

Reference	Title	Revision	Issued
FO-PRS-EMP-054	RFI Instructions to Applicants	1.1	December 2017

RFI - FW - Goods and Supply - Yaw Gears - Multisite 0922
Reference: 46260

REQUEST FOR INFORMATION
Instructions to Potential Applicants

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INSTRUCTIONS TO POTENTIAL APPLICANTS

1. Glossary of Terms

Please review Attachment 001 – Glossary of Terms as this will assist in the understanding of this document

2. Introduction

- This RFI is issued to Potential Applicants selected by the Authority in connection with a potential procurement event to be conducted in accordance with the Negotiated Procedure under the;
- Utilities Contracts (Scotland) Regulations 2016 (Scotland)

This RFI sets out the information which is required by the Authority in order to assess the suitability of Potential Applicants in terms of their technical knowledge and experience; capability/capacity; organisational and financial standing to meet the requirement.

No information contained in this RFI, or in any communication made between the Authority and any Potential Applicant in connection with this RFI, shall be relied upon as constituting a Contract, agreement or representation that any Contract shall be offered in accordance with this RFI. The Authority reserves the right, subject to the appropriate procurement regulations, to change without notice the basis of, or the procedures for, the competitive tendering process or to terminate at any time. Under no circumstances shall the Authority incur any liability in respect of this RFI or any supporting documentation.

In the event that none of the RFI responses are deemed satisfactory, the Authority reserves the right to discontinue the process.

3. Requirement

The Requirement is set out in the Procurement Documents contained in Attachment 005.

4. Interpretation

Any reference to “RFI” is a reference to a Request for Information from the Potential Applicants and includes these Instructions to Applicants and all Attachments to this event found in the e-tendering tool.

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.

5. Request for Information (RFI) Documents

The Authority is using an e-tendering solution to manage this pre-qualification process with Potential Applicants (Emptoris). No hard copy documents will be issued by the Authority. All documentation pertaining to this RFI is attached to the RFI in Emptoris.

The structure of the RFI suite of attachments is as follows:

- Instructions to Potential Applicants
- Attachment 001 – Glossary of Terms
- Attachment 002 - Evaluation Criteria (this is the method by which the Authority will evaluate your RFI response)
- ~~Attachment 003 – Guidance for use of the e-tendering system for Potential Applicants~~
- Attachment 004 - Procurement Documents

Potential Applicants must check that they can access all of the Attachments listed above within Emptoris and that they are complete in all respects. Any errors, inaccuracies or omissions in the RFI should be advised by the Potential Applicant to the Authority and the Authority accepts no liability for such errors, omissions or inaccuracies. Potential Applicants should be aware that erroneous or incorrect responses may result in their removal from the list of Potential Applicants or Potential Providers. In the event that this is only discovered once the Invitation to Tender has been issued, the Potential Provider may be disqualified from participating further in the Invitation to Tender. In the case where the error or misrepresentation is not discovered until after the Contract is awarded, the Authority reserves the right to terminate the Contract and all costs incurred by the Authority as a result of the termination shall be recoverable from the Supplier under the Contract.

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

The Authority reserves the right to require a Potential Applicant to provide additional information supplementing or clarifying any of the information provided in response to the questions set out in the RFI. The Authority may seek independent financial and market advice to validate information declared, or to assist in the evaluation.

6. Communications and Queries

All communications relating to this RFI will be conducted via Email. Any communications received via other methods will be excluded from consideration (i.e queries/ submission of evidence).

You must ensure that your point of contact in is accurate at all times as the Authority will not be under any obligation to chase responses or to circulate to additional points of contact.

If Potential Applicants have any queries regarding this RFI, these should be submitted to the RFI lead using Emptoris messaging. No approach of any kind in connection with this RFI should be made to any other person within or associated with the Authority. Please do not refer to your identity in the body of the question. The last day for submission of queries from Potential Applicants is seven days prior to the 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 RFI ("Questions and Answers" document) visible to all Potential Applicants. If you believe your query to be confidential and do not wish the query or the response to be visible to all Potential Applicants, 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 Applicants are responsible for monitoring the 'Questions and Answers' document in particular, for any responses to questions, general clarifications or other information issued by the Authority.

7. Confidentiality and Intellectual Property Rights

Potential Applicants shall not disclose any information in relation to either this RFI, their RFI submission or subsequent queries and correspondence in whole or in part to any third party prior to either the award of a resultant Contract by us or if permission is received in writing from a duly authorised representative.

Potential Applicants are to restrict circulation and distribution of this RFI 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 RFI, please inform the RFI 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 RFI and all associated documentation remain the property of the Authority. The Authority provides a license to the Potential Applicant to use the information for the sole purpose of responding to this RFI.

The Potential Applicant grants the Authority a non exclusive, irrevocable and perpetual licence to copy, reproduce and use any intellectual property contained within its RFI response for the purposes of carrying out the evaluation of the RFI response and for entering into any resultant Contract (where applicable).

8. Acknowledgement

Potential Applicants should email the relevant information to Louise Emmett as per the instructions.

9. Information Submissions

9.1 Language

The RFI response and all communications relating to the RFI shall be in the English language.

9.2 Potential Applicants RFI Commitment

Potential Applicants shall bear all costs and expenses incurred by them in the preparation and submission of their RFI response.

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

9.3 Compliant RFI Responses

All requested fields, questions and attachments should be provided by the Potential Applicant. No additional Attachments should be provided unless specifically requested by the Authority. Please check the accuracy of your response prior to submission.

Non compliant RFI responses, at the sole discretion of the Authority, may be rejected and may not be included in any evaluation. Any RFI responses that are submitted where questions, bid fields or requested information are incomplete may be deemed to be non compliant and may not be considered in the evaluation.

The Authority shall exclude a Potential Applicant from participating in an Invitation to Tender event if they have been convicted of any of the offences prescribed under Section 58 of the Public Contracts (Scotland) Regulations 2015 as allowed for under the Utilities Contracts Regulations (Scotland) 2016). The Potential Applicant shall provide a statement confirming whether they have been convicted of any of the offences listed under both the mandatory and discretionary offences.

If you still have a query please contact the RFI lead for further information.

9.4 RFI Closing Date

The RFI closing time and date are fixed.

Closing date is 3rd June 2019 at 5pm

IN THE EVENT THAT AN RFI SUBMISSION IS LATE, THE AUTHORITY WILL NOT ACCEPT THE LATE SUBMISSION.

If you feel that you cannot meet the deadline and would like to request that this is extended, please contact the RFI lead via Emptoris messaging and request an extension to the RFI submission deadline with details on why you believe that this is required. The RFI lead will then contact you to confirm or otherwise the extension to the RFI closing date.

Once an RFI response is submitted, it is deemed to have been submitted on behalf of the Potential Applicant by a person authorised to commit the Potential Applicant to the RFI submission and submissions cannot be modified after the closing time.

9.5 Cancellation or Amendment to the RFI

The Authority reserves the right to cancel or amend the RFI at any time for any reason.

Attachments contained in the RFI Attachments folder relating to this event:

10. Attachment 001 – Glossary of Terms

11. Attachment -002 – Evaluation Criteria for RFI

~~**12. Attachment 003 – Guidance for use of Emptoris for Potential Applicants**~~

13. Attachment 004 - Procurement Documents