



Invitation to tender for Property Consultancy Services for the Broads Authority

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Part A – Employers Information

1. Introduction

The Norfolk and Suffolk Broads is Britain's largest protected wetland and third largest inland waterway, with the status of a national park. It's also home to some of the rarest plants and animals in the UK. The Broads Authority was set up in 1989, with responsibility for conservation, planning, recreation, and waterways.

The Broads Authority owns or manages a significant number of land, property, and other assets. Most of the land and property assets are relatively small, the largest being the land holding at How Hill, but many of these are high profile sites and, in the case of information centres, yacht stations and 24-hour moorings, are extensively used by members of the public. The Authority's property portfolio also includes offices, operational bases, boatsheds, car parks, toilet blocks, boardwalks, and storage facilities.

It is important that these assets are managed effectively and efficiently, not only because they contribute to the Authority's key objectives, but also on legal, financial and health and safety grounds.

Historically the Authority has not sought to own significant amounts of land or property except where this has been deemed necessary for the delivery of its key objectives, a good example being the operational base at Griffin Lane, Thorpe St Andrew. More recently, however the Authority has been proactive in seeking sites for the disposal of spoil for dredging, and to provide free 24-hour mooring facilities for boaters.

Broads Authority ('the Authority') is seeking a suitably qualified and experienced contractor to supply Property Consultancy Services.

1.1. Timeframe

The contract will commence on **Monday 3rd June 2024**. The initial contract will be for a 3-year term with the option to extend for up to a further 24 months.

1.2. Project Manager Contact details

Any questions regarding these documents and the specific requirements of the Authority must be made in writing by emailing queries to Sonja Edgar, Administrative Asset Officer, sonja.edgar@broads-authority.gov.uk

Tenderers should not provide any proprietary information in their questions. In the interests of fairness, all questions and answers will be shared with all tenderers.

Any contact made directly with any other employee of the Broads Authority, regarding this tender is a violation of the terms of the process and may be cause for disqualifying a tenderer.

2. Insurance requirements

The Authority expects the successful tenderer to hold adequate insurance. For this contract it is expected that this will include:

Insurance Type	Minimum level of indemnity
Public Liability	£5,000,000
Employee Liability	£5,000,000
Professional indemnity	£5,000,000

Where a tenderer does not currently hold the requested level of insurance the cost of this can be added to your tender. If the contract is awarded on this basis confirmation will be required that it has been put in place for the duration of the contact.

3. Form of Contract and Conditions

- 3.1. The form of agreement is a services contract. A copy of which can be found in additional documentation.

4. Specification

The Broads Authority is seeking a property consultancy service for an initial 3-year period starting 3 June 2024 to 1 June 2027, with the option to extend for a further two years. The requirements for the contract are set out in the inclusive, but not exhaustive, Schedule 1. It will be for the Broads Authority to decide which of these services it wishes to engage, on terms to be agreed. You will need to ensure that the services provided, where not fully defined, in accordance with all practice notes, guidance and rules of the Royal Institution of Chartered Surveyors (RICS), the Royal Institute of British Architects, the Royal Town Planning Institute, or where applicable other recognised or professional standards or guidance. Potential bidders need to consider the revised RICS rules regarding firm and individual responsible valuer from 1 May 2024. These new rules require firm rotation every 10 years and individual responsible valuer every 5 years.

It is anticipated that property consultancy services will be offered for tender every 5 years.

- Details are expected regarding the hourly rates for the appropriate personnel who will be expected to provide services to the Broads Authority.
- Indicative details of the personnel (or grade of personnel) who would deliver the work in the form of a brief CV or person specification.
- details of the organisation's expertise in the provision of services
- details of appropriate trade references.

The tender response should indicate whether any part of the service is expected to be outsourced. Tenderers should note that the successful contractor:

- must not assign or sub-contract the whole or any part of the Contract without the consent of the Authority.

5. Property Consultancy services – Previous expenditure

April 2020 - 2021	£11,478.
April 2021 - 2022	£9,318.
April 2022 – 2023	£9,754.

6. Tender submission

All tenders must be returned to the Broads Authority as per the instructions below and arrive not later than 17:00 Monday 22nd April 2024. Tenderers should note that the questions and responses raised during the clarification period will be anonymised and shared with other Tenderers on the Authority’s website.

Contact by any person acting in the name of the prospective contractor with any employee of the Authority other than those mentioned in this invitation to tender will be grounds for the Authority to terminate the tender process for that supplier.

Tenders must be returned to: tenders@broads-authority.gov.uk

Email subject must read “Invitation to tender for Property Consultancy Services for the Broads Authority”

Do not copy in the person named in section 1.2 as this will invalidate your tender.

Please note that this mailbox is not monitored and will only be reviewed after the closing date. Suppliers will receive an automatic notification to confirm receipt.

No extensions to the closing date for Tenders can be granted. However, the Authority may at its discretion extend the closing date and time specified.

The Authority will not accept any responsibility if any tender is unable to be submitted by the deadline unless it can be evidenced that there is a problem with the Authority’s IT system.

Qualified tenders or tenders bearing any unauthorised alteration or addition to the form of tender or any other tender documents may be rejected by the Authority.

7. Tender timetable

The following dates are applicable to this tender:

Activity	Estimated Dates
Publication of Invitation to Tender	22 March 2024
Clarification period starts	22 March 2024
Clarification period closes	08 April 2024
Deadline for the Authority to publicise responses to Tender Clarification questions	15 April 2024
Deadline for submission of Tender	17:00 Monday 22 April 2024
Notification of successful/unsuccessful tenders	13 May 2024
Start of standstill period	16 May 2024
Contract Commencement	03 June 2024

This timetable is indicative only. The Authority may amend at its discretion.

8. Evaluation of Tenders

Tenders will be evaluated using a method known as MEAT (most economically advantageous tender). A panel of the Authority' Officers will undertake the evaluation process. The Authority will consider both quality and price in the evaluation of tenders. These reflect the relative importance and are scored as follows:

Criteria	Maximum Score Available
Price (excluding VAT)	50
Technical specification/expertise	20
Response speed	20
Trade references	10
Total	100

The full evaluation methodology breakdown and the factors to be considered in judging the award criteria are set out below.

Price - The calculation that will be used is as follows:

Score = Lowest Tender Price/Tender Price x 50 (maximum mark available)

Technical specification/expertise – Where all criteria requirements are met as stated in the tender, the maximum score will be awarded. Where the criteria match is 80% the score will be 16, 60% the score will be 12, 40% the score will be 8. The requirements of the contract are set out in the inclusive but not exhaustive Schedule 1.

Response speed – Where this is within the Authority’s deadline the maximum score will be awarded. For each 24-hour period past this timeframe, the score will be reduced by 3. Response speed deadline set out in Schedule 1 (pages 21-22).

Trade references – Where both trade references are received, and are deemed satisfactory, the maximum score will be awarded. Where only one is satisfactory, the score will reduce to 5.

Tenders will be evaluated to identify the most economically advantageous tender, although the Broads Authority does not commit itself to accept the lowest, or any tender.

If the Authority receives only one Tender, the Potential Provider will be awarded the Contract provided they meet the Minimum Total Score of 70.

No tender will be considered unless the potential supplier has submitted a full proposal including the completed forms in Part B within this tender document.

The Authority will advise each Tenderer whether its tender has been successful or not. Once the standstill period has passed the successful tender will be recorded on Contracts Finder.

9. General requirements

This document is split into two sections Part A, the Broads Authority (Employer) information on the tender and Part B, the information required from prospective Tenderers. **Tenderers must comply with these instructions.** They are designed to ensure that all tenders are treated equally and fairly and to comply with all legal requirements for public sector procurement. Failure to comply with these instructions and conditions may invalidate your tender.

The Tender documents are and shall be the property of the Authority and will not be copied or reproduced in whole or in part, save as is necessary to enable you to complete the Tender and must be returned to the Authority when requested to do so.

10. Procurement process and tender procedures

10.1. Tenderers’ responsibilities

All tenderers are required to read these instructions before submitting a tender as referred to below. The Authority will assume that Tenderers are fully aware of the contents of these instructions and that unless queries are raised by Tenderers they are fully satisfied and have no queries upon them. The Authority will not entertain any claims for compensation arising from the neglect or failure of any Tenderer to comply.

Information supplied to Tenderers by the Authority is supplied for general guidance only. Tenderers must satisfy themselves by their own investigations about the accuracy of such information and no responsibility is accepted by the Authority for any inaccurate information obtained or for any loss or damage of whatever kind and howsoever caused arising from the use of such information.

It is the responsibility of Tenderers to obtain for themselves at their own expense all information necessary for the preparation of their tender. All works of investigation and preparation of tenders shall be carried out at the Tenderers' cost.

The Invitation to Tender and any other information issued by the Authority relating to the services shall be treated by you as confidential and shall not be disclosed in whole or in part to any third party without the prior consent of the Authority other than for obtaining sureties, guarantees or quotations.

10.2. Pricing

Tenderers shall provide fixed hourly rates in relation to the contract. Prices are to include transport, equipment, materials and consumable supplies necessary for the full and proper completion of the contract obligations as described. All overheads and profit charged to this contract to be included in these prices. Prices are to be exclusive of VAT.

Travelling costs are deemed as included within the tendered rates and shall not be chargeable at any time. Only time spent on site shall be chargeable. Mileage rates are deemed as included within the tendered rates and shall not be chargeable at any time.

10.3. Basis of the Tender

All prices quoted in the tender and any supporting documents must be in pounds sterling and must be exclusive of VAT.

The Tenderer shall bear all costs expenses and liabilities incurred in connection with the preparation and submission of the Tender.

10.4. The Tender

The Tender shall be submitted in accordance with these Instructions to Tenderers. The Authority may reject any tender not complying in any particular matter and its decision in that regard shall be final.

All relevant tender forms for completion can be found in Part B on pages 13 – 21 shall be signed and submitted with all other documents comprising the Tenderers Tender.

The Authority reserves the right to amend any information, or the Specification contained within the invitation to tender at any point prior to the award of contract. Such amendments will be notified to the contractor within a period of 5 days.

The Authority reserves the right not to award a contract subsequent to this tender and may accept or reject the whole or any part of a tender. The Authority does not bind itself to accept any tender and will not accept responsibility for any expense or loss which may be incurred by any potential supplier in the preparation of the tender.

The Authority reserves the right to make all, or any bids received available for inspection by the Office of Fair Trading or any other regulatory body.

Any Tenderer who:

- fixes or adjusts the amount of its Tender by or in accordance with any agreement or arrangement with any other party; or
- communicates to any party other than the Authority or as applicable, relevant other commercial body, the amount or approximate amount of its proposed Tender or information which would enable the amount or approximate amount to be calculated (except where such disclosure is made in confidence in order to obtain quotations necessary for the preparation of the Tender or insurance or any necessary security); or
- enters into any agreement or arrangement with any other party that such other party shall refrain from submitting a Tender; or
- enters into any agreement or arrangement with any other party as to the amount of any Tender submitted; or
- offers or agrees to pay or does pay or give any sum or sums of money, inducement, or valuable consideration directly or indirectly to any party for doing or having done or causing or having caused to be done in relation to any other Tender or proposed Tender, any act or omission,
- may (without prejudice to any other civil remedies available to the Authority and without prejudice to any criminal liability which such conduct by a Tenderer may attract) be disqualified from this procurement exercise.

10.5. Freedom of Information Act

The Authority is bound by the provisions of the Freedom of Information Act (“FOI”) 2000. All information submitted to the Authority may therefore need to be disclosed and / or published by the Authority in compliance with the Act. Any other law, or, because of judicial order, or order by any court, tribunal, or body with the authority to order disclosure (including the Information Commissioner).

If you consider that any of the information included in your Tender should not be disclosed by the Authority, please identify it and explain (in broad terms) why. Please also indicate how long you think the information should be covered by a non-disclosure provision.

In terms of FOI information may be exempt from disclosure if it is:

- A trade secret.
- Information which is likely to prejudice someone’s commercial interests if disclosed (this could be your interests or the Authority’s)

- Personal data where disclosure cannot be justified in terms of the Data Protection Act 1998
- Subject to an enforceable obligation of confidentiality. (This means that the information should be recognisable as confidential in nature and must not be in the public domain already; it must have been received in circumstances which impose an obligation to maintain confidentiality on the person receiving it; and any unauthorised disclosure would cause you harm.)

You should therefore seek to ensure that those parts of the Tender which you would prefer not to be disclosed fall within these broad categories. The Authority is more likely to resist disclosure and be able to justify non-disclosure of information in response to an FOI request if the suggested non-disclosure items are restricted to these categories. Please note that the Authority reserve the right to disclose if it is satisfied (acting reasonably) that it is in the public interest for the information to be disclosed.

It should be remembered that, even where you have indicated that certain information ought not to be disclosed, the Authority reserve the right to disagree. Even when the Authority agree that the information has been correctly identified, it may nonetheless be required to disclose it or elect to do so in the public interest. Receipt by the Authority of any material marked 'confidential' or equivalent should not be taken to mean that the Authority accept any duty of confidence.

In all cases, the Authority may publish (either proactively or in response to a request) the following information:

- The identity of all tenderers
- Overall value of the Contract awarded (or a general indication of the rates applicable under the Contract)
- The value of all tenders received (not necessarily correlated to the identity of the tenderers)
- General performance standards to be achieved under the Contract
- Performance and progress monitoring arrangements; and early completion incentives and penalties for failure to meet targets.

Tenderers should not mark anything as confidential which falls into the above categories.

10.6. Environmental Information Regulations

The Authority is also covered by the Environmental Information Regulations (EIR) 2004 which requires public authorities to make environmental information available, as well as members of the public being entitled to request such information. Like the FOI regulations environmental information relating to the tender may need to be disclosed. Further information can be found EIR's can be found on the information the Information Commissioner's Office (ICO) website [What are the Environmental Information Regulations? | ICO](#).

10.7. Counter Fraud, Corruption and Bribery Strategy

The Authority expects the highest standards of conduct from all organisations that have dealings with it. Any partners, suppliers, contractors and other third parties funded by or in receipt of payments from the Authority are required to adopt or abide by the Authority's policies, procedures, protocols, and codes of practice, where appropriate, in order to prevent and detect fraud, corruption, money laundering and bribery.

11. Draft Contract

See separate document.

Part B Contractors Tender Information

12. Inclusion in the Tender response

The following documentation must be returned to the Authority by email as part of your Tender:

1. Tendered price for the provision of Property Consultancy Services
2. Person Specification
3. Response speed
4. Details as to referees
5. Insurance Certification Form
6. Signed and completed Certificate as to canvassing
7. Signed and completed Certificate as to collusive tendering

Tender form 1

Name of Tenderer:

Tendered price for the provision of Property Consultancy Services

To: Chief Executive, The Broads Authority, Yare House, 62-64 Thorpe Road, Norwich, NR1 1RY.

Having examined the Invitation to Tender and its accompanying documents and being fully satisfied as to my/our abilities and experience in all aspects to satisfy the requirements of the specification and the draft Contract,

I/we of hereby offer, to provide Property Consultancy Services in accordance with Tender Forms Tender form 1 to **Error! Reference source not found.** I/we offer to undertake and complete the work in the time period stated for the sum of £ (excluding VAT) or as set out in the specification below.

No.	Services to be provided	Hourly rate £ (excluding VAT)
1.	Director/Manager	£
2.	Senior Surveyor / Senior Planner	£
3.	Surveyor / Planner	£
4.	Assistant Surveyor / Assistant Planner	£
5.	Technical Assistant	£
6.		
7.		

Provide details of any period of fixed fees and/or provisions for calculation of annual fee increases	
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Please detail any additional costs / rates if applicable	
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I/We agree that this tender shall remain open to be accepted or not by you and shall not be withdrawn for a period of 6 months from the date for return of this tender.

I/we understand that you are not bound to accept the lowest or any tender you may receive.

Unless and until the formal written Agreement referred to above is prepared and signed, the Tender together with your written acceptance thereof will form a binding Agreement between us.

Signed (1) Status:

Signed (2) Status:

For and on behalf of:

Date:

Company registration number or equivalent:

VAT registration number:

Type of organisation: (delete as appropriate) Small and medium enterprise (SME) or Voluntary, community, social enterprise (VCSE)

Tender form 2

Name of Tenderer:

Person Specification

Personnel	
Please provide or append a brief CV or person specification.	
Please provide details of your expertise in the required services:	

Tender form 3

Name of Tenderer:

Response speed

To the Broads Authority

Response category	Response speed (days)
Urgent	
High	
Standard	

Tender form 4

Name of Tenderer:

Referees

To the Broads Authority

You may seek references from my/our following trade referees:

1. Trade

2. Trade

Tender form 5

Name of Tenderer:

Insurance Certification Form

Third Party Insurance covers to sum of not less than £5 million

Dear Sir

I/We certify and declare that I/we have already have in place with our Insurance Company policies in place for public/employers/professional liability in the sum of £5m. I/We attach confirmation from our Insurance Company.

The following is the name and address of the Insurance Company (not broker) with whom the Insurances have been affected:

Name:

Address:

Please note: Evidence must be included with this form to prove that such insurances as are required will be affected. Failure to do so will render this Tender invalid.

Tender form 6

Name of Tenderer:

Certificate as to Canvassing

(Invitation to Tender refers)

I/We certify that I/we have not canvassed or solicited any member, officer or employee of the Authority in connection with the award of the tender or any other tender or proposed tender for the service and that no person employed by me/us or acting on my/our behalf has done any such act.

I/We further hereby undertake that I/we will not in future canvass or solicit any member, officer or employee of the Authority in connection with the award of this tender or any other tender or proposed tender for the services and that no person employed by me/us or acting on my/our behalf will do any such act.

Signed (1)

Status:

Signed (2)

Status:

For and on behalf of:

Date:

Tender form 7

Certificate as to collusive quotation

(Invitation to Tender refers)

To:

The Broads Authority
(hereinafter called "the Authority")

The essence of selective tendering is that the Authority will receive bona fide competitive tenders from all persons tendering. In recognition of this principle,

I/we certify that this is a bona fide Tender, intended to be competitive and that I/we have not fixed or adjusted the amount of the Tender or the rates and prices tendered by or under or in accordance with the following acts:

- a) communicate to a person other than the Authority the amount or approximate amount of my/our proposed Tender (other than in confidence in order to obtain tenders necessary for the preparation of the Tender for insurance); or
- b) enter into any agreement or arrangement with any other person that they shall refrain from tendering or as to the amount of any tender to be submitted; or
- c) offer or agree to pay or give any sum of money, inducement, or valuable consideration directly or indirectly to any person for doing or having done or causing or having caused to be done in relation to any other tender for the service any act or omission.

Signed (1)

Status:

Signed (2)

Status:

For and on behalf of:

Date:

Schedule 1 - Contract Requirements

1.0 The Supplier shall, at the request of the Authority, provide professional management, advice, guidance, negotiation and assistance on property and estates issues including, but not limited to, the following list.

- Acquisition of freehold and leasehold property (including rural land, buildings, Timber, Sporting and Mineral Rights)
- Disposal (includes letting or other commercial arrangements) of freehold and leasehold property
- Portfolio Management
- Expert evidence
- Rent reviews
- Lease breaks and lease expiries
- Lease renewals including production of plans using Ordnance Survey base mapping (provided) and supply of derived data in shapefile format.
- Conduct Topographical surveys (desirable)
- Dilapidations; building contract disputes
- Advice on Landlord and Tenant issues including Landlord consents, service charges and claims, negotiation of rent reviews, lease renewals, Assignments and Licences
- Rating support services
- Valuation of property for all purposes
- Planning including expert evidence
- Feasibility studies for Development projects
- Building surveying services, state of repair, record of condition
- General advice on estate and property management
- Rating appeals
- General cost advice
- Compulsory purchase
- Wayleaves and easements

- Viability appraisal for Agricultural developments

This is an inclusive but not exhaustive list of requirements.

The Supplier must provide a statement in writing setting out their detailed understanding of the brief, proposed approach to the task and fee proposal, and must agree the level of expertise and experience of the personnel to be involved with the Authority.

Whenever recommendations or advice is being given on financial settlements or valuations, the assessments should be fully supported with relevant data including comparable information of market transactions and costed breakdowns of other factors having an effect on value.

Where Estates Services require a conclusion to be legally formalised the Supplier will work with the Authority's appointed legal advisor, providing all necessary information and guidance to ensure a timely and satisfactory conclusion to the transaction.

Where the Services result in any changes to the Authority's estate, the Supplier is to provide all necessary assistance and information, to update the Authority's property records.

The Supplier will provide comprehensive and timely advice for the Authority, as landlord or tenant, on the most appropriate course of action to be taken at an imminent break or expiry including, liaising with the Authority's appointed legal advisors if required. This can include lease termination

Services required by the Authority are expected in a prompt and timely manner and will be designated as three categories depending on the urgency of the response required.

- Urgent, response expected within 24 hours
- High, response within 48 hours
- Standard, response within 4 days