontractors. Please provide details of the split between directly employed and agency staff and operatives, and total staff and operatives required for the scheme. Include details of staff and operatives in reserve if they were required and details of which operations would be subcontracted</p> <p>Responses will be limited to a maximum word count of 2000 words</p> | <p>10%</p> |
| <p>7. Please provide details of two projects similar to the works described in this tender invitation undertaken in the last 5 years. Include lessons learned or how your experience on these schemes will benefit this project? In addition, please provide a reference from the client or their representatives including contact details.</p> <p>Responses will be limited to a maximum word count of 2000 words</p> | <p>15%</p> |
| <p>8. The Contractor's proposed approach to progress reporting and communication with Conwy County Borough Council during execution of the works, including</p> | <p>10%</p> |

| | |
|--|--|
| the approach to reporting commercial issues. The Contractor's approach to managing the quality of output on site, checking and supervision of the works. Responses will be limited to a maximum word count of 2000 words | |
|--|--|

Each of the elements in the quality submission appraisal above shall be evaluated on the basis of the following scoring definition.

| Assessment | Score | Interpretation |
|----------------------|-------|---|
| Excellent | 5 | The Contractor's response exceeds the requirement and demonstrates a considered an innovative approach. The response identifies potential added value to the project. |
| Good | 4 | The Contractor's response satisfies the requirement with potential minor added value. Considered an above average approach. |
| Acceptable | 3 | The Contractor's response satisfies the requirement. |
| Minor Reservations | 2 | The Contractor's response almost satisfies the requirement; however some minor reservations remain regarding some aspects of the response. |
| Serious Reservations | 1 | Major reservations are held in relation to the Contractor's response and the ability to meet the requirement. |
| Unacceptable | 0 | The Contractor's response does not meet the requirement and / or insufficient evidence has been provided to appraise the response. |

Once scored, the marks awarded for each element shall be factored as necessary to give a mark out of the percentage of the overall mark available for each element.

Once all marks are awarded, the Evaluation Team shall complete a summary proforma for each tender summarising the marks and presenting the overall quality submission score.

3.3 Appraisal of Price Submission

The price submission from all Tenderers deemed to pass the compliance checks shall be evaluated by the Evaluation Team. The following mechanism shall be used to assess the total adjusted cost, which is to be used for the tender appraisal:

$$\begin{aligned} & \text{Tendered Price (as provided in the form of tender)} \\ & \quad + \text{(PLUS)} \\ & \text{£1M x Tendered Fee\% (as provided in Contract Data part 2)} \\ & \quad + \text{(PLUS)} \\ & \text{£500K x CECA adjustment (as provided in Contract Data part 2)} \\ & \quad + \text{(PLUS)} \\ & 20 \times \text{per metre rate to increase revetment length (as provided in Contract Data part 2)} \\ & \quad - \text{(MINUS)} \\ & 10 \times \text{per metre rate to decrease revetment length (as provided in Contract Data part 2)} \\ & \quad + \text{(PLUS)} \\ & \text{Value of tender compensation event} \\ & \quad = \text{(EQUALS)} \\ & \quad \underline{\text{TOTAL ADJUSTED COST}} \end{aligned}$$

In assessing the price element of the tender, the lowest acceptable tendered total adjusted cost will be given a full 100 marks. The scores for all other total adjusted costs will be reduced down from 100 by one mark for each percentage point by which the total adjusted cost exceeds that of the lowest. Percentage calculations will be made to one decimal point; for example a total adjusted cost that 10.5% above the lowest will thus receive 89.5 marks.

Once all marks are awarded, the Evaluation Team shall add the price submission mark onto each Tenderer's scoring proforma. The overall tender submission mark shall be determined at this stage on the following basis:

The overall marks for the tenders shall be allocated on a 70% price / 30% quality basis.

The overall mark shall be recorded onto each Tenderer's scoring proforma

3.4 Tender Clarification

The Tenderer may be required to clarify its submission. Requests for clarification shall be issued via email to the contact email address provided by the Tenderer. Tenderers shall be required to respond to requests for clarification within two working days. If in the opinion of the Authority the Tenderer fails to provide an adequate response to one or more points of clarification, the Tenderer may be excluded from progressing further in the process.