**RFI FW Supply & Install - EV Charging Infrastructure - Multisite 1225**

**Reference: 67180**

**Pre-Qualification Questionnaire**

**Instructions to Potential Providers**

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**INSTRUCTIONS TO TENDERERS**

# Definitions and interpretation

Any reference to a Request for Proposal (“RFP”), Request for Quotation (“RFQ”), Request for Information (“RFI”), Request for Proposal, Quotation, Information as appropriate (“RFx”), “ITT” or “Invitation to Tender” is a reference to a request for a tender from the Potential Providers and includes these Instructions to Potential Providers and all Attachments to this event found in the e-tendering tool.

Any references to the “Purchaser”, “Employer” or “Authority” is a reference to the party or parties set out in the Draft Contract, as the “Employer” or “Purchaser” as the case may be.

Any reference to “we”, “us” or “our” is deemed to be a reference to the Authority.

Any reference to “person” includes but is not limited to any person, company, body or association.

Potential provider means a party selected to submit a response to the RFx.

Draft contract means a draft of the contract which the Authority expects to enter into with Supplier(s), subject to amendment by the Authority.

Contract means the contract for the goods, works or services required by the Authority between the Supplier and the Authority.

Supplier means a Potential Provider whose Tender is successfully evaluated and has a contract executed with the Authority.

# Introduction

The Authority intends to award a contract for the provision of trail systems in relation to supply and installation of EV charging infrastructure.

This Invitation to Tender is issued under the:

* Utilities Contracts (Scotland) Regulations 2016 (Scotland)

with reference to a Call for Competition in the Official Journal of the European Union (OJEU) and the Negotiated Procedure with a Prior Call for Competition will be used as set out therein.

The award will be on the basis of the "Most Economically Advantageous Tender" by the application of the Award Criteria set out in the contract notice and as further detailed at Invitation to Tender following the initial pre-qualification stage.

# Invitation to Tender (RFx) Documents

The Authority is using an e-tendering solution (Emptoris) (<https://sse-sgn.emptoris.com/emptoris/sso_login.jsp#/login/loginPage>) to manage this tender process with Potential Providers. No hard copy documents will be issued by the Authority. All documentation pertaining to this Invitation to Tender is attached to the sourcing event in Emptoris.

The structure of this Invitation to Tender is as follows:

Potential Providers must check that they can access all of the Attachments listed below within Emptoris and that their submissions are complete in all respects. Any errors, inaccuracies or omissions in the procurement documents should be advised by the Potential Provider to the Authority. The Authority accepts no liability for such errors, omissions or inaccuracies.

The Authority reserves the right to issue amendments to the procurement documents at any time after issue until six working days prior to the date and time for the return of PQQs. Any such amendments will be placed in the Attachments folder associated with this PQQ. You are advised to check the Attachments folder on a regular basis as you may not be notified of individual updates.

# Communications and Pre-tender queries

All communications relating to this tender will be conducted via Emptoris. Any communications received via other methods will not be accepted or responded to by the Authority.

It is the Potential Provider's responsibility to ensure that its point of contact in Emptoris is accurate at all times. The Authority will only use the Emptoris contact details for any necessary communications.

If Potential Providers have any queries regarding this PQQ exercise, these should be submitted to the procurement lead using Emptoris messaging. Pre-tender queries must be contained in the body of your message – attachments will not be visible to the buyer. Please do not refer to your identity in the body of the question. The last day for submission of queries from Potential Providers is seven days prior to the tender closing date. Any queries received after this date may not be responded to.

The Authority will publish responses to queries in the “Attachments” section of the sourcing event on Emptoris (in a “Questions and Answers” document) visible to all Potential Providers. If you believe your query to be confidential and do not wish the query or the response to be visible to all Potential Providers, you must notify the Authority and provide justification for keeping the question and response visible only to you. If the Authority does not feel there is sufficient justification, we will ask you to confirm whether you want the question to be withdrawn or published to all and will thereafter follow your decision.

Potential Providers are responsible for monitoring Emptoris and the ‘Questions and Answers’ document in particular, for any responses to questions, general clarifications or other information issued by the Authority.

# Confidentiality and Intellectual Property Rights

Potential Providers shall not disclose any information in relation to either this Invitation to Tender, their Tender submission or subsequent queries and correspondence in whole or in part to any third party prior to either the award of the contract by us unless permission is received in writing from a duly authorised representative of the Authority.

Potential Providers are to restrict circulation and distribution of this Invitation to Tender to suppliers and subcontractors on a "need to know" basis and then only for the purposes for which it has been supplied and when the supplier or subcontractor is bound by the same terms of confidentiality stated herein.

If you, as representative of your company, are not in agreement with this “Confidentiality Notice” or you elect not to respond to this opportunity, please inform the procurement lead and delete all associated documents and correspondence, at all times treating the information contained herein as confidential. Otherwise, these confidentiality provisions are deemed accepted.

This PQQ and Invitation to Tender and all associated documentation remain the property of the Authority. The Authority provides a license to the Potential Provider to use the information for the sole purpose of responding to this Invitation to Tender.

The Potential Provider grants the Authority a non exclusive, irrevocable and perpetual licence to copy, reproduce and use any intellectual property contained within its PQQ/Tender for the purposes of carrying out the evaluation of this tender and for entering into a contract (where applicable).

# Acknowledgement

Potential Providers should accept or decline the invitation in Emptoris. If declining to submit a response, please provide an explanation as to the reasons.

# Subcontractors/sub-suppliers

The Authority will not respond to any query directly from your subcontractors or sub-suppliers and you are responsible for ensuring they have sufficient information in respect of their potential subcontract.

# Tender Submissions

1.
2.

##  Language & Currency

The Tender and all communications relating to the PQQ/Invitation to Tender shall be in the English language.

##  Potential Providers Tender Commitment

Potential Providers are deemed to have satisfied and fully informed themselves as to the nature and extent of the requirement of this procurement prior to submitting a PQQ/Tender including in respect of all regulations, bye-laws, site conditions and all other factors which may affect their Tender.

Potential Providers shall bear all costs and expenses incurred by them in the preparation and submission of their PQQ/Tender, including the attendance at any Pre or Post Tender Meetings, site visits or negotiations.

All Potential Providers are responsible for identifying any information of a proprietary or confidential nature within their response in order that it may be handled properly.

##  Compliant Tenders

All requested fields, questions and attachments should be provided by the Potential Provider. No additional attachments should be provided unless specifically requested by the Authority. [Do not answer questions by cross referring to other answers or to other documents]. Please check the accuracy of your response prior to tender submission. Clerical or mathematical errors may, at the sole discretion of the Authority, be referred back to the Potential Provider for correction.

Non compliant PQQs/Tenders, at the sole discretion of the Authority, may be rejected and may not be included in any evaluation. Any tenders that are submitted where questions, bid fields or requested information are incomplete or where a tender is qualified, may be deemed to be non-compliant and may not be considered in the evaluation.

For details on using Emptoris, please see the Supplier User Guide here: [https://www-05.ibm.com/e-business/linkweb/publications/servlet/pbi.wss?SSN=17BII0001886419163&FNC=PBL&PBL=SC27-4796-00PBCEONLP00061890&TRL=TXTSRH#](https://www-05.ibm.com/e-business/linkweb/publications/servlet/pbi.wss?SSN=17BII0001886419163&FNC=PBL&PBL=SC27-4796-00PBCEONLP00061890&TRL=TXTSRH) If you still have a query please contact the RFx lead for further information.

##  Tender Closing

The tender closing time and date within Emptoris is fixed and firm.

In the event that a PQQ/tender submission is late, the Authority will not accept the late tender submission.

All responses in “draft” in the system will be automatically submitted at the deadline to the Authority. Please ensure that you prepare and complete your tender in the Emptoris system in sufficient time prior to the submission deadline, including time for uploading. The Authority accepts no responsibility for the late submission of any tenders.

Once a PQQ/Tender is submitted, it is deemed to have been submitted on behalf of the Potential Provider by a person authorised to commit the Potential Provider to the PQQ/Tender submission and submissions cannot be modified after the tender closing time.

##  Alternative Tenders

The Potential Providers are required to submit a Tender, which complies with the requirements of this Invitation to Tender, but are welcome to provide additional alternative tenders. The Authority is under no obligation to evaluate alternative tenders, but if electing to do so, the Authority will evaluate the alternative tenders in the same way as compliant tenders. Potential Providers must answer questions and questionnaires fully for both alternative and compliant tenders, so that alternatives can evaluated.

An alternative Tender is not able to be evaluated unless the Potential Provider has also submitted a fully compliant Tender.

##  Cancellation or Amendment to the Invitation to Tender

The Authority reserves the right to cancel or amend the Invitation to Tender, or abandon the procurement in part or entirely, at any time for any reason.

# Procurement Timetable

|  |  |
| --- | --- |
| **Event** | **Estimated Date or Date Range** |
| PQQ Closing Date and Time: | 05/10/2020 |

Attachments contained in the RFx attachments folder relating to this event:

**1 - This PQQ instructions to Potential Tenderers**

**2 - RFI Attachment 001 – Glossary of Terms**

**3 - RFI Attachment 002 – Evaluation Criteria**

**4 - RFI Attachment 003 – Emptoris Guidance**

**5 - RFI Attachment 004 – Procurement Documents**

**6 - PQQ Document**