



**Laois County Council**  
Áras an Chontae, Portlaoise, Co. Laois

## TENDER RESPONSE DOCUMENT – SERVICES

Subject Matter of Request for Tender	
Provision of Services for <b>Co-ordination of Public Art Projects – Laois Per Cent for Art Projects 2019</b>	
Closing Date and Time for Receipt of Tenders	<b>12 noon – 31<sup>st</sup> January 2019</b>
Organisation Name	
Contact Name	
Contact Email	

## Contents

Instructions for Completion.....	3
RESPONSE TO SELECTION CRITERIA.....	3
<b>General Contact Information</b> .....	4
Financial Information – Pass/Fail Criteria .....	5
Declaration Re Personal Circumstances – Pass/Fail Criteria .....	7
Declaration Re Statutory Obligations – Pass/Fail Criteria.....	9
Health & Safety – Pass/Fail Criteria .....	11
RESPONSE TO THE AWARD CRITERIA .....	12
Form of Tender - Services .....	12
Response to Qualitative Award Criteria.....	15

## **Instructions for Completion**

Tenderers should ensure they have read the Request for Tender before they attempt to complete this Tender Response Document.

If you consider that the Tender Response Document is missing any sections which would prevent you from preparing a comprehensive response, please contact the Contracting Authority as soon as possible.

Where there is a discrepancy between the contents / instructions in this document and the Request for Tender, the Request for Tender will take precedence.

Tenderers must follow the instructions contained in this document in relation to attachments, format for submission, etc.

Where tenderers are relying on other parties to meet the selection criteria, those parties must be available to deliver elements of the contract.

## **RESPONSE TO SELECTION CRITERIA**

**TENDERERS SHOULD NOTE THESE CRITERIA ARE ASSESSED ON A PASS/FAIL BASIS**

## General Contact Information

<b>Organisation Name:</b>		
<b>Contact Person:</b>		
<b>Position:</b>		
<b>Address:</b>		
<b>Phone:</b>		
<b>Email:</b>		
<b>Website:</b>		
<b>Date of Establishment, if applicable</b>	<b>VAT Registration No:</b>	<b>Legal Structure – partnership, limited company, etc.</b>
<b>Details of any sub-contractors or consortium members:</b>		
<b>Name</b>	<b>Proposed Role in Delivery of the Contract</b>	<b>Confirmation relevant information is provided for each party (e.g. financial, experience, or other selection criterion where applicable)</b>

## Financial Information – Pass/Fail Criteria

Tax Clearance		Please confirm YES/NO	
I confirm and declare being tax compliant. The Contracting Authority can verify your tax clearance status through Revenue’s online facility at <a href="http://www.revenue.ie/en/online/tax-clearance.html">http://www.revenue.ie/en/online/tax-clearance.html</a> To this end, please confirm:		Yes	
		No	
Tenderer Name:			
Tenderer PPSN/ Tax Reference Number			
Access Number			
OR, I confirm that I hold a current valid paper Tax Clearance Certificate (generally relates to Non-Residents)			
<b>Registration Number</b>		<b>Certificate Number</b>	
OR, I confirm that I have applied for Tax Clearance status or a Tax Clearance Certificate which will be made available on request		Yes	
		No	

<b>Insurances</b>				
I confirm that we have the following insurances in place				
<b>Insurance Type</b>	<b>Level required if successful</b>	<b>Level in Place</b>	<b>Details of Any Excess</b>	<b>Renewal Date</b>
Employers Liability	€13,000,000(if applicable)	€		
Public Liability	€6,500,000	€		
Professional Indemnity	€250,000	€		
Motor Insurance	Indemnification of Laois County Council	€		
AND				
I confirm that if successful, where the levels required under the contract/framework are higher than those currently in our possession, I will be in a position to put the required forms and levels of insurances required in place.				
AND				
I confirm that I will provide the following promptly on request:				
<ul style="list-style-type: none"> <li>• evidence of insurances in place    <b>or</b></li> <li>• letter from Insurance Broker confirming that the required levels can be put in place if successful</li> </ul>				

**Declaration Re Personal Circumstances – Pass/Fail Criteria**

**DECLARATION RE PERSONAL CIRCUMSTANCES AS PER ART. 57 OF DIRECTIVE 2014/24/EU**

Economic Operators will be excluded from the procurement process if, within the past five (5) years, there is evidence of a conviction relating to a specific criminal offence listed below (see 1.1) or if they have been the subject of a binding legal decision which found a breach of legal obligations to pay tax or social security contributions (see 1.2) (except where this is disproportionate e.g. where only minor amounts are involved).

		YES	NO
<b>1.1</b> Has the Economic Operator or a member of their proposed consortium, (if applicable), Director, or Partner or any other person who has powers of representation, decision or control, been convicted of any of the following offences?		Please indicate your answer by marking 'X' in the relevant box	
1.1.a	participation in a criminal organisation, as defined in Article 2 of Council Framework decision 2008/841/JHA;		
1.1.b	corruption, as defined in Article 3 of the Convention on the fight against corruption involving officials of the European Communities or officials of Member States of the European Union and Article 2(1) of Council Framework Decision 2003/568/JHA as well as corruption as defined in Irish Law or the jurisdiction in which the Economic Operator is established;		
1.1.c	fraud within the meaning of Article 1 of the Convention on the protection of the European Communities' financial interests;		
1.1.d	the subject of a conviction for terrorist offences or offences linked to terrorist activities or for inciting or aiding or abetting or attempting to commit an offence;		
1.1.e	the subject of a conviction for money laundering or terrorist financing;		
1.1.f	the subject of a conviction of child labour and other forms of trafficking in human beings;		
<p>Non-payment of taxes or social security obligations</p> <p><b>1.2</b> Has it been established by a judicial or administrative decision having final and binding effect in accordance with Irish law or the legal provisions of the country in which the Economic Operator is established (if outside Ireland), that the Economic Operator is in breach of obligations related to the payment of tax and social security contributions?</p> <p>Note: If the response to 1.2 above is in the affirmative, please provide further information on the decision and the amounts involved</p>			



2.1 Please indicate if any of the following situations have applied, within the past three (3) years, or currently apply, to your organisation.		YES	NO
		Please indicate your answer by marking 'X' in the relevant box	
2.1.a	has, in the performance of any public contract, failed to comply with applicable obligations in the field of environmental, social and labour law applying at the place where the works were carried out or the services provided, as established by EU law, national law, collective agreements or by international, environmental, social and labour law listed in Annex X of Directive 2014/24/EU;		
2.1.b	is bankrupt or the subject of insolvency or winding-up proceedings, its assets are being administered by a liquidator or by the court, or has entered into an arrangement with creditors, suspended its business activities or is in any analogous situation arising from a similar procedure under national laws and regulations;		
2.1.c	is guilty of grave professional misconduct which renders its integrity questionable;		
2.1.d	has entered into agreements with other economic operators aimed at distorting competition;		
2.1.e	has a conflict of interest within the meaning of Article 24 of 2014/24/EU that cannot be effectively remedied by other, less intrusive, measures;		
2.1.f	confirms that it has had prior involvement in the preparation of the procurement procedure which has resulted in a distortion of competition, as referred to in Article 41 of 2014/24/EU, that cannot be remedied by other, less intrusive, measures;		
2.1.g	has shown significant or persistent deficiencies in the performance of a substantive requirement under a prior public contract, a prior contract with a contracting entity, or a prior concession contract, which led to early termination of that prior contract, damages or other comparable sanctions.		
2.1.h	<ul style="list-style-type: none"> <li>is guilty of serious misrepresentation in supplying the information required for the verification of the absence of grounds for exclusion or the fulfilment of the selection criteria; or</li> </ul>		
	<ul style="list-style-type: none"> <li>has withheld such information or is not able to submit supporting documents required under Article 59 of Directive 2014/24/EU; or</li> </ul>		
2.1.i	has undertaken to: <ul style="list-style-type: none"> <li>unduly influence the decision-making process of the contracting entity, obtain confidential information that may confer upon the Tenderer undue advantages in the procurement procedure; or</li> <li>negligently provide misleading information that may have a material influence on decisions concerning exclusion, selection or award.</li> </ul>		

**Declaration Re Statutory Obligations – Pass/Fail Criteria**

We confirm that we are fully compliant with the following legislation, or equivalent legislation in our country of establishment/operation:		YES	NO
(a)	Employment Equality Acts 1998-2011		
(b)	Equal Status Acts 2000-2011		
(c)	National Minimum Wage Act 2000 as amended		
(d)	Organisation of Working Time Act 1997 as amended		
(e)	Safety, Health and Welfare at Work Act 2005 and Safety, Health and Welfare at Work (General Application) Regulations 2007		
(f)	Disability Act 2005		
(g)	We have procedures in place to ensure that our subcontractors, if any are used for this contract, apply the same standards.		
<p>This Declaration is made for the benefit of the Contracting Authority                      I certify that the information provided in the <b>Declaration re Personal Circumstances</b> and the <b>Declaration re Statutory Obligations</b> is accurate and complete to the best of my knowledge and belief. I understand that the provision of inaccurate or misleading information in these Declarations will lead to my organisation being excluded from participation in this and future tenders and I am signing on behalf of:</p>			
Name of Tenderer			
Name of Authorised Signatory			
Position			
Signature			

**Health & Safety – Pass/Fail Criteria**

Do you comply with the Safety Health & Welfare at Work Act 2005	Yes		No	
Name of Manager responsible for Health and Safety				
Is it 3 <sup>rd</sup> party certified or managed in-house?	3 <sup>rd</sup> Party Certified			
	In-House			
If 3 <sup>rd</sup> party certified, please provide the following information:	Date of most recent certification			
	Scope of Certification			
	Name of Certification Body			
	Evidence will be provided on request	Yes		
No				
I confirm that evidence of compliance will be provided promptly on request.	Yes			
	No			

## RESPONSE TO THE AWARD CRITERIA

### Form of Tender - Services

To:	
From:	
Re:	

#### Budget:

This public art project has come about through the Laois Percent for Arts Budget. The total budget for the commissioned art project will be €144,000 (inclusive of co-ordinators fee and VAT). Tenderers are advised to take this into account in preparing their tender response for project co-ordination services.

Tenderers' Pricing Submissions must be completed and submitted in accordance with the instructions set out in this Part.

- Please submit a fixed price proposal (**inclusive** of all expenses and VAT showing VAT separately) for the requirements specified.
- Please confirm that all proposals include the full cost of service delivery (including any costs for sub-contracting of services if this is applicable), service delivery and all other relevant costs.
- Travel, administration and other expenses should be included in the fixed price fee proposal -they may be itemised if relevant but the fixed price proposal should include all costs.
- All pricing must be quoted in Euro €.

Criterion E:	Weighting	Maximum Marks	Minimum Marks Required
Title <b>Ultimate Cost</b>			
	20%	2,000	n/a
<b>Instructions</b>	Please complete the cost proposal table below		

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I/We have examined the tender documentation and hereby offer to provide the services in accordance with the details contained within the Request for Tender Document.

	EURO	Comment (if applicable)
<b>Fee Proposal</b> (excluding VAT)	€	
Proposed contact time( not including travel time)		
Travel and other expenses	€	
Other Costs (if applicable)	€	
VAT – please indicate rate	€	
<b>TOTAL PRICE</b> Proposed Total Fee for delivery of the Initial Contract outlined in tender document. <i>(To include all expenses &amp; VAT).</i>	€	

I/We confirm that I/we:

- In relation to daily/hourly fees all rates are inclusive of out of pocket (i.e. mileage, subsistence, phone, postage, etc.) and account / contract management related costs.
- Will keep this offer for the contract / framework open for acceptance by you for a period of 12 months from the date of deadline for submission of Tenders,
- Agree that you are not bound to accept the most economically advantageous or any Tender you may receive,
- Have read and thoroughly examined the Tender Document,
- Fully understand the Tender Document and the Client’s requirements,
- Undertake to treat the details of this Invitation to Tender, its Tender and any subsequent agreements as private and confidential,
- Acknowledge that acceptance by the Contracting Authority of this tender will not constitute a binding and enforceable agreement and that a legally enforceable agreement will not exist until and unless the contract is awarded / framework agreement has been established between the and the Tenderer,
- Have availed of all offers for additional information or have otherwise satisfied myself/ourselves as to conditions that may in any manner affect the performance of the contract,
- Have included all elements necessary for the performance of the specified requirements, which are either expressly stated in the Tender Document or contained in any supplementary information or which could reasonably be inferred therefrom,
- Have found no errors, omissions, conflicts or ambiguities in the Tender Document except those which I/We have brought to the attention of the Contracting Authority before the latest date for submitting queries,
- Have included for compliance with all statutory requirements applicable in Ireland and those applicable in any country where parts of the contract may be performed that are in force 7 days prior to the deadline for receipt of Tenders,
- Will not, if awarded a contract employ labour in a manner that is discriminatory in relation to gender, race, religious beliefs, age etc.
- Agree that as a condition of award, it shall be our sole responsibility to fulfil the obligations under the Contract, notwithstanding any changes in circulars, laws, regulations, taxation, duties or other factors which might arise following the withdrawal of the United Kingdom from membership of the EU.

<b>Signed:</b>	
<b>Name (in Capital Letters):</b>	
<b>On behalf of:</b>	

<b>Address:</b>			
<b>Telephone:</b>		<b>Fax:</b>	
<b>Email:</b>		<b>Date:</b>	

## Response to Qualitative Award Criteria

Criterion A:	Weighting	Maximum Marks	Minimum Marks Required
Title <b>Proposed Methodology</b>			
	20%	2,000	1,000
<b>Instructions</b>	Outline proposed methodology for providing and delivering the services required as outlined to include confirmation of ability to commence contract in December 2018. Methodology should include a proposed work plan/timeframe based on the dates as outlined under the heading “General Requirements” of the RFQ document (page.5).		
<b>Tenderers’ Response</b>			

Please use this free text page(s) (i.e. don't type in the box) for your response.





Criterion B:	Weighting	Maximum Marks	Minimum Marks Required
Title <b>Previous Experience</b>			
	25%	2,500	1,250
<b>Instructions</b>	<p>Provide demonstrated experience of delivering two services/contracts of a similar size and nature in the following format:</p> <p><b>1) Two Client references:</b></p> <ul style="list-style-type: none"> <li>• Company/Organisation:</li> <li>• Address:</li> <li>• Brief outline of contract/role:</li> <li>• Contact name:</li> <li>• Telephone number:</li> <li>• E mail address:</li> </ul> <p><b>2) Examples of recent work:</b></p> <p>Detail and supply copies of recent work(for at least two projects) undertaken such as sample artists brief, publicity materials, project reports or comparable work to include images and written materials.</p>		
<b>Tenderers' Response</b>			

Please use this free text page(s) (i.e. don't type in the box) for your response.



Criterion C:		Weighting	Maximum Marks	Minimum Marks Required
Title	Key personnel/nominated project manager			
		30%	3,000	1,500
<b>Instructions</b>	Outline demonstrated knowledge and experience for personnel proposed to provide the required services together with copies of relevant CV's to include: <ul style="list-style-type: none"> <li>• Excellent knowledge and experience of Public Art Commissioning in similar contexts</li> <li>• Expertise across a range of contemporary arts practice</li> <li>• Project management experience;</li> <li>• Expertise in delivering work for audiences/the public;</li> <li>• Experience in arts marketing and dealing with press requirements;</li> <li>• Strong negotiating, community consulting and influencing skills</li> </ul>			
<b>Tenderers' Response</b>				

Please use this free text page(s) (i.e. don't type in the box) for your response.

Criterion D:	Weighting	Maximum Marks	Minimum Marks Required
Title <b>Proposed Additional Services/Benefits</b>			
	5%	500	250
<b>Instructions</b>	Please outline any proposed additional skills, services or benefits.		
<b>Tenderer's Response</b>			

Please use this free text page(s) (i.e. don't type in the box) for your response.

