



October 8, 2015,
All Tenderers

RE: Invitation to Tender (ITT) for the Conversion of Suspended Wood Floors to Solid Concrete Floors at the Youth Center Located at 3 Angle Street, Hamilton.

You are formally invited to submit a response to the tender for conversion of wood floors to concrete floors at the Youth Center. It is the bidder's responsibilities to read the entire tender and comply with all requirements herein.

Tenderers must submit fully completed form of tenders. Tenderers are encouraged to visit the site of the said works.

This Invitation to Tender includes copies of the following;

- Instructions to Tenderers
- Tender Form which includes the following appendices:
 - a) Certification of Confirmation of Non Collusion
 - b) Company Profile,
 - c) Addenda Acknowledgement form
- Specification
- Draft Contract

Access for the purpose of carrying out an inspection can be obtained by contacting the respective care facility via the information provided in the specification document.

Inspection is not mandatory; however, no claims in relation to want of knowledge will be entertained. All queries in relation to this tender must be confirmed by email to cewaldron@gov.bm.

Please complete and return the enclosed form of tender and related documents duly signed to the Tender Box of the Buildings Department of Public Works located at Prospect Maintenance Depot, 2 Aeolia Drive, Devonshire, DV05. Late submissions will not be accepted.

All completed tenders must be returned in sealed envelopes, clearly marked and returned no later than 3:00 p.m. 4th November 2015

Sincerely,

Calvin. E. Waldron
Building Superientandant

1. General



- 1.1 **PUBLIC ACCESS TO INFORMATION:** Any information collected or used by or on behalf of the Government of Bermuda under this solicitation document is subject to the Public Access to Information Act 2010 (“Act”). The information belongs to a class of information that might be made available to the general public unless it is contained in a record that is exempt from disclosure under the Act. Any questions regarding the collection, use, or disclosure of the information should be directed to the public authority that issued this solicitation document.

2. Instructions to Tenderers

2.1 Description of Works

The Land and Public Building Department requests the external painting services of a contractor for the following works at Sylvia Richardson Care Facility as stated in the Specification.

(2.2) Eligibility and qualification requirements

- 2.2.1 This invitation to tender is only open to those who meet the criteria described herein.
- 2.2.2 The Contractor and the Contractor’s specialist sub-contractors must meet certain requirements, specified herein, in order to be considered as eligible Tenderers for the work. Contractors, sub-contractors and contracting teams, which fail to meet with the requirements specified herein as to qualifications, will not qualify for this project, and their tenders will not be accepted.
- 2.2.3 Tenders submitted by a joint venture of two or more firms as partners shall comply with the following requirements:
- 2.2.4 The Tender, and in the case of a successful Tenderer, the Form of Agreement shall be signed so as to be legally binding on all partners;
- 2.2.5 One of the partners shall be nominated as being in charge; and this authorisation shall be evidenced by submitting a power of attorney signed by legally authorised signatories of all the partners;
- 2.2.6 The partner in charge shall be authorised to incur liabilities and receive instructions for and on behalf of any and all partners of the joint venture, and the entire execution of the Contract including payment shall be done exclusively with the partner in charge;
- 2.2.7 All partners of the joint venture shall be liable, jointly and severally, for the execution of the Contract in accordance with the Contract terms and a relevant statement to this effect shall be included in the authorisation mentioned above as well as in the Form of Tender and the Form of Agreement (in the case of a successful Tenderer); and



2.2.8 A copy of the Agreement entered into by the joint venture partners shall be submitted with the Tender.

2.3 Submission of Tenders

- a) All completed tenders must be returned in sealed envelopes, clearly marked and returned no later than **3:00 p.m. on the 4th of November 2015**.
- b) Tenders received later than this time will not be considered.
- c) Tenders shall be submitted on the forms furnished and sealed in an envelope.

IMPORTANT:

Tenders Must Be Placed In The Tender Box Of Ministry Of Public Works, The Department Of Public Lands And Building Located At Prospect Maintenance Depot, 2 Aeolia Drive, Devonshire, DV05.

2.4 Rejection of Tenders

The Employer (“Department of Public Land and Building” here forward) reserves the right to reject any or all Tenders and is not bound to accept the lowest Tender.

The Employer has no obligations in any way to:

- (i) pay any vendor for any ITT response; or
- (ii) award the contract with the lowest or any bidder; or
- (iii) accept any ITT information received from vendors; or
- (iv) include vendors responding to this ITT, in any future invitation; or
- (v) any other commitment to vendors whatsoever.

2.5 Tender Documents and Site Conditions

Each Tenderer, by making his Tender, represents that he has read and understands the Tender Documents, and that he has visited the site and familiarized himself with the conditions under which the works are to be performed.

2.6 Alterations

No alterations are to be made in the Form of Tender except in filling in the blanks as indicated. If any such alterations be made, or if these instructions are not fully complied with, the Tender may be rejected.

2.7 Period of Validity of Tender

The Tenderer shall abide by this Tender for a period of ninety (90)calendar days from the deadline for receipt of Tenders.



2.8 Safety

All works must be carried out in strict accordance with the Bermuda Occupational Safety & Health Act Regulations of 2009.

2.9 Other Submissions

Tenderers must submit with their Tenders a proposed operational plan containing the following:-

- a) Overall methodology for execution of the works including crew size, number of crews and planned days.

Tenderers shall also submit with their tender a complete list of any sub-contractors utilized.

2.10 Tenderer's Responsibility & Clarification Questions

It is the tenderer's responsibility to ensure they completely understanding the requirements and instructions set out in this Invitation to Tender. In the event that clarification is required tenderers should submit questions via e-mail to Bongani Ndlovu at cewaldron@gov.bm

The deadline for questions is 12:00 p.m. Friday, October 30th, 2015.

Tenderers should seek to clarify any points of doubt or difficulty with the Employer before submitting a Tender.

Tenderers are encouraged to visit the sites of the said works.

2.11 Insurance

The Tenderer shall submit evidence with his Tender, such as a copy of a certificate or a letter from his insurers, confirming Third Party Insurance has been retained for the amount shown in the Schedule to the Agreement and for the duration of the Works.

2.12 Evaluation and Comparison of Tenders Process:

The tenders submitted will be evaluated in a two-stage process with the preliminary stage ensuring all requested information is provided, resulting in a short list of potential contractors that will be scored utilizing an evaluation matrix. The second stage will involve the evaluation of the short listed tenders against a set of evaluation criteria.

2.12.1 The evaluation criteria will be based upon some or all of the following aspects of the bidder's tender in (not in order of significance):

- a) **Commercial**
 - i. Competitive price
 - ii. Price clarity



- iii. Management information provisions
- iv. Contractual compliance

b. Service Capability

- i. Service delivery experience
- ii. Service delivery models (including business continuity)
- iii. Quality
- iv. Compliance with Service Levels
- v. Culture and ability to work with Employer
- vi. Ability to adapt to changing business requirements
- vii. Continuous improvement plans

c. Financial

- i. Financial strength demonstrated across the tenderer's group structure.
- ii. An established financial track record demonstrated for the legal entity that would be contracting with (please include your company's registration number and registered address in your response if incorporated).

d. Level of Compliance with ITT

- i. Understanding of all parts of the ITT
- ii. Proposals / bids provided are in accordance with the Instructions
- iii. Adherence to the timescales to send back responses

2.12.2 Tenderers are reminded that throughout the process Employer will continually assess all contact with the tendering organizations including compliance to the process, presentations and on-site representatives. Employer reserves the right at its sole discretion to disqualify without further consideration any submission that does not satisfy this basic requirement.

2.12.3 The Government reserves the right to accept or reject any variations, deviations or alternative offers. Variations, deviations and alternative offers and other factors which are in excess of the requirement of the tendering documents or otherwise result in the accrual of unsolicited benefits to the Government **shall not be taken** into account in the tender evaluation.

2.12.4 To assist with this process please provide the following information:-

- i. Details of up to three contracts completed by your company which are similar to the works described.
- ii. Indicate the number of incidences that have occurred within the last five years where an employee has been injured on the job, if any. Please also indicate how much time such employees were off work because of the sustained injury (s).
- iii. Provide up to three (3) references from prior clients. These may be in the form of written letters from the clients or contact information.



- iv. Provide a reference from your banking institution as to your standing with the bank. Please also indicate whether your company has filed for bankruptcy within the last two years or whether the company is currently insolvent.
- v. Proof of company payroll status and social insurance status.
- vi. Indicate whether your company provides apprenticeships/training positions. If no apprenticeship or training positions exist, indicate whether the company provides training to current employees.
- vii. Indicate the total number of employees working at the company and the number and percentage of Bermudian employees.
- viii. Indicate whether the company has an environmental policy and, if so, please provide a copy.
- ix. Indicate whether the company has a Safety and Health policy and, if so, please provide a copy.
- x. Provide a list of your company principals on the provided form.
- xi. Indicate whether the company or its principals have participated in any business skills training either with the Bermuda Economic Development Corporation or otherwise.
- xii. Certificate of Confirmation of Non-Collusion provided.
The Certificate of Confirmation of Non-Collusion form must be signed and returned with contractor's response.

2.13 Award of Contract

- a) The Government will award the contract to the tenderer whose proposal has been determined to be substantially responsive to the tender documents and who, in the opinion of the Government, has offered the best proposal taking into consideration the price, the contractor's capability and available resources to carry out the contract effectively and the contractor's schedule. This may not be the lowest priced proposal received.
- b) Government's Right to accept any Proposal and to reject any or all tender
- c) The Government does not bind itself to accept the lowest or any proposals and reserves the right to reject any proposal and, and to annul the tendering process and reject all tenders, at any time prior to award of contract, without thereby incurring any liability to the affected tenderer, or tenderers or any obligations to inform the affected tenderer or tenderers of the grounds for the Government's action.
- d) The Government may declare the tender void when it is evident that there is a lack of competition or there has been collusion. All proposals may be rejected if substantially higher than the budget.



2.14 Notification of Award

- a) Prior to the expiration of the period of tender validity prescribed by the Government the Government will notify the successful tenderer by email or confirmed in writing by registered letter that his tender has been accepted. This letter (hereinafter and in the Conditions of Contract called “Letter of Acceptance”) shall name the sum which the Government will pay to the Contractor in consideration of the execution, completion and maintenance of the Works by the Contractor as prescribed by the Contract (hereinafter and in the Conditions of Contract called “the Contract Amount”).
- b) The notification of award in writing will constitute the formation of the Contract.
- c) The Government will promptly notify the unsuccessful tenderers in writing.

2.15 Signing of Contract Agreement

- a) At the same time that he notifies the successful tenderer(s) that his tender has been accepted, the Government will send the tenderer, the Form of Agreement provided in the tendering documents, incorporating all agreements between the parties.
- b) Within 14 days of receipt of the Form of Agreement, the successful tenderer shall sign the Form and return it to the Government.

End of Instructions to Tenderers