



Grounds Maintenance Contract

Pre-qualification questionnaire

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1. CONTRACT OUTLINE

- 1.1 The purpose of this section is to provide potential Tenderers with brief details of the services for which Newbury Town Council wishes to invite tenders.
- 1.2 The Contract relates to the management and maintenance of parks, open spaces, children's play areas, and other amenity areas within the boundaries of the town of Newbury, with an optional extension to include cemeteries and allotments.
- 1.3 The main operations involved are turf maintenance, tree, shrub and hedge maintenance, weed control, litter control, provision and maintenance of bedding schemes, hanging baskets, maintenance and marking out of sport pitches, maintenance of changing rooms, inspection and maintenance of play areas and play equipment, certain cleansing services, pond clearance/cleaning, maintenance of exterior furniture, landscape construction and arboricultural works. For the optional areas of cemeteries and allotments there will be additional specific operations necessary.
- 1.4 The existing contract as let from April 2005 is available through Newbury Town Council's website www.newbury.gov.uk then search for Contract under the pull down menu:- [About Us, GM Contract 2005](#). It is also available on request from Mr. Granville Taylor, Services Manager, Newbury Town Council, Town Hall, Market Place, Newbury, RG14 5AA.
- 1.5 There are no significant changes to the basic contract except for the removal of two small open spaces, the addition of some new play areas, the need to maintain signage at open spaces and an additional summer bedding flower bed.
- 1.6 Separately, the Council is considering including the following three additional areas:
 - maintenance and management of Shaw Cemetery, actively used for burials. This is currently maintained by a 3 person team of Newbury Town Council employees, with some assistance through the current contractor as unscheduled works. TUPE rules will apply, if this is included in the contract.
 - maintenance of the closed Newtown Road Cemetery, currently going through a re-invigoration heritage project as public open space. This is currently maintained by volunteers, Community Payback Scheme and through the current contractor as unscheduled works.
 - the maintenance of the common areas of its six allotment sites. This is currently maintained by a dedicated contractor, working 16 hours per week, with some assistance from volunteers and the Community Payback Scheme.
- 1.7 Council Officers are currently working on adding into the contract tender documents all relevant changes since 2005 as well as the optional extras, in time for circulation to the short list of Tenderers on 22 September 2010. If more details are required in advance of that to assist any potential Tenderer when completing this pre-qualification questionnaire, they are advised to contact Mr. Granville Taylor, Services Manager, Newbury Town Council, Town Hall, Market Place, Newbury, RG14 5AA, or servicesmanger@newbury.gov.uk or 01635 35486 who would be pleased to make arrangements for them to have access to such draft information.
- 1.8 The Contract will be for a minimum of 3 years commencing on 1st April 2011. The service is currently provided by English Landscapes Maintenance Ltd. The Contract will be awarded on the basis of the Most Economically Advantageous Tender taking into account price and quality factors, i.e. the Tender figure will not be the only determinant and all aspects of best value will be considered.
- 1.9 The Contract period may be extended for a further period of no more than 5 years or part thereof by either party serving a notice on the other party indicating its desire to continue the Agreement subject to such an extension being acceptable to both parties.

- 1.10 The service specification focuses principally upon outputs, i.e. what needs to be done, giving the successful Tenderer the freedom to decide upon how that output can be achieved.
- 1.11 The Town Council do not see the business relationship between itself and the Contractor as a typical Client/Contractor relationship where each discharges its responsibilities within tightly defined parameters, but more a partnership in which the Contractor and the Town Council work together to seek continuous service improvement, not only in the means of service delivery but also in the service itself. As such, the Town Council will expect the Contractor to Tender advice to the Council with regard to the means by which the service requirement makes a reducing demand upon the world's scarce resources whilst, at the same time, responds to the Council's and the public's ever rising service expectations.
- 1.12 To help potential Tenderers assess the scale of the work involved, the Town Council believe a sum of £280,000 as an approximate annual contract value including the optional extras, but would point out that this is only an indicative estimate.

2. INSTRUCTIONS FOR COMPLETION

- 2.1 The information disclosed in this form will be used in the Tenderer evaluation process. Any invitation to tender based on this questionnaire, however, does not imply any representation by the Council as to your financial stability, technical competence or ability in any way to carry out the Services. The right to return to these matters as part of the formal Tender evaluation process is reserved to the Council.
- 2.2 Please note that whenever used in this questionnaire, the term "Company" refers to a sole proprietor, partnership, incorporated company or co-operative and the term "Officer" refers to any director, company secretary, partner, associate or other person occupying a position of authority or responsibility within the Company.
- 2.3 Unless instructed otherwise when answering the questions, please give details which specifically relate to your Company, not to the whole of the group if your Company forms part of a group.
- 2.4 Please answer all questions as indicated, continuing on a separate sheet of paper if necessary. Each such sheet and all supporting documents should be clearly marked with the numbers of questions to which they relate.
- 2.5 This questionnaire must be fully completed i.e. no questions should be left blank. If a question is not applicable to your Company please indicate by entering N/A in the relevant box.
- 2.6 Please do not include general marketing or promotional material for your Company, either as answers to any of the questions, or for any other reason.
- 2.7 The Contract Outline (Section 1) gives details of the Council's requirements for the Services. This should be borne in mind when answering the questions.
- 2.8 If you have recently supplied similar information to another organisation in respect of another Tendering exercise, would you allow that information to be disclosed to this Council?

YES	
NO	

Tick as appropriate

- 2.9 If the answer to 2.8 is yes, please provide details of the organisation which sought Tenders and enclose a letter on your headed notepaper authorising this Council to seek that information from them.

ENCLOSED	YES	
	NO	

Tick as appropriate

- 2.10 On the basis of the information provided in this pre-qualification questionnaire the Council will draw up a select list of no more than six Tenderers. All Companies which submit questionnaires will be informed as to the outcome of their application in due course. We expect to do this by 21 September 2010.
- 2.11 The completed questionnaire must be returned, together with supporting documents, no later than 8 September 2010, in an envelope marked "strictly confidential," to:

The Services Manager, Newbury Town Council, Town Hall, Market Place, Newbury. RG14 5AA

to whom any enquires regarding completing the questionnaire should be directed.

3. THE IDENTITY OF THE APPLICANT

3.1 Full name and address of your Company. This should be the Company which would submit the tender, if placed on the Select List.

3.2 Trading name of the Company if different from the formal name given at 3. 1.

3.3 Details of any other relevant addresses. You should state, for example, the registered office and/or other premises from which you propose to administer this contract.

3.4 Name of person making application on your behalf, and their position in the Company.

3.5 Address for correspondence, telephone and fax numbers and email address.

3.6 Are you a sole trader, partnership, company or other body? Please specify. If "other body" please define your form of organisation.

3.7 Have any of the Company's Officers been bankrupt or involved in any Company which has gone into liquidation or receivership? (If so, please give details)

3.8 Has any Officer been employed by the Newbury Town Council or its predecessor bodies? If so, please give the persons name, the capacity in which they were employed and the dates of their employment.

3.9 Is/has any Officer been a Member of the Newbury Town Council or its predecessor bodies? If so, please provide their name(s) and dates of service.

3.10 Please state if any Officer has any relative who is a Member of the Council or is employed by the Council. (If so, please give details).

3.11 Please state the names of Officers of your Company who have any involvement in other Companies which provide services to the Council.

Questions for partnership and sole traders

Partnerships only

3.12 Please give the full names (including all forenames) of all equity partners.

3.13 What is the total number of partners?

Partnerships and sole traders

3.14 When was the Company formed?

3.15 Is the Company a member of a group including other Companies?

3.16 If yes, please give the names and addresses of all the other members of the group; where a partnership, the total number of equity partners in each Company; the date when those Companies were formed; and full details of the structure of the group indicating, for example, whether it is a partnership itself or a collection of separate partnerships sharing services.

Questions only for companies

3.17 Registration number, and date of registration under the Companies Act 1985 or (if applicable) the Industrial Provident Societies Acts 1965 to 1978.

3.18 Please state whether the company is public or private.

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3.19 If your Company is a member of a group, please describe (with a diagram if necessary) its position within that group.

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3.20 If your Company is a member of a group, please state the names and addresses of the ultimate holding company and all other subsidiaries.

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3.21 Do the Objects of the Company, as set out in the Memorandum of Association, cover purposes for which the Newbury Town Council will be seeking tenders?

YES	
NO	

Tick as appropriate

4. FINANCIAL INFORMATION

4.1 What is the name of the person in the Company responsible for financial matters? What position and professional qualifications does that person hold?

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4.2 Please enclose copies of audited accounts and annual reports for the last three full years of trading.

Please ensure that these include:

- a balance sheet
- profit and loss accounts or income and expenditure accounts
- full notes to the accounts
- the managing partner's or director's report
- the auditor's report.

ENCLOSED	YES	
	NO	

Tick as appropriate

4.3 For each of the years calculate (please enclose details of the calculations) and provide the following financial ratios:

- fixed-interest capital and long-term borrowing to equity capital (gearing);
- current assets to current liabilities (current ratio);
- liquid assets to current liabilities (acid test/liquidity ratio);
- return on capital employed (profitability ratio).

ENCLOSED	YES	
	NO	

Tick as appropriate

4.4 Are these financial ratios considered to be a true reflection of the financial health of the Company at that time?

YES	
NO	

Tick as appropriate

4.5 If not please explain why that is considered to be the case.

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4.6 If the accounts you are submitting include none for a financial year ending less than 9 months ago, can you confirm that the trading position and financial ratios now are similar?

YES	
NO	

Tick as appropriate

4.7 If no, please give full details.

4.8 If yes to 4.6, please provide unaudited accounts, management accounts or any other financial information prepared since the last published accounts which would provide evidence of that assurance.

ENCLOSED	YES	
	NO	

Tick as appropriate

4.9 Please provide the name and address of your bankers, and confirm by means of a letter on your headed notepaper in the form set out in Appendix 1, signed by an authorised signatory, that the Town Council may obtain references from them.

ENCLOSED	YES	
	NO	

Tick as appropriate

4.10 Please give details on a separate sheet, of any outstanding claims or litigation against the Company.

ENCLOSED	YES	
	NO	

Tick as appropriate

4.11 Please provide details of how, if at all, those claims or litigation are reflected in the financial information and ratios covered by questions 4.2, 4.3, 4.4, 4.5, 4.6, 4.7, and 4.8.

4.12 VAT Registration Number.

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4.13 Does your Company hold a Tax Exemption Certificate (CIS 6) under the Construction Industry Tax Scheme?

YES	
NO	

Tick as appropriate

4.14 Does your Company hold a CIS 5 certificate enabling it to hold a certifying document in line with the provisions of the Income and Corporation taxes Act 1988, stating:

- the type of certificate held;
- the certificate number;
- the name in which the certificate was issued;
- address of the issuing officer.

YES	
NO	

Tick as appropriate

4.15 If your Company holds neither a CIS 6 nor a CIS 5 does it hold a registration card (CIS 4) to enable payment to be made under deduction of tax?

YES	
NO	

Tick as appropriate

Insurances

4.16 Please give details of insurances as indicated below.

4.16.1 Employers Liability Insurance held.

INSURER	
POLICY NO.	
EXTENT OF COVER	
EXPIRY DATE	

4.16.2 Public Liability (Third Party) Insurance held.

INSURER	
POLICY NO.	
EXTENT OF COVER	

EXPIRY DATE	
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4.17 Does the Company undertake any design or advisory work?

YES	
NO	

Tick as appropriate

4.18 Does the Company hold Professional Indemnity Insurance (Note: the Contract will involve the Contractor providing advice to the Newbury Town Council).

YES	
NO	

Tick as appropriate

4.19 Professional Indemnity Insurance held (if any).

INSURER	
POLICY NO.	
EXTENT OF COVER	
EXPIRY DATE	

4.20 Please provide details of all other insurances held by the Company; i.e. risks covered and insurers.

RISK	INSURER

4.21 In the event of the Company adopting a policy of self insurance in respect of any risks, please provide a definition of the risks covered and details of the self insurance arrangements.

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4.22 Please enclose full details of any claim settled in the excess of £15,000 made under your Company's Insurance policies or self insurance arrangements during the last three years.

ENCLOSED	YES	
	NO	

Tick as appropriate

Performance Bond or Company Guarantee

4.23 In the event of your Company being awarded the Contract, you will be required to provide a performance bond or company guarantee. Please indicate the arrangements you would be likely to put in place.

5. TECHNICAL CAPACITY AND ABILITY

5.1 The following questions are intended to indicate your Company's general technical capacity and ability. Where necessary please cover any particular arrangements which would apply to the work advertised.

5.2 Please list the full range of services provided by the Company.

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5.3 What percentage of your Company's turnover for each of the last three complete trading years relates to:

- a. Grounds Maintenance
- b. Local Authorities

Year ended	% of turnover earned from	
	Grounds Maintenance	Local Authorities

5.4 Please provide details of all six, or whichever is the lesser, public bodies for which you provide similar services to those being sought by Newbury Town Council (Note: it is the intention of the Council to approach some or all of the named clients for references).

Organisation	Annual Value of Contract £'000	Contract Person	Telephone Number

5.5 Please detail below the full names of any technical associations, employers, or trade organisations, or guarantee schemes of which your Company is a member.

Organisation	Reg. Or Membership No. (if any)	Expiry Date

5.6 If your Company were to be awarded the Contract how would you propose to resource the work? (Outline details only, fuller will be sought at tender stage).

5.7 If your Company proposes to use sub-contractors to undertake any part of the work please provide details of how they will be identified by yourselves, their competence and capacity assessed and their work quality assured. (Outline details only, fuller detail will be sought at tender stage).

5.8 How would your Company assess the suitability and competence of staff that would be allocated to this Contract, if your Company were successful? (Outline details only, fuller detail will be sought at tender stage).

5.9 Would those staff also be working on other contracts held by your Company?

YES	
NO	

Tick as appropriate

5.10 Has your Company suffered a deduction for liquidated and ascertained damages in respect of any contract within the last 3 years? If so, please provide details.

5.11 Has your Company had a contract terminated or your employment determined under the terms of a contract within the last three years? If so, please give details.

5.12 Has your Company within the last three years, not had a contract renewed for failure to perform to the terms of a contract? If so, please provide details.

5.13 Within the last 3 years have any of your Company's contracts ended early by mutual agreement following allegations of default on your Company's part? If so, please provide details.

5.14 In the past three years have any adverse complaints been made against your Company to any trade, professional, consumer interest, inspection, or regulatory body in respect of any work or practises of the Company? If so, please provide details.

5.15 Please detail how your Company will ensure that a quality service is delivered and maintained.

5.16 The Service Specification will be expressed principally in output terms, one such requirement being that grass shall be maintained within a minimum and maximum height at all times. How would the Company ensure it complies with that requirement?

5.17 Has your Company recently expressed an interest or submitted a tender for any contracts similar to that to be placed by Newbury Town Council, which, at present have yet to be awarded?

YES	
NO	

Tick as appropriate

5.18 If yes, and if your Company were to be awarded any of those outstanding business opportunities, what, if any, would be the impact upon the information provided in this questionnaire and your interest in the Newbury Town Centre Contract?

5.19 In terms of your Company's current workload, business standing, organisation, and resourcing are there any possible changes over the next six months that might impact upon the information provided in this questionnaire?

YES	
NO	

Tick as appropriate

5.20 If yes, please provide details of the possible changes and their impact upon the information provided

6. EMPLOYMENT AND SAFETY ISSUES

6.1 In the last three years, have any findings of unlawful racial discrimination been made against the Company by any court or industrial tribunal?

YES	
NO	

Tick as appropriate

6.2 In the last three years, has your Company been the subject of formal investigation by the Commission for Racial Equality on the grounds of unlawful discrimination?

YES	
NO	

Tick as appropriate

6.3 In the last three years, has your Company been prosecuted for contravention of the Health and Safety at Work etc? Act 1974 or equivalent legislation?

YES	
NO	

Tick as appropriate

6.4 In the last three years, has your Company been subject of a formal investigation by the Health and Safety Executive, or similar national body charged with improving health and safety standards?

YES	
NO	

Tick as appropriate

6.5 In the last three years, has your Company been successfully challenged in the courts or at an industrial tribunal by any of its current or former employees in respect of any employment matters, other than those covered by health and safety and racial discrimination legislation, e.g. unfair dismissal, sex discrimination etc?

YES	
NO	

Tick as appropriate

6.6 Please note that if any of the answers to the questions in Section 6 are in the affirmative the Council may call for further details. The Company is at liberty to submit any additional information in respect of those affirmative answers with this questionnaire if it so wishes.

ENCLOSED	YES	
	NO	

Tick as appropriate

7 UNDERTAKING

7.1. When you have completed the questionnaire, please ensure that:

- you have answered all questions;
- you have enclosed all supporting documents;
- you have read and signed the declaration below.

7.2. The Contract Outline has been considered by my Company in completing this questionnaire and I certify that my Company is interested in performing the services set out in it.

7.3. I certify that the information supplied is accurate to the best of my knowledge and that there are no grounds upon which my Company may be deemed ineligible to tender for, or be awarded the Contract, i.e. my Company.

- is not in a state of bankruptcy, insolvency, compulsory winding up, administration, receivership, composition with creditors or any analogous state, or subject to relevant proceedings;
- has not been convicted of a criminal offence related to business or professional conduct;
- has not committed an act of grave misconduct in the course of business;
- has fulfilled its obligations relating to payment of social security contributions and the payment of taxes;
- is not guilty of serious misrepresentations when supplying information to the Newbury Town Council;
- is in possession of a licence or a member of the appropriate organisation as required by the relevant European State in which it is established;
- where required is registered on any professional or trade register of the relevant European State in which it is established.

I understand and accept that false information could result in rejection of our application to tender.

I also understand that it is a criminal offence, punishable by imprisonment, to give or offer any gift or consideration whatsoever as an inducement or reward to any servant of the Public Body. I also understand that any such action will empower the Council to cancel any Contract currently in force and will result in our exclusion from the approved list of tenderers.

NB. This undertaking is to be signed by an authorised representative in their own name on behalf of the Company.

Signed _____ For and behalf of (print) _____

Name (print) _____

Position in the Company (print)

Date:

Appendix 1

To the Manager of (insert name) Bank

Dear (insert salutation)

BANK REFERENCE FOR NEWBURY TOWN COUNCIL

Our Company banks at your office under account references (insert details) and has been asked to arrange a bank reference to the above Authority in respect of grounds maintenance services for which we might be invited to tender.

This letter hereby authorises you to provide full details of our accounts when approached by the Authority, together with a history of our banking record over the previous five years. It also authorises you to answer such other reasonable questions which they may ask for the purpose of assessing our financial and economic standing. The annual value of the contract services which we might be offering is approximately £ (insert value)

Yours faithfully

(Authorised signatory)