



Mersey Gateway Bridge Project

Prequalification Document

October 2011

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1 Introduction

1.1. Overview

- 1.1.1 The Mersey Gateway Bridge project ('the Project') is a Public Private Partnership ('PPP') project for the design, build, finance, operation and maintenance of a new tolled bridge over the River Mersey in the northwest of England. The Project also encompasses the installation and operation of tolling facilities for the existing Silver Jubilee Bridge ('SJB').
- 1.1.2 Halton Borough Council ('the Council') is the promoter of the Project.
- 1.1.3 To deliver the Project successfully, the Council has developed a Public Private Partnership structure that is designed to drive value for money through the allocation of risk determined by a procurement process that will offer the private sector the opportunity to add value in a competitive process. The procurement process explained in this Prequalification Document draws on extensive investigation and market consultation where a key driver for value for money has been the consideration of tolling risk and the delivery of the new bridge. The procurement process will benefit from the considerable work already undertaken to define the strategic role and responsibility of the private sector, but the competitive dialogue will enable specific proposals to be refined and value for money improved in a competitive environment. The Project structure has the following four elements (refer to paragraph 2.5.4 for an illustration):
- the creation of the Mersey Gateway Crossings Board (the 'Crossings Board'), an arms-length entity that will be granted a concession by the Council to operate the bridges and collect the toll revenue under the terms of a governance agreement;
 - the procurement of the Project infrastructure through a design, build, finance, operation and maintenance contract (the 'Project Agreement') with a project company (the 'Project Company');
 - the procurement of tolling infrastructure and services through the Project Agreement; and
 - the procurement of private sector strategic tolling expertise in optimising revenue and also the opportunity for the private sector to bid for an investment sum to be paid to the Crossings Board in exchange for a share of future toll revenues through a Demand Management Participation Agreement (the 'DMP Agreement') with a company (the 'DMPA Co'). This involvement by the private sector in the DMP Agreement will be ring-fenced from the procurement of the Project infrastructure through the Project Agreement.
- 1.1.4 The prequalification process described by this Prequalification Document covers the selection of Bidders for both the Project Agreement and the DMP Agreement.
- 1.1.5 The Council intends to appoint the Project Company who will work in partnership with the Council to deliver the infrastructure and its operation and maintenance, together with tolling services, on an affordable basis and to the required quality.
- 1.1.6 The Council's decision to accept any offer for the DMP Agreement, and the final form of that agreement, will be determined in the competitive dialogue and the tender evaluation; evaluation criteria will be described by the competitive dialogue and tender documents.

1.2. Scope of this document

- 1.2.1 This document is issued in connection with the first stage of the procurement process and provides, inter alia, the following:
- an overview of the Project, including a description, details of the Project objectives, details of the commercial aspects of the Project and the current status;
 - details of the overall procurement process from dispatch of the OJEU Notice to financial close and the timetable for the procurement process;
 - detailed information about the prequalification stage, an introduction to the Prequalification Questionnaire ('PQQ') with guidance for Recipients, and details of the prequalification evaluation that will be carried out by the Council on Prequalification Submissions ('PQQ Submissions'); and
 - instructions to Recipients and the administrative requirements for the prequalification stage. The use of eProcurement tools by the Council and the requirements which this imposes on the preparation of PQQ Submissions are also described.
- 1.2.2 Particular attention is drawn to the following parts of this document:
- the Procurement Glossary (Appendix A);
 - the requirement to appoint an Authorised Representative (Section 4.3);
 - the requirement to request access to the Dataroom (Section 4.8);
 - the procedure for submitting queries relating to the prequalification stage (Section 5.13); and
 - the PQQ (Appendix D).

1.3. Halton Borough Council

- 1.3.1 The Project is located in the Borough of Halton in the northwest of England.
- 1.3.2 Halton Borough Council is a unitary authority, responsible for all local government services provided within the Borough. The Leader of the Council is Councillor Rob Polhill. Accountability for the success of the Project lies with the Chief Executive of the Council, David Parr. The contracting authority for the Project will be the Mersey Gateway Crossings Board. The Crossings Board is an arm's length subsidiary being established for the purpose of executing and managing the tolled bridges.

Borough of Halton

- 1.3.3 Halton sits on either side of the River Mersey, as shown in Figure 1, and is part of the Liverpool City Region. Halton is made up of the towns of Widnes and Runcorn, together with the villages of Hale, Moore, Daresbury and Preston Brook.

Figure 1 – Halton location maps



- 1.3.4 Halton is an urban, industrial area where the main businesses are in chemicals, food processing, clothing, metal products, and logistics and distribution. The main service sectors are retail, financial, public and health administration. Halton is within easy reach of the commercial, cultural, sporting and retail opportunities of the cities of Liverpool and Manchester.
- 1.3.5 Halton is situated at the heart of the northwest's motorway network. The M62, connecting Liverpool and Hull, skirts the Borough's northern boundary while the M56, linking South Manchester with Chester and North Wales, cuts through the southern boundary. The European Union designated Trans-European Network - Transport ('TEN-T') Priority Axis No. 13 runs to the south of the Borough and connects the M6 with the port of Holyhead and its ferry links to Ireland.
- 1.3.6 To the west of Halton, on the Mersey estuary, are the modern Seaforth Docks and the freightliner terminal at Garston, facilities which are embraced by the Liverpool Superport initiative; in Halton itself are the dock systems at Runcorn and Weston Point. These facilities, together with the air freight facilities at Liverpool and Manchester airports, give access to the world's markets. The Manchester Ship Canal, a unique inland waterway for 'big ships' (including freight), runs through the Borough and provides a navigable waterway to Salford Quays near Manchester.
- 1.3.7 Further information on the Council can be found on the Council's website:
<http://www3.halton.gov.uk/>
- 1.3.8 Further information regarding the Crossings Board is given in Section 2.5.

Challenges facing the Borough and the need for the Project

- 1.3.9 Runcorn and Widnes have a common heritage in the chemical industry and Widnes is regarded as its birthplace. Rapid and sometimes environmentally damaging industrial development took place up to the mid 20th Century; more recently, there was a rapid

contraction as the industry became more globalised. This contraction brought with it a rise in unemployment, often involving individuals being unemployed on a long-term basis (worklessness) and other symptoms of deprivation. Worklessness, a low enterprise culture, and low skill levels remain the major challenges for the Borough:

- Halton is ranked the 27th most deprived local authority district, in terms of overall deprivation, in the Index of Multiple Deprivation 2010 (out of 326 local authorities in England).
- Halton's rank of 27th has worsened slightly from a ranking of 29th in 2007.
- 26% of Halton's population live in areas that fall in the top 10% most deprived nationally; this is higher than the national figure (10%) but lower than the Liverpool City Region figure (31%).

1.3.10 The Council continues to work hard to resolve these problems and to make Halton a better place to live, work and invest. The Council has developed five strategic themes to its corporate strategy:

- 'A Healthy Halton' – to create a healthier community and work to promote well being.
- 'Halton's Urban Renewal' – to transform the urban fabric and infrastructure, to develop exciting places and spaces and to create a vibrant and accessible Borough.
- 'Halton's Children and Young People' – to ensure that in Halton children and young people are safeguarded, healthy and happy.
- 'Employment, Learning and Skills in Halton' – to create an economically prosperous Borough that encourages investment, entrepreneurship, enterprise and business growth.
- 'A Safer Halton' – to ensure pleasant, safe and secure neighbourhood environments where people can enjoy life.

1.3.11 The benefits of the Council's strategic approach to tackling the Borough's problems are starting to be seen.

1.3.12 A number of high value-added, specialist chemical manufacturing, scientific and research-based employers are now based in the Borough, a positive legacy of its association with the chemical industry. Investments in new creative and science-based businesses are bringing new employment opportunities to Halton at Daresbury, Manor Park and the Heath. In August 2011, the UK Government announced that Daresbury Science and Innovation Campus had been granted Enterprise Zone status; Daresbury is a private-public joint venture, between Langtree, Science and Technology Facilities Council and the Council.

1.3.13 In logistics, the 3MG Mersey Multimodal Gateway is also bringing significant employment opportunities. 3MG offers access to the UK's deep seaports and beyond, and places logistics and retail businesses at the heart of the motorway network and on the doorstep of two rapidly expanding international airports at Liverpool and Manchester.

- 1.3.14 The Council is tackling the physical legacy of the chemical industry and is determined to improve the contaminated environment and remove the detrimental image left by the social heritage of decay and dereliction. Across the Borough there have been significant improvements to the environment: chemical waste tips have been transformed into golf courses, parklands and nature reserves and watercourses have been cleaned up to again sustain fish and plant life. In addition, sites have been treated to allow them to be released for incoming development and investment.
- 1.3.15 The Mersey Gateway Bridge project is an important element in the Council's continuing transformational programme.
- 1.3.16 The economic, social and environmental challenges facing the Council are all adversely affected by the failing SJB as a transport facility. Congestion and poor journey time reliability impact on the economic competitiveness of the area, presenting a barrier for inward investment, and resulting in a major constraint to the ability of the Council and its partners to deliver its corporate aims. The Mersey Gateway initiative offers an opportunity to counter the risks of continued deprivation, poverty and inequality that are associated with the sub-optimal performance of the road infrastructure. The removal of a constraint to transport – both private and public – has been assessed as having material benefits in terms of accessibility, particularly for journeys within Halton itself and within the sub-region.
- 1.3.17 The Mersey Gateway initiative shapes the future by forming a reliable route for transport to and from the Liverpool City Region and provides a reliable connection for Halton residents and business for the foreseeable future. Within Halton, the SJB would be the 'local bridge', where public transport can move freely, regularly connecting with improved bus services in Runcorn and Widnes and more sustainable and healthy travel options would be available where cycling and walking will be a more attractive alternative to short distance car trips. In addition to the Project itself, the Council is advancing planning and other policies designed to seize the advantages offered by the release of land by the Project and potential for de-linking of the SJB in Runcorn, as well as regeneration opportunities elsewhere in the Borough.
- 1.3.18 Overall, the Mersey Gateway initiative is expected to result in a range of positive impacts on economic performance and employment including: improving overall business efficiency due to a reduction in business related travel costs; attracting greater business investment and innovation, as demonstrated by the business plans emerging from 3MG which has the potential to accommodate 5,000 jobs; and bringing 'cluster benefits' which arise from an effective transport network acting to bind complementary businesses over a larger area with efficient access to larger labour markets.
- 1.3.19 The Project is an important means for the Council to achieve its vision: that Halton will be a thriving and vibrant borough where people can learn and develop their skills, enjoy a good quality of life with good health; a high quality urban environment; the opportunity for all to fulfil their potential; greater wealth and equality; sustained by a thriving business community and with safer, stronger and more attractive neighbourhoods.

1.4. Halton Borough Council's advisers

- 1.4.1 The Project is being delivered by a dedicated core team headed by the Project Director, Steve Nicholson. The Project's Commercial Director is Mark Swindell.
- 1.4.2 The Council is supported by a team of advisers. At the time of issue of this document, the Council retains the following advisers for the Project:

Table 1.1 – Advisers

Adviser	Project Role
KPMG	Financial adviser
DLA Piper	Legal adviser
Gifford, part of Ramboll ¹	Lead technical adviser
Halcrow ²	Technical adviser (DBFO procurement and procurement management and administration)
IBI	Technical adviser (tolling technology and tolling operational processes)
EC Harris ³	Cost estimates
Mott MacDonald	Technical adviser (traffic modelling)

¹ Gifford was acquired by the Ramboll Group in April 2011, and has since been operating under the name of 'Gifford, part of Ramboll', with the registered company being Ramboll UK Ltd. From January 2012, Gifford will be operating as 'Ramboll' with the registered company remaining the same.

² In September 2011, Halcrow and CH2M HILL entered into an agreement that could see CH2M HILL acquire Halcrow; the acquisition is expected to close in November 2011.

³ In October 2011, EC Harris announced that it had signed a merger agreement with ARCADIS; it is anticipated that the merger will complete in November 2011.

- 1.4.3 In addition, the Council is supported by Infrastructure UK.

1.5. Procurement process

- 1.5.1 A competitive procurement process will be undertaken to award the Project Agreement and possible DMP Agreement.
- 1.5.2 An OJEU prior information notice for the Project was published on 31st January 2011, along with an accompanying project information memorandum (4th February 2011). These documents can be found in the Dataroom (see paragraph 4.8).

- 1.5.3 A public works notice (the 'Notice') has been published by the Council in the Official Journal of the European Union inviting parties who are interested in being awarded the contract to apply to prequalify as Candidates to be invited to tender for the Project.
- 1.5.4 This document is being provided to organisations considering responding to the Notice and should be read in conjunction with the Notice.
- 1.5.5 The Project Agreement (or combination of Project Agreement and DMP Agreement) will be awarded as a public works contract under The Public Contracts Regulations 2006 (which implement Council Directive 2004/18/EC, available from the Office of Public Sector Information website **www.opsi.gov.uk**). The Project will be awarded on the basis of the most economically advantageous tender to the Council.
- 1.5.6 The procurement process is described in detail in Section 3 of this document.

2 The Project

2.1. Strategic objectives

2.1.1 The Council's strategic objectives for the overall Mersey Gateway initiative are as follows:

- to relieve the congested SJB, thereby removing the constraints on local and regional development and better provide for local transport needs;
- to apply minimum toll charges to both Mersey Gateway Bridge and SJB consistent with the amount required to satisfy affordability constraints;
- to improve accessibility in order to maximise local development and regional economic growth opportunities;
- to improve local air quality and enhance the general urban environment;
- to improve public transport links across the River Mersey;
- to encourage the increased use of cycling and walking; and
- to restore effective network resilience for road transport across the river.

2.1.2 The Council has wider objectives for the Mersey Gateway initiative than those reflected in the new infrastructure and services to be provided under the Project. The wider objectives are embraced by the Mersey Gateway Sustainable Transport Strategy and the Mersey Gateway Regeneration Strategy, which can be found in the Dataroom.

2.2. Overview of the Project

Introduction

2.2.1 The Mersey Gateway Bridge project is a PPP project for the design, build, finance, operation and maintenance of a new tolled bridge over the River Mersey in the northwest of England, as well as significant redesign and configuration of the approach road network. The Project will establish a high standard dual carriageway road that will bypass the existing SJB and includes reconfiguration of the SJB approach roads. Maintenance of the reconfigured SJB and approaches will be excluded from the Project Company's scope. The SJB will be tolled and the Project Company will be responsible for the tolling infrastructure design, construction, operation and maintenance.

2.2.2 The SJB is currently the only road crossing point on the reach of the River Mersey between Liverpool and Warrington. As part of the region's strategic road network, the SJB sits between the Thelwall Viaduct Crossing on the M6 and the Mersey Tunnels at Liverpool. During recent years average daily traffic flows of above 80,000 vehicles (compared to a design capacity of 45,000) have resulted in extensive congestion and significant delays at peak times, with current forecasts showing that traffic flows are set to rise further.

2.2.3 The Project as a whole covers a north-south transport link that provides a new bridge over the River Mersey that will relieve the SJB of much of the traffic that presently causes congestion. The new route will overall provide approximately 8 km of new and improved

highways forming an essential link between the Merseyside area and North Wales and Cheshire. The new bridge will permit the SJB to be reconfigured and restored to its function as the 'local bridge'. Improved public transport access to the SJB can be achieved, while pedestrian and cycling crossings of the Mersey can be encouraged.

- 2.2.4 Public transport will figure prominently in the Mersey Gateway initiative. The well developed busway system in Runcorn, established in the New Town era, will provide a platform to deliver high quality bus services across the river into Widnes via the relieved SJB. A possible future Light Rapid Transit system could also be routed across the SJB.

Description of the Project

- 2.2.5 Paragraphs 2.2.5 to 2.2.28 describe the Project. The 'Reference Design' for the Project is described in additional detail in Appendix B; a plan of the Project is provided. The Reference Design was prepared and submitted with the Council's planning applications and Orders and as such is the basis of the existing (December 2010) planning approval. More details of the Reference Design can be found in the Dataroom. Supplementary planning applications are being submitted in November 2011 to deal with a number of modifications to the Project that have become necessary since the existing application and approval. Further details are given in paragraph 2.4.2.
- 2.2.6 The tender documents will include an 'Illustrative Design'. The Illustrative Design is a development of the Reference Design incorporating a number of value engineering and other changes. The Illustrative Design is the design that forms the basis of the supplementary planning applications. The tender documents will contain an output specification, which the Council believes the Illustrative Design would meet if adopted. However, flexibility of approach has been retained to allow Bidders to bring innovation to the design to deliver best value for money.
- 2.2.7 The route of the Mersey Gateway Bridge project extends from the A562 Speke Road in Widnes, at the north end of the Project, to the M56 Junction 12 in Runcorn at the south end of the Project. This includes a new tolled bridge over the River Mersey about 1.5 km upstream from the existing SJB. The Aethelfleda Bridge sits a short distance downstream of the SJB and carries the Liverpool branch of the West Coast Main Line railway.
- 2.2.8 The new bridge and the SJB are expected to be tolled using 'Open Road Tolling' technology. The roads on the north and south sides will not be tolled.
- 2.2.9 The dual carriageway will generally be dual two lane with dual three lane across the new bridge. The design speed for the route will be 100 kph. The following paragraphs describe the Mersey Gateway Bridge route from north to south.
- 2.2.10 In Widnes, a modified grade-separated junction with Ditton Road will be provided (Ditton Junction) giving connections to the local road network. The layout will include an exit for traffic not wishing to use the new bridge.

- 2.2.11 East of the Ditton Junction the new route will cross over the Garston to Timperley rail freight line and then cross the Victoria Road area on a high level structure maintaining local connections underneath.
- 2.2.12 Beyond Victoria Road a further grade separated junction (Widnes Loops Junction) will be constructed to connect the A557 Widnes Eastern Bypass to the new bridge. The Widnes Eastern Bypass, which currently connects to the SJB, will be demolished and removed beyond this point to facilitate the construction of the new bridge.
- 2.2.13 After the Widnes Loops Junction the route curves to run southeast, crossing over the St Helens Canal (and the Trans-Pennine Trail) and then the Widnes Warth Saltmarsh, before crossing the River Mersey and then the Astmoor Saltmarsh including part of Wigg Island. At the south side of the Astmoor Saltmarsh the alignment curves to the south and crosses the Manchester Ship Canal.
- 2.2.14 The salt-marshes and the upper Mersey estuary are environmentally sensitive areas with the estuary being tidal and relatively shallow with exposed sand banks at low tide. A key constraint is the Special Protection Area in the middle Mersey estuary downstream of the SJB on which there should be no significant impact (see paragraph 2.10.6 for further details).
- 2.2.15 The salt-marshes and estuary will be crossed by the main new structure, which will be over 2 km long. Across the salt-marshes there will be approach viaducts with relatively long spans and across the river there will be a cable-stayed structure about 1 km long with no more than three towers in the river. The locations for these towers are restricted by a provision in the TWA Order.
- 2.2.16 The main constraint on the vertical alignment of the bridge is the required navigation clearance over the Manchester Ship Canal, which has been agreed with the operators of the canal (Peel Holdings). The height of the towers of the main bridge is restricted by the requirements of the nearby Liverpool John Lennon Airport.
- 2.2.17 South of the Manchester Ship Canal the route will cross the Astmoor Industrial Estate on another high level structure maintaining local access beneath.
- 2.2.18 At the south side of the Astmoor Industrial Estate the new route will connect to the existing expressway network in Runcorn. A new grade-separated junction (Bridgewater Junction) will be created at this point by modifying the existing junction, with the new route passing over the top to connect to the north-south Central Expressway. The east-west Bridgewater and Daresbury Expressways will be brought up to a new roundabout from which slip-roads will connect to the through-route above. The Bridgewater Canal is crossed at the south side of this junction.
- 2.2.19 To the south of the Bridgewater Junction the existing Central Expressway will be upgraded, generally within the existing highway boundaries, to accommodate the additional traffic. This will include modifying the access and egress arrangements at the Halton Brow and Halton Lea Junctions.

- 2.2.20 At the Lodge Lane Junction, where the Central Expressway meets the Southern Expressway and the Weston Link, the junction arrangement will be modified so that the through-route becomes the Central Expressway to Weston Link.
- 2.2.21 At the Weston Link Junction, where the Weston Link, Weston Point Expressway and Rocksavage Expressway meet, the arrangement will also be modified to reflect the fact that the majority of the traffic will be using the Weston Link rather than the Weston Point Expressway.
- 2.2.22 At M56 Junction 12 the northern roundabout will be modified to accommodate the future traffic growth and anticipated changes in traffic patterns. Signalisation will be modified and liaison with the Highways Agency will be necessary.
- 2.2.23 The area has a history of heavy industry, particularly chemicals, resulting in there being significant contamination, especially north of the river. Some advance remediation works will be undertaken by the Council to meet regulatory requirements. Further details are provided in Sections 2.10 and 2.18 and information is provided in the Dataroom. Design and construction of the Project should avoid as far as possible both disturbance of the historic contamination and creation of new contamination.
- 2.2.24 As a catalyst for regeneration the aesthetic quality of the Project will be important. Guidance on the Council's design principles and requirements for design quality (where design quality encompasses functionality, impact and build quality) will be set out in the new Design and Access Statement which will be submitted with the supplementary planning applications described in paragraph 2.4.2.
- 2.2.25 Toll infrastructure will be installed to support an open road, barrier-free tolling regime for the new bridge. The Project Company will determine the location of the toll infrastructure within the constraints of the Project Agreement.

Silver Jubilee Bridge and Widnes de-linking

- 2.2.26 The deck space on the SJB will be reconfigured to two traffic lanes (with priority access for public transport vehicles), with the remainder being dedicated to a 'Green Corridor' for pedestrians and cyclists. Other motor vehicles will be permitted to use the bridge, but the access routes to the north will be down-graded from high standard dual carriageways to mostly single carriageway standard roads. Any changes to the SJB access roads to the south, in Runcorn, beyond any necessary 'tie in' requirements are outside the scope of the Project.
- 2.2.27 Open Road Tolling infrastructure will be installed for the tolling of traffic using the SJB. There is likely to be a requirement to remove some of the existing highways structures to simplify the route and reflect the significantly reduced traffic. For example, the link to Ditton Junction would be downgraded to comprise just the existing slip-road. The main carriageway and structures adjacent to the slip-road could then be removed.

- 2.2.28 The Project Company will be responsible for the design, installation, operation and maintenance of the toll infrastructure for SJB. The maintenance of the SJB itself will remain with the Council.

Tolling

- 2.2.29 Tolling is an integral part of the Project; both the new bridge and the existing SJB will be tolled.
- 2.2.30 The planning decisions announced in December 2010 authorise the imposition of tolls on the new bridge and road user charging on SJB. The Secretary of State for Transport confirmed an order (the 'TWA Order') under the Transport and Works Act 1992 in respect of the new bridge and a Road User Charging Order (the 'RUC Order') under the Transport Act 2000 in respect of the SJB. A guide to the tolling powers in the orders (Toll and Road User Charges – Explanation) is included in the Dataroom.
- 2.2.31 The approach to tolling has been designed to ensure that: the impacts of tolling on the road network are acceptable; the Project is financially viable; the Project is environmentally acceptable; and the Project meets the Project objectives.
- 2.2.32 The arrangements for toll setting, between the Council, the Crossings Board and the private sector (under the DMP Agreement, if awarded) are described in subsequent sections of this document.
- 2.2.33 The TWA Order and the RUC Order specify ranges within which tolls for use of the new bridge or SJB have to be set. The ranges proposed are set out in April 2008 prices, but will increase with inflation (with Retail Price Index (RPI) plus 1% per annum). If toll charges are required that fall outside these ranges, then it will be necessary for the Council to submit new statutory applications, as part of more rigorous processes, to seek increases in the toll ranges applicable. These are described in Schedule II of the TWA Order and are required by the Transport Act 2000. The toll ranges that are specified in the Orders are set out in the table below.

Table 2.1 – Toll ranges specified in the Orders

Class of vehicle	Description	Toll range
1	Mopeds, motorcycles, motor tricycles or quadricycles	£0.00 to £2.50
2	Cars and light vans	£1.00 to £2.50
3	Small goods vehicles, motor caravans and coaches (< 5 tonnes)	£2.00 to £5.00
4	Large goods vehicles and coaches (> 5 tonnes)	£4.00 to £10.00

- 2.2.34 Toll levels will be established taking into account the commercial proposals received in the procurement process.
- 2.2.35 It is the Council's intention that the initial ('opening day') tolls will be the same as those payable at the time for use of the existing nearby Mersey Tunnels. Details of these charges are given in paragraph 2.9.20. However, it is important to note that this is a policy decision and there is no commitment to match the tunnel tolls – the tolling powers under the orders are not constrained in this way.
- 2.2.36 The TWA Order and RUC Order allow discount and concession schemes to be operated. These provisions allow the Council to discharge its resolutions with regards tolling. These include that the bridges must make provision for public transport to be toll-free and for discounts for regular users and local people to be given priority when establishing the tolling regime. The actual arrangements for discount schemes can only be decided in the course of the procurement process and subsequently during operation (as actual revenues become known). The provisions allow the Council to offer frequent user or tag-based discount schemes, such as season tickets.
- 2.2.37 The Reference Design for the tolling infrastructure was based on barrier tolling. However, following market soundings and discussions with the Department for Transport (DfT), and in order to deliver a more modern improved service and cost savings, the Council resolved to adopt open road, barrier-free tolling. The tolling powers in the TWA Order and the RUC Order permit Open Road Tolling to be adopted. The DfT is at the date of this document developing the necessary Regulations in support of the Council adopting Open Road Tolling. The Council is advised that the Regulations are expected to go to consultation in autumn 2011, to Parliament in April 2012, and to come into force in July 2012.

Project costs

- 2.2.38 The projected nominal capital cost is estimated at circa £510m. Land acquisitions and their associated compensatory costs and the cost of advance works are excluded from this amount. Other costs are estimated to be as follows:
- lifecycle costs over the period of the contract totalling circa £40m (real on 31st March 2013),
 - set-up costs totalling circa £20m (nominal), and
 - routine operations and maintenance costs of circa £12m per annum (real on 31st March 2013).

Funding

- 2.2.39 The Project will be funded by the Council though a combination of toll revenue, funding from the DfT, and capital contribution from the Council, as follows:

- DfT has confirmed a grant of £86m for land assembly and advance works remediation.
- DfT is also providing a capped annual revenue grant of £14.55m for 26.5 years following full service commencement to support the payment of the Unitary Charge. This grant is subject to periodic review and may be adjusted downwards if toll revenue exceeds that required to support the Project.
- The Council will provide funding in the form of a capital payment to the Project Company on opening to traffic. The Council will utilise Public Works Loan Board borrowing to fund this payment. The payment is currently envisaged to be circa £120m.
- The remainder of project costs and the costs of prudential borrowing are met with the toll revenue generated by the Project.

2.2.40 The Council also intends to explore the possibility of attracting European Investment Bank funding for the Project.

Affordability

2.2.41 The affordability of the Project is a function of the project costs, the toll revenues and the funding provided by central government and the Council. Based on current projections, the Council is satisfied that the Project is affordable and robust to a range of sensitivities on those projections. Within the tender documentation the Council will provide affordability guidance and the parameters within which Bidders/Tenderers will be required to comply.

2.3. Programme

2.3.1 It is anticipated that the Project will be awarded in late 2013 and that the Project Agreement term is envisaged to be 30 years.

2.4. Statutory authority – development consent and tolling powers

2.4.1 The construction and implementation of the Project requires a variety of consents authorising the Project in the form of orders, planning permissions and certificates according to the relevant statutory regime. The Council has secured the following regulatory approvals:

- The River Mersey (Mersey Gateway Bridge) Order – an order under Section 3 of the Transport and Works Act 1992 was made by the Secretary of State on 11th January 2011 authorising the Council to construct, maintain and operate the new bridge and related works, including associated highways and compulsory purchase powers (the ‘TWA Order’). It also provides for the collection of a range of tolls for use of the bridge. The TWA Order came into force on 1st February 2011.
- Planning permission was granted by the Secretary of State for the works authorised by the TWA Order.
- Two Compulsory Purchase Orders (CPOs) – The Halton Borough Council (The Mersey Gateway – Queensway) Compulsory Purchase Order 2008 and The Halton Borough

Council (The Mersey Gateway – Central Expressway) Compulsory Purchase Order 2008 – were made by the Council and subsequently confirmed with minor modifications by the Secretary of State for Communities and Local Government to enable the compulsory acquisition of land and rights not covered by the TWA Order but required for the Project.

- Two side road orders were made by the Council and confirmed by the Secretary of State with minor amendments – The Halton Borough Council (A533 Queensway) Side Roads Order 2008 and The Halton Borough Council (A533 Central Expressway) Side Roads Order 2008. These address changes to the highway network that are not addressed by the TWA Order.
- Full planning permissions have been secured for engineering operations and related highway infrastructure works not covered by the deemed planning permission in relation to works and improvements to the Central Expressway, Weston Link, the Weston Point Expressway and M56 Junction 12 and for modifications to the northern approaches to the SJB.
- A listed building consent has also been granted by the Secretary of State for Communities and Local Government to allow for the proposed modifications to the carriageway of SJB, which is a Grade 2 listed structure.
- The A533 (Silver Jubilee Bridge) Road User Charging Order 2008 (the ‘RUC Order’) – a road user charging order pursuant to the Transport Act 2000 was made by the Council on 5th December 2008 and was confirmed by the Secretary of State authorising the Council to make charging schemes for the SJB.
- An Exchange Land Certificate was issued by the Secretary of State for Communities and Local Government concerning open space land on the north side of the St Helens Canal at Widnes Loops. A certificate for open space on the Runcorn side of the Mersey - Wigg Island was also issued on 20th December 2010.

Supplementary planning applications

2.4.2 As a result of developments since the original applications and approvals, including the outcome of funding discussions with DfT, the Council will be submitting supplementary planning applications to the local planning authority in November 2011. The existing consents are sufficient to deliver the Project but these supplementary planning applications are designed to improve value for money. These applications will allow modifications to the consented design (Reference Design), including:

- the introduction of Open Road Tolling and deletion of toll plazas;
- amendments to the Ditton and Widnes Loops Junctions consequential on the deletion of toll plazas;
- amendments to the Halton Lea Junction and the layout between there and Halton Brow;
- amendments at the Lodge Lane Junction to facilitate the retention of the existing Busway bridge;

- incorporation of detailed changes resulting from value engineering; and
- relaxation in the level of detail shown for the structures, including the main bridge, to provide greater flexibility and opportunity for alternatives to be proposed.

- 2.4.3 There will not be a requirement to accommodate a possible future Light Rapid Transit (LRT) route on the main crossing; this is a change from the Reference Design. The Council is still committed to providing a river crossing for light rail should a route be promoted in the future; the supplementary planning applications mean that such a scheme could be carried across the SJB instead of the new bridge.
- 2.4.4 The supplementary planning applications as submitted to the local planning authority will be made available as updates to the Dataroom during the prequalification period. In the meantime, further information on the proposed modifications that have been published for consultation can be found on the Project website.
- 2.4.5 It is anticipated that a decision on the supplementary planning applications will be made by February 2012.

2.5. Commercial strategy and governance matters

Introduction

- 2.5.1 This section sets out some of the key commercial matters relating to the Project and the way it is intended to be commercially structured and procured.

The Council's commercial objectives

- 2.5.2 The Project's commercial objectives are as follows:
- to establish a contractual relationship with the private sector that delivers Mersey Gateway Bridge at best value for money;
 - to integrate the design, build, finance and operation services with toll operator expertise to support the Council to manage retained demand risk within the constraints of the legal powers;
 - to operate a toll concession scheme, within the limits of affordability, so as to mitigate the impact of tolls on local customers who are currently able to use the SJB free of charge, many of whom are frequently crossing the river and some who fall within social inclusion target groups; and
 - to ensure the delivery of transport and environment benefits, by maintaining free flow traffic conditions on the Mersey Gateway Bridge and SJB and delivering priority for public transport on the SJB.
- 2.5.3 The Council has developed an approach to the key areas of procurement, governance and contract strategy to deliver the commercial objectives.

Project structure

- 2.5.4 The diagram below sets out the anticipated high-level structure for the relationship between the key project parties.

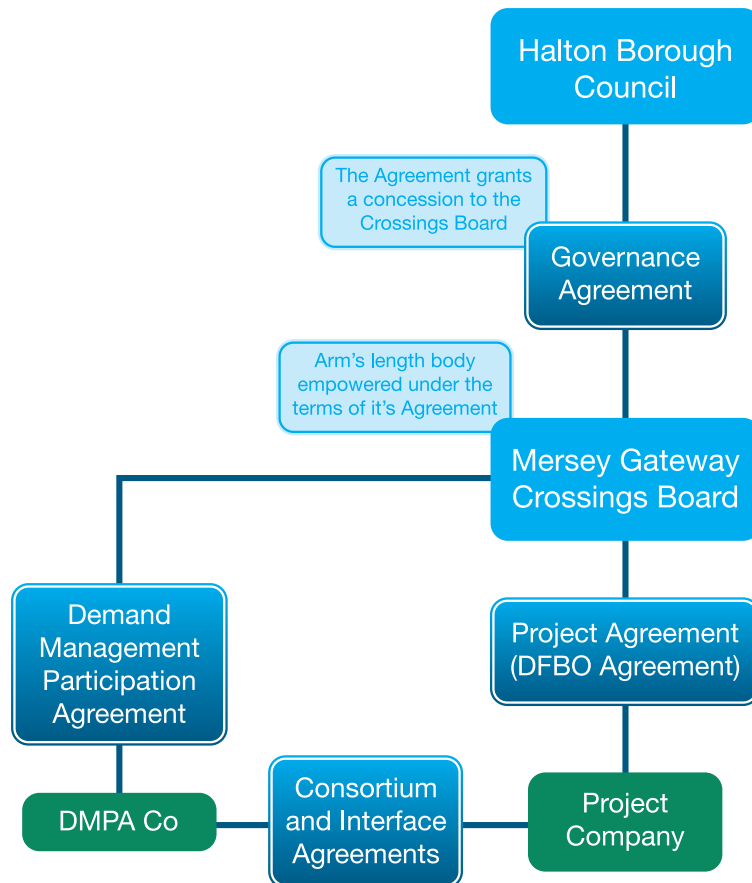


Figure 2 - Project structure

- 2.5.5 The Crossings Board will be established as an empowered (under the terms of its governance agreement) arms-length subsidiary of the Council. This bespoke entity will be responsible for discharging the Council's contractual responsibilities, provide sound financial management, and ensure the Council is effective in discharging its role in delivering the required Project outcomes; the Crossings Board is designed to meet the Project's particular organisational need. Further details on the likely role of the Crossings Board are set out in paragraphs 2.5.11 to 2.5.15.
- 2.5.6 The Crossings Board is envisaged as a party to the Project Agreement with the Project Company, and, if awarded, the DMP Agreement with the DMPA Co. However, the Council will act as guarantor for the Crossings Board in relation to its Unitary Charge payment obligations to the Project Company.

- 2.5.7 Income from tolls and funding from the DfT will be paid to the Crossings Board.
- 2.5.8 Financial obligations to the Project Company under the Project Agreement will be discharged by the Crossings Board.
- 2.5.9 A direct agreement between the Project Company and Halton Borough Council will provide for the Council to assume those obligations where they are not met in the first instance by the Crossings Board.
- 2.5.10 As part of the procurement process, Bidders will be asked to bid to support the work of the Crossings Board, both through the provision of strategic expertise in the management of the bridge and defining the tolling strategy, and through an arrangement that provides financial incentive for the DMPA Co to help maximise the Council's financial interests in the bridges; this is the DMP Agreement.

The Mersey Gateway Crossings Board

- 2.5.11 The Council will put in place governance and contract management arrangements that ensure the Crossings Board can perform:
- the roles and responsibilities required to effectively manage its retained risks; and
 - its various duties as a party to the contract including carrying out all of the contract administration and monitoring functions.
- 2.5.12 These governance arrangements will include delegating to the Crossings Board specific powers under the statutory authority set out in Section 2.4 subject to specific conditions and restrictions to ensure that it acts in the commercial best interests of the Council and the Project.
- 2.5.13 Key commercial responsibilities of the Crossings Board will include:
- management of cash flow between toll income and the Unitary Charge payments to the Project Company;
 - setting toll strategy and policy, and responding to commercial conditions. This is likely to incorporate responsibility for defining the cash flow available to support discounts and the administration and monitoring thereof; and
 - monitoring the performance of the Project Company and administration/reconciliation of payments to the payment mechanism.
- 2.5.14 The private sector will be invited to support the Crossings Board in managing demand risk through the terms of the DMP Agreement or, should these terms not offer value for money, alternative arrangements for the delivery of commercial and tolling advisory support will be put in place.
- 2.5.15 The Crossings Board will be empowered by the Council to enable it to perform its financial risk management duties effectively. In particular, the power to vary tolls within defined

parameters without further approval by the Council will be provided. The Council will retain approval rights over any wider variations.

Toll setting

- 2.5.16 Under the tolling powers, the Council is the tolling authority charged with the powers to set and vary the tolls within the conditions prescribed by those orders (refer to paragraph 2.2.29).
- 2.5.17 The tolls will be set by the Crossings Board within the limits of the tolling powers and the delegated authority defined by its governance agreement, and informed by the revenue requirements to fund the Project. The Crossings Board will be empowered to enable it to perform its financial risk management duties effectively. As noted above, setting toll strategy and responding to commercial conditions are key responsibilities of the Crossings Board. If changes are required beyond the limits of its delegated authority, the Crossings Board will be required to consult with the Council to gain approval. It is expected that the Crossings Board will review the tolls on an annual basis, although it will have the right to do so more frequently.
- 2.5.18 The private sector will support the Crossings Board in discharging its responsibilities with respect to setting tolls through the terms of the DMP Agreement, if awarded. The level of control that the DMPA Co has over toll setting will be discussed with the Bidders during the dialogue period and is expected to depend on the level of investment made in the Crossings Board by the DMPA Co.

Enforcement

- 2.5.19 The Crossings Board will ultimately be responsible for enforcement of tolls. The private sector will support the Crossings Board in this role. The Project Company will carry out the initial stages of the enforcement process (including issuing violation notices, processing of any subsequent payments, following up of non-payments, and handing 'cases' to the Crossings Board). The DMPA Co (if the DMP Agreement is awarded) will provide strategic support to the Crossings Board on enforcement. The Council is developing its enforcement policies.

2.6. Contracts

Overview of contractual structure

- 2.6.1 In respect of the Project Agreement, the Council envisages a typical project finance structure, where a special purpose vehicle is the single point of accountability in respect of the design, build, finance, operation and maintenance of the Project facilities and secures finance by way of limited recourse debt. The Council intends to remunerate the Project Company on an availability and performance basis.
- 2.6.2 The Council also wishes to develop a contractual arrangement that rewards the successful Bidder for participating with the Council in the management of revenue risk associated with

the Project. This is to be delivered through the DMP Agreement and is subject to tenders received through procurement being shown to provide value for money.

2.6.3 In drafting the Project Agreement and the parties' relationship, the Council currently envisages the following project documents being entered into by the Crossings Board:

- the Project Agreement to deal with the design, build, finance, operation and maintenance of the Project, to include detailed schedules and ancillary documentation (including the necessary direct agreements between the Council, Crossings Board, Project Company and its associated parties);
- the DMP Agreement in respect of toll revenue and demand management between the Crossings Board, the Council and the DMPA Co;
- licences or, where appropriate, leases, for the benefit of the Project Company, to access and occupy the sites to perform its obligations under the Project Agreement;
- a Funders' Direct Agreement; and
- direct agreements / collateral warranties between the Council and each of the key subcontractors (all first tier and, where significant, second tier subcontractors).

Project Agreement

2.6.4 The principles and drafting of the Project Agreement will follow those usually seen in the UK's mature PPP market. The Council wants to ensure any revisions are consistent with the delivery of an efficient legal drafting process and will only be prepared to explore revisions that clearly deliver value for money.

2.6.5 The Project Agreement will be based on HM Treasury's Standardisation of PFI Contracts, Version 4, March 2007 (SoPC4) (available from the HM Treasury website www.hm-treasury.gov.uk). It is currently anticipated that the Project Agreement will incorporate the authority break-point provisions of SoPC4.

2.6.6 The Council will appoint the Project Company to design, build, finance, operate and maintain the Project facilities described in Section 2.2. The Project includes modifications to SJB to reflect what will be its new role as the 'local bridge'. The Project Company will not be responsible for the asset management of the SJB structure.

2.6.7 The toll operator service on the new bridge and SJB will be included in the Project Company's scope of work, i.e. installation and subsequent operation and maintenance of the Open Road Tolling technology, back-office functions, customer services and assistance with revenue recovery. The operator service is identified as business critical with regards to the Council's retained demand risk.

2.6.8 Control of, and responsibility for, the Project facilities will transfer to the Council on expiry or earlier termination of the Project Agreement.

2.6.9 Key principles to be reflected in the Project Agreement include:

- Contract term: It is currently anticipated that, subject to earlier termination, the contract duration for the Project Agreement will be 30 years from financial close, where construction is expected to take up to 3.5 years with the remainder being the operation/service period. The Council may invite alternative proposals from the Bidders with regards contract duration.
- Technical specifications: The Project Agreement will include an output specification. The deliverables measured in the payment mechanism will link to the output specification criteria.
- Payment: The Council will make regular payments (in the form of a monthly Unitary Charge) to the Project Company subject to service and performance related adjustments. See Section 2.7 onwards for further details.
- Change: Mechanisms will be included in the Project Agreement that address the way the risk of any changes will be allocated between the parties.
- Third party interfaces: The Council has entered into third party agreements in the course of the planning process. The Project Company will, in general, be required to discharge the Council's obligations under these agreements; some obligations will be retained by the Council.
- Consents/Planning and other regulatory approvals: The Council has secured a number of regulatory approvals set out in more detail in Section 2.4. The Council currently envisages that the Project Company will be responsible for obtaining any other consents, permissions and approvals required to implement its proposals in respect of the Project.

Demand Management Participation Agreement

- 2.6.10 Procurement of private sector expertise and a participatory arrangement in managing its retained demand risk is a key objective in the procurement. The Council has developed the DMP Agreement for this purpose.
- 2.6.11 The DMP Agreement is intended to create a clear incentive structure for a private partner to help manage the demand risk retained by the Council within the Crossings Board. The DMP Agreement will be between the Crossings Board and the DMPA Co; the DMP Agreement includes the Council as a guarantor of the Crossings Board's obligations and liabilities.
- 2.6.12 The DMP Agreement provides the opportunity for the DMPA Co to make an investment sum into the Crossings Board in exchange for a share of returns from revenues that exceed the Unitary Charge and the amount required for discounts and the Council's sustainable transport strategy.
- 2.6.13 It is envisaged that the Crossings Board will use any DMP Agreement investment to either make a capital contribution to the Project Company at the date when the service becomes available (to repay a portion of senior debt and/or equity and thus reduce the Unitary Charge;

reduced Unitary Charge improves toll revenue headroom) or to pre-fund liquidity reserves in the Crossings Board.

2.6.14 Key features of the DMP Agreement are expected to be:

- it is intended that the DMPA Co will be part of the same consortium as the participants in the Project Agreement;
- the DMPA Co will provide tolling strategic services to the Crossings Board; these services may include advice on: pre-opening day activities (marketing, promotion etc); pricing strategies designed to optimise revenue (within the constraints of the toll orders and the Council's overall Project objectives and specific tolling objectives); pricing strategies designed to maximise account take-up and use of electronic (tag) payments; service improvements; discount schemes and discount tactics (including ramp-up tactics); reviewing, reconciling and reporting on observed traffic flows and revising and fine tuning forward revenue forecasts; operation phase marketing; and traffic modelling and forecasts (including sensitivity testing);
- the DMP Agreement will set out the tolling regime;
- the DMPA Co's returns will be paid to the DMPA Co from the Crossings Board surplus cash flows in accordance with the DMP Agreement; and
- in return for participatory support the Crossings Board will grant control of pricing policy within defined parameters (which are, in turn, within the parameters delegated to the Crossings Board under its governance agreement). The level of control that the DMPA Co has over toll setting will be discussed with Bidders during the competitive dialogue and is expected to depend on the level of investment made in the Crossings Board by the DMPA Co.

2.6.15 The Council will use the procurement process to get the best offers for the DMP Agreement, to assess the benefits of each Bidder's proposals for the DMP Agreement, and to ensure that it will provide sufficient incentives and alignment of interests. Matters expected to be refined during the competitive dialogue include the degree of influence and responsibilities passed to the DMPA Co, the rules governing the relationship between the parties, the form of investment that the DMPA Co will make in the Crossings Board, and the appropriate risk allocation and mitigation terms. The competitive environment of the procurement process will be used to maximise the value for money of the offers.

2.7. Payment mechanism in the Project Agreement

Introduction

2.7.1 The payment mechanism is subject to further detailed development by the Council in the period leading up to commencement of the competitive dialogue. The Council will issue a complete draft payment mechanism with the draft tender documents that will be circulated at the start of the competitive dialogue. It should be noted that commercial incentives in relation

to the performance of the DMP Agreement will be dealt with outside of the payment mechanism described below.

- 2.7.2 The broad principles of the payment mechanism are as follows. It will be structured to provide availability and performance based payments to the Project Company during the operational period (there will be no Unitary Charge payments made during the construction period). The unitary payments made by the Council will be subject to deductions for unavailability and poor performance as is common with most PPP projects. The deductions will be based on the availability of and service levels on the Mersey Gateway Bridge and the approach roads, as well as some asset condition measures.
- 2.7.3 In developing the payment mechanism, the Council is acutely aware of the link between customer experience, including standard of service and reliability of journey time, and the toll revenue that will be generated. The Council is absolutely clear that this link shall be reflected in the way the payment mechanism is structured. This has led the Council to the conclusion that a journey time measure represents a better measure of the availability of the asset and quality of service than a 'simple' lane availability based measure. The asset will be deemed available when vehicles can travel between defined entry and exit points within a defined period of time.
- 2.7.4 Based on the principles above the following components will be used to determine the payments to the Project Company:
- Unitary Charge (the amount bid) indexed in accordance with the profile contained in the Project Agreement. This is likely to be an inflationary measure plus an allowance to reflect the expected growth in traffic volumes. The principle is the matching of the Unitary Charge cost profile to the profile of resources available to meet that Unitary Charge;
 - journey time adjustment (availability proxy);
 - performance adjustment (to reflect service levels and asset condition); and
 - revenue reconciliation provisions.
- 2.7.5 The components are described in further detail below.
- 2.7.6 The Council will continue to develop and calibrate the payment mechanism during the period leading up to the commencement of the competitive dialogue.

Journey time adjustment

- 2.7.7 As explained above, the journey time has been selected (rather than a 'conventional' lane availability measure) because it is an output based measure of the level of service and aligns directly with the Council's objective of providing a high quality service to customers (journey time being an important factor in the 'customer experience'). The Council considers that the advantages of this approach are:
- it is a single measure which captures the impact on customers of many areas of Project Company performance;

- it encourages the Project Company to prioritise customer experience, for example, planning lane closures to minimise delays to customers; and
- as an output based measure, it is flexible as regards Project Company solution.

2.7.8 The Project road will be divided into a small number of 'routes' (or links). Journey time will be recorded over the routes. The mechanism will consider statistical measures of these recorded journey times and compare them to stated service standards to determine when the service failed to meet the required standard; the mechanism will make corresponding deductions from the Unitary Charge.

2.7.9 The choice of technology will be a matter for the Project Company; the Council will state its requirements as to accuracy, capture rates, integrity and so forth in output specification terms.

Performance adjustment

2.7.10 The Council envisages including a performance adjustment component in the payment mechanism to act in parallel with the journey time availability measure, and capture other wider aspects of the Project Company's performance of the service.

2.7.11 The Council plans to use a two-tier system. Performance adjustment will be designed to control:

- the delivery of both time and quality related aspects of the operation and maintenance services;
- the Project Company's asset management processes and the condition of the assets; and
- other selected aspects of the Project Company's performance.

2.7.12 The performance adjustment is the first tier remedy, and is intended to be a semi-automatic system of monetary deductions that reflect the value of the lost service or failure.

2.7.13 The second tier remedy will be termination points. These will be used where a performance adjustment is either not a suitable remedy, or the Council considers a performance adjustment to be an insufficient sanction. Termination points will ultimately lead to termination of the Project Agreement.

Revenue reconciliation

2.7.14 An adjustment to the Unitary Charge will be applied to reflect any difference between toll revenue actually collected and transferred to the Crossings Board and the toll revenue that should have been collected based on the number and type of vehicles recorded as using the bridge, subject only to a limited number of allowable deductions that will be defined in the Project Agreement (e.g. credit card charges or unpaid tolls where the Project Company has demonstrated that it has discharged its contractual responsibilities as regards the initial stages of the enforcement process).

- 2.9.4 The new bridge will supplement these existing crossings by providing additional capacity in Halton.
- 2.9.5 Halton sits at the heart of the region's ports, airports, motorways and trunk roads. Liverpool John Lennon Airport is close by and is signed across the SJB from the motorway network. The ports of Liverpool and Birkenhead are served by the motorway network and by the A533 which runs across the SJB.
- 2.9.6 The following table provides comparative information on observed peak hour traffic using each of the existing crossings in 2006 (data is extracted from the Mersey Gateway Highway Model: Local Model Validation Report (2009)); the traffic on the SJB is highlighted.

Table 2.2 – Observed peak-hour traffic using existing Mersey crossings (2006)

Crossings of River Mersey	2006 Base Year (Vehicles)		% of Total Mersey Traffic (in Peak)	
	am	pm	am	pm
Kingsway Tunnel Northbound	2950	1503	9%	5%
Kingsway Tunnel Southbound	1235	2665	4%	8%
Queensway Tunnel Northbound	1957	1243	6%	4%
Queensway Tunnel Southbound	1185	1604	4%	5%
Silver Jubilee Bridge Northbound	3484	3459	11%	10%
Silver Jubilee Bridge Southbound	3296	3326	10%	10%
A49 Warrington Northbound	2582	1919	8%	6%
A49 Warrington Southbound	1550	2350	5%	7%
A50 Warrington Northbound	1106	1031	3%	2%
A50 Warrington Southbound	1090	1027	3%	3%
M6 Thelwall Viaduct Northbound	6452	6833	20%	21%
M6 Thelwall Viaduct Southbound	6080	6116	18%	18%

- 2.9.7 The table demonstrate the importance of the SJB in that only the M6 Thelwall crossing carries more peak hour traffic than the SJB.

- 2.9.8 In national, strategic terms, the Thelwall crossing carries the M6 motorway; it is under the responsibility of the Highways Agency. In its regional role, the crossing links the east-west M62 north of the Mersey and the east-west M56/M53 south of the Mersey, thus providing connectivity within the Liverpool sub-region.
- 2.9.9 The SJB is the most central crossing of the Mersey with the two tunnels some 40 km to the west by road and the Warrington and Thelwall crossings 13 km and 21 km to the east by road respectively (from J12 of the M56). Constructed to provide a locally convenient crossing of the Mersey between the two communities of Halton (Runcorn and Widnes) it has now become a key link in the local and regional network linking the M56 and the M62. This role is reinforced by the high quality expressway network through Runcorn and to the east and west of Widnes. The SJB now provides a key component of the network for traffic travelling between the M56 and M62 (A557 Weston Point Expressway - A533 - A568) and for traffic travelling from the M56 to south Liverpool and the Liverpool City Region (via the A652 Widnes to Speke Road). The bridge carries volumes of heavy goods vehicles across the River Mersey second only to the M6 Motorway at Thelwall and, in common with that route, shows increasing HGV volumes during off-peak hours. The SJB is required to serve the local petro-chemical industry being the only road crossing of the Mersey, other than the M6, permitted to carry hazardous loads.
- 2.9.10 The current demands on the SJB and the inadequate carriageway provision leads to congestion, poor journey time reliability and poor network resilience; problems that will be alleviated by the new bridge.
- 2.9.11 The Mersey Tunnels provide the only road link between the Wirral and Liverpool and comprise the northern Kingsway Tunnel (M53) and the southern Queensway Tunnel (A41). Both tunnels are tolled and are the responsibility of Merseytravel. The Queensway Tunnel is closed to heavy goods vehicles and neither tunnels permit hazardous loads.
- 2.9.12 The Warrington crossings are accessed from the south over a number of ageing bridges, including some swing bridges across the ship canal. These crossings are, however, linked only to the local Warrington roads and do not offer strategic network capacity.
- 2.9.13 TEN-T Priority Axis No. 13 runs to the south of the Borough and connects the M6 with the port of Holyhead and its ferry links to Ireland. Priority Axis No. 13 provides improved links between Ireland, the UK and mainland Europe and will significantly shorten journey times for passengers and freight.

Traffic modelling

- 2.9.14 The Council has undertaken extensive traffic modelling for the Project and developed a range of forecasts to support the Public Inquiry and the DfT funding approval process.
- 2.9.15 The Mersey Gateway Bridge traffic model is described in detail in the Local Model Validation

Report and the Forecasting Report; both are available in the Dataroom. An overview is provided below.

- 2.9.16 The detailed model network extends from the M53 in the west to the M6 in the east, and from the M62 in the north to the M56 in the south. The model has been developed so that the transportation effects of the Project are properly assessed in accordance with government guidance. The key development in the modelling approach prescribed by the guidance relates to the appraisal of variable demand in the context of congested networks where travel behaviour is also influenced by road user charging. To provide the required analytical basis for the appraisal and promotion of the Project, the traffic model was required to achieve the following:
- meet DfT model validation criteria in the base year (2006);
 - evaluate the impact on existing travel behaviour taking into account local and strategic re-assignment, changes in trip distribution and induced traffic effects;
 - permit the investigation of toll charging options;
 - provide the output required for economic evaluation, environmental assessment and business case appraisals;
 - enable operational assessments to be undertaken to inform the design of the Project; and
 - appraise options for assessing proposals for the SJB as a local crossing in support of regeneration and local transport objectives.
- 2.9.17 The Council will make its local traffic modelling available in the version of the Dataroom issued with the Invitation to Participate in the Dialogue. In addition, supporting information will be provided covering the evolution and development of the model (model descriptions, documentation and commentary together with forecasts and assumptions for a range of scenarios). However, it will be for the Bidders to establish their own traffic forecasts, using their own and/or the Council's models; no warranty is provided in respect of the Council's models or forecasts.
- 2.9.18 The latest version of the model traffic forecasts, upon which the Council's 2011 'Outline Business Case' is based, complies with the latest (2011) DfT WebTAG guidance.
- 2.9.19 Since 2007, the Council has maintained a permanent classified traffic counter on the SJB and has undertaken several manual classified counts. This information is available in the Dataroom.

Toll levels

- 2.9.20 The arrangements for toll setting are described in paragraphs 2.5.16 to 2.5.18.

2.9.21 For the purposes of the Council's base-line revenue forecasts, opening day tolls are assumed to be the same as those that are in effect on the Mersey Tunnels at the time of service commencement. Thereafter, tolls are assumed to increase in line with inflation. The Mersey Tunnel tolls are currently as set out in the table below (came into effect 3rd April 2011).

Table 2.3 – Current Mersey Tunnel tolls

Toll Class	Description	Toll per Vehicle	
		Cash Payments in £	Fast Tag in £
1	Motorcycle with sidecar and 3-wheeled vehicle Private/light goods vehicle up to 3.5 tonnes gross vehicle weight Passenger carrying vehicle with seating capacity for under 9 persons	1.50	1.30
2	Private/light goods vehicle up to 3.5 tonnes gross vehicle weight with trailer Heavy goods vehicle over 3.5 tonnes gross vehicle weight, with two axles Passenger carrying vehicle with seating capacity for 9 or more persons with two axles	3.00	2.60
3	Heavy goods vehicle over 3.5 tonnes gross vehicle weight with three axles Passenger carrying vehicle with seating capacity for 9 or more persons with three axles	4.50	3.90
4	Heavy goods vehicle over 3.5 tonnes gross vehicle weight, with four or more axles	6.00	5.20

Traffic and revenue forecast

2.9.22 The Council's traffic and revenue forecast up to 2030 is as follows:

Table 2.4 – Traffic and revenue forecast

Year ending 31st March	TRAFFIC ⁽¹⁾					REVENUE ⁽²⁾ (£m nominal)						
	SJB		Mersey Gateway Bridge commute				Car – Employer Business	Car – Other	Car –	LGV	OGV	TOTAL
	Car	LGV	OGV	Car	LGV	OGV						
2018	6,745	2,875	1,623	34,298	7,416	2,959	10.7	5.2	10.4	6.9	11.2	44.5
2019	6,849	2,950	1,627	35,369	7,626	3,014	11.3	5.4	11.1	7.3	11.6	46.7
2020	6,953	3,026	1,631	36,440	7,836	3,070	11.9	5.6	11.7	7.7	12.1	49.0
2021	7,057	3,101	1,635	37,511	8,046	3,125	12.6	5.8	12.4	8.1	12.5	51.5
2022	7,161	3,177	1,639	38,582	8,256	3,180	13.3	6.0	13.2	8.5	13.0	54.0
2023	7,266	3,252	1,643	39,654	8,465	3,236	14.0	6.2	13.9	9.0	13.5	56.6
2024	7,370	3,328	1,646	40,725	8,675	3,291	14.7	6.4	14.7	9.4	14.0	59.3
2025	7,474	3,403	1,650	41,796	8,885	3,346	15.5	6.7	15.5	9.9	14.5	62.1
2026	7,578	3,479	1,654	42,867	9,095	3,402	16.3	6.9	16.4	10.4	15.1	65.0
2027	7,682	3,554	1,658	43,939	9,305	3,457	17.1	7.1	17.3	10.9	15.6	68.1
2028	7,786	3,630	1,662	45,010	9,515	3,512	18.0	7.4	18.2	11.4	16.2	71.2
2029	7,890	3,705	1,666	46,081	9,725	3,568	18.9	7.7	19.1	11.9	16.8	74.4
2030	7,994	3,781	1,670	47,152	9,934	3,623	19.8	7.9	20.1	12.5	17.4	77.8

Notes

(1) Average Annual Daily Traffic. To obtain the annual figure multiply by 365.

(2) Combined revenue estimates for the two bridges.

2.10. Design

Introduction

- 2.10.1 An Illustrative Design is being prepared and will be provided to the Bidders at the start of the competitive dialogue. This design is the basis of the supplementary planning applications described in paragraph 2.4.2. The final design adopted for the Project will be the responsibility of the Project Company. The Project Company will be responsible for developing this design in accordance with current UK highway design standards and advice (DMRB) or their equivalents. The Project Company will also be responsible for carrying out all necessary consultations with third parties and developing the design to comply with their reasonable requirements.
- 2.10.2 Inherent within the Illustrative Design will be certain departures from the DMRB technical standards. These departures will have been agreed by the Council and details will be provided to Bidders at the start of the competitive dialogue. Bidders will be able to submit proposals for additional departures from standard, including proposals to use new or alternative standards.
- 2.10.3 During the competitive dialogue, Bidders will be required to agree with the Council their outline proposals for key structures.

Design and Access Statement

- 2.10.4 As part of the supplementary planning applications described in paragraph 2.4.2, the Council will submit a new Design and Access Statement. This will clearly set out the basis of the design being submitted for planning approval (which will be the Illustrative Design), including aesthetic requirements. Further guidance on the scope for variations and alternatives will be provided to the Bidders at the start of the competitive dialogue. It is intended that compliance with the new Design and Access Statement will be a planning condition upon the approval of the supplementary planning applications.
- 2.10.5 The Council intends to encourage innovation by Bidders in their development of their proposals for the design and construction of the works. In the course of obtaining powers and consents, and in particular in the submission of the supplementary planning applications described in paragraph 2.4.2, the Council has striven to retain flexibility in the design and construction of the bridge and its approaches. However, Candidates must recognise that, in satisfying the planners and other interested parties, commitments have been made and expectations raised about the form of the new bridge.
- 2.10.6 It should be noted that the Reference Design was, and the Illustrative Design will be, a response to the Council's objectives and the constraints and features of the locality that have had, and will continue to have, an influence on the design, including:
- the Council's aspirations for the regeneration potential of the new bridge; the new bridge will be a significant structure, capable of becoming emblematic for the Borough in the same way that the SJB is. The Commission for Architecture and the Built Environment was consulted during the development of the Reference Design;

- the Council's aspirations for the regeneration of the Borough; this has influenced the development of the proposals for SJB and its approaches, the South Widnes Victoria Road area, and Astmoor in Runcorn;
- the presence of contaminated land in Widnes; mitigating risks associated with contaminated land is a significant influence on the design, particularly in the freight line to St Helens Canal area (Area C on the project plan in Appendix B). The design is consistent with best practice risk management 'principles of prevention', the design eliminates hazards and then mitigates risks, e.g. avoiding excavation in contaminated areas;
- the need to minimise hydrodynamic impact on the estuary, and in particular the need to avoid any significant impact on the Special Protection Area downstream of the SJB; extensive study has been carried out on the estuary to determine how it will respond to possible changes introduced by the new bridge. In particular, the morphology of the river has been recorded over time and the complex hydrology better understood. Its importance as a habitat for terrestrial and aquatic ecology has been studied and a full appreciation made. The design's arrangement of towers, and corresponding works in the estuary, is a response to these constraints. It is highlighted that the planning conditions directly address these issues;
- the need to minimise impact on ecologically sensitive and important sites in the estuary; again influencing the design of the main bridge and its approaches;
- the need to 'tread lightly' on the salt-marshes that sit either side of the estuary; this influences the relationship between span length and numbers of supports;
- the need to maintain navigation clearances in the estuary and, more importantly, in the Manchester Ship Canal; and
- the need to avoid interfering with the flight path to Liverpool John Lennon Airport.

2.10.7 Recipients can find further information on the design philosophy in the original Design and Access Statement that accompanied the orders and applications, located in the Dataroom.

2.10.8 Notwithstanding the above, the Council believes that there is significant scope for innovation by Bidders in the development of their proposals and that, in particular, innovation in the areas of buildability and methodology have the potential to add value. To encourage innovation, the Council will define its requirements in output specification terms, defining the service and performance standards that are required, whilst avoiding unnecessary constraints on the Bidders' ability to deliver these outputs in the design and construction of the infrastructure or on the method of subsequent operation.

2.10.9 The Council will provide Bidders with specific guidance on where the scope for innovation (and changes from the Illustrative Design) lies. Further changes from the Reference Design beyond those included in the supplementary planning applications described in paragraph 2.4.2 will need to be approved by the local planning authority, with the aim being to accommodate this approval process in parallel with the procurement process. Bidders will be

advised that alternative proposals that are not compliant with the TWA Order will not be acceptable to the Council. The competitive dialogue will be designed to facilitate the infrastructure being provided at best value.

Environment

- 2.10.10 Extensive environmental appraisal has been undertaken by the Council in connection with the preparation of the Environmental Statement for planning and Public Inquiry. Further appraisal is being carried out in connection with the supplementary planning applications and a new Environmental Statement produced. The Project Company must ensure that its proposals for design, construction, operation and maintenance fully comply with the relevant environmental requirements. The Project Company must also ensure that all relevant undertakings given by the Council are discharged. The Environmental Statement prepared for the Reference Design for planning and Public Inquiry is available in the Dataroom. The new Environmental Statement accompanying the supplementary planning applications will be made available as an update to the Dataroom during the prequalification period.

2.11. Contaminated land

Introduction

- 2.11.1 This section describes the Project approach to dealing with contaminated land.
- 2.11.2 Contaminated land is a particular issue in the Borough. Runcorn and Widnes have a common heritage in the chemical industry; this industrial legacy leaves parts of the Project's footprint heavily contaminated but well understood. This section describes:
- the Council's overall approach;
 - remediation and mitigation generally and the approach agreed with the Environment Agency during the course of the planning and powers process;
 - the Council's approach to advance work remediation that is required to discharge agreement(s) made with the regulator(s); and
 - the approach to contaminated land that will be taken in the Project; in summary, the Project Company will be required to mitigate and manage contaminated land risk in its design and construction activities.

Overall approach to contaminated land

- 2.11.3 The Council's overall approach to contaminated land is as follows:
- Risk should be allocated to the party best able to control it.
 - The Reference Design was prepared to avoid the disturbance of contaminated sites where this is practicable, and hence the volume of excavated contaminated material was

minimised; the Illustrative Design is being prepared with the same principle. Treatment of excavated contaminated soils is well understood due to the large number of contaminated sites that have been developed in Widnes in recent years.

- The Project Company's scope under the Project Agreement is intended to be manageable and priceable. To achieve this aim, the Council has undertaken extensive surveys and would look to benefit from local land remediation precedent in removing uncertainty. Bidders will have the opportunity to prompt more surveys should these be required to reduce risk as their more detailed designs are prepared.
- In some areas the Council has decided to promote remediation works in advance of financial close. Details of these remediation proposals will be available to Bidders at the commencement of the competitive dialogue.

Contaminated land in the Borough

- 2.11.4 This section briefly describes the nature of the contamination in the Borough. Recipients are referred to the Environmental Statement Technical Annex and Radioactivity Desk Study (available in the Dataroom) for a full description. The Borough has a long association with the chemical industry extending back to the 1800s. Early chemical works activity focused on meeting alkali demand that came from the glass, soap and textiles industry and the need for washing, bleaching and dyeing products. Other industries then developed, such as metal works, and these were often linked with the alkali industry using either waste materials or similar raw materials. In the early 20th Century the industrial organic chemical industry developed. This industry is based on synthetic chemicals derived from oil and petroleum products and produces chemicals, such as solvents, plastics, synthetic rubbers and polymers. The chemical industry, particularly in its early years, had a poor record in terms of managing both the processes and the resulting waste products, and significant contamination occurred. This arose from a combination of dumping of solid waste materials and the loss of liquid contaminants into the ground and gave rise to pollution of soils, groundwater and surface waters, including the River Mersey. Within the Project area, the contamination can be considered in three main areas.

South of the Mersey estuary – Runcorn

- 2.11.5 Contaminated land in the Project footprint is limited to a narrow strip between the Manchester Ship Canal and the River Mersey salt-marshes. There are two key sites: the Wigg Island Landfill and the site of the Kemet Works, of which the former is considered to be most significant. South of the Manchester Ship Canal lies Astmoor Industrial Estate; this dates from the 1970s and is considered unlikely to be a significant source of contamination. Within Runcorn itself, the Project footprint lies over existing highways and land developed in the 1970s and therefore is unlikely to be a significant source of contamination.

Mersey estuary

- 2.11.6 Contamination was found in the salt-marsh deposits either side of the estuary and, to a lesser degree, in the sands in the channel of the Mersey. This is considered to have been caused by contaminants that were released into the estuary in the past, which have been retained particularly in the clay rich sediments of the salt-marshes.

North of the Mersey – Widnes

- 2.11.7 The Project area on the Widnes side is the most heavily affected by contamination.
- 2.11.8 The land to the north of the Mersey estuary has a long history of industrial development and use by the chemical industry for disposal of waste materials. ‘Galligu’, a waste product of the early chemical industry, was found along much of the route in this area together with other contamination relating to specific industrial processes. Galligu contains contaminants, such as metals, arsenic and sulphides, and often has very high alkalinity and a mud-like consistency. It was tipped indiscriminately across the industrial areas of Widnes, including the Project area. The disused St Michael’s Golf Course is a former chemical waste tip and large quantities of Galligu were found in this area. The northern part of the golf course has been designated as statutory Contaminated Land and has recently been remediated.
- 2.11.9 Of specific interest in this area is the site of Catalyst Trade Park and part of the Thermphos site. The Gaskell Deacon alkali works was initially founded on this site, where one of the first industrial chemistry research laboratories in the UK was established in 1891. After Gaskell Deacon joined ICI, the site became the ICI Experimental Works and a wide variety of experimental and pilot-scale processes were carried out on the site, including work on solvents and radioactive materials; there is now evidence of solvent contamination, but no significant levels of radioactive contamination have been found. The solvents are a significant group of contaminants that can migrate over considerable distances; very small concentrations can have significant impacts on key receptors, such as drinking water.

Approach agreed in planning and power process

- 2.11.10 The regulator has indicated that widespread remediation, being specific activities to manage or reduce contamination levels (i.e. clean-up), is not required. This approach was adopted through the planning and Public Inquiry process. While at the Public Inquiry it was acknowledged there are widespread contamination issues in the Borough, the principle established was that the works for the Project must not make the situation any worse, but it was recognised that the Project could not address these wider issues in isolation.
- 2.11.11 Rather, the approach has been to address the effects that could arise from, or on, the Project. So the design and construction of the Project must address (‘mitigate’) the presence of contamination, but can leave it in place; where it is disturbed for excavations it must be treated or disposed of to a suitably licensed disposal facility. The design thus avoids excavating or disturbing contaminated material where appropriate and minimises the treatment or disposal that is required.

- 2.11.12 Mitigating risks associated with contaminated land has been a significant influence on the design, particularly in the freight line to St Helens Canal area (Area C in the project description in Appendix B). The Reference Design was developed consistent with best practice risk management 'principles of prevention'. The design eliminates hazards and then mitigates risks, e.g. avoiding excavation in contaminated areas; the Illustrative Design is being prepared with the same principles.
- 2.11.13 The Council considers that the Project Company can apply the same approach to its detailed design. Furthermore, given that the Project Company will be responsible for design and construction, it is best placed to manage this risk.
- 2.11.14 Some solvent remediation will be required on the Catalyst Trade Park site and part of the Thermphos site, as it has been identified as the exception to the above general agreement with the Environment Agency. The solvents are denser than water and have sunk down into the underlying soils. These liquids are known as Dense Non Aqueous Phase Liquids (DNAPLs). The Environment Agency's position is that it requires some remediation of the 'free product' prior to commencing the works. This work is being undertaken under the Council's advance works programme. The agreement with the Environment Agency is that there will be 'betterment' acknowledging the technical challenges of remediating DNAPLs. There is the possibility that solvents will remain in this area after remediation and this will need to be taken into account in the Project Company's design on the principle of not making the situation worse.

Contaminated land in the Project Agreement – risk transfer

- 2.11.15 As stated above, the Project Company is encouraged to develop design and construction methodologies that can be implemented to construct the new bridge in a way that will not disturb historic contamination, including the remediated areas.
- 2.11.16 The Council will explore with Bidders during the dialogue period how best value for money can be achieved with respect to contaminated land.

2.12. Construction

- 2.12.1 The Project will generally adopt the standards normally associated with major road and bridge building in the United Kingdom (or their equivalent), including the Specification for Highway Works (SHW). These will be supplemented by particular specifications that will be developed for the Project.
- 2.12.2 The Project Company will be required to operate an integrated management system in order to demonstrate that quality assured construction is delivered.
- 2.12.3 It is expected that the Project Company's contractors will have a successful track record in managing and delivering comparable projects.

2.13. Tolling infrastructure and operations

- 2.13.1 The Mersey Gateway Bridge and the SJB will both be tolled as part of the Project. In addition to designing, installing, and maintaining the toll infrastructure, the Project Company will provide a range of toll operator services.
- 2.13.2 As noted previously, the Reference Design for the tolling infrastructure was based on barrier tolling. However, following market soundings and discussions with the DfT, and in order to deliver a more modern, improved service and cost savings, the Council resolved to adopt open road, barrier-free tolling.
- 2.13.3 The Illustrative Design for the toll collection system is thus based on an open road, barrier-free tolling regime. Customers will be encouraged to pay the toll in advance and their use of the bridges will be recorded via toll infrastructure installed as part of the Project. There will also be facilities for the recovery of toll payments from customers who do not pay the toll in advance of using the bridges. The Illustrative Design does not include provision for any facilities where customers can stop and pay the toll on the bridges.
- 2.13.4 The toll operator services that are to be provided will include:
- monitoring and supervising toll collection operations to ensure that they remain consistent with Project objectives and are optimised to meet operational conditions;
 - customer services, including account management and customer queries/complaints handling;
 - back office processes typically associated with toll collection system, including reconciliation, auditing and fidelity controls;
 - support for violation processing, including issuance of violation notices, processing of payment, following up of non-payments, and support for the recovery of revenue; and
 - toll collection system maintenance.

2.14. Operation and maintenance

- 2.14.1 The Project will generally adopt the standards normally associated with the operation and maintenance of local government roads in the United Kingdom (or their equivalent), including the following suite of documents published by The Stationery Office:
- Well-maintained Highways – Code of Practice for Highway Maintenance;
 - Well-lit Highways – Code of Practice for Highway Lighting Management; and
 - Management of Highway Structures – A Code of Practice.
- 2.14.2 These codes of practice will be supplemented by the Council's existing operational specifications together with particular specifications that will be developed for the Project.

- 2.14.3 The Project Company will assume responsibility for operation and maintenance of the Project facilities, comprising the Central Expressway and part of the Weston Point Expressway, including overbridges, from or shortly after financial close.
- 2.14.4 The Project Company will be required to operate an integrated management system in order to demonstrate that effective, efficient operation and maintenance is delivered.
- 2.14.5 It is intended that the maintenance requirements for the Project will include an asset maintenance management system, routine and principal inspections, and routine, reactive and all other maintenance, repairs and renewals.
- 2.14.6 In addition, the Project Company will be required to carry out network management duties and other services connected with the operation of the Project facilities.
- 2.14.7 The Council will require that the Project facilities will be handed back to the Council in a condition which will not require either disproportionate spending on renewals or maintenance, or disproportionate disruption to customers after hand-back. The hand-back requirements will cover the condition of the assets, rectification works and the associated costs. The condition of the assets will be assessed from operation and maintenance records in an asset management system and from inspections, tests and surveys prior to hand-back.

2.15. Health and safety

- 2.15.1 The Project Company will be required to comply with all applicable health and safety legislation to ensure that the Project facilities are safe to construct, operate, maintain, hand-back and eventually decommission. The Project Company will be required to discharge all of its duties under the Construction (Design and Management) Regulations 2007 including, as applicable, those of client, designer, principal contractor and CDM Co-ordinator.
- 2.15.2 CDM Pre-construction information is provided in the Dataroom, which was prepared pursuant to the Construction (Design and Management) Regulations 2007.

2.16. Interested parties

- 2.16.1 There are a large number of key interested parties with significant levels of interest in the Project. These range from the adjacent boroughs and their communities to Liverpool John Lennon Airport, and the Environment Agency.
- 2.16.2 The Project Company will be required to liaise with the interested parties and any associated constraints that are imposed by the terms of the Project Agreement will need to be addressed. The Council has developed a number of agreements with key interested parties and known constraints will be identified in the tender documents. Recipients are asked not to contact or engage in discussions with interested parties in relation to the Project during this prequalification stage.

Table 2.5 – Key interested parties (not exhaustive)

Category	Interested Party
Neighbouring Councils	Cheshire Warrington Borough Cheshire West and Chester Cheshire East Liverpool City Region Knowsley Metropolitan Borough Liverpool City Sefton St Helens Metropolitan Borough Wirral Metropolitan Borough
Environmental Bodies	Environment Agency Natural England RSPB HBC (Contaminated Land, Environmental Health, Nature Conservation and Conservation) Cheshire West and Chester (Conservation) Local Environmental Groups
Utilities	National Grid United Utilities Scottish Power Open Reach (BT) Virgin Media Cable and Wireless
Navigation	Mersey Docks and Harbour Company (Peel) Trinity House Acting Conservator of the River Mersey Royal Yachting Association Manchester Ship Canal Company (Peel) Bridgewater Canal Company (Peel) HBC (St Helens Canal)
Airports	Liverpool Airport
Rail	Network Rail
Highways Authorities	HBC – Local Highways Authority Highways Agency Neighbouring Authorities
Local Transport Operators	Halton Transport

Landowners	Various
Local Businesses	Including 3MG Mersey Multimodal Gateway – Stobart Group
Local Communities	Parish councils etc.

2.17. Land assembly and compulsory acquisitions

- 2.17.1 The Council is implementing its land assembly strategy. The ultimate aim of the land assembly strategy is to deliver vacant possession at financial close of the land required to construct and operate the Project.
- 2.17.2 The total land area required to construct and operate the Project, together with associated infrastructure and highway improvements, is approximately 156.7ha. At the outset of the Project, the Council either owned or had a legal interest in approximately 62.4ha. This land was made up, in the main, of existing highways, footways and verges together with disused plots, such as part of the former St Michael's Golf Course at Widnes.
- 2.17.3 In advance of the Public Inquiry, the Council sought to acquire the required interests in the remaining land by negotiation. This process was carried out in parallel with the planning and statutory powers process. The Council sought to achieve advance acquisition or the agreement of terms for a future purchase. The approach adopted varied according to the circumstances of each case with particular emphasis on businesses requiring relocation. No residential properties are required to be acquired as part of the Project. In advance of the Public Inquiry the Council acquired the required interests in a further 1.5ha of land occupied by local businesses.
- 2.17.4 In the period after the Public Inquiry, the continuing land assembly strategy was to: continue with the agreements for acquisition/relocation in accordance with the obligations within those agreements; complete acquisitions/agreements where the terms were agreed; assess the remaining businesses for relocation where there was potentially a need to acquire in advance of obtaining compulsory purchase powers, to allow sufficient time to physically relocate, having regard to the need for early possession on complicated sites; and to formulate a strategy for the remaining land consistent with the procurement process and timetable.
- 2.17.5 The planning decisions made by the Secretaries of State on 20th December 2010 triggered the next stage in the land assembly process and the Council has commenced the exercise of the powers enabled by the CPOs and the TWA Order. These powers allow the Council to acquire the remaining land which is necessary for the Project. At the start of 2011, the Council served preliminary notices in the compulsory purchase orders process on the parties affected by the orders. More recently, a number of General Vesting Declarations have been served for land that is required at an early stage to allow advance works to be carried out. The remainder of the land required for the Project will be acquired by the serving of further General Vesting Declarations, which will cover landowners, operational businesses to be relocated and minor parcels/severed land. This stage will be undertaken in phases that ensure affected businesses are given the maximum time possible to relocate.

- 2.17.6 At the time of publication of this document around 60% of the land required for the Project was in the possession of the Council. Land assembly costs are funded by the 'land grant' from the DfT; any gap between receipt of funding from the DfT and payment to landowners will be funded by the Council's reserves.

2.18. Advance works

- 2.18.1 The Council will undertake advance works, where such works are considered to be of benefit in:
- providing Bidders with better information with regards to the Project Company's risks, liabilities and costs;
 - mitigating the Council's retained risks;
 - giving best value for money with regards to the work itself; and
 - to discharge a planning condition or a condition attached to an interested party agreement (where it is proposed that this is discharged by the Council in advance rather than contractually obliging the Project Company to do it).
- 2.18.2 The advance works are being progressed. At present, the works cover:
- advance (enabling) infrastructure works, e.g. selected utility diversions, demolition, vegetation clearance;
 - advance works remediation: remediation of solvents on the Catalyst Trade Park site in Widnes;
 - pre-construction ecological, aquatic and other environmental surveys (as required by the planning conditions); and
 - inspections and surveys on existing infrastructure that will become the responsibility of the Project Company, e.g. bridges over and under the Central Expressway and the existing pavement construction.
- 2.18.3 In recognition of the difficulties of remediating Dense Non Aqueous Phase Liquids and the importance of regulatory 'sign-off', the Council will carry out solvent remediation at Catalyst Trade Park as advance works. The associated agreement with the Environment Agency is based on completing these advance works in sufficient time to allow the site to be handed to the Project Company at financial close. The land assembly strategy supports this and the Council has acquired the necessary interest in the land. The Council has commissioned further detailed work to confirm with the Environment Agency the level of remediation required and the methods that are to be used, and to plan the advance works remediation accordingly. A remediation contract will be let in due course.
- 2.18.4 Additional marine site investigations are required in the vicinity of the new bridge piers in the river. These investigations will be procured by the Council with the investigations being timed to coincide with the beginning of the competitive dialogue period. This will allow the

opportunity for Bidders to have an input to the scope of the investigations, and be able to allow for the findings of the site investigations in their final tenders.

3 Procurement Process and Timetable

3.1. Introduction

- 3.1.1 The purpose of the procurement process is to obtain competitive tenders that meet the Council's objectives from suitably qualified and experienced organisations, and thereby to award the contract on the basis of the most economically advantageous tender to the Council.

3.2. Procurement objectives

- 3.2.1 The objectives of the procurement process are:
- to procure the construction of the Mersey Gateway Bridge, highway and toll infrastructure at best value through a design, build, finance, operation and maintenance contract which transfers whole-life cost and service delivery risk to the private sector;
 - to procure toll operator services to deliver a high quality service to customers; and
 - to secure a commercial arrangement with the private sector that supports the Council in actively managing toll revenue through participative support in determining the tolling strategy and other commercial aspects of the crossings business.

3.3. Form of procurement process

- 3.3.1 The proposed procurement process currently comprises seven stages, as illustrated in Figure 4 below. Due to the complexity of the Project, and the potential for Bidders to propose different technical, financial and legal solutions, the Council will use the competitive dialogue procedure in accordance with the requirements of the Public Contracts Regulations 2006 to procure the Project.

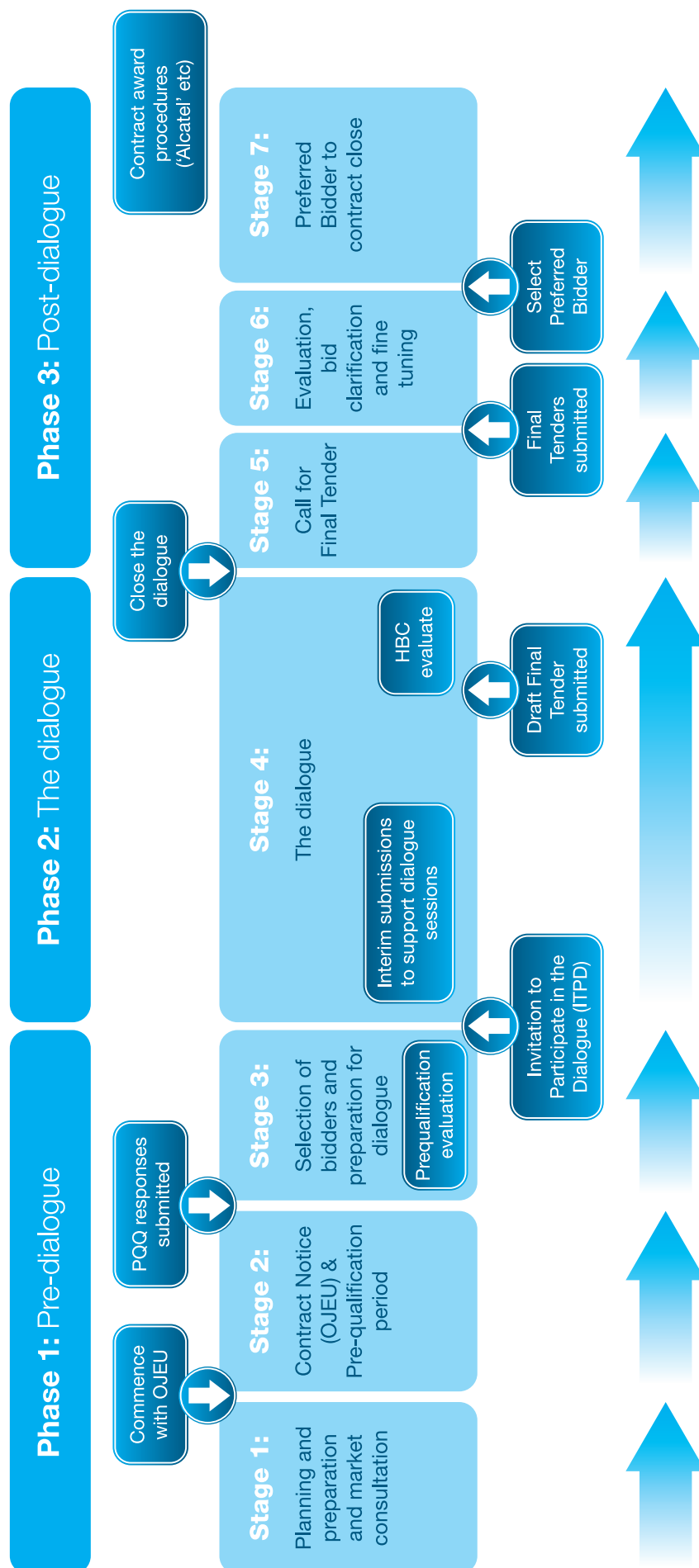


Figure 4 - Competitive dialogue procedure

- 3.3.2 In planning and carrying out the procurement process the Council will reflect industry best practice, including guidance from Office of Government Commerce and Her Majesty's Treasury (Competitive Dialogue OGC/HMT joint guidance on using the procedure and the more recent Treasury Review of Competitive Dialogue (November 2010)). The Council is fully aware that the competitive dialogue can lead to significant costs for Bidders, and will develop a process that ensures costs are incurred appropriately, depending upon the stage of the competitive dialogue. The Council will operate the procurement to a tight but realistic timetable and in an efficient and effective manner.
- 3.3.3 The Council will ensure that it has sufficient capacity and capability in its procurement team at all stages, to effectively support an efficient and stream-lined procurement process.
- 3.3.4 Prospective Bidders should note that the Council will not underwrite or reimburse the bid costs of any Bidder or associated party.
- 3.3.5 Effective communication is an important element of the Council's procurement strategy to ensure that the market understands each stage of the procurement process, what is required of the Bidder and the Council's role at that stage of the competitive dialogue. This will ensure that each stage of the competitive dialogue is clearly focused, with all parties understanding the requirements for progressing effectively to the following stage.

3.4. OJEU Notice

- 3.4.1 The procurement process commenced with the publication of the Notice as described in Section 1.5.

3.5. Prequalification

- 3.5.1 The prequalification (selection) stage will be used to select Bidders who will be invited to participate in the competitive dialogue. Recipients who wish to be selected as Bidders to take part in the competitive dialogue are required to prequalify.
- 3.5.2 Recipients who wish to prequalify must submit a Prequalification Submission (PQQ Submission) comprising a completed Prequalification Questionnaire (PQQ) with supporting information.
- 3.5.3 The purpose of the PQQ will be to elicit information from the Candidates to allow the Council to objectively assess which Candidates to take forward to the competitive dialogue. The Council will evaluate each Candidate's response to the PQQ in accordance with the Public Contracts Regulations 2006, by reference to the mandatory exclusion criteria and minimum criteria for economic and financial standing, which are specified in the PQQ.
- 3.5.4 Where the Candidates meet these criteria, the Council will apply further objective and non-discriminatory criteria for technical and professional ability to assess the Candidates' experience, qualities and resources to undertake the Project.

- 3.5.5 On the basis of the PQQ Submissions, and any subsequent clarifications, the Council intends to select from the Candidates no more than three Bidders to be invited to participate in the dialogue, provided it is satisfied that this will provide genuine competition.
- 3.5.6 The prequalification evaluation model will provide for Candidates to be ranked on the basis of their responses. Further details of the prequalification stage are included in Section 4. Details of the evaluation of the PQQ responses are included in Appendix F, with further details of the evaluation of the responses to Part 3 (Financial Standing) of the PQQ given in Appendix G.

3.6. Competitive Dialogue

- 3.6.1 Bidders selected in accordance with the prequalification process will be invited to participate in a dialogue. In accordance with the Public Contracts Regulations 2006, the competitive dialogue will aim to identify with Bidders the means best suited to satisfying the Council's needs for the Project.
- 3.6.2 As noted above, the Council intends that robust pre-procurement preparation will ensure that a 'targeted dialogue' approach can be adopted, to avoid Bidders incurring unnecessary costs.
- 3.6.3 The Invitation to Participate in the Dialogue (ITPD), will be clear on what is to be dialogued, areas upon which the Council does not intend to engage and will explain how the competitive dialogue will be conducted.
- 3.6.4 The competitive dialogue timetable will provide for a realistic schedule of meetings that will provide time for development of positions on each topic, and allow Bidders to effectively develop their proposals and gain an understanding of the Council's view of and proposed evaluation of those proposals.
- 3.6.5 The Council will have procedures to manage the treatment of intellectual property and commercially sensitive information and to ensure equal treatment of Bidders. The Council will operate a robust clarification process to ensure that Bidders are treated fairly and objectively, and that non-confidential information regarding the Project is provided on a fair and non-discriminatory basis.
- 3.6.6 Interim design submissions sufficient to demonstrate the approach to achieving design quality and to complying with the constraints will be required from the Bidders during the competitive dialogue. This will allow the Council to provide feedback on the proposals before they are finally submitted in their tenders. This is recognised as being particularly important in order for the Council to achieve the requisite level of design quality which includes addressing the physical and environmental constraints imposed by the site as well as aesthetic quality.
- 3.6.7 Other interim submissions may be required to support the competitive dialogue to allow Bidders to develop their proposals in a focused manner. Submission requirements will be developed to avoid requests for excessive materials, or onerous bid submission requirements.

- 3.6.8 An Invitation to Submit a Draft Final Tender will be sent to the Bidders. Bidders will be required to make a Draft Final Tender submission to allow the Council to assess the Bidders' readiness for final tender and allow the Council to clarify any outstanding points in each Bidder's proposal, prior to final tender. The submission will also support the Council in making the decision to close the dialogue.
- 3.6.9 The Council reserves the right to down-select to two Bidders during the competitive dialogue.
- 3.6.10 The contract award evaluation criteria will be published with the ITPD.

3.7. Call for Final Tender

- 3.7.1 The form of final tender documents to be submitted by Tenderers will be detailed as part of the Invitation to Submit a Final Tender (ISFT).
- 3.7.2 Tenderers will be given approximately two months to prepare and submit their tenders, which will need to include detailed technical proposals. It should be noted that the majority of the content of their final tender will already have been provided as a draft final tender, to allow assessment of readiness to close dialogue.
- 3.7.3 Tenderers will be required to submit a full technical and financial solution for the Project. This will include details of their proposed contractual and funding structure that are supported by their proposed funders. Tenderers will be required to demonstrate that the requisite level of legal, technical and financial due diligence has been undertaken, with full comfort given that funders, equity providers and subcontractors fully accept the Tenderer's proposals.
- 3.7.4 It is anticipated that Tenderers will be required to submit a single tender bidding for both the Project Agreement and the DMP Agreement.
- 3.7.5 Tenderers will be allowed to submit variant tenders, which will be evaluated solely at the discretion of the Council. However, the Council will advise Bidders of unacceptable variants and will seek to avoid unnecessarily requiring or expecting Tenderers to provide additional variants, save where both parties have identified that a variant could provide greater value for money.

3.8. Tender evaluation methodology

- 3.8.1 The Council intends to award the agreement(s) on the basis of the tender which is most economically advantageous for the Council. The Council will therefore evaluate tenders throughout the competitive dialogue against a consistent set of criteria reflecting the subject matter of the proposed contractual arrangements, and the achievement of the Council's wider objectives for the Project. The evaluation model and the award criteria will be clearly stated in the procurement documentation.
- 3.8.2 The objective of the evaluation process is to identify the relative strengths and weaknesses of Tenderers against the Council's evaluation model. The overall evaluation objectives will

therefore be specified to ensure that the successful tender achieves the Council's overarching objectives for the Project Company's role (and DMPA Co's role) in the success of the Project.

3.8.3 To ensure that the evaluation approach is effective, the Council will ensure that Tenderers have clear, unambiguous information regarding the evaluation criteria, and how they will be applied by the Council, as this will:

- assist in providing a fair and transparent procurement process;
- ensure that Tenderers understand the requirements for a successful tender;
- provide a clear framework for bid submissions to allow Tenderers to run an effective bid process;
- provide a framework for tender evaluation to ensure that the evaluation is fair and has a transparent audit trail; and
- allow for a clear audit of any changes in proposals arising from clarification or fine-tuning to ensure that the impact of such changes is fully understood.

3.8.4 It is currently anticipated that the evaluation methodology will:

- require Tenderers to meet a baseline set of contract requirements, including quality, acceptance of key risks and affordability;
- adjust tender prices to reflect any additional benefits to the Council or any material retained risks divergent from the position set out in the ITPD documents, in each case reflecting the cost impact of such changes to the Council;
- assess the benefits of any proposal for the DPMA; and
- evaluate the additional qualitative benefits from each Tenderer's proposals.

3.8.5 Price will be evaluated according to the Net Present Value of the Unitary Charge to the Council after applying any adjustments for the elements of the evaluation outlined above. The profile of the Unitary Charge will be subject to constraints set out in the tender documentation.

3.8.6 Further details of the tender evaluation methodology will be included in the tender documents.

3.9. Tender evaluation

3.9.1 The Council will evaluate tenders in accordance with the evaluation methodology. The Council reserves the right to seek clarification, specification or fine-tuning of any tender

submission; any such request shall be made on a non-discriminatory basis, and the Council will ensure that such requests do not distort competition in the procurement process.

- 3.9.2 The Council will identify the participant in the tender process who has submitted the most economically advantageous tender, by reference to the evaluation criteria.

3.10. Preferred Tenderer

- 3.10.1 Prior to selection of the Preferred Tenderer, the Council will require that Bidders agree to the terms of a Preferred Tenderer letter detailing the basis on which the Preferred Tenderer has been selected and defining the process and programme to financial close.
- 3.10.2 Following selection of the Preferred Tenderer, the Council intends to progress to financial close with that Preferred Tenderer. The Council reserves the right during this process to clarify any aspect of the preferred tender, and seek further confirmation of commitments made within that tender, consistent with government guidance on the competitive dialogue.
- 3.10.3 The Council will reserve the right to retain a Reserve Preferred Tenderer following selection of Preferred Tenderer, to ensure that any failure by the Preferred Tenderer to continue to comply with their tender submission or the requirements of the Preferred Tenderer letter does not prejudice the overall procurement of the Project.

3.11. Financing and funder support in the procurement process

- 3.11.1 The Project has been developed on the basis that private finance will be available to fund the construction period costs. The requirements for funder support during the procurement process will take account of the market conditions at the time and will be tailored to ensure the best value for the Council. It is currently expected that Bidders will be required to provide support letters and evidence of the commercial due diligence undertaken to date from funders at the main procurement stages covering the majority but not necessarily the entirety of the funding requirement.
- 3.11.2 The Council will also explore the possibility of attracting European Investment Bank funding for the Project.

3.12. Debt funding competition

- 3.12.1 It is not envisaged that Bidders will be required to hold a debt funding competition during the procurement process; however, they will be required to demonstrate that they have competitively selected their funders. The Council reserves the right to require a debt funding competition to be held if it believes that the debt funding terms proposed do not offer value for money. If a debt funding competition were to be held, it is intended that funders that have supported a Bidder would be given the right to match the pricing and terms achieved through the competition for up to 50% of the overall debt amount.

3.13. Indicative procurement timetable

3.13.1 The indicative timetable for procurement of the Project, subject to Secretaries of State's decisions, is as follows:

Deadline for Prequalification Submissions	14th December 2011
Issue Invitation to Participate in the Dialogue	February 2012
Issue Invitation to Submit Final Tender	January 2013
Deadline for return of tenders	February 2013
Confirm Preferred Tenderer	May 2013
Project Agreement award & mobilisation	October 2013

4 Prequalification Stage: Introduction and Guidance

4.1. Introduction and objectives

- 4.1.1 This section gives information on the prequalification stage of the procurement process.
- 4.1.2 The purpose of the prequalification stage is to identify Candidates who will be selected as Bidders that are most likely to deliver economically advantageous tenders.
- 4.1.3 Parties who wish to be selected as Bidders must submit a PQQ Submission comprising a completed PQQ, with supporting information, in accordance with the provisions of this document and, in particular, Section 5.
- 4.1.4 The purpose of the PQQ is to elicit information from the Candidates to allow the Council to assess their technical capability and financial and economic standing and also establish that the Candidate has the appropriate experience, qualities and resources to undertake the Project. The PQQ is not an invitation to tender.
- 4.1.5 The aim is that the Candidates selected as Bidders will be those that have exhibited a high degree of technical, financial and management ability, and have demonstrated strong experience in relation to the requirements of the Project.
- 4.1.6 On the basis of the completed PQQ Submissions and any subsequent clarifications, the Council intends to select from suitable Candidates a maximum of three Bidders to be invited to participate in the dialogue.

4.2. Candidates who are a Group of Economic Operators

- 4.2.1 It is envisaged that in order to offer the required level of resources and the necessary range of skills, organisations may wish to group together to form a Group of Economic Operators which would then apply as a Candidate for selection as a Bidder.
- 4.2.2 Notwithstanding the above, individual organisations are not precluded from acting as a Candidate and seeking to be selected as Bidders.
- 4.2.3 Section 5 includes guidance on completion of the PQQ by Candidates who are a Group of Economic Operators.
- 4.2.4 The Council does not require a Group of Economic Operators to form a legal entity at this stage of the procurement process, although this may be required prior to award of the Project Agreement and the DMP Agreement. For the purposes of evaluation, however, information is required to assess how the Group of Economic Operators would work together. Therefore, individual questions will require input from some or all of the Group Members (and also any associated Parent Companies or Ultimate Parent Companies) and sufficient information will need to be provided to ensure the Council understands the input of each Group Member and their level of participation in the Project Agreement and the DMP Agreement.

- 4.2.5 It is recognised that Group Members of a Candidate might not yet have entered into formal relationships but they are expected to provide, as a minimum, information which describes the structure of the relationships which will be entered into and to demonstrate appropriate experience in forming and managing such relationships in the context of other relevant projects.

4.3. Authorised Representatives

- 4.3.1 Each Recipient/Candidate must appoint an Authorised Representative who is duly authorised by the Recipient/Candidate and, in the case of a Group of Economic Operators, its Group Members, to act as the Recipient/Candidate's point of contact with the Council for all matters concerning the procurement process. The name of the Authorised Representative must be submitted through The Chest's query process (refer to Appendix C) and be the first query submitted.
- 4.3.2 The Authorised Representative will be considered by the Council as the single point of contact for the Recipient/Candidate. It is the responsibility of the Recipient/Candidate to notify the Council promptly of any change of Authorised Representative and/or change to its Authorised Representative's contact details. Any change in the details of the Authorised Representative must be submitted by raising a confidential query through The Chest.

4.4. Declaration

- 4.4.1 The declaration in the PQQ must be signed by the Authorised Representative of the Candidate who must be duly authorised for that purpose. In the case of a Group of Economic Operators, the PQQ requires that evidence is provided of the Group Members' authorisation of the Authorised Representative to act on their behalf in this regard by the signing of the PQQ Submission Part 5 (Declaration).

4.5. Accuracy and completeness of information provided

- 4.5.1 All documentary evidence which is requested in the PQQ must be submitted by Candidates.
- 4.5.2 The Council may check that information provided by Candidates is accurate, request that Candidates provide clarification of information provided and/or request Candidates to provide any missing information. Requests for information will be made through The Chest.
- 4.5.3 Notwithstanding the Council's right to check or clarify information, if a Candidate's PQQ Submission is incomplete or inaccurate and this is, in the Council's reasonable opinion, material to the evaluation of a Candidate's suitability to be selected as a Candidate for the competitive dialogue, then the Council may exclude that Candidate from participation in the remainder of the procurement process.

- 4.5.4 Where information provided by the Candidate is of relevance to more than one part of the PQQ Submission, the Candidate should ensure that such information is clearly cross-referenced in each element of the response for which it is relevant, and the Council shall not be under any obligation to take into account information that has not been expressly referred to as relevant by the Candidate in their PQQ Submission.
- 4.5.5 For every reference project that is included in the PQQ Submission, and where not already provided by the Candidate as part of their PQQ Submission, the Council shall be entitled to request, as a PQQ Submission clarification, a statement of satisfactory execution from the relevant client confirming that:
- the data provided within the PQQ Submission is correct; and
 - the project was successfully executed and delivered to programme.
- 4.5.6 If such a statement is required by the Council and is not submitted, within a reasonable specified time period from the Council's request, the relevant reference project may not be taken into consideration, unless the Candidate can provide an adequate explanation for non-provision of the statement and other evidence that the project was delivered successfully.

4.6. Changes in circumstances

- 4.6.1 If there is any change to the Candidate's circumstances, including the Candidate/Bidder's financial standing, which means that:
- information submitted by the Candidate at prequalification stage is no longer correct, or
 - the Candidate ability to perform the Project materially deteriorates,
- then the Candidate must immediately inform the Council of such change in circumstances. This notification must be made by the submission of a confidential query through The Chest.
- 4.6.2 The Council reserves the right to request further information to be submitted in order to reconsider the matters assessed at prequalification stage and/or to re-visit a Candidate's prequalified status.
- 4.6.3 The Council reserves the right to disqualify any Candidate on the basis of any such change in circumstances.

4.7. eProcurement

Introduction

- 4.7.1 The Council will deploy eProcurement tools as appropriate to increase efficiency and reduce costs during the procurement.

Use of ‘The Chest’

- 4.7.2 The Council will use the northwest’s Local Authority Procurement Portal, known as The Chest, to facilitate the prequalification process. The Chest is designed to enable the procurement of both products and services within an on-line environment and is used by over 40 local authorities.

Use of evaluation software

- 4.7.3 The Council will use evaluation software (AWARD from Qinetiq Commerce Decisions) to support the evaluation of PQQ Submissions. Candidates must comply with the submission specification in Section 5.12 in order to ensure that the electronic copy of their PQQ Submission is compatible with and able to be imported into the evaluation software.

4.8. Dataroom

Introduction

- 4.8.1 The Council will give Recipients and Candidates access to an electronic Dataroom, which will contain digital information on the Project. The information in the Dataroom is selected to enable Recipients to understand the Project’s risks, liabilities and costs.
- 4.8.2 The Dataroom will be issued in electronic format on a DVD-ROM during the prequalification process.
- 4.8.3 Publication of the Dataroom to support the prequalification process is planned as follows:
- Version 1 will be made available at the date of publication of the OJEU Notice (i.e. the start of the prequalification process).
 - Any new information that is to be made available during the prequalification process will be notified through The Chest.
- 4.8.4 The data which is included in Version 1 will be limited to information sufficient to support the prequalification process. Copies of Version 1 of the Dataroom can be requested through The Chest’s query process.
- 4.8.5 A name and postal address must be included in the request. In the event that any problems are encountered with using the digital media provided, a request is to be made to The Chest requesting a replacement copy. Any other queries regarding the Dataroom should be submitted through the formal query process described in Section 5.

No warranty

- 4.8.6 Attention is drawn to the Important Notice in Appendix H of this document in relation to the status of the information included in the Dataroom.

4.9. Confidentiality

- 4.9.1 This document and all other information provided by the Council should be kept confidential and should not be copied, reproduced, disclosed or distributed to others at any time by Recipients (other than to directors, officers, employees and professional advisers of the Recipients to the extent required in connection with the preparation of a PQQ Submission and only where such persons are subject to equivalent duties of confidentiality in respect of such documents or information). The Council reserves the right to exclude from the procurement process any party who materially breaches this requirement, without prejudice to any other rights which the Council may have.
- 4.9.2 The Council reserves the right to require Candidates who are selected for participation in the dialogue to provide suitable confidentiality undertakings from each Group Member and their advisers.

4.10. Freedom of Information

- 4.10.1 The Freedom of Information Act 2000 (FOIA) provides a general right of access to all information held by public authorities. The Council is subject to the FOIA.
- 4.10.2 Any person who makes a valid request for information held by the Council will be entitled to receive such information, unless all or any part of that information can be withheld as a result of one or more exemptions in the FOIA. The Council also proactively publishes information in accordance with its publication scheme under the FOIA (<http://www2.halton.gov.uk/pdfs/councilanddemocracy/councilplans/foi>).
- 4.10.3 In addition, the Council may require the disclosure of information in compliance with any other law, or as a consequence of judicial order, or order by any court or tribunal with the authority to order disclosure.
- 4.10.4 Accordingly, if Candidates consider any part of their PQQ Submission provided to the Council is confidential or commercially sensitive, they shall identify such parts and provide reasons why they consider the information is eligible for exemption from disclosure under the FOIA and why the Candidate believes the information should be kept confidential and/or is commercially sensitive, and any time period during which disclosure would be inappropriate. Any such submissions by Candidates will be used to assist the Council in determining whether disclosure is appropriate and will not be taken into account in the tender evaluation process, nor will it form part of any ensuing contract between the Council and the Project Company.
- 4.10.5 Although the Council is not under any obligation to consult with a Candidate in relation to requests for information made under the FOIA, the Council will endeavour to inform the relevant Candidate of requests wherever it is reasonably practicable to do so. All decisions about disclosure of information will be made at the sole discretion of the Council regardless of whether or not a Candidate has identified any information as being, in its opinion, commercially sensitive or confidential and eligible for exemption.

- 4.10.6 For further information and guidance, attention is drawn to the Lord Chancellor's Code of Practice issued under Section 45 of the FOIA (see <http://www.justice.gov.uk/guidance/freedom-and-rights/freedom-of-information/code-of-practice.htm>).

4.11. Transparency

- 4.11.1 Under the UK Government's policy for transparency in the award of public contracts, the Council is obliged to publish the tender documents and the provisions of any contract let, excluding only information that is exempt from disclosure pursuant to the FOIA or where disclosure would breach the Data Protection Act 1998 or section 100A(2) of the Local Government Act 1972. Accordingly, where Candidates consider that information disclosable provided within the PQQ Submission should not be disclosed by the Council in accordance with the UK Government's transparency requirements, they should expressly identify such items providing reasons for non-disclosure, in conjunction with any FOIA exemptions noted in accordance with Section 4.10. Where information has been identified as such, the Council will endeavour to inform the Candidate where relevant before publication and provide an opportunity for the Candidate to provide information as to why information should not be disclosed, however, the Council will retain sole discretion as to whether such information should be published. Any such submissions by Candidates will be used to assist the Council in determining whether publication is appropriate and will not be taken into account in the tender evaluation process, nor will it form part of any ensuing contract between the Council and the Project Company.
- 4.11.2 Candidates should note that government guidance on transparency continues to develop. Where future guidance, codes or other statutory requirements are published that require disclosure of information identified by a Candidate as unsuitable for disclosure, the Council reserves the right to disclose such information.

4.12. Applicable law

- 4.12.1 The procurement process will be governed by English law.

4.13. Evaluation of PQQ Submissions

- 4.13.1 The evaluation of PQQ Submissions comprises two elements:
- initial evaluation (see Section 4.14);
 - detailed evaluation (see Section 4.15).

4.14. Initial evaluation

- 4.14.1 The initial evaluation involves evaluating the Candidate's responses to questions in PQQ Parts 1 (Candidate Information and Structure), 2 (Professional Standing) and 5 (Declaration) on a pass/fail basis to assess the completeness of the submission material and the Candidate's eligibility. No scores are allocated for the initial evaluation. Evaluation criteria are given in Appendix F.
- 4.14.2 Candidates who fail any of the pass/fail evaluation criteria in PQQ Parts 1, 2 and 5 shall not be selected as Bidders for the competitive dialogue and their PQQ Submission shall be eliminated from further consideration.

4.15. Detailed evaluation

- 4.15.1 The detailed evaluation entails evaluating and scoring the Candidate's responses to PQQ Parts 3 (Financial Standing) and 4 (Relevant Capability, Qualities and Resources) according to predefined criteria in order to determine whether they satisfy the Council's minimum requirements.
- 4.15.2 The scores awarded to the Candidate against the responses to the questions in PQQ Part 4 will be weighted in order to give a total weighted score for this part of the PQQ. The weightings are given in Appendix F.
- 4.15.3 Candidates who have passed all of the evaluation criteria in Parts 1, 2 and 5 and have satisfied the Council's minimum requirements in Part 3 will then be ranked according to the total weighted score for their response to Part 4.

4.16. Evaluation criteria

- 4.16.1 The Candidate's responses to the PQQ will be evaluated in accordance with the evaluation criteria given in Appendix F (PQQ Parts 1, 2, 4 and 5) and Appendix G (PQQ Part 3).

5 Prequalification Instructions

5.1. General instructions

- 5.1.1 Recipients who wish to be selected as Bidders for the competitive dialogue must submit a PQQ Submission comprising a completed PQQ with supporting information in accordance with the provisions of this document and, in particular, the following parts of this Section 5.
- 5.1.2 Any changes that become necessary to the information or procedures which are described in this document, and which must be taken into account in preparing PQQ Submissions, will be issued as addenda through The Chest.

5.2. Terminology

- 5.2.1 The Recipient's attention is drawn to the definitions in Appendix A which relate to the parties, i.e. Recipient, Candidate, Group Member, Relevant Organisation, Parent Company and Ultimate Parent Company.

5.3. Completion of the PQQ

Completion of the PQQ generally

- 5.3.1 The Candidate must supply a response in respect of all of the information required in Parts 1 to 5 of the PQQ. A Schedule of Prequalification Submissions is given in Appendix E.
- 5.3.2 As described below, information is in some instances required from Candidates, Group Members, Parent Companies, Ultimate Parent Companies and Relevant Organisations as applicable to the Candidate's organisation and in order to demonstrate the overall experience, capabilities and qualities of the Candidate.
- 5.3.3 Details of Relevant Organisations should be provided to the extent that they are key to demonstrating that the Candidate has the appropriate experience, qualities and resources to undertake the Project and/or will otherwise form a key part of the team with which the Candidate proposes to deliver the Project.
- 5.3.4 Responses should comply with the submission specification described in this section.
- 5.3.5 Candidates should not provide any information not specifically required in the PQQ, unless otherwise agreed in advance with the Council, and the Council reserves the right not to consider any information not specifically requested in the PQQ and not take such information into account in the evaluation.
- 5.3.6 The PQQ Submission will comprise a number of files. Candidates should submit their electronic PQQ responses as set out in Appendix E in respect of both file content and name. Where a question is not applicable to the Candidate, then this should be stated in a response with, as necessary, a short explanation (rather than the question being left unanswered).

- 5.3.7 The Council reserves the right to approach any contacts or references whose details are given by the Candidate in its PQQ Submission.
- 5.3.8 The PQQ will be made available in electronic format in order that Recipients can complete it in electronic form. Recipients may add supporting information as necessary in accordance with the guidance provided in the PQQ.
- 5.3.9 Where supporting information is relevant to more than one question in the PQQ, then it need only be submitted once and its location in the PQQ Submission should be cross-referenced clearly in all other responses to which it relates.
- 5.3.10 Candidates must comply with the limits on the length of responses (word count) that are given in the PQQ. The Council reserves the right not to consider any information that does not comply with the stated limits or to not consider information that is beyond the word count. Where there is a limit on the length of a response the Candidate is required to annotate the actual word count of the response.

Candidate which is a Group of Economic Operators

- 5.3.11 If the Candidate is a Group of Economic Operators, where the PQQ requests information from the Candidate, then the corresponding information from the Group Members and/or Relevant Organisations associated with the Candidate should be provided as necessary in order to demonstrate the experience, capabilities and qualities of the Candidate. If a Group Member and/or Relevant Organisation will provide material investment or material services under the Project Agreement they are a key Group Member and need to supply all the relevant PQQ financial standing information required by PQQ Part 3. Where a Group Member is a subsidiary company then Parent Company and Ultimate Parent Company information may also be provided to demonstrate support for the subsidiary company.
- 5.3.12 The information provided for each Group Member, Parent Company, Ultimate Parent Company or Relevant Organisation should be appropriate to their proposed position and role in the Group of Economic Operators.

Candidate which is a Single Economic Operator

- 5.3.13 Where a Candidate has only recently been incorporated or is a subsidiary company or 'special purpose vehicle' then where the PQQ requests information from the Candidate, the corresponding information should be provided by any Relevant Organisation related to the Candidate, any Parent Company or, where the Parent Company is a subsidiary company, by the Ultimate Parent Company in order to demonstrate the experience, capabilities and qualities of the Candidate. The information provided for any Parent Company, Ultimate Parent Company or Relevant Organisation should be appropriate to their proposed position and role with respect to the Candidate.

Financial standing

- 5.3.14 Information is requested in PQQ Part 3 in order for the Council to assess the financial standing of the Candidate. The Council reserves the right to request further information to be provided for any party associated with the Candidate's PQQ Submission.

5.4. Language

- 5.4.1 All PQQ Submissions must be in English.
- 5.4.2 Where supporting documents are in languages other than English, a certified English translation must be provided.

5.5. Financial information

- 5.5.1 All financial information should be denominated in Pounds Sterling, except where financial information is being provided in supporting information (such as a set of financial statements) where it is sufficient for the information to remain in its original currency. Where accounts are in a currency other than Pounds Sterling, for the purposes of evaluation they will be converted to Pounds Sterling using the foreign exchange spot rate quoted in the Financial Times on the date of submission for the PQQ Submission.

5.6. Submission deadline

- 5.6.1 PQQ Submissions must be submitted no later than 12:00hours on the date given in paragraph 3.13.1. Respondents bear the risk of delay in delivery.

5.7. Extension of deadline for response

- 5.7.1 Any extension to the deadline for submission of PQQ Submissions will be at the discretion of the Council and will apply to all Recipients. No extension to the deadline will be granted within 15 working days before the existing deadline other than under exceptional circumstances.

5.8. Contact details for submissions

- 5.8.1 PQQ Submissions (in hard copy) must be submitted to:

Name: Robert Smith (Projects)

Address: DLA Piper UK LLP
Princes Exchange
Princes Square
Leeds LS1 4BY

5.9. Number of copies

- 5.9.1 Each Candidate must provide one hard copy original and two electronic copies of its PQQ Submission.
- 5.9.2 The hard copy and electronic copies must comply with the submission specifications described below in Section 5.11 and 5.12.
- 5.9.3 In the event of a discrepancy between the hard and electronic versions of a Candidate's PQQ Submission, the hard copy will be considered definitive.

5.10. Delivery of PQQ Submissions

- 5.10.1 PQQ Submissions must be delivered by special delivery or by hand in plain sealed packages, to the address given in Section 5.8. The outer covering of packages, and any franking thereon, should not bear any mark, sign or reference indicating who the sender is. Senders should ensure that any requirement for insertion of a sender's name on any receipt or docket is waived.

5.11. Specification for hard copy submissions

- 5.11.1 The hard copy submission, including all supporting information, should be submitted in bound folders. There should be no loose papers.
- 5.11.2 If references are made to appendices, annexes or attachments when answering questions, then these must bear the numbers of the questions to which they refer.
- 5.11.3 Original copies of any documents provided will not be returned.
- 5.11.4 Arial 11 point font must be used in completing responses to the PQQ. The PQQ Submission should, as far as is possible, be printed double-sided. Use of images should be limited to those that are directly relevant.
- 5.11.5 The hard copy submission should be compiled in an identical manner to the electronic copy submissions. The hard copy should carry references to the file names used in the electronic copy in order that the two can be compared easily (e.g. file names in the footers or on labels attached to the hard copy).

5.12. Specification for electronic copy submissions

File formats and file splitting

- 5.12.1 The responses to the PQQ must be submitted in electronic copy on CD-ROM in both Adobe PDF format and HTM format.
- 5.12.2 The only exception to the above is the financial information provided under the response to PQQ Part 3 (Financial Standing) which may be submitted in PDF format only.

5.12.3 The formats of the Adobe and HTM files must be as follows:

- Adobe format: Adobe PDF files must be submitted in PDF version 1.5 format for viewing in Adobe Reader 8.0 and above. Printing must be enabled and security disabled.
- HTM format: Candidates must ensure that the HTM file containing their response is appropriately formatted such that the layout and flow of their response is clear. A maximum file size of 5MB is permitted for each HTM file submitted. Where the Candidate's response exceeds the maximum file size, the response must be split between files such that none of the HTM files exceed the maximum file size.

Identification of electronic copy submissions

5.12.4 The CD-ROM and jewel case insert or CD-ROM sleeve must include the following identification as a minimum:

- Mersey Gateway Bridge: PQQ Submission;
- Candidate's name; and
- Date.

File naming

5.12.5 Files must be named in accordance with the following file naming convention:

MG_Candidate_PQQ_QuestionRef_PartXofY_VersionNo.suffix

Where:

- | | |
|---------------|--|
| • MG | The project name; this field is fixed. |
| • Candidate | The first three letters from the Candidate's name (i.e. if the Candidate was named A N Other, the first three letters would be ANO). |
| • PQQ | Stands for Prequalification Questionnaire; this field is fixed. |
| • QuestionRef | The reference letter to which the question relates as denoted in Appendix E, for example A, B, C. |
| • PartXofY | If the response to the question is contained in a single file, then this should read Part1of1. If the response to the question is contained in a number of files, then insert part number and total number of parts (e.g. Part1of2, Part2of2). |
| • VersionNo | V1, V2 etc as appropriate. |
| • Suffix | .pdf for Adobe files, and .htm for HTM files. |

5.12.6 Underscoring is to be used to separate each of the fields that make up the file name.

Folder structure

- 5.12.7 The electronic copy of the Candidate's PQQ Submission must be submitted using the folder structure shown in Appendix E.

Images and branding

- 5.12.8 No branding is permitted in the HTM files.
- 5.12.9 Recipients are advised to limit the use of images in their responses to those that are directly relevant and must ensure that image compression has been used to reduce file sizes.

5.13. Prequalification queries

General

- 5.13.1 Queries regarding the prequalification process and the Project or procurement process generally may be submitted in the course of preparing PQQ Submissions.
- 5.13.2 Queries should be submitted as soon as possible and should be relevant to completion of the PQQ Submission. Queries should be raised no later than the date 15 working days prior to the deadline date for delivery of Submissions. Queries which are raised after this date may not be answered.
- 5.13.3 Queries must be generated and submitted through the on-line 'Question & Answer' module within The Chest (see Appendix C) by the Authorised Representative. The Council reserves the right not to respond to queries submitted by any other means.
- 5.13.4 Only one query at a time may be generated and submitted through The Chest's on-line 'Question & Answer' module. Query submissions containing multiple queries will not be accepted and will be returned unanswered for resubmission on separate templates.
- 5.13.5 A unique and sequential query reference must be created and allocated by the Candidate to each query generated, irrespective of whether it is a non-confidential or confidential query. The query reference must be entered into the 'subject' field of The Chest's on-line query form and be the first entry in this field.
- 5.13.6 The query reference must comprise the following fields and be generated as described below:

MG_Candidate_PQQ_XXX_C

Where:

- MG The project name; this field is fixed.
- Candidate The first three letters from the Candidate's name (i.e. if the Candidate was named A N Other, the first three letters would be ANO).

- PQQ This field is fixed.
- XXX The sequential number allocated to the query by the Candidate, starting at 001.
- C Used only when a confidential query is being submitted.

5.13.7 Underscoring is to be used to separate each of the fields that make up the query reference.

Confidential queries

- 5.13.8 Recipients may submit through The Chest's 'Question & Answer' module queries that they wish to be treated as confidential using the confidential query form. Recipients need to include the reasons why they believe that the query should be treated as confidential as part of their query submission, and in a separate paragraph below the actual query.
- 5.13.9 The Council reserves the right to determine whether a query should be treated as confidential. In the event that the Council decides that a query should not be treated as confidential then the Recipient will be advised of this through a 'private' response in The Chest and the query will be considered closed without response. The Recipient then has the option to resubmit the query as a standard query.

5.14. Responses to queries (question and answer circulars)

Question and answer circulars

- 5.14.1 The Council will endeavour to respond to all queries within five working days of receipt, but no guarantees can be made in this regard.
- 5.14.2 Queries and their responses will be published in a question and answer circular which will be made available to all Recipients. The identity of the Recipient making the query will not be included in the question and answer circular. The Council reserves the right to amend the text of the query when it is published in the question and answer circular in order to remove any information which may reveal the identity of the Recipient making the query.
- 5.14.3 Responses to queries which the Council decides should be treated as confidential will be sent to the originating Recipient only. However, the provisions of Section 4.10 of this document which relate to Freedom of Information are applicable to these queries. Replies to queries deemed by the Council to be confidential will not be incorporated into the question and answer circulars.

Distribution of question and answer circulars

- 5.14.4 The question and answer circulars will be published through The Chest.

- 5.14.5 Recipients are responsible for distributing the question and answer circulars within their own organisations.

5.15. Clarifications during evaluation

- 5.15.1 The Council may seek clarification from any Candidate of any aspect of its PQQ Submission during the prequalification evaluation period.
- 5.15.2 Any such request will be made through The Chest to the Candidate's Authorised Representative. Failure to respond adequately within the required period and through The Chest may lead to disqualification of the Candidate from the procurement process.
- 5.15.3 Failure by the Council to seek clarification will not be a valid basis to challenge the prequalification evaluation. Failure by any Candidate to provide a clear and comprehensive PQQ Submission shall be solely at that Candidate's risk.

5.16. Notification of Bidders

- 5.16.1 Candidates will be notified in writing by the Council to the Authorised Representative whether or not they have been selected to be Bidders. A copy of the notification will be posted on The Chest. Selected Bidders will be asked to provide a letter of commitment in substantially the form set out in Appendix I, to provide the Council with comfort that it can proceed to dialogue with Bidders committed to an effective dialogue process.

5.17. Candidate feedback

- 5.17.1 After notification of Candidates with regard to who has been selected as Bidders for the competitive dialogue, all Candidates will be provided an opportunity to meet with the Council to discuss the evaluation of their PQQ Submissions.

Appendix A: Procurement Glossary

Authorised Representative	The person who is duly authorised by the Recipient/Candidate, and in the case of a Recipient/Candidate which is a Group of Economic Operators, by its Group Members, to act as the Recipient/Candidate's point of contact with the Council for all matters concerning the procurement process.
Bidder	A Candidate which is prequalified for the competitive dialogue stage.
Candidate	An Economic Operator which submits or intends to submit a PQQ Submission in order to be selected as a Bidder for the competitive dialogue of the procurement process. A Candidate may consist of a Single Economic Operator or a Group of Economic Operators made up of Group Members.
Council	Halton Borough Council.
Demand Management Participation Agreement (DMP Agreement)	A commercial arrangement that supports the Council in managing the 'crossings business' through participative support in determining the tolling strategy and other commercial strategies.
Disclosed Information	The information contained in this document and any further documents enclosed with it or to be made available by the Council, or any other information provided whether orally or in writing, in respect of the Project.
DMPA Co	The Bidder appointed under the procurement process to enter into the DMP Agreement with the Crossings Board.
Economic Operator	A contractor, a supplier or a services provider.
Group of Economic Operators	An unincorporated consortium (which could include an unincorporated joint venture). A consortium is two or more persons, at least one of whom is an Economic Operator, acting jointly for the purpose of being awarded the Project.
Group Member	A member of a Group of Economic Operators.
ISFT	The invitation to submit a final tender.
ITPD	The invitation to participate in the competitive dialogue.
Notice	Public works notice published by the Council in the Official Journal of the European Union (OJEU) inviting parties who are interested to apply to be invited to tender for the Project.
Parent Company	The organisation holding the majority of the voting stock of the Single Economic Operator, or, in the case of a Group of Economic Operators, the Group Member.

Public Private Partnership (PPD)	A government service that is funded and operated through a partnership of government and one or more private sector companies.
PQQ	The questionnaire contained in Appendix D.
PQQ Submission	The material submitted by Candidates who seek selection as Bidders and comprising a completed PQQ and supporting material.
Project Agreement	The contract for the design, build, finance, operation and maintenance of the Project to be entered into between the Council and the Project Company.
Project Company	The Bidder appointed under the procurement process to enter into the Project Agreement with the Crossings Board.
Recipient	An entity which the Disclosed Information has been made available to.
Relevant Organisations	Organisations that are connected with the Candidate's PQQ Submission. It includes organisations which the Candidate has contracted with or intends to contract with in order to deliver the Project.
Single Economic Operator	A single entity which is submitting a PQQ Submission on its own. This could include a special purpose company that has been set up for the procurement competition for the Project Agreement.
Tenderer	A Bidder who submits a response to the ISFT.
Ultimate Parent Company	An organisation which ultimately controls the operations of the Single Economic Operator, or, in the case of a Group of Economic Operators, the Group Member, and any Parent Companies where these are holding companies.

Appendix B: Reference Design

B.1. Introduction

B.1.1 Appendix B describes the 'Reference Design' for the Project. The Reference Design is the design presented at Public Inquiry. Further details of the Project including details of the Reference Design can be found in the Dataroom. Details of the modifications to the Reference Design included in the supplementary planning applications will be provided after the applications have been submitted to the local planning authority.



Figure B1 –
Project Map

B.2. Area A – Main Toll Point

- B.2.1 The Reference Design included a main tolling point with provision for manual toll payment via cash and credit/debit cards and for electronic toll payment using 5.8GHz DSRC transponder technology similar to that currently used on several other tolled roads and crossings in the UK; i.e. a combination of manned toll booths for cash/card payments and a transponder (or tag) based electronic toll collection system located at toll points. Specific requirements for toll collection would have influenced the final design of the structures and the toll collection system. The design of the toll points would, therefore, have been developed by the Project Company and be subject to approval by the local planning authority. For the main toll point, eight toll lanes in each direction were included in the Reference Design.

B.3. Area B – Ditton Junction to Freight Line

- B.3.1 Ditton Junction changes from a roundabout to a signal-controlled junction. The new carriageway increases in level on embankment as it approaches the new grade-separated junction and would be taken over the new ground level link, between Ditton Road and Moor Lane South, on a new, two-span bridge. The southbound on-slip and the northbound off-slip also featured toll collection facilities supporting both manual and electronic toll payment. An embankment of up to 9 m in height would be formed. Ditton Road has long been an established corridor for services, many of which may need to be diverted to accommodate the revised local highway alignment.
- B.3.2 Analysis of a grade-separated roundabout form of junction indicated insufficient capacity to cater for predicted traffic movements, and consequently a signal-controlled junction was adopted for the Reference Design. This layout also helps reduce the disruption to existing traffic during construction. For the Ditton slip-road toll point a requirement for four toll lanes in each direction was identified.

B.4. Area C – Freight Line to St Helens Canal

- B.4.1 A new freight line bridge, a single-span bridge over the Garston to Timperley Rail Freight Line, is required. The freight line bridge was shown as structurally simple to avoid conflict with rail operations and to minimise possessions for construction and maintenance. The bridge itself forms a break between the embankment to the north and the Victoria Road area to the south. The Victoria Road Viaduct, a high level, multi-span viaduct, connects the freight line bridge to the edge of the Widnes Loops Junction, including the crossing of Victoria Road. The Widnes Loops Junction also featured toll collection facilities supporting both manual and electronic toll payment. Five toll lanes in each direction were included in the Reference Design.
- B.4.2 Mitigating risks associated with contaminated land had a significant influence on the Reference Design, particularly in this area. The Reference Design was developed consistent with best practice risk management 'principles of prevention', i.e. the design eliminates hazards and then mitigates risks (e.g. avoiding excavation in contaminated areas).

B.5. Area D – Mersey Gateway Bridge

- B.5.1 The Mersey Gateway Bridge forms the central feature of the Project. It is located in what is a sensitive area: the Upper Mersey Estuary. It is upstream of two existing crossings of the Mersey, both of which are Grade II listed: the Aethelfleda Bridge carrying the Liverpool branch of the West Coast Main Line railway and the SJB. Both these structures feature lattice construction, though it is the tied-arch of the SJB that is visually dominant. The new bridge was designed to be sympathetic to the existing structures.
- B.5.2 The new bridge would have a total length of 2.13 km from abutment to abutment. This would consist of approximately 550 m of approach spans from the north abutment to the edge of Widnes Warth Saltmarsh, and 580 m from the edge of Astmoor Saltmarsh, over part of Wigg Island, over the Manchester Ship Canal and onto the south abutment within the Astmoor Industrial Estate. The new bridge over the estuary consists of 1 km of cable-stayed bridge consisting of four spans supported from three towers.
- B.5.3 The challenges presented in bridging the Mersey Estuary stem from four main sources: the tidal character of the Upper Estuary; the proximity to the Special Protection Area to the west of the Runcorn Gap; the legacy left from the area's industrial history and the potential for residual contamination; and the need to maintain navigation rights.
- B.5.4 The need to maintain navigation rights is primarily a case of providing sufficient clearances to permit the passage of vessels. In this case the primary navigation route is the Manchester Ship Canal and consultations with the owner/operator (the Manchester Ship Canal Company) provided the designers with the necessary dimensions to secure sufficient air-draught and width.
- B.5.5 The Reference Design for the new bridge included provision for a possible future Light Rapid Transit system (LRT), or some other form of public transport, to be run on a lower deck. The design's relatively long approach spans, which are thought desirable to minimise impacts on the salt-marshes (spans of 70 m to 100 m), resulted in a relatively deep deck to provide sufficient structural stiffness. The depth of deck proposed was sufficient to accommodate an LRT within it, rather than sharing deck space with other traffic. This permitted a narrower deck, reducing shadowing of the salt-marsh, and improved safety by providing a distinct corridor for any such future LRT (or other public transport) provision.

B.6. Area E – Astmoor Viaduct

- B.6.1 The area between the south abutment of the Mersey Gateway Bridge and Bridgewater Junction would comprise a high level, multi-span viaduct to be called Astmoor Viaduct. This would cross the existing industrial park at a height of approximately 24 m above existing ground level, linking the high level crossing of the Manchester Ship Canal with the new crossing of Bridgewater Junction.

B.7. Area F – Bridgewater Junction

- B.7.1 The Bridgewater Junction is a complex of structures and slip-roads to provide grade separation and access to and from the Central Expressway (N-S) and the Daresbury/Bridgewater Expressways (E-W). A two-level interchange is created with east-west movements at the lower level and the new road linking to the Central Expressway at the higher level. The existing bridges over the Daresbury/Bridgewater Expressway and the Bridgewater Canal would be removed. Retaining walls are also envisaged to separate the various movements and to limit the land-take.
- B.7.2 Currently, there are significant traffic flows between the Bridgewater and Daresbury Expressways, generated by traffic using the SJB, but with the opening of Mersey Gateway Bridge the majority of traffic will divert onto the new bridge. The need to accommodate through traffic at the lowest level is reduced and traffic demand on the merge/diverges would be unbalanced. The Reference Design therefore provides a two-level interchange, with embankments being constructed to bring the Daresbury and Bridgewater Expressways up to the roundabout.

B.8. Area G – Central Expressway, Local Distributor Roads, Lodge Lane Junction and Weston Link Junction

- B.8.1 Improvements are required to the alignment of the Central Expressway to cater for the increase in traffic using the route, to bring it up to current geometric standards and to manage its interface with the Mersey Gateway Bridge. These do not involve any significant earthworks other than those at Lodge Lane Junction and will be undertaken generally within the existing highway boundary.

B.9. Area H – M56 Junction 12

- B.9.1 The existing roundabout to the north of the M56 Junction 12 would be modified to include a signal-controlled link directly across the centre of the existing roundabout for the main line of the new highway, leaving the outer roundabout segments for local turning traffic and for eastbound access to the M56 Junction 12. The works would comprise highway realignment and the installation of new traffic signals. A new reinforced earth retaining wall would be required to support the highway realignment on the south side of the roundabout.

B.10. Area I – Silver Jubilee Bridge and Widnes De-linking

- B.10.1 With the Mersey Gateway Bridge being built approximately 1.5 km upstream of the existing bridge and predicted to attract over 80% of the traffic crossing the river, the SJB can be restored as the local bridge primarily serving the local communities.

- B.10.2 The Reference Design reconfigures the deck space on the SJB to two traffic lanes (with priority access for public transport vehicles), with the remainder being dedicated to a 'Green Corridor' for pedestrians and cyclists. Other motor vehicles will be permitted to use the bridge, but the access routes will be down-graded from high standard dual carriageways to mostly single carriageway standard roads. Note that these works are outside the scope of the procurement covered by this prequalification process.
- B.10.3 A toll point, supporting both manual and electronic toll payment, was to be constructed on the existing carriageway of Queensway approximately 330 m to the north of the SJB. The embankment and viaduct linking to the Widnes Eastern Bypass would be removed. The link to Ditton Junction would be downgraded to comprise just the existing slip-road. The main carriageway and structures would be removed between the Queensway toll point and Ditton Junction.

Appendix C: Guidance on use of 'The Chest'

Purpose

This appendix provides Candidates with guidance on accessing and using The Chest, including its general use, the uploading and downloading of documentation, the publication of prequalification queries and responses, and the issue and receipt of clarification notices and responses.

Accessing The Chest

The Chest can be accessed online at www.thechest.nwce.gov.uk.

Please refer to The Chest for instructions on the following:

- Visiting The Chest site for the first time ('Visiting the Site for the First Time')
- Logging in for the first time ('First Time System Login')
- How to do business on the portal (including registration, contact details, category selection, etc) ('Registering onto the Portal')
- Managing your account ('Managing Account Details')

Welcome to the Opportunities Portal Powered by Due North

Information

As part of the governments initiative to implement e-procurement, you can now register free to an electronic system which will allow you to tender for public sector contracts

Approximately 100 public sector procurement officers are issuing tenders and quotations electronically via our system today. If you want to register your company on the system, register free now!

Benefits

- Make buyers aware of your presence
- Receive Pre-Qualification Questionnaires, Requests for Quotes and Invitations to Tender electronically
- Submit your quotations and tenders electronically almost instantly
- All you need is an internet connection and an email account
- Reduce your paper and associated printing costs
- Benefit from proven added security and knowledge that your submission has been delivered

Latest Opportunities

The latest contract opportunities can be viewed below. PLEASE NOTE THAT THIS IS ONLY A SMALL SELECTION OF THE LATEST OPPORTUNITIES. You are advised to use the search facility to look at the full range of available opportunities by clicking the binoculars icon.

Contract Title	Buyer	Start Date	End Date
Mersey Gateway Bridge	Halton Borough Council	10/01/2012	10/01/2040
Atkinson Centre & Southport Theatre - Expression of Interest	Sefton Metropolitan Borough Council	02/04/2012	01/04/2013
DASS-Framework-Test1	Wirral Borough Council	30/09/2011	30/09/2016
Atkinson Centre	Sefton Metropolitan Borough Council	01/10/2011	28/10/2011
confidential waste	Stockport	03/02/2012	02/02/2013

Subcontracting Opportunities

Opportunities

My Opportunities

Help

My Opportunities - You can see all of the opportunities that you have been selected for by clicking the icon or link above.

Latest Opportunities - you can search for the latest contract opportunities by clicking the icon.

A list of the latest opportunities published by all of the buyers using this portal can be seen in this section.

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See also:-

- Supplier Guide First Time Login
- Supplier Guide How To do Business
- Supplier Guide Managing Account
- Supplier Guide Opportunity Search when U...
- Supplier Guide The Tender Response
- Supplier Guide Visiting Site For First T...

If any Candidate requires any assistance in using The Chest, then contact with the support team at mersey.gateway@halton.gov.uk must be made by the Candidate's Authorised Representative.

It should be noted that the screen-shot images included in this guidance are for illustrative purposes only.

Registering an Interest

All individual organisations, or the lead organisation if part of a Group of Economic Operators, must register on The Chest in order to access and participate in the prequalification process. The following information is required as part of the registration process:

- Registering Person's Full Name
- Company Name
- Name of Group of Economic Operators they are representing, if applicable
- Email Address
- Contact Address and Phone Number

Access to The Chest for team members of individual organisations or Groups of Economic Operators is available. Additional team member access can be set-up by the person originally registering on behalf of an individual organisation or Group of Economic Operators, creating the profile of each additional team member. 'Managing Account Details' provides guidance on the process for setting up additional users within The Chest. A maximum of four additional accounts may be set up. This process is essential, as one of the team members created must be the Authorised Representative as detailed in Section 4.3 of the Prequalification Document.

Once registered as a Chest user, Candidates will need to identify and select the Mersey Gateway Bridge project as the project they are interested in. This is achieved by either searching for the project using the search facility on The Chest's home page, or by selecting the Mersey Gateway Bridge project from the 'Latest Opportunities' listing on The Chest's homepage.

During the first instance of identifying and selecting the Mersey Gateway Bridge project within The Chest, Candidates will need to 'Register Interest' in order to access the Prequalification Document. The 'Register Interest' selection is not a formal commitment to participate in the prequalification process, but a formal mechanism within The Chest to link Candidates with the contract that they are interested in. Once the 'Register Interest' option has been selected, the Mersey Gateway Bridge project will appear under the 'My Opportunities' listing when logging into The Chest in future.

Telephone: 0151 906 4813 Address: Waterloo Centre Waterloo Road Widnes Cheshire WA8 0WN United Kingdom	Help Click Register Interest to register your interest in this contract. This option will only be available if the current date is within the expression of interest window. Once you have registered your interest you will receive a confirmation receipt via email and the buyer may contact you with more information regarding the contract if you interest is successful. Click Finish to return to your home page. 								
Key Dates <table> <tr> <td>Estimated contract start date:</td> <td>10/01/2012</td> </tr> <tr> <td>Estimated contract end date:</td> <td>10/01/2040</td> </tr> <tr> <td>Expression of interest start date:</td> <td>06/10/2011 15:00</td> </tr> <tr> <td>Expression of interest end date:</td> <td>14/12/2011 12:00</td> </tr> </table>		Estimated contract start date:	10/01/2012	Estimated contract end date:	10/01/2040	Expression of interest start date:	06/10/2011 15:00	Expression of interest end date:	14/12/2011 12:00
Estimated contract start date:	10/01/2012								
Estimated contract end date:	10/01/2040								
Expression of interest start date:	06/10/2011 15:00								
Expression of interest end date:	14/12/2011 12:00								
Other Information <table> <tr> <td>Contract Period:</td> <td>324 (months)</td> </tr> <tr> <td>Anticipated Extension Period:</td> <td>0 (months)</td> </tr> <tr> <td>Number of Anticipated Extensions:</td> <td>0</td> </tr> </table>		Contract Period:	324 (months)	Anticipated Extension Period:	0 (months)	Number of Anticipated Extensions:	0		
Contract Period:	324 (months)								
Anticipated Extension Period:	0 (months)								
Number of Anticipated Extensions:	0								
Options Register Interest Finish									

Options

Once interest has been registered, an on-screen confirmation will be seen and a formal confirmation email will be sent to the end user.

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Home My Contracts Search Opportunities Search Results Opportunity Message Contact Support Help Logout

Opportunity Registration Confirmation

Message

Thank you for registering your interest in this contract. You will receive an email shortly confirming this registration

Options

Viewing Attachments

To view documentation within The Chest, Candidates must login and select the Mersey Gateway Bridge project options until the contract summary page is reached. This page displays the status of the procurement, including the contract title, contract reference number, submission date and number of attachments. To the right of this dialogue box is an icon titled 'View PQQ'. Candidates should select this icon in order to access the available documents for on-line viewing or download.

Once selected a summary page will appear showing the documents available for on-line viewing or download.

To view documents on-line, Candidates should select the document they wish to view and it will open within a new window.

To download documents Candidates should hover over the required document, right mouse click and then select 'Save Target As...'. This will enable Candidates to download and save the chosen document to their own file location.

Question and Answer Protocol

Candidates who wish to raise a question during the prequalification process must do so through the 'Discussion(s)' area of The Chest, accessible via the contract summary page.

The 'Discussion(s)' area is located on the top-right-hand side of the screen and includes the 'Question & Answer' link, which must be followed.

The screenshot displays the 'The Chest' North West Portal interface for the 'Halton Borough Council - Pre Qualification Questionnaire (PQQ)'. The top navigation bar includes links for 'Home', 'My Opportunities', 'Contract Dashboard', and 'Questionnaire Summary'. The main content area is divided into three columns. The left column, 'PQQ Information', lists contract details: 'Contract Ref No:', 'Contract Title: Mersey Gateway Bridge', 'Ref No (Version):', 'Title: Mersey Gateway Bridge', 'Response Required By:', and 'Attachments: 2'. The middle column, 'My Response', shows 'Status: New', 'Version: 1', 'Intent To Respond: Not Sent', and 'Supplier Ref No: Not Set'. The right column, 'Discussion(s)', contains links for 'Question & Answer' and 'Post Questionnaire Clarification'. A pink box highlights the 'View PQQ' link and the 'Discussion(s)' section. The bottom of the page features a navigation bar with buttons for 'Response Wizard', 'Opt Out', 'Register Intent', and 'Finish'.

Once selected, Candidates will be presented with the 'Question & Answer' summary page. This provides Candidates with the opportunity to generate a question, and lists all questions previously raised by the Candidate.

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Home My Opportunities Questionnaire Summary Q & A

ProContract

Contact Support Help Logout

Pre Qualification Questionnaire (PQQ)

Question & Answer

Questions

There are currently no questions to display

Additional Information

There is currently no additional information to display

Options

Ask Question Finish

Help

Questions – This section shows all the questions you have asked and any questions asked by other suppliers. Where a response has been made to the question then the response can be found within the relevant question. Click on the subject to view the question/question and answer.

Status – The status of the question. For more information on this, hover the mouse pointer over the icon and a help box will appear.

Availability – This shows the availability of the response. For further information on the availability, hover over the icon.

Additional Information – This section shows any additional information that has been issued. Click on the title to view the additional information that has been issued in detail.

W3C WAI-AA WCAG 1.0

To ask the Council a non-confidential or confidential question click the 'Ask Question' button and complete the on-line question box in the manner described in Section 5.13 of the Prequalification Document.

TheChest North West Portal

Home My Opportunities Contract Dashboard Questionnaire Summary Q & A Question

procontract

Contact Support Help Logout

Pre Qualification Questionnaire (PQQ)

Question & Answer

Question

Please Note: Do not identify yourself or your company in the question you raise, the procurement team will have this information to hand when viewing your question.

Subject: MG_BID_PQQ_001 - Drawing B4027/4/H/200

Question: Drawing B4027/4/H/200 is dated March 2005. Is there a later version? If so, can this be provided

Options

Send Cancel

Help

Subject Enter a subject for your question

Question Enter your question.

Click 'Send' to send your question to the procurer

Click 'Cancel' to cancel

W3C WAI-AA WCAG 1.0

Once completed the Candidate should select the 'Send' button.

In a departure from the normal question and answer process carried out through The Chest, the Council will not reply to non-confidential queries directly through the 'Question & Answer' mechanism. Instead, the Council will collate all questions into a master 'Question & Answer Circular', which will be published through the 'Additional Information' section on a regular basis. An automated e-mail notification will inform Candidates when an updated 'Question & Answer Circular' has been published.

Responses to confidential queries will be made directly to the requesting Candidate through The Chest (in accordance with Section 5.13 of the Prequalification Document). Confidential queries and their associated responses will not be listed in the Question & Answer Circular.

Clarification Process

In accordance with Section 5.15 of the Prequalification Document, the Council may seek clarification from any Candidate of any aspect of its PQQ Submission during the prequalification evaluation period.

The 'Post Questionnaire Clarification' section is an area of The Chest which will appear once PQQ Submissions have been received.

If the Council wishes to raise a point of clarification with a Candidate, then it will do so via The Chest. All clarifications will be given a unique and sequential clarification reference.

The screenshot displays the 'The Chest North West Portal' interface. The top navigation bar includes links for Home, My Opportunities, Contract Dashboard, and Questionnaire Summary. The main content area is titled 'Halton Borough Council - Pre Qualification Questionnaire (PQQ)'. It is divided into three main sections: 'PQQ Information', 'My Response', and 'Options'. The 'PQQ Information' section shows details for a contract titled 'Mersey Gateway Bridge', with a response required by 2 attachments. The 'My Response' section shows the status as 'New', version 1, with intent to respond 'Not Sent' and supplier ref no 'Not Set'. The 'Options' section contains buttons for 'Response Wizard', 'Opt Out', 'Register Intent', and 'Finish'. On the right side, there is a 'Discussion(s)' section with links for 'Question & Answer' and 'Post Questionnaire Clarification', and a 'Help' section providing information on how to view further information and modify responses.

Upon publication by the Council, an automated email notification will be sent to the Authorised Representative via The Chest to inform the Candidate that a new 'Post Tender Clarification' has been published.

Candidates will need to login to The Chest in order to view the clarification. To view clarifications the Candidate must navigate to the contract summary page and select the 'Post Questionnaire Clarification' link under the 'Discussion(s)' heading.

The Chest North West Portal

Home My Opportunities Contract Dashboard Amended Questionnaire Summary Post Tender Clarification Contact Support Help Logout

Pre Qualification Questionnaire (PQQ)

Post Questionnaire Clarification

Created Date	Status	Availability	Subject
07/10/2011 10:09	MG_003		MG_003
07/10/2011 10:06	MG_001		MG_001

Options

Finish

Help

Questions – This section shows all the questions you have asked and any questions asked by other suppliers. Where a response has been made to the question then the response can be found within the relevant question. Click on the subject to view the question/question and answer.

Status – The status of the question. For more information on this, hover the mouse pointer over the icon and a help box will appear.

Availability – This shows the availability of the response. For further information on the availability, hover over the icon.

Subject – This shows the subject of the clarification question. Click the link to view the question detail.

Selecting the clarification provides the Candidate with details of the Council's request for clarification, and provides Candidates with the opportunity to respond.

The Chest North West Portal

Home My Opportunities Contract Dashboard Amended Questionnaire Summary Post Tender Clarification Answer Contact Support Help Logout

Pre Qualification Questionnaire (PQQ)

Post Questionnaire Clarification

Question

Could you please clarify your response to question 4-5-1 of the PQQ?

Answer

Answer:

Options

Reply Attachments Cancel

Question Attachment(s)

No Attachments or Links

Answer Attachment(s)

No Attachments or Links

Help

Questions – This section shows the question you have been asked to respond to.

Answer – Please provide your answer to the question.

Click 'Reply' to send the reply to the procurer. Note the button disappears once it has been clicked.

Click 'Attachments' to attach document(s) or web links to the question response.

Candidates must respond to the request for clarification through the 'Answer' facility within The Chest, including attachments, if necessary.

Where an attachment is submitted to support a Candidate's clarification, the file name allocated must be the same as the unique and sequential clarification reference allocated by the Council.

The status icon of the clarification will change once a response has been made and the Candidate may go back in to The Chest and view all responses to clarifications at any time.

File Sizes

To ensure that Candidates and the Council can access documentation held within The Chest efficiently, no individual document greater than 10MB in file size should be uploaded within The Chest.

Appendix D: Prequalification Questionnaire

Part 1

Candidate Information and Structure

Section 1.1

Main Contact Details

Note: Questions 1.1.1 and 1.1.2 are to be answered by the main contact for a Single Economic Operator or a Group of Economic Operators

Question 1.1.1

Name, position and contact details of your 'Authorised Representative'; your main contact for the procurement process.

Name	
Position	
Organisation	
Telephone number	
Email	

Question 1.1.2

Is this Prequalification Questionnaire (PQQ) completed by a Single Economic Operator or a Group of Economic Operators?

	Tick one box only
Single Economic Operator	
Group of Economic Operators	

Section 1.2**Single Economic Operator**

Note: Questions 1.2.1 to 1.2.6 are to be answered by Single Economic Operators only

Question 1.2.1

Name, position and contact details of your 'Authorised Representative'; your main contact for the procurement process.

Name of Single Economic Operator	
Address	
Postcode	
Country	
Telephone number	

Question 1.2.2

Current legal status of the Single Economic Operator.

	Tick one box only
Public limited company	
Private limited company	
Partnership/limited liability partnership/limited partnership	
Other (state)	

Question 1.2.3

Date and place of formation of the Single Economic Operator and, if applicable, registration under the Companies Acts 1985 to 2006 or equivalent. Provide copies of Certificates of Incorporation (where appropriate) and any changes of name, registered office and principal place of business.

Date of formation	
Place of formation	
Date of registration	
Company registration number	
Certificates submitted and listed in Schedule of Prequalification Submissions (Appendix E)	Yes/No*
Registered office	
Principal place of business	

Question 1.2.4

Ownership structure

- (a) Full name and address of Parent Company or Companies (if applicable).

Check this box if question is not applicable. Give reasons below		
Company name		
Address		
Postcode		
Country		
Telephone number		
Company registration number (or equivalent)		

- (b) Full legal name and address of Ultimate Parent Company or Companies (if applicable).

Check this box if question is not applicable. Give reasons below		
Company name		
Address		
Postcode		
Country		
Telephone number		
Company registration number (or equivalent)		

- (c) If the Single Economic Operator is a division or subsidiary of a larger organisation, what is its legal and corporate relationship with the Parent Company (ownership, directorship and the like)?

Relationship	
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- (d) Provide a one-page chart illustrating the ownership structure of the Single Economic Operator including the ownership and control relationships with any Parent Company and Ultimate Parent Company (if applicable).

Ownership structure submitted and listed in Schedule of Prequalification Submissions (Appendix E)	Yes/No*
If No, provide an explanation	

Question 1.2.5

Provide a brief description of the Single Economic Operator's organisation (if applicable).

Brief description of the Single Economic Operator's organisation (no more than 400 words), including details of any Parent Company and any changes of ownership over the last 5 years including details of significant pending developments, changes in financial structure or ownership, prospective take-over bids, buy-outs and closures, and the like which are currently in the public domain.	
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Question 1.2.6

Provide the VAT registration number (if applicable) of the Single Economic Operator.

Check this box if question is not applicable, give reasons below	
VAT registration number	

Section 1.3**Group Of Economic Operators**

Note: Questions 1.3.1 to 1.3.6 are to be answered by Groups of Economic Operators only

Question 1.3.1

Does the Group of Economic Operators intend to form a single legal entity?

	Tick one box only
Yes	
No	

Question 1.3.2

If Yes, provide details of the proposed percentage shareholdings (in voting/economic terms) of each Group Member in the proposed single legal entity.

Name of Group Member	Percentage shareholding

Question 1.3.3

If No, provide details of the proposed percentage equity/interest (in voting/economic terms) of each Group Member in the Group of Economic Operators.

Name of Group Member	Percentage equity/interest

Question 1.3.4

If the Group of Economic Operators does not currently intend to form a single legal entity, would the Group of Economic Operators form a single legal entity if required by the Council to ensure satisfactory performance of the Contract pursuant to Regulation 28(3) of the Regulations?

	Tick one box only
Yes	
No	
If No, provide an explanation	

Section 1.4**Group Members**

Note: Questions 1.4.1 to 1.4.6 to be answered by each Group Member and any other entity to be relied upon

Question 1.4.1

Full legal name and address of the Group Member.

Name of Group Member	
Role in group	
Address	
Postcode	
Country	
Telephone number	

Question 1.4.2

Current legal status of the Group Member.

	Tick one box only
Public limited company	
Private limited company	
Partnership/limited liability partnership/limited partnership	
Other (state)	

Question 1.4.3

Date and place of formation of the Group Member and, if applicable, registration under the Companies Acts 1985 to 2006 or equivalent. Provide copies of Certificates of Incorporation (where appropriate) and any changes of name, registered office and principal place of business.

Date of formation	
Place of formation	
Date of registration	
Company registration number	
Certificates submitted and listed in Schedule of Prequalification Submissions (Appendix E)	Yes/No*
Registered office	
Principal place of business	

Question 1.4.4

Ownership structure

- (a) Full name and address of Parent Company or Companies (if applicable).

Check this box if question is not applicable. Give reasons below		
Company name		
Address		
Postcode		
Country		
Telephone number		
Company registration number (or equivalent)		

- (b) Full legal name and address of Ultimate Parent Company or Companies (if applicable).

Check this box if question is not applicable. Give reasons below		
Company name		
Address		
Postcode		
Country		
Telephone number		
Company registration number (or equivalent)		

- (c) If the Group Member is a division or subsidiary, what is its legal and corporate relationship with the Parent Company (ownership, directorship and the like)?

Relationship	
---------------------	--

- (d) Provide a one-page chart illustrating the ownership structure of the Group Member including the ownership and control relationships with any Parent Company (if applicable).

Ownership structure submitted and listed in Schedule of Prequalification Submissions (Appendix E)	Yes/No*
If No, provide an explanation	

Question 1.4.5

Provide a brief history of the Group Member's organisation (if applicable).

Check this box if question is not applicable. Give reasons below		
Brief description of the Group Member's organisation (no more than 400 words), including details of any Parent Company and any changes of ownership over the last 5 years including details of significant pending developments, changes in financial structure or ownership, prospective take-over bids, buy-outs and closures and the like which are currently in the public domain.		

Question 1.4.6

Provide VAT registration number (if applicable) of the Group Member.

Check this box if question is not applicable, give reasons below		
VAT registration number		

Section 1.5

Reliance On The Capacity Of Other Entities

Note: Section 1.5 is to be answered by Single Economic Operators and Groups of Economic Operators. Where a Single Economic Operator or Group of Economic Operators is relying on the capacities of other entities to demonstrate economic or financial standing and/or technical or professional ability in answer to the questions in Parts 3 and 4 of the PQQ, Single Economic Operators and Groups of Economic Operators are required to identify those entities in this Section 1.5. Note that any entities named in response to this Section 1.5 shall be required to complete the declaration set out in this PQQ

Economic and Financial Standing

Question 1.5.1

Tick only the box below which applies.

(a)	You are a Single Economic Operator and you are not relying on the economic and financial capacities of other entities (for example, a Parent Company) to answer Part 3 of this PQQ	
(b)	You are a Single Economic Operator and you are relying on the economic and financial capacities of other entities (for example, a Parent Company) to answer Part 3 of this PQQ	
(c)	You are a Group of Economic Operators and none of you are relying on the economic and financial capacities of other entities (other than the Group Members) (for example, a Parent Company) to answer Part 3 of this PQQ	
(d)	You are a Group of Economic Operators and one or all of you are relying on the economic and financial capacities of other entities (in addition to the Group Members) (for example, a Parent Company) to answer Part 3 of this PQQ	

Question 1.5.2

If you have selected option (b) or (d) in response to question 1.5.1, identify in the following table the name of any entity whose economic and financial capacity you are relying on and the level and nature of the financial support which this entity will provide, for example will a Parent Company Guarantee be provided?

Name of entity	Financial support to be relied on and provided

Technical or Professional Ability**Question 1.5.3**

Tick only the box below which applies.

(a)	You are a Single Economic Operator and you are not relying on the technical or professional capacities of other entities to answer Part 4 of this PQQ	
(b)	You are a Single Economic Operator and you are relying on the technical or professional capacities of other entities to answer Part 4 of this PQQ	
(c)	You are a Group of Economic Operators and none of you are relying on the technical or professional capacities of other entities (other than the Group Members) to answer Part 4 of this PQQ	
(d)	You are a Group of Economic Operators and one or all of you are relying on the technical or professional capacities of other entities (in addition to the Group Members) to answer Part 4 of this PQQ	

Question 1.5.4

If you have selected option (b) or (d) in response to question 1.5.3, identify in the following table the name of any entity whose capacity you are relying on and the works/services for which this entity will be responsible, to include your principal designers and key sub-contractors.

Name of entity	Works/services to be delivered and the approximate percentage of what this represents of the total works/services

Candidates are referred to Appendix F (Evaluation of PQQ Responses) which describes the evaluation criteria for the questions in Part 1.

Note: Questions 1.5.5 to 1.5.7 to be completed in respect of each entity listed in question 1.5.4.

Question 1.5.5

Full legal name and address of each entity listed in question 1.5.4

Name of entity	
Address	
Postcode	
Country	
Telephone number	

Question 1.5.6

Current legal status of the entity.

	Tick one box only
Public limited company	
Private limited company	
Partnership/limited liability partnership/limited partnership	
Other (state)	

Question 1.5.7

Date and place of formation of the entity and, if applicable, registration under the Companies Acts 1985 to 2006 or equivalent. Provide copies of Certificates of Incorporation (where appropriate) and any changes of name, registered office and principal place of business.

Date of formation	
Place of formation	
Date of registration	
Company registration number	
Certificates submitted and listed in Schedule of Prequalification Submissions (Appendix E)	Yes/No*
Registered office	
Principal place of business	

Part 2

Professional Standing

Note: Questions 2.1 and 2.2 are to be answered by Single Economic Operators and, in respect of a Group of Economic Operators, by each Group Member

Question 2.1

Sub-paragraphs (a) to (f) of Regulation 23(1) of the Regulations

Subject to Regulation 23(2) of the Regulations, the Council shall treat as ineligible and shall not select an Economic Operator in accordance with the Regulations if the Economic Operator answers “Yes” to any part of the following question: “Have you, or your directors or any other person who has powers of representation, decision or control of the Single Economic Operator or Group Member (as appropriate), been convicted of any of the following offences contained in the following table? If “Yes”, provide details”.

Note: This table is to be copied, re-used and completed by each Group Member as appropriate. Group Economic Operators are to identify which Group Member the information relates to.

Name of organisation		
		*Delete as appropriate
(a) conspiracy within the meaning of section 1 of the Criminal Law Act 1977 where that conspiracy relates to participation in a criminal organisation as defined in Article 2(1) of Council Joint Action 98/733/JHA		Yes/No*
(b) corruption within the meaning of section 1 of the Public Bodies Corrupt Practices Act 1889 or section 1 of the Prevention of Corruption Act 1906		Yes/No*
(c) the offence of bribery		Yes/No*
(d) fraud, where the offence relates to fraud affecting the financial interests of the European Communities as defined by Article 1 of the Convention relating to the protection of the financial interests of the European Union, within the meaning of:		
(i) the offence of cheating the Revenue;		Yes/No*

	*Delete as appropriate
(ii) the offence of conspiracy to defraud;	Yes/No*
(iii) fraud or theft within the meaning of the Theft Act 1968 and the Theft Act 1978;	Yes/No*
(iv) fraudulent trading within the meaning of section 458 of the Companies Act 1985;	Yes/No*
(v) defrauding the Customs within the meaning of the Customs and Excise Management Act 1979 and the Value Added Tax Act 1994;	Yes/No*
(vi) an offence in connection with taxation in the European Community within the meaning of section 71 of the Criminal Justice Act 1993; or	Yes/No*
(vii) destroying, defacing or concealing of documents or procuring the extension of a valuable security within the meaning of section 20 of the The Act 1968;	Yes/No*
(e) money laundering within the meaning of the Money Laundering Regulations 2007	Yes/No*
(f) any other offence within the meaning of Article 45(1) of the Public Sector Directive as defined by the national law of any relevant state	Yes/No*

If you have answered “Yes” to any of the above questions, provide details.

Question 2.2

Regulation 23(4) of the Regulations

The Council (at its absolute discretion) may treat an Economic Operator as ineligible or decide not to select an Economic Operator in accordance with the Regulations if the Economic Operator answers “Yes” to one or more of the following questions.

Note: This table is to be copied, re-used and completed by each Group Member as appropriate. Groups of Economic Operators are to identify which Group Member the information relates to.

Name of Organisation		
	*Delete as appropriate	
(a) if you are an individual, are you bankrupt or have you had a receiving order or administration order or bankruptcy restrictions made against you or have you made any composition or arrangement with or for the benefit of creditors or have you made any conveyance or assignation for the benefit of creditors or you appear unable to pay, or to have no reasonable prospect of being able to pay, a debt within the meaning of section 268 of the Insolvency Act 1986 or article 242 of the Insolvency (Northern Ireland) Order 1989, or in Scotland have you granted a trust deed for creditors or become otherwise apparently insolvent, or become the subject of a petition presented for sequestration of your estate, or are you the subject of any similar procedure under the law of any other state?	Yes/No/Not applicable*	
(b) if you are a partnership constituted under Scots law, have you granted a trust deed or become otherwise apparently insolvent, or are you the subject of a petition presented for sequestration of your estate?	Yes/No/Not applicable*	
(c) if you are a company or any other entity within the meaning of section 255 of the Enterprise Act 2002, have you passed a resolution or are you the subject of an order by the court for the company's winding up otherwise than for the purpose of bona fide reconstruction or amalgamation, or have you had a receiver, manager or administrator on behalf of a creditor appointed in respect of the company's business or any part thereof or are you the subject of similar procedures under the law of any other state?	Yes/No/Not applicable*	
(d) have you been convicted of a criminal offence relating to the conduct of your business or profession? (for example, any health and safety prosecution.)	Yes/No*	

		*Delete as appropriate
(e)	have you committed an act of grave misconduct in the course of your business or profession?	Yes/No*
(f)	have you not fulfilled obligations relating to the payment of social security contributions under the law of any part of the United Kingdom or of the relevant State in which your organisation is established?	Yes/No*
(g)	have you not fulfilled obligations relating to the payment of taxes under the law of any part of the United Kingdom or of the relevant State in which you are established?	Yes/No*

If you have answered “Yes” to any of the above questions, provide details.

Candidates are referred to Appendix F (Evaluation of PQQ Responses), which describes the evaluation criteria for the questions in Part 2.

Part 3

Financial Standing

Question 3.1 Annual Accounts

For each Relevant Organisation, please provide copies of the full unabbreviated annual report and consolidated audited accounts for the last three financial periods, as well as any accounts relating to partial periods that have become available since the most recent full year accounts were released. Where the last financial periods report and accounts are unsigned, draft accounts for that year should be provided. For the avoidance of doubt a Relevant Organisation is any organisation within the bidding group that is intending to provide material financial resources, investments or services under the bid or contract.

In the event that audited financial accounts are not available because either; the Relevant Organisation has not existed for three years, or the nature of the Relevant Organisation places no requirement to produce audited accounts, the Relevant Organisation will be required to provide turnover, profit and loss and cash flow position for the last three full years of trading (or part year if full year not applicable) and an end period balance sheet for each year to allow the Council to undertake a meaningful financial assessment of the Relevant Organisation.

All documents submitted are to be listed in the Schedule of Prequalification Submissions in Appendix E.

Question 3.2 Material Changes

Please provide details of any material change in the Relevant Organisation's financial position since the date of the latest information provided in question 3.1 above.

This must include details of any event between the date on which the latest set of accounts was authorised for issue and the date of the submission of this PQQ that, had the accounts not been authorised for issue until the submission date, would have required an adjustment or disclosure in accordance with the provisions of International Accounting Standard 10. If no such changes, please confirm there have been no such changes.

Question 3.3 Contingent Liability or Loss

Please provide details of any contingent liability or loss since the date of the latest information provided in question 3.1 above.

This must include details of any contingent or other liability or loss between the date on which the latest set of accounts was authorised for issue and the date of the submission of this PQQ that, had the accounts not been authorised for issue until the submission date, would have required an adjustment or disclosure in accordance with the provisions of International Accounting Standard 10. If no such changes, please confirm there have been no such changes.

Question 3.4 Announcements

Please give details of any material events affecting the Relevant Organisation since the publication of the latest set of accounts, including for example copies of any company announcement made to the authorities of the stock exchange, market or bourse on which the stocks or shares of the company are publicly traded, acquisitions, mergers, share issues, major investment, major loans or other material events.

All documents submitted are to be listed in the Schedule of Prequalification Submissions in Appendix E. If no such events have occurred please confirm as such.

Question 3.5 Accounting Policy

Please give details of any changes in accounting policy since the last published accounts or any planned changes in accounting policy.

If no such changes please confirm there have been no such changes.

Question 3.6 Current Banking Facilities

Please provide details of your current banking facilities (including any covenants attached) and levels of drawdown as at the date of the response, together with any commentary you wish to provide on the drawdown position.

Please include a letter(s) of support from your bankers/funders in respect of the above facilities and the continued financial support of the Relevant Organisation as a whole.

Confirm whether the Relevant Organisation has met the terms of its banking facilities and loan agreements (if any) as they fall due during the past year.

All documents submitted are to be listed in the Schedule of Prequalification Submissions in Appendix E.

Question 3.7 Reliance on the Capacities of Another Legal Entity

If the Economic Operator or the Group Member is a subsidiary and or relies on the capacities of another legal entity (e.g. Parent Company(s) or Ultimate Parent Company) answer all of the above questions for the other legal entity.

The Council reserves the right to evaluate the economic and financial standing of the other legal entity upon whom the Economic Operator or Group Member relies as if it is the Economic Operator or the Group Member.

If the above applies provide a letter from a board director of the other legal entity that confirms they will provide a guarantee or similar undertaking in respect of the obligations of the Economic Operator or the Group Member under this contract.

All documents submitted are to be listed in the Schedule of Submissions in Appendix E. Candidates are referred to Appendix F (Evaluation of PQQ Responses) and Appendix G (Details of Evaluation of Responses to Part 3 of PQQ) which together describe the evaluation criteria for the questions in Part 3.

Part 4

Relevant Capability, Qualities and Resources

Provide details of relevant experience in the past five years (ten years in the case of long span bridges) of the Candidate in respect of questions 4.1.1, 4.1.2, and 4.1.3 with particular regard to the requirements of the Project.

Question 4.1.1 Delivery of Complex Public Private Partnership Projects

Provide evidence of delivery performance on complex Public Private Partnership projects through experience in projects of similar or greater size, scale and complexity to the Project and having similar or greater technical challenges and delivered under the UK Government's Private Finance Initiative; the Highways Agency Design, Build, Finance and Operate contracts; or equivalent projects in the UK or other jurisdictions:

- proven ability to meet deadlines, control costs and maintain quality including evidence of the ability to develop and operate an effective management system and works programme;
- proven ability to apply a process to encourage innovation in design and construction and delivery of best value;
- experience in effective stakeholder liaison, public relations and publicity management; and
- experience in the planning and submission of planning applications and timely discharge of planning conditions in the UK or under a planning regulatory system of similar complexity.

Further guidance on information to be included in Candidates' answers to this question is given below:

a) Delivery of projects of similar nature, scale and complexity and complex public-private partnership projects shall mean:

- projects that include a major bridge crossing over an estuary or sea channel with a main span greater than 200 m,
- projects that involve design, construction and operation of major highway and bridge works, and which including tolling infrastructure,
- complex highway infrastructure projects procured through public-private partnership with a construction value of more than £100m, and
- other complex PPP transportation projects with a construction value of more than £100m for relevant experience when answering items b) to e) below;

b) Delivery to cost, time and quality, implementation of management systems and programme control:

- projects delivered on time and within the client's budget,

- evidence of successful implementation of programme monitoring, management and control methods to ensure on time delivery,
 - cost control methods and purchasing policy and evidence of successful supply chain management (design and construction),
 - experience of risk management on large, complex projects including the preparation and monitoring of risk registers;
- c) Innovation and best value:
- projects illustrating the application of innovative design and/or construction to reduce construction or whole-life costs, evidenced as appropriate with examples of difficulties faced and how overcome, value engineered solutions, and application of best practice, and
 - projects illustrating the application of other innovative techniques to deliver cost, time or other savings; particularly examples delivered with the involvement of or in partnership with the client;
- d) stakeholder management, public relations and publicity:
- methods, procedures and experience of effective stakeholder involvement, including examples of innovative working,
 - managing interfaces with stakeholders including conflicting interests of different stakeholders, and
 - experience in handling and managing public relations, including community involvement, project websites, and publicity on similar politically sensitive high-profile projects;
- e) Planning submissions, discharge of planning conditions and discharge of third party commitments:
- Projects demonstrating experience in preparing and managing planning submissions for works similar to the Project (a project which is enabled under the Transport and Works Act),
 - projects demonstrating the successful discharge of planning (or equivalent) conditions including an understanding of the relevant planning regime,
 - projects demonstrating successful liaison with the planning authority in dealing with issues arising from discharge submissions,
 - projects demonstrating the successful discharge of third party commitments, and
 - projects demonstrating successful liaison with third parties in dealing with issues arising from discharge submissions.

Question 4.1.2 Experience in Design and Construction of Major Infrastructure Projects

Provide details of experience in the design of major infrastructure projects and the construction of major infrastructure projects in the following categories:

- major cable supported bridge crossings, in tidal and marine/estuarine conditions, over navigable waterways, with a main span greater than 200 m;
- large complex transportation infrastructure construction projects, including road widening in an urban environment, with a construction value greater than £100m; and
- transportation projects with integrated tolling infrastructure.

When evaluating the overall strength of the Candidate's portfolio of projects, experience that will be taken into account will include:

- projects of similar nature and similar or greater size and scale to the Project;
- projects with similar technical challenges in design and construction (see further requirements below);
- projects delivered through PPP;
- projects involving the integration of whole-life costs and long-term operation and maintenance considerations into the design and construction;
- politically sensitive projects;
- high-profile public projects;
- projects which are environmentally sensitive (see further requirements below);
- projects which involve a large number of influential stakeholders;
- projects involving programme and planning complexity in tightly constrained situations;
- projects involving high levels of interface management and coordination of multi-disciplinary activities;
- projects with examples of ability to innovate and deliver best value;
- projects which demonstrate design and construction of major projects in a safe manner; and
- evidence of the ability to effectively resource the project with personnel who have appropriate industry leading experience to complete the design and construction of large and complex projects similar or larger than the Project with particular reference to those people that the Candidate intends to be involved in the design and construction delivery.

Other particular areas of expertise and experience Candidates are asked to cover in their answers are:

- a) Design and construction of cable supported bridge crossings with spans greater than 200 m in a marine/estuarine environment:
- evidence of how particular issues of working in tidal and marine/estuarine conditions were considered in design and managed in construction;
 - expertise in aerodynamics and wind tunnel testing and constructing wind sensitive structures;
 - expertise in relevant temporary works design and construction;
 - expertise in geometric control and erection of cable stayed decks; and
 - experience and approach to designing and delivering bridge structures of high architectural value.
- b) Design, construction and environmental management of large, complex projects in sensitive environmental areas, including tidal, marine, estuarine and river habitats and projects in former industrial sites with contaminated land:
- experience of environmental appraisal and assessment, obtaining approvals, monitoring and successfully discharging of contaminated land management and remediation works, with particular emphasis on former industrial sites with significant levels of contamination of the type found on the land of the Project;
 - projects demonstrating the successful management of sensitive environmental issues in both design and construction;
 - evidence of the consideration of ecological sensitivities in design and construction, specifically including in tidal, marine, estuarine and river habitats;
 - experience in preventing pollution from construction activities, including marine works; and
 - experience in environmental appraisal and assessment, obtaining approvals, monitoring and successful discharge of works in sensitive estuarine environments, with emphasis on bridge works.

Question 4.1.3 Operation and Maintenance of Projects

Note that this section does not include the Candidate's experience relating to toll systems which is addressed in Section 4.2.

Provide details of the successful operation and maintenance of projects in the roads sector including:

- operation and maintenance of major cable supported road bridges;
- the use of innovative techniques to ensure best value for the client;

- environmental management in sensitive environmental areas and former industrial sites with contaminated land;
- development and implementation of whole-life asset management systems;
- performance management through the application of KPIs;
- operation and maintenance of projects in a demonstrably safe manner; and
- the ability to effectively and consistently resource the operation and maintenance team required for the delivery of similar large and complex projects throughout the term of the project demonstrating how the Candidate ensures consistent service delivery.

Candidates may describe up to 10 projects which together demonstrate their experience in respect of questions 4.1.1, 4.1.2 and 4.1.3.

The following basic information should be provided for each project:

- name of organisation(s) involved and their status in this submission, (e.g. Candidate, Group Member, Relevant Organisation);
- project name and client name;
- brief description of project and current status;
- organisation's role in the project and dates of involvement;
- form of contract; and
- approximate total value and value of organisation's element of the project.

The basic information for each project should be provided in the pro-forma included in Annex A to this Prequalification Questionnaire and listed in the Schedule of Prequalification Submissions in Appendix E.

The response should provide sufficient information to evidence the Candidate's role in the project and support their submission. Such evidence may include (but need not be limited to) references from the client for the project. These may be included in the PQQ Submission as attachments (eg. copies of letters or references from clients).

Candidates are encouraged to ensure that their selected projects demonstrate their experience and capabilities in dealing with the issues listed above.

Candidates are referred to Appendix F (Evaluation of PQQ Responses) which describes the evaluation criteria for the questions in Section 4.1.

The response for Section 4.1 should not exceed 5,000 words in total. The basic information for projects submitted using the pro-forma in Annex A to this Prequalification Questionnaire is not included within this word allowance.

Section 4.2 Toll Collection

Candidates should note that Section 4.2 covers tolling-related equipment, systems and services. Candidate's capability, quality and resources related to civil/structural aspects of tolled roads and bridge crossings should be addressed in response to the questions in Section 4.1.

Provide details of projects undertaken in the past five years by the Candidate and/or Relevant Organisations which provide an example of how the Candidate could approach the Project and which demonstrate the Candidate's expertise in respect of questions 4.2.1 and 4.2.2 with particular regard to the tolling requirements of the Project.

Question 4.2.1 Toll Collection Systems Design, Installation and Commissioning Capability

Toll collection system (TCS) design, installation and commissioning capability, including but not limited to:

- design, installation and commissioning of new TCS with particular reference to examples of TCS in an open road/free flow environment; and
- the ability to effectively resource the personnel necessary and with appropriate experience to complete the design, commissioning and management of similar large and complex TCS schemes with particular reference to those people that the Candidate intends to be involved in the design and provision of such works.

Question 4.2.2 Toll Collection System Operations and Maintenance Capability

- TCS operations, including but not limited to:
 - Launching and promoting new toll collection operations;
 - Managing day-to-day toll collection operations (with a particular reference to examples of open road/free flow tolling operations) to meet customer expectations and performance requirements;
 - Processing of toll payments and provision of associated financial reconciliation and auditing services;
 - Providing customer services for toll collection operations; and
 - Supporting the establishment and operation of revenue recovery/violation processing services.
- TCS maintenance, including experience of ad-hoc emergency maintenance as well as regular, scheduled maintenance; and

- the ability to effectively and consistently resource the management, operation and maintenance team required for the delivery of similar large and complex TCS schemes throughout the term of the project demonstrating how the Candidate ensures consistent service delivery.

For Question 4.2.1 and Question 4.2.2, Candidates may describe up to three projects for each question.

The following basic information should be provided for each project:

- name of Relevant Organisation(s) involved and their status in this submission, (e.g. Candidate, Group Member);
- project name and client name;
- Relevant Organisation's role in the project and dates of involvement;
- brief description of project and current status;
- description of the TCS; and
- approximate total value and value of Relevant Organisation's element of the project.

The basic information for each project should be provided in the pro-forma included in Annex B to this Prequalification Questionnaire.

The response should provide sufficient information to evidence the Candidate's role in the project and support their PQQ Submission. Such evidence may include (but need not be limited to) references from the client for the project. These may be included in the PQQ Submission as attachments (e.g. copies of letters or references from clients).

Candidates are referred to Appendix F (Evaluation of PQQ Responses) which describes the evaluation criteria for the questions in Section 4.2.

The response for Section 4.2 should not exceed 4,000 words in total. The basic information for projects submitted using the pro-forma in Annex B to this Prequalification Questionnaire is not included within this word allowance.

Section 4.3 Commercial Policy Support

Question 4.3.1 Demand Management and Pricing Strategy

Provide details of up to five projects undertaken in the past five years by the Candidate and Relevant Organisations which provide an example of how the Candidate has approached demand management and pricing strategy within a transport infrastructure context, and in particular where the private sector carried some or all of the demand risk. Experience should be presented in terms of:

- strategies employed to maximise/optimize revenue generation and provide evidence of the outcomes (for example a project where revenue generation was suboptimal and improved following implementation of the Candidate's strategy – if so exactly what did you do and how did this lead to improved revenue generation);
- tools used to forecast future traffic levels and understand the likely response to toll charge alterations; and
- strategies for setting toll levels and/or fares.

Please note that this question requires a maximum of five project examples only.

The response should not exceed 1,500 words per project example.

Question 4.3.2 Tolling Policy Support

Provide details of up to five projects undertaken in the past five years by the Candidate and Relevant Organisations in the following categories and which provide examples of how the Candidate provided demand management support to the relevant public authority. Experience should be presented in terms of:

- partnerships arrangements with public authorities;
- innovative examples of where the Relevant Organisation has supported the authority to optimise revenue, clearly describing your role in this process;
- a description of any pitfalls that have been overcome;
- the nature of incentive mechanisms that the Candidate has been party to;
- experience of designing, establishing and running a tolling enforcement regime in an open road tolling environment, either in partnership with the procuring authority or independently. In each case please provide information on the enforcement risk allocation between the parties; and
- strategies for working with the public authority to meet their social policy objectives, particularly in terms of discounting for specific types of users.

Please note that this question requires a maximum of five project examples only.

The Council recognises a clear potential for overlap between questions 4.3.1 and 4.3.2, which are inherently designed to test experience of demand management from the position of risk bearer (question 4.3.1) and where the risk lies elsewhere but nonetheless has been supported actively by the Candidate (question 4.3.2). In some cases, it may be appropriate to note the same project under each question and Candidates will not be marked down for doing so. In particular, the Council recognises that five project examples is the maximum to be provided for each but that adequate evidence may be provided by reference to fewer projects.

The response should not exceed 1,500 words per project example. Candidates are encouraged to ensure that their selected projects demonstrate their experience and capabilities in dealing with the issues listed above.

Candidates are referred to Appendix F (Evaluation of PQQ Responses) which describes the evaluation criteria for the questions in Section 4.3.

Section 4.4 Raising Finance

Question 4.4.1 Raising Finance

Provide details of the Candidate's experience in raising finance in the last five years for any of the relevant projects listed in response to question 4.1.1.

In particular, responses should outline:

- how financing plans were developed and implemented to ensure that the terms and price of debt and equity finance for the projects were competitive and offered value for money for the client, including any innovative aspects of such financing and whether such plans used any European Investment Bank funding that was available for such projects;
- the approach to engagement with lenders;
- the financing amount and the extent to which securing that amount presented a challenge and how that challenge was overcome. This includes any movement in terms between bid and close, and the reasons for that movement and how any adverse impact was mitigated;
- the approach to provision of sponsor and third party equity;
- any lessons from the process that may be relevant to the Project; and
- the approach taken to hedging interest rate risk and inflation.

The experience of any Member Organisation, Parent Company, Ultimate Parent Company or Relevant Organisation (as applicable to the Candidate's organisation) may be provided in response to this question. Note that the Council will place more value on the experience of the Candidate than its advisers, although experience of both parties working together will be treated more favourably.

Candidates are encouraged to ensure that their selected projects demonstrate their experience and capabilities in dealing with the issues listed above.

Candidates are referred to Appendix F (Evaluation of PQQ Responses) which describes the evaluation criteria for the question in Section 4.4.

The response should not exceed 2,000 words in total and should provide sufficient information to demonstrate the Candidate's role in the financing.

Section 4.5 Management Systems and Resources

Question 4.5.1 Management Systems

Provide details of the Candidate's valid certification under the following systems standards or their recognised equivalents.

Details should be provided for each Group Member in the case of a Group of Economic Operators. Details should only be provided for key Relevant Organisations (as applicable to the Candidate's PQQ Submission).

Quality Management Systems (Certification under BS EN ISO 9001: 2008 Quality management systems – Requirements, or recognised equivalent)

The Candidate should state the activities to which the relevant certifications apply together with confirmation that all locations from which work in connection with the project will be delivered are covered by the certificates and provide copies of the relevant certificates.

If the Candidate does not hold such certification, then the Candidate should provide details of any verifiable and documented equivalent management system which is operated or identify whether it is currently seeking such certification.

The response should not exceed 500 words (excluding certificates). All certificates submitted are to be listed in the Schedule of Prequalification Submissions in Appendix E.

Environmental Management Systems (Certification under BS EN ISO 14001: 2004 Environmental management systems – Requirements with guidance for use, or recognised equivalent)

The Candidate should state the activities to which the relevant certifications apply together with confirmation that all locations from which work in connection with the project will be delivered are covered by the certificates and provide copies of the relevant certificates.

If the Candidate does not hold such certification, then the Candidate should provide details of any verifiable and documented equivalent management system which is operated or identify whether it is currently seeking such certification.

The response should not exceed 500 words (excluding certificates). All certificates submitted are to be listed in the Schedule of Prequalification Submissions in Appendix E.

Health and Safety Management Systems (Certification under OHSAS 18001: 2007 Health and safety management systems – Requirements, or recognised equivalent)

The Candidate should state the activities to which the relevant certifications apply together with confirmation that all locations from which work in connection with the project will be delivered are covered by the certificates and provide copies of the relevant certificates.

If the Candidate does not hold such certification, then the Candidate should provide details of any verifiable and documented equivalent management system which is operated or identify whether it is currently seeking such certification.

The response should not exceed 500 words (excluding certificates). All certificates submitted are to be listed in the Schedule of Prequalification Submissions in Appendix E.

Question 4.5.2 Selection of Supply Chain Members

Provide details of the Candidate's current procedures for selecting subcontractors and other Relevant Organisations and its experience of supply chain management.

The response should not exceed 500 words.

Candidates are referred to Appendix F (Evaluation of PQQ Responses) which describes the evaluation criteria for the questions in Section 4.5.

Part 5

Declaration

Note: This declaration is to be completed by Single Economic Operators and, in respect of a Group of Economic Operators, by one signatory on behalf of all Group Members OR by each Group Member. The Single Economic Operator or Group of Economic Operators shall also sign on behalf of each entity named in Section 1.5 of this PQQ (for example, a key subcontractor)

We hereby certify that the information provided in our PQQ Submission is accurate to the best of our knowledge and that we accept without reservation the conditions and undertakings requested in the PQQ Document.

We understand that the provision by us of false and/or misleading information could result in our exclusion/removal from the procurement competition and could invalidate any final tender which we submit or result in additional conditions being imposed upon our further participation in the procurement competition.

We hereby undertake to notify the Council immediately of any changes in the information or circumstances referred to in our PQQ Submission which occur at any time after the date of this PQQ Submission. This shall include (but not be restricted to) any announcement made to the authorities of the relevant stock exchange or market on which our stocks or shares are traded and any events (favourable or unfavourable) which need to be disclosed in accordance with International Accounting Standard (IAS) 10.

We hereby confirm that we have not now nor will in the future, canvass or solicit any member, officer or employee of the Council in connection with this PQQ Submission and that to the best of our knowledge and belief no person employed by us or acting on our behalf has committed such an act.

The signatory to this declaration has full corporate and legal authority to sign on behalf of the Single Economic Operator/Group Member/entity (*delete as appropriate).

Signed:

Name:

Capacity:

On behalf of:

Date:

Annex A - Pro-forma for use with Section 4.1 Infrastructure

Mersey Gateway Bridge Prequalification Questionnaire Pro-forma for use with Section 4.1 Infrastructure	
The Candidate should fill out a copy of this pro-forma for each project which is to be submitted in response to Section 4.1.	
Project identifier or reference	
Name of Relevant Organisation(s) involved and their status in this PQQ Submission (i.e. Candidate, Group Member)	
Project name	
Client name	
Project description (sector, country, deal structure (PPP etc)) and current status <i>(Maximum 100 words – further information can be included in the main text of the response to Section 4.1).</i> Relevant Organisation's role in the project and dates of involvement	
Form of contract	
Total project value	
Approximate value of Relevant Organisation's element of the project	
Client name, address, phone no., fax no. and email address	
List of references attached (or N/A)	

Annex B - Pro-forma for use with Question 4.2 Toll Collection

Mersey Gateway Bridge Prequalification Questionnaire Pro-forma for use with Section 4.2 Toll Collection	
The Candidate should fill out a copy of this pro-forma for each project which is to be submitted in response to Section 4.2	
Project identifier or reference	
Name of Relevant Organisation(s) involved and their status in this PQQ Submission (i.e. Candidate, Group Member)	
Project name	
Client name	
Brief project description (sector, country and current status) <i>(Maximum 50 words)</i>	
Description of the toll collection system (see detail in Section 4.2) <i>(Maximum 200 words – further information can be included in the main text of the response to Section 4.2).</i>	
Relevant Organisation's role in the project and dates of involvement	
Total project value	
Approximate value of Relevant Organisation's element of the project	
Client name, address, phone no., fax no. and email address	
List of references attached (or N/A)	

Appendix E: Schedule Of Prequalification Submissions

Name of Candidate

Note to Candidates: insert rows as required if submitting more than one file, e.g. certificates, reference projects or information for Group Members of a Group of Economic Operators

Description of submission	To be included	QuestionRef ³	Submitted? Yes/No	File name(s) ⁴ Adobe Acrobat	File name(s) ⁵ HTM
Part 1 Candidate Information & Structure					
Part 1 Candidate Information	Response to all questions in Part 1 & Structure response	A			
Section 1.2 Single Operator – Certificate of Incorporation	Q1.2.3, Certificates	B			
Section 1.2 Single Operator – chart showing ownership structure	Q1.2.4(d), Chart	C			
Section 1.4 Group Operator – Certificates of Incorporation	Q1.4.3, Certificates	D			
Section 1.4 Group Operator – chart showing ownership structure	Q1.4.4(d), Chart	E			
Section 1.5 Reliance on the capacity of other entities – Certificates of Incorporation	Q1.5.7, Certificates	F			
Part 2 Professional Standing					
Part 2 Professional Standing response	Response to all questions in Part 2	G			

³See file-naming convention in the Prequalification document, Section 5.12

⁴Use file names as described in the file-naming convention in the Prequalification document, Section 5.12

⁵Use file names as described in the file-naming convention in the Prequalification document, Section 5.12

Description of submission	To be included	QuestionRef ³	Submitted? Yes/No	File name(s) ⁴ Adobe Acrobat	File name(s) ⁵ HTM
Part 3 Financial Standing					
Part 3 Financial Standing response	Response to all questions in Part 3	H			
Question 3.1 Annual Reports	Q3.1, Reports	I			
Question 3.1 Annual Accounts	Q3.1, Accounts	J			
Question 3.4 Copies of Announcements	Q3.4, Announcements	K			
Question 3.6 Bank/funder letters of support	Q3.6, Letter	L			
Question 3.7 Board letter of support	Q3.7, Letter	M			
Part 4 Relevant Capability, Qualities and Resources					
Section 4.1 Infrastructure response	Response to Q4.1.1, Q4.1.2 & Q4.1.3	N			
Section 4.1 Infrastructure – example projects (use template in Annex A)	Example Projects	O			
Section 4.1 Infrastructure – client references	Client References	P			
Section 4.2 Toll Collection response	Response to Q4.2.1 & Q4.4.2	Q			
Section 4.2 Toll Collection – example projects (use template in Annex B)	Example Projects	R			
Section 4.2 Toll Collection – client references	Client References	S			
Section 4.3 Commercial policy support – Demand Management and Pricing Strategy response	Response to Q4.3.1	T			

Description of submission	To be included	QuestionRef ³	Submitted? Yes/No	File name(s) ⁴ Adobe Acrobat	File name(s) ⁵ HTM
Section 4.3 Commercial policy support – Tolling Policy Support response	Response to Q4.3.2	U			
Section 4.4 Raising Finance response	Response to Q4.4.1	V			
Section 4.5 Management Systems response	Response to Q4.5.1	W			
Section 4.5 Management Systems – quality management certificate	Q4.5.1 Certificates	X			
Section 4.5 Management Systems – environmental management certificate	Q4.5.1 Certificates	Y			
Section 4.5 Management Systems – H&S certificate	Q4.5.1 Certificates	Z			
Section 4.5 Supply Chain response	Response to Q4.5.2	AA			
Part 5					
Part 5 Declaration submission	Declaration	AB			

EXAMPLE FILENAMES (see Prequalification Document, Section 5.12)

For a Candidate named 'A N Other':

The Adobe Acrobat submission containing the response to all the questions in Part 1 would be:

MG_ANO_PQQ_A_Part1of1_V1.pdf

The file name of Version 2 of the Adobe Acrobat submission containing the example project data for Section 4.2, Toll Collection, would be:

MG_ANO_PQQ_R_Part1of1_V2.pdf

The file name of Version 1 of the Adobe Acrobat submission of the Certificates of Incorporation of the members of a Group Operator would be:

If the certificates were consolidated into one file:

MG_ANO_PQQ_D_Part1of1_V1.pdf

If there were three certificates and they were submitted separately, the file names would be:

MG_ANO_PQQ_D_Part1of3_V1.pdf

MG_ANO_PQQ_D_Part2of3_V1.pdf

MG_ANO_PQQ_D_Part3of3_V1.pdf

FOLDER STRUCTURE TO BE USED FOR SUBMISSIONS

- [-]  Part 1 Candidate Information & Structure
 -  A - Part 1 Candidate Information & Structure response
 -  B - Section 1.2 Single Operator – Certificate of Incorporation
 -  C - Section 1.2 Single Operator – chart showing ownership structure
 -  D - Section 1.4 Group Operator – Certificates of Incorporation
 -  E - Section 1.4 Group Operator – chart showing ownership structure
 -  F - Section 1.5 Reliance on the capacity of other entities – Certificates of Incorporation
- [-]  Part 2 Professional Standing
 -  G - Part 2 Professional Standing response
- [-]  Part 3 Financial Standing
 -  H - Part 3 Financial Standing response
 -  I - Question 3.1 Annual Reports
 -  J - Question 3.1 Annual Accounts
 -  K - Question 3.4 Copies of Announcements
 -  L - Question 3.6 Bank funder letters of support
 -  M - Question 3.7 Board letter of support
- [-]  Part 4 Relevant Capability, Qualities and Resources
 -  N - Section 4.1 Infrastructure response
 -  O - Section 4.1 Infrastructure – example projects (Annex A)
 -  P - Section 4.1 Infrastructure – client references
 -  Q - Section 4.2 Toll Collection response
 -  R - Section 4.2 Toll Collection – example projects (Annex B)
 -  S - Section 4.2 Toll Collection – client references
 -  T - Section 4.3 Q 4.3.1 Commercial policy support – Demand Management and Pricing Strategy response
 -  U - Section 4.3 Q 4.3.2 Commercial policy support – Tolling Policy Support response
 -  V - Section 4.4 Q 4.4.1 Raising Finance response
 -  W - Section 4.5 Q 4.5.1 Management Systems response
 -  X - Section 4.5 Q 4.5.1 Management Systems – quality management certificate
 -  Y - Section 4.5 Q 4.5.1 Management Systems – environmental management certificate
 -  Z - Section 4.5 Q 4.5.1 Management Systems – H&S certificate
 -  AA - Section 4.5 Q 4.5.2 Supply Chain response
- [-]  Part 5 Declaration
 -  BB - Part 5 Declaration submission

Appendix F: Evaluation Of PQQ Submissions

The evaluation of the responses in the Prequalification Questionnaire (PQQ) will be carried out as shown in Table F1 below.

	Subject	Evaluation Model	
Part 1	Candidate Information and Structure	n/a (administrative)	
Part 2	Professional Standing	Pass / fail	
Part 3	Financial Standing	Pass / fail	
Part 4	Relevant Capability, Qualities and Resources	Scored and weighted as shown below	
Section 4.1	Infrastructure	60%	100% total
Section 4.2	Toll Collection	10%	
Section 4.3	Commercial Policy Support	20%	
Section 4.4	Raising Finance	5%	
Section 4.5	Management Systems and Resources	5%	
Part 5	Declaration		Pass / fail

Table F1 – Evaluation of Prequalification Questionnaire responses

Evaluation of Part 1 – Candidate Information and Structure

Candidates shall note that the submission of an incomplete or non-compliant PQQ Submission may result in rejection of that PQQ Submission at the absolute discretion of the Council. Although the information provided by Candidates in their PQQ Submissions in respect of those questions in Part 1 of the PQQ is not scored, if such information is not provided in the PQQ Submission, the PQQ Submission may be rejected and not given any further consideration.

Evaluation of Part 2 – Professional Standing of Single Economic Operator or Group of Economic Operators

Those sections of the Candidate's PQQ Submission relating to the questions in Part 2 of the PQQ shall be reviewed for eligibility and compliance with the requirements stated in Part 2 of the PQQ. Such sections of the PQQ Submission shall be evaluated on the basis of PASS or FAIL.

A PQQ Submission shall be marked as a FAIL and not considered further if:

- (a) the response to any part or all of question 2.1 of Part 2 of the PQQ is “Yes” (subject to paragraph 2 of Regulation 23 of the Regulations); and/or
- (b) the response to any part or all of question 2.2 of Part 2 of the PQQ is “Yes” (subject to the Council exercising its absolute discretion).

Evaluation of Part 3 – Financial Standing

The financial standing analysis will establish whether a Candidate meets the standards required by the Council for each of the financial evaluation criteria.

The purpose behind financial capability/capacity questions is to assess whether a Candidate is of sufficient size and financial strength to take on obligations under the Project and any associated requirements to raise funding. The primary objective is to assess the risk these applicants pose if the Council were to enter into a contract with them.

The evaluation criteria are as follows:

- Financial Capacity and Capability
- Financial Structure
- Operating Performance
- Investment
- Subsequent Information.

A full explanation of the Financial Standing evaluation methodology is included in Appendix G.

Evaluation of Part 4 – Relevant Capability, Qualities and Resources

Responses in Part 4 will be evaluated and scored as shown in Table F2 below.

Section 4.1 Infrastructure (Section weighting 60% of total score for Part 4)		
	Weighting	
Question 4.1.1 Delivery of Complex Public Private Partnership Projects	25%	100% total
Question 4.1.2 Experience in Design and Construction of Major Infrastructure Projects	50%	
Question 4.1.3 Operation and Maintenance of Projects	25%	
Section 4.2 Toll Collection (Section weighting 10% of total score for Part 4)		
	Weighting	
Question 4.2.1 TCS Design, Installation and Commissioning Capability	45%	100% total
Question 4.2.2 TCS Operations and Maintenance Capability	55%	
Section 4.3 Commercial Policy Support (Section weighting 20% of total score for Part 4)		
	Weighting	
Question 4.3.1 Demand Management and Pricing Strategy	50%	100% total
Question 4.3.2 Tolling Policy Support	50%	
Section 4.4 Raising Finance (Section weighting 5% of total score for Part 4)		
	Weighting	
Question 4.4.1 Raising Finance	100%	100% total

Section 4.5 Management Systems and Resources (Section weighting 5% of total score for Part 4)		
	Weighting	
Question 4.5.1 Management Systems	55%	100% total
Question 4.5.2 Selection of Supply Chain Members	45%	

Table F2 – Scoring and weighting of Part 4

Evaluation grades and scores

Each question within Part 4 will be graded as shown below in Table F3 and scores will be allocated to grades as shown with a maximum score of 10 and a minimum score of 0.

Grade	Score
Unacceptable	0
Weak	1
Acceptable	5
Good	8
Excellent	10

Table F3 – Grades and scores for Part 4

Evaluation criteria for each question in Part 4 are given later in this Appendix F. Where appropriate, an evaluation matrix for the question is also given. Note that where both technical capacity and experience, qualities and resources are evaluated in the same response, the overall response grade will be determined by the lowest grade for any aspect of the evaluation criteria, i.e. if a particular response demonstrates good technical capacity but weak experience, the overall grade awarded will be “weak”. Scores between grades will not be permitted.

The Candidates’ responses to the questions in Part 4 of the PQQ will be evaluated and graded separately by at least two evaluators. The results will then be moderated to achieve a moderated grading and score for each question. The moderated scores will then be combined as described below to produce a weighted total score for Part 4.

Total score for Part 4

The moderated score for each question within a section will be combined using the weightings given in Table F2 to give the weighted score for the section.

The weighted score for each section will be combined using the weightings given in Table F1 to give the total score for Part 4. Scores will be calculated to two decimal places. The total score will have a maximum value of 10.

An example is shown below in Table F4:

Section 4.1 Infrastructure (Section weighting 60% of total score for Part 4)					
	Moderated Score	Weighting	Weighted Section Score	Section 4.1 Weighting	To Total Score
Question 4.1.1	5	25%	(5x0.25)+ (8x0.5)+ (5x0.25) = 6.5	60%	3.90
Question 4.1.2	8	50%			
Question 4.1.3	5	25%			
Section 4.2 Toll Collection (Section weighting 10% of total score for Part 4)					
	Moderated Score	Weighting	Weighted Section Score	Section 4.2 Weighting	To Total Score
Question 4.2.1	10	45%	(10x0.45)+ (8x0.55) = 8.9	10%	0.89
Question 4.2.2	8	55%			
Section 4.3 Commercial Policy Support (Section weighting 20% of total score for Part 4)					
	Moderated Score	Weighting	Weighted Section Score	Section 4.3 Weighting	To Total Score
Question 4.3.1	5	50%	(5x0.5) + (8x0.5) = 6.5	20%	1.30
Question 4.3.2	8	50%			
Section 4.4 Raising Finance (Section weighting 5% of total score for Part 4)					
	Moderated Score	Weighting	Weighted Section Score	Section 4.3 Weighting	To Total Score
Question 4.4.1	10	100%	10	5%	0.50

Section 4.5 Management Systems and Resources (Section weighting 5% of total score for Part 4)					
	Moderated Score	Weighting	Weighted Section Score	Section 4.1 Weighting	To Total Score
Question 4.5.1	5	55%	$(5 \times 0.55) + (8 \times 0.45) = 6.35$	5%	0.32
Question 4.5.2	8	45%			

Table F4 – Example showing scoring and weighting of Part 4

The total score for Part 4 from the example shown in Table F4 is 6.91.

Evaluation criteria

Section 4.1 Infrastructure

Candidates are encouraged to ensure that their selected projects demonstrate their experience in dealing with all the areas highlighted in the questions. It is noted that the Candidates do not need to demonstrate specific experience in UK road or bridge construction but should demonstrate experience that shows that they have relevant experience in undertaking or procuring and managing construction of projects that pose similar challenges to the Project.

The evaluation and scoring of the responses in this section will reward responses which describe projects which together demonstrate that the Candidate (if a Single Economic Operator) or the Group Members of a Candidate (who is a Group of Economic Operators) are between them capable of taking responsibility for all aspects of service delivery in a robust and effective manner. Further recognition will also be given to a Group of Economic Operators that demonstrates the capability of its Group Members working in partnership to deliver projects of similar nature and similar or greater size and scale as the Project.

Question 4.1.1 Delivery of Complex Public Private Partnership Projects

The following evaluation matrix (Table F5) will be used for question 4.1.1 (Delivery of Complex Public Private Partnership Projects).

Grade	How well does the response demonstrate adequate technical capacity and appropriate experience, qualities and resources to undertake the Project?	Score
Unacceptable	The response fails to demonstrate acceptable delivery of projects of similar complexity to the Project and similar projects delivered through PPP.	0
Weak	The response demonstrates some experience of projects of similar complexity to the Project and some experience in similar projects delivered through PPP but fails to demonstrate acceptable experience in all aspects of delivery, including cost and programme control, design, construction and operation, effective stakeholder liaison and dealing with planning matters.	1
Acceptable	The response demonstrates acceptable delivery in all aspects of at least one project of similar scale, nature and complexity to the Project and delivered through PPP. Evidence also provided to demonstrate acceptable experience in the following areas: • ability to meet deadlines, control costs and delivery to the required quality and acceptable experience in establishing and operating an effective integrated management system; • evidence of innovation and best value in design, construction and operation; • evidence of experience in the engagement with stakeholders and the community, managing public relations and publicity; and • evidence of experience of the preparation and submission of planning applications and discharge of planning conditions in the UK, or equivalent experience under a planning regulatory system of similar complexity.	5

Grade	How well does the response demonstrate adequate technical capacity and appropriate experience, qualities and resources to undertake the Project?	Score
	‘Acceptable’ will be determined with reference to the quality of project examples provided and their relevance to projects of a similar scale, nature and complexity to the Project.	
Good	The response demonstrates good experience of successful delivery in all aspects of a multiple number of projects of similar scale, nature and complexity to the Project and delivered through PPP. Evidence also provided to demonstrate good experience in the following areas: • ability to meet deadlines, control costs and delivery to the required quality and good experience in establishing and operating an effective integrated management system; • evidence of innovation and best value in design, construction and operation; • evidence of experience in the engagement with stakeholders and the community, managing public relations and publicity; and • evidence of experience of the preparation and submission of planning applications and discharge of planning conditions in the UK, or equivalent experience under a planning regulatory system of similar complexity. ‘Good’ will be determined with reference to the quality of project examples provided and their relevance to projects of a similar scale, nature and complexity to the Project.	8
Excellent	The response demonstrates excellent experience of successful delivery in all aspects of a multiple number of projects of similar scale, nature and complexity to the Project and delivered through PPP. Evidence also provided to demonstrate excellent experience in the following areas:	10

Grade	How well does the response demonstrate adequate technical capacity and appropriate experience, qualities and resources to undertake the Project?	Score
	• ability to meet deadlines, control costs and delivery to the required quality and excellent experience in establishing and operating an effective integrated management system; • evidence of innovation and best value in design, construction and operation; • evidence of experience in the engagement with stakeholders and the community, managing public relations and publicity; and • evidence of experience of the preparation and submission of planning applications and discharge of planning conditions in the UK, or equivalent experience under a planning regulatory system of similar complexity. ‘Excellent’ will be determined with reference to the quality of project examples provided and their relevance to projects of a similar scale, nature and complexity to the Project.	

Table F5 – Evaluation Matrix for Question 4.1.1**Question 4.1.2 Experience in Design and Construction of Major Infrastructure Projects**

The following evaluation matrix (Table F6) will be used for Question 4.1.2 (Experience in Design and Construction of Major Infrastructure Projects).

Grade	How well does the response demonstrate adequate technical capacity and appropriate experience, qualities and resources to undertake the Project?	Score
Unacceptable	The response fails to demonstrate acceptable experience in the design plus construction of major infrastructure projects that include a cable-supported bridge in tidal or marine conditions and with a main span over 200 m in length, design plus construction of highway works of construction value greater than £100m and design plus construction of transportation projects that include integrated tolling infrastructure.	0
Weak	The response demonstrates acceptable experience in some but not all of the types of project stated, those being: design plus construction of major infrastructure projects that include a cable-supported bridge in tidal or marine conditions and with a main span over 200 m in length, and, either as part of the same project or a separate project, design plus construction of highway works of construction value greater than £100m and, either as part of the same project or a separate project, design plus construction of transportation projects that include integrated tolling infrastructure.	1
Acceptable	The response demonstrates acceptable experience through evidence of at least one project in each of the types stated, being: design and construction of major infrastructure projects which include a cable-supported bridge in tidal or marine conditions and with a main span over 200 m in length, and design plus construction of highway works of construction value greater than £100m and, either as part of the same project or a separate project, design and construction of transportation projects that include integrated tolling infrastructure.	5

Grade	How well does the response demonstrate adequate technical capacity and appropriate experience, qualities and resources to undertake the Project?	Score
	In addition, the Candidate shall also demonstrate acceptable experience in each of the following areas: - the areas of expertise listed under question 4.1.2(a) covering the design plus construction of cable-stayed bridges, and - the areas of expertise listed under question 4.1.2(b) covering the environmental management of large complex projects in sensitive tidal and marine habitats and working in former industrial sites with contaminated land. The Candidate provides evidence of acceptable experience of successfully working in partnership on design, construction and operation of infrastructure works similar to the Project. ‘Acceptable’ will be determined with reference to the quality of project examples provided and their relevance to projects of a similar scale, nature and complexity to the Project.	
Good	The response demonstrates good experience through evidence from more than one project in each of the types stated, those being: design plus construction of major infrastructure projects which include a cable supported bridge in tidal or marine conditions and with a main span over 200 m in length; design plus construction of highway works of construction value greater than £100m; and design plus construction of transportation projects that include integrated tolling infrastructure. Additional consideration will be given where the experience is on the same project. In addition, the Candidate shall also demonstrate good experience in each of the following areas: the areas of expertise listed under question 4.1.2(a) in the design plus construction of cable-stayed bridges, and	8

Grade	How well does the response demonstrate adequate technical capacity and appropriate experience, qualities and resources to undertake the Project?	Score
	the areas of expertise listed under question 4.1.2(b) in the environmental management of large complex projects in sensitive tidal and marine habitats and working in former industrial sites with contaminated land. The Candidate provides evidence of good experience of successfully working in partnership on design, construction and operation of infrastructure works similar to the Project. ‘Good’ will be determined with reference to the quality of project examples provided and their relevance to projects of a similar scale, nature and complexity to the Project.	
Excellent	The response demonstrates excellent experience through evidence from a multiple number of projects in each of the types stated, those being: design plus construction of major infrastructure projects which include a cable supported bridge in tidal or marine conditions and with a main span over 200 m in length; design plus construction of highway works of construction value greater than £100m; and design plus construction of transportation projects that include integrated tolling infrastructure. Additional consideration will be given where the experience is on the same project. In addition, the Candidate shall also demonstrate excellent experience in each of the following areas: - the areas of expertise listed under question 4.1.2(a) in the design plus construction of cable-stayed bridges, and - the areas of expertise listed under question 4.1.2(b) in the environmental management of large complex projects in sensitive tidal and marine habitats and working in former industrial sites with contaminated land.	10

Grade	How well does the response demonstrate adequate technical capacity and appropriate experience, qualities and resources to undertake the Project?	Score
	The Candidate provides evidence of excellent experience of successfully working in partnership on design, construction and operation of infrastructure works similar to the Project. ‘Excellent’ will be determined with reference to the quality of project examples provided and their relevance to projects of a similar scale, nature and complexity to the Project.	

Table F6 – Evaluation Matrix for Question 4.1.2**Question 4.1.3 Operation and Maintenance of Projects**

The following evaluation matrix (Table F7) will be used for question 4.1.3 (Operation and Maintenance of Projects). Note that this question does not include the evaluation of the TCS aspects of the Candidates’ response; this is covered in question 4.2.2.

Grade	How well does the response demonstrate adequate technical capacity and appropriate experience, qualities and resources to undertake the Project?	Score
Unacceptable	The response demonstrates a capability in asset management of highways but no capability in major structures. The response fails to demonstrate an understanding of a whole-life approach to asset management. The response fails to demonstrate the importance of safety in O&M. The response fails to demonstrate a capability in managing environmental issues in O&M.	0
Weak	The response demonstrates a capability in asset management of highways including major structures but not long-span cable supported bridges.	1

Grade	How well does the response demonstrate adequate technical capacity and appropriate experience, qualities and resources to undertake the Project?	Score
	The response demonstrates a limited understanding of a whole-life approach to asset management. The response demonstrates safety as medium priority in the conduct of O&M. The response demonstrates limited capability in managing environmental issues in O&M.	
Acceptable	The response demonstrates a capability in asset management of highways including long-span cable supported bridges. The response demonstrates an understanding of a whole-life approach to asset management. The response demonstrates an understanding that planned maintenance is driven by a clearly defined inspection and reporting regime. The response demonstrates safety as high priority in the conduct of O&M. The response demonstrates an approach to O&M commensurate with sensitive environmental management.	5
Good	The response demonstrates a capability in asset management of highways including long-span cable supported bridges and in development and maintenance of asset management systems. The response demonstrates innovation to provide best value for the client. The response demonstrates an understanding of a whole life approach to asset management and an understanding that any asset requires routine and preventative maintenance to enable it to achieve its design life. The response demonstrates an understanding that planned maintenance is driven by a clearly defined inspection and reporting regime.	8

Grade	How well does the response demonstrate adequate technical capacity and appropriate experience, qualities and resources to undertake the Project?	Score
	The response demonstrates safety as high priority in the conduct of O&M and evidence is provided of a good accident record. The response demonstrates an approach to O&M commensurate with sensitive environmental management. The response demonstrates an ability to resource O&M teams.	
Excellent	The response demonstrates a capability in asset management of highways including long-span cable supported bridges and in development and maintenance of asset management systems. The response demonstrates highly innovative techniques to ensure best value for the client. The response demonstrates an understanding of a whole life approach to asset management and an understanding that any asset requires routine and preventative maintenance to enable it to achieve its design life. The response also demonstrates an understanding that attention at design stage to matters of accessibility, maintainability and durability and at construction stage to matters of workmanship is critical to a structure achieving its design life. The response demonstrates an understanding that planned maintenance is driven by a clearly defined inspection and reporting regime. The response demonstrates safety as high priority in the conduct of O&M and evidence is provided of an excellent accident record. The response also demonstrates an understanding that well planned safe access is critical for both operator and maintainer. The response demonstrates a fully integrated approach to the management of environmental issues in the conduct of O&M and consideration of such issues is at the heart of all decision making.	10

Grade	How well does the response demonstrate adequate technical capacity and appropriate experience, qualities and resources to undertake the Project?	Score
	The response demonstrates an ability to resource O&M teams and maintain continuity of personnel over extended periods.	

Table F7 – Evaluation Matrix for Question 4.1.3**Section 4.2 Toll Collection**

Candidates are advised that the evaluation of the questions in this section will, in addition to the overall strength of the Candidate's portfolio of projects, take account of the Candidate's experience of:

- Toll Collection Systems (TCS) of similar nature and similar or greater size and scale to the open road toll collection system proposed for use in the Project (as described in the Prequalification Document) with a particular emphasis on:
 - the means by which customers can pay their tolls;
 - the type of TCS; and
 - the size and scale of the Toll Collection System (TCS);
- projects where demand risk is retained by the public authority and the Candidate works in partnership in an advisory capacity to help maximise toll revenue; and
- high profile public projects.

Candidates are encouraged to ensure that their selected projects demonstrate their experience in dealing with the above issues.

The following evaluation matrix (Table F8) will be used for question 4.2.1 (TCS Design, Installation and Commissioning Capability).

Grade	How well does the response demonstrate adequate technical capacity and appropriate experience, qualities and resources to undertake the Project?	Score
Unacceptable	The response fails to demonstrate acceptable technical capability or experience in TCS design, in TCS installation and in TCS commissioning.	0
Weak	The response demonstrates acceptable technical capability or experience in at least one of TCS design, TCS installation or TCS commissioning.	1
Acceptable	The response demonstrates acceptable technical capability and experience in the TCS design, TCS installation and TCS commissioning. In order to demonstrate ‘acceptable’ technical capability and experience, Candidates should be able to show evidence of the following as a minimum: • meaningful involvement in each of TCS design, TCS installation and TCS commissioning in at least one project, and • experience with designing, installing and commissioning different types of TCS. ‘Acceptable’ will be determined with reference to the quality of project examples provided and their relevance to the open road toll collection system proposed for use in the Project (as described in the Prequalification Document).	5
Good	The response demonstrates good technical capability and experience in each of: • TCS design, installation and commissioning, and • the ability to resource the management, design and commissioning of TCS schemes. ‘Good’ will be determined with reference to the quality of project examples provided and their relevance to the open road toll collection system proposed for use in the Project (as described in the Prequalification Document).	8

Grade	How well does the response demonstrate adequate technical capacity and appropriate experience, qualities and resources to undertake the Project?	Score
Excellent	The response demonstrates excellent technical capability and experience in each of: • TCS design, installation and commissioning, and • the ability to resource the management, design and commissioning of TCS schemes. ‘Excellent’ will be determined with reference to the quality of project examples provided and relevance to the open road toll collection system proposed for use in the Project (as described in the Prequalification Document). Candidates must demonstrate excellent capability and experience in each of the above to achieve an overall mark of ‘excellent’.	10

Table F8 – Evaluation Matrix for Question 4.2.1

The following evaluation matrix (Table F9) will be used for question 4.2.2 (TCS Operations and Maintenance Capability).

Grade	How well does the response demonstrate adequate technical capacity and appropriate experience, qualities and resources to undertake the Project?	Score
Unacceptable	The response fails to demonstrate acceptable capability or experience in TCS operations and in TCS maintenance.	0
Weak	The response fails to demonstrate acceptable capability or experience in either TCS operations or TCS maintenance.	1
Acceptable	The response demonstrates acceptable capability and experience in both TCS operation and maintenance. In order to demonstrate ‘acceptable’ capability and experience, Candidates should be able to show evidence of the following as a minimum: • meaningful involvement in TCS operation in at least one project, and	5

Grade	How well does the response demonstrate adequate technical capacity and appropriate experience, qualities and resources to undertake the Project?	Score
	• meaningful involvement in TCS maintenance in at least one project. ‘Acceptable’ will be determined with reference to the quality of project examples provided, their relevance to the operation and maintenance of the open road toll collection system proposed for use in the Project (as described in the Prequalification Document), and the length of time over which the services have been provided.	
Good	The response demonstrates good capability and experience in each of: • TCS operation; • TCS maintenance; and • the ability to resource TCS operations and maintenance. ‘Good’ will be determined with reference to the quality of project examples provided, their relevance to the operation and maintenance of the open road toll collection system proposed for use in the Project (as described in the Prequalification Document), and the length of time over which the services have been provided.	8
Excellent	The response demonstrates excellent capability and experience in each of: • TCS operation; • TCS maintenance; and • the ability to resource TCS operations and maintenance. ‘Excellent’ will be determined with reference to the quality of project examples provided, their relevance to the operation and maintenance of the open road toll collection system proposed for use in the Project (as described in the Prequalification Document), and the length of time over	10

Grade	How well does the response demonstrate adequate technical capacity and appropriate experience, qualities and resources to undertake the Project?	Score
	which the services have been provided. Candidates must demonstrate excellent capability and experience in each of the above to achieve an overall mark of 'excellent'.	

Table F9 – Evaluation Matrix for Question 4.2.2**Section 4.3 Commercial Policy Support****Question 4.3.1 Demand Management and Pricing Strategy**

Candidates are advised that the evaluation of this question will, in addition to the overall strength of the Candidate's portfolio of projects, take account of the Candidate's experience of:

- Projects of a similar nature and similar or greater size and scale to the Project;
- Projects where the Candidate has taken a leading role in charging strategies;
- Optimisation of revenue generation; and
- Projects where tools to forecast traffic levels have been used, and the Candidate's experience of setting or recommending charging structures as a result of that data.

Candidates are encouraged to ensure that their selected projects demonstrate their experience in dealing with the above issues.

The following evaluation matrix (Table F10) will be used for question 4.3.1 (Demand Management and Pricing Strategy).

Grade	How well does the response demonstrate appropriate experience, qualities and resources in demand management and pricing to undertake the Project?	Score
Unacceptable	The response fails to demonstrate that the Candidate has undertaken a project of a similar nature to the Project, or undertaken a leading role in charging strategies, optimised revenue generation or forecasts traffic levels or set charging structures.	0

Grade	How well does the response demonstrate appropriate experience, qualities and resources in demand management and pricing to undertake the Project?	Score
Weak	The response contributes to a weak extent towards demonstrating that the Candidate has experience of taking a leading role in charging strategies, optimising revenue generation or using tools to forecast traffic levels and then using the resulting information to set or recommend charging structures. The Candidate does not have experience in all of the criteria above, or the majority of their examples are not of a similar nature and similar or greater size or scale to the Project.	1
Acceptable	The response contributes to an acceptable extent towards demonstrating that the Candidate has experience of taking a leading role in charging strategies, experience of optimising revenue generation and using tools to forecast traffic levels and using the resulting information to set or recommend a charging structure. The Candidate's experience is broad, however not all projects are of a similar nature and similar or greater size or scale to the Project.	5
Good	The response contributes to a good extent towards demonstrating that the Candidate has experience of projects where the Candidate has taken a leading role in charging strategies, they have experience of optimising revenue generation and have used tools to forecast traffic levels and have experience of setting or recommending charging structures as a result. The Candidate's examples are all of a similar nature and similar or greater size and scale to the Project.	8
Excellent	The response contributes to an excellent extent towards demonstrating that the Candidate provides experience where the Candidate has taken a leading role in charging strategies, they have extensive experience of optimising revenue generation and have used tools to forecast traffic levels and have extensive experience of setting or recommending charging structures as a result. The Candidate provides examples that are of a similar nature and similar or greater size and scale to the Project. The examples also demonstrate the Group Members' experience of working together successfully, if applicable.	10

Table F10 – Evaluation Matrix for Question 4.3.1

Question 4.3.2 Tolling Policy Support

Candidates are advised that the evaluation of this question will, in addition to the overall strength of the Candidate's portfolio of projects, take account of the Candidate's experience of:

- Projects of similar nature and similar or greater size and scale to the Project;
- Projects where the Candidate has taken an active role in forming a partnership with the public authority;
- Projects where the Candidate has taken an active role in advising the public authority on tolling or other pricing strategy;
- Projects where the Candidate has overcome pitfalls when working as part of a partnership with the public authority;
- A description of incentive mechanisms used on past projects, and their effectiveness; and
- Projects where the Candidate has actively worked with the public authority to meet social policy objectives, such as discounts for frequent users, or making the project accessible to all users.

Candidates are encouraged to ensure that their selected projects demonstrate their experience in dealing with the above issues.

The Council recognises a clear potential for overlap between questions 4.3.1 and 4.3.2, which are inherently designed to test experience of demand management from the position of risk bearer (question 4.3.1) and where the risk lies elsewhere but nonetheless has been supported actively by the Candidate (question 4.3.2). In some cases, it may be appropriate to note the same project under each question and Candidates will not be marked down for doing so. In particular, the Council recognises that five project examples are the maximum to be provided for each but that adequate evidence may be provided by reference to fewer projects.

The following evaluation matrix (Table F11) will be used for question 4.3.2 (Tolling Policy Support).

Grade	How well does the response demonstrate appropriate experience, qualities and resources in tolling policy support?	Score
Unacceptable	The response fails to demonstrate that the Candidate has taken an active role in forming a partnership with the public authority, in advising the public authority on tolling or any other strategy including enforcement regimes, overcome any	0

Grade	How well does the response demonstrate appropriate experience, qualities and resources in tolling policy support?	Score
	pitfalls when working as part of a partnership with the public authority, cannot describe any incentive mechanisms used in the past and their effectiveness or where the Candidate has worked with the public authority to meet social policy objectives.	
Weak	The response contributes to a weak extent towards demonstrating that the Candidate has taken an active role in forming a partnership with the public authority, in advising the public authority on tolling or any other strategy including enforcement regimes, overcome any pitfalls when working as part of a partnership with the public authority, can describe any incentive mechanisms used in the past and their effectiveness or where the Candidate has worked with the public authority to meet social policy objectives. The Candidate does not have experience in all of the criteria above, or the majority of their examples are not of a similar nature and similar or greater size or scale to the Project.	1
Acceptable	The response contributes to an acceptable extent towards demonstrating that the Candidate has taken an active role in forming a partnership with the public authority, in advising the public authority on tolling or any other strategy including enforcement regimes, overcome any pitfalls when working as part of a partnership with the public authority, describes any incentive mechanisms used in the past and their effectiveness or where the Candidate has worked with the public authority to meet social policy objectives. The Candidate's experience is broad, however not all projects are of a similar nature and similar or greater size or scale to the Project.	5
Good	The response contributes to a good extent towards demonstrating that the Candidate has taken an active role in forming a partnership with the public authority, in advising the public authority on tolling or any other strategy including enforcement regimes, overcome any pitfalls when working as part of a partnership with the public authority, describes	8

Grade	How well does the response demonstrate appropriate experience, qualities and resources in tolling policy support?	Score
	any incentive mechanisms used in the past and their effectiveness or where the Candidate has worked with the public authority to meet social policy objectives. The Candidate's examples are all of a similar nature and similar or greater size and scale to the Project.	
Excellent	The response contributes to an excellent extent towards demonstrating that the Candidate provides experience where the Candidate has taken an active role in forming a partnership with the public authority, in advising the public authority on tolling or any other strategy including enforcement regimes, overcome any pitfalls when working as part of a partnership with the public authority, describes any incentive mechanisms used in the past and their effectiveness or where the Candidate has worked with the public authority to meet social policy objectives. The Candidate provides examples that are of a similar nature and similar or greater size and scale to the Project. The examples also demonstrate the Group Members' experience of working together successfully, if applicable.	10

Table F11 – Evaluation Matrix for Question 4.3.2**Section 4.4 Raising Finance****Question 4.4.1 Raising Finance**

Candidates are advised that the evaluation of the question in this section will, in addition to the overall strength of the Candidate's experience, take specific account of whether experience and projects cited are projects of similar nature, and similar or greater size, scale and profile to the Project.

The following evaluation matrix (Table F12) will be used for question 4.4.1 (Raising Finance).

Grade	How well does the response demonstrate appropriate experience, qualities and resources in raising finance?	Score
Unacceptable	The response fails to demonstrate that the Candidate has experience of developing and implementing competitive financing plans, fails to describe the Candidate's approach to engagement with lenders, any challenges overcome when securing financing and the mitigation of adverse movements, any experience of projects that were in part financed by the European Investment Bank, the approach to provision of sponsor and third party equity, any lessons learned and the approach taken to hedging interest and inflation risk. The response fails to mention any relationship banks or strong relationships with any funders.	0
Weak	The response fails to demonstrate that the Candidate has experience of all of the following criteria, or the majority of their examples are not of a similar nature and similar or greater size or scale to the Project: developing and implementing competitive financing plans, describes the Candidate's approach to engagement with lenders, any challenges overcome when securing financing and the mitigation of adverse movements, any experience of projects that were in part financed by the European Investment Bank, the approach to provision of sponsor and third party equity, any lessons learned and the approach taken to hedging interest and inflation risk. The response demonstrates a weak relationship with funders.	1
Acceptable	The response contributes to an acceptable extent towards demonstrating that the Candidate has experience of developing and implementing competitive financing plans, describes the Candidate's approach to engagement with lenders, any challenges overcome when securing financing and the mitigation of adverse movements, any experience of projects that were in part financed by the European Investment Bank, the approach to provision of sponsor and third party equity, any lessons learned and the approach taken to hedging interest and inflation risk. The Candidate's experience is broad, however not all projects are of a similar nature and similar or greater size or scale to the Project. The response mentions relationship banks.	5

Grade	How well does the response demonstrate appropriate experience, qualities and resources in raising finance?	Score
Good	The response contributes to a good extent towards demonstrating that the Candidate has experience of developing and implementing competitive financing plans, describes the Candidate's approach to engagement with lenders, any challenges overcome when securing financing and the mitigation of adverse movements, any experience of projects that were in part financed by the European Investment Bank, the approach to provision of sponsor and third party equity, any lessons learned and the approach taken to hedging interest and inflation risk. The Candidate's examples are all of a similar nature and similar or greater size and scale to the Project. The response mentions relationship banks, and demonstrates past experience with them.	8
Excellent	The response contributes to an excellent extent towards demonstrating that the Candidate provides experience of projects where the Candidate has experience of developing and implementing competitive financing plans, describes the Candidate's approach to engagement with lenders, any challenges overcome when securing financing and the mitigation of adverse movements, any experience of projects that were in part financed by the European Investment Bank, the approach to provision of sponsor and third party equity, any lessons learned and the approach taken to hedging interest and inflation risk. The Candidate provides examples that are all of a similar nature and similar or greater size and scale to the Project. The examples also demonstrate the Group Members' experience of working together successfully, if applicable. The response mentions relationship banks and demonstrates that the Candidate regularly works with them.	10

Table F12 – Evaluation Matrix for Question 4.4.1

Section 4.5 Management Systems and Resources

Question 4.5.1 Management Systems

Candidates are advised that the evaluation of this question will be based upon the provision of valid certification or evidence of verifiable and documented management systems operated.

The evaluation matrix shown below (Table F13) will be used for question 4.5.1 (Management Systems).

Management Systems Evaluation Matrix		
Grade	How well does the response contribute towards demonstrating the standards required to undertake the Project?	Score
Unacceptable	The response indicates that none of the certifications (or recognised equivalents) are held by the Candidate or any Group Members or Relevant Organisations.	0
Weak	The response indicates that some, but not all, of the certifications (or recognised equivalents) are held by the Candidate and any Group Members and Relevant Organisations.	1
Acceptable	The response indicates that all of the certifications (or recognised equivalents) are held by the Candidate and any Group Members and Relevant Organisations but none of these hold all.	5
Good	The response indicates that all of the certifications (or recognised equivalents) are held by the Candidate and any Group Members and Relevant Organisations and cover all locations from which work in connection with the Project will be delivered.	8
Excellent	The response indicates that all of the certifications (or recognised equivalents) are held by the Candidate and any Group Members and Relevant Organisations and cover all locations from which work in connection with the Project will be delivered.	10

Management Systems Evaluation Matrix		
Grade	How well does the response contribute towards demonstrating the standards required to undertake the Project?	Score
	The Candidate has a certified Integrated Management System incorporating Quality, Environmental and Health and Safety.	

Notes:

1. Where the Candidate or any Group Members or Relevant Organisations have an uncertified but verifiable and documented management system in lieu of certification or are currently seeking certification, a maximum score of 5 will be assigned.

Table F13 – Evaluation Matrix for Question 4.5.1

Question 4.5.2 Selection of Supply Chain Members

The evaluation matrix shown below in Table F14 will be used for question 4.5.2 (Selection of Supply Chain Members).

Grade	How well does the response demonstrate the required technical capacity and appropriate experience, qualities and resources of the Candidate to undertake the Project?	Score
Unacceptable	The response fails to supply a description of supply chain appointment procedures and does not demonstrate experience of successful supply chain management.	0
Weak	The response supplies a vague or incomplete description of supply chain appointment procedures and demonstrates no or weak experience of successful supply chain management.	1
Acceptable	The response supplies a description of supply chain appointment procedures and demonstrates some experience of successful supply chain management.	5
Good	The response supplies a detailed description of supply chain appointment procedures and demonstrates significant experience of successful supply chain management.	8

Grade	How well does the response demonstrate the required technical capacity and appropriate experience, qualities and resources of the Candidate to undertake the Project?	Score
Excellent	The response supplies a detailed description of a robust approach to supply chain appointment procedures and demonstrates significant experience of highly successful supply chain management.	10

Table F14 – Evaluation Matrix for Question 4.5.2

Appendix G: Details Of Evaluation Of Responses To Part 3 Of PQQ – Financial Standing

Introduction

The economic and financial standing analysis will establish whether a Candidate meets the standards required by the Council for each of the Economic and Financial selection criteria. Only Candidates who meet the minimum selection criteria will have their responses for Part 4 of the PQQ 'Relevant Capability, Qualities and Resources' evaluated. If a Candidate scores 'unacceptable', i.e. a zero, for any of the criteria categories then they will be eliminated from the evaluation process.

The purpose behind financial capability/capacity questions is to assess whether a Candidate is of sufficient size and financial strength to take on obligations under the Project and any associated requirements to raise funding. The primary objective is to assess the risk these applicants pose if the Council were to enter into a contract with them.

As per best practice guidance this evaluation will be kept under review at each subsequent stage of the procurement to ensure that the Bidders' financial standing, based on updated financial information, has not materially worsened since PQQ Submission. This will include a PQQ Submission retest should the composition of a prequalified Group of Economic Operators change at any point during the procurement process.

Treatment of Groups of Economic Operators

The evaluation will be conducted on the Candidate. However, if more than one Group Member is intending to provide material financial resources, investments or services under the contract, they will be deemed to be part of a Group of Economic Operators.

Each Relevant Organisation, including all Group Members of a Group of Economic Operators, must be evaluated. Where Relevant Organisations' resources are relied upon, the evaluation will be completed on the Group Members, which will guarantee the resources necessary to perform the contract.

Treatment of Accounts

Although the Office of Government Commerce guidance states that only the two previous years' accounts need to be analysed for each Economic Operator, due to the volatile economic conditions of recent years, the previous three years of accounts will be examined. This will provide the Council with further information to inform the decision on an Economic Operator's standing and risk position.

In addition to the most recent audited financial statements, the information provided in relation to any post-balance sheet events that would materially affect any of the entries in those statements will be evaluated to the extent that this is provided by the Economic Operator or is otherwise obtained from public sources.

The financial statements and annual reports for the Parent Company of an Economic Operator will be examined where a guarantee, indemnity or undertaking from the Parent

Company is to be provided or where the Economic Operator relies on the Parent Company or Ultimate Parent Company for financial support in any other capacity.

Data Review

The data review is designed to determine whether or not a Candidate's responses comply with the Prequalification Document's basic requirements. The following will be taken into account:

- Completeness of information; and
- Data validation.

Should a Candidate have a significant number of areas of concern or missing data then a clarification will be raised and the data review findings should be taken account of in the evaluation.

Completeness of Information

Candidates are required to submit data in specific formats, covering specified periods and in sufficient depth.

Should the Candidate fail to provide the required information to a standard that satisfies both the detailed evaluation methodology and the express requirements of the Prequalification Document then this fact should be clearly highlighted prior to the detailed evaluation and taken account of in the detailed evaluation.

Data Validation

Where accessible, checks will be made on the Economic Operator's title and the accounts it has registered with regulators (i.e. to check whether the Economic Operator is trading or dormant and whether it is owned by another Economic Operator).

The status of the Economic Operator's accounts will also be determined if possible, that it is the last accounting period for which statements have been filed and whether there are later accounts that are overdue.

Should any conflicts arise from the validation of the Economic Operator, and in turn the Candidate, this should be taken account of in the detailed evaluation.

Detailed Evaluation

The key objective of the evaluation is to analyse a Candidate's financial position and determine the level of risk that they would represent to the Council – having regard to the contract requirements and value. The assessment of risk will be based on business judgement informed by a quantitative evaluation of the financial accounts.

Each selection criteria will be composed of a number of indicators. The indicators will be scored. The selection criteria will be scored by aggregating the indicator score and dividing the total by the number of indicators for the criteria.

The selection criteria that will be examined in the detailed evaluation will comprise the following categories:

- Financial Capacity and Capability;
- Financial Structure;
- Operating Performance; and
- Investment;

These categories will be equally weighted.

Scoring

Each of the categories listed above will have an associated set of financial ratios, listed later in this appendix. Each ratio will be calculated for each year of data provided and given a single score using the table below, on the basis of the professional judgement of the Council and its advisors. The professional judgement will include comparisons to industry norms and the Candidate's peer group and place greater importance on more recent years than earlier ones. The scores for each ratio within a category will then be averaged to arrive at a combined score for that Candidate in that category. Finally, the scores for the categories will be weighted equally to give an overall score for financial standing for the Candidate.

As mentioned previously, if a Candidate scores 'unacceptable', i.e. a zero, for any category then it will be eliminated from the evaluation process.

Financial Standing Evaluation Matrix		
Grade	How well does the response demonstrate adequate economic and financial standing to undertake the Project?	Score
Unacceptable	On the basis of professional judgement, the ratio or other evidence is unacceptable because it fails to demonstrate that the Candidate has the necessary financial capacity and/or has the appropriate experience, qualities and resources to undertake the Project.	0
Weak	On the basis of professional judgement, the ratio or other evidence is considered weak because it weakly demonstrates that the Candidate has the necessary financial capacity and/or the appropriate experience, qualities and resources to undertake the Project.	1

	Financial Standing Evaluation Matrix	
Grade	How well does the response demonstrate adequate economic and financial standing to undertake the Project?	Score
Acceptable	On the basis of professional judgement, the ratio or other evidence is considered acceptable because it acceptably demonstrates that the Candidate has the necessary financial capacity and/or the appropriate experience, qualities and resources to undertake the Project.	5
Good	On the basis of professional judgement, the ratio or other evidence is considered good because it demonstrates well that the Candidate has the necessary financial capacity and/or the appropriate experience, qualities and resources to undertake the Project.	8
Excellent	On the basis of professional judgement, the ratio or other evidence is considered excellent because it excellently demonstrates that the Candidate has the necessary financial capacity and/or the appropriate experience, qualities and resources to undertake the Project.	10

Financial Capability and Capacity

This section requires the following:

- Ratio of the Economic Operator's turnover to the approximate estimated maximum exposure in any one year for the Project.

The turnover test will be calibrated to the likely maximum annual capital expenditure during the construction phase of the Project.

This test will be applied to each financial period for which information is requested. This test is applicable to the proposed main contractor only, and where there is more than one main contractor then the hurdle will be adjusted to take account of the contractors meeting the requirements jointly, rather than individually. The basis for scoring each financial period will be as follows:

Turnover Test	Risk	Ratio to £200m	Score
	Highest Risk	< 2:1	0
	High	2:1 – 3.75:1	1
	Medium to High	3.75:1 – 7.5:1	2
	Medium	7.5:1 – 15:1	5
	Low to Medium	15:1 – 30:1	8
	Lowest Risk	>30:1	10

Financial Structure

Test to assess how the Economic Operator is financed and what risks are presented by the Economic Operator's financial structure. Key elements of the evaluation will be:

- Gearing;
- Current ratio;
- Interest cover (P&L); and
- Interest cover (cash).

Banking facilities (information as requested in PQQ section 3.6) will also be considered within this section. This will be reviewed on a pass/fail basis, the emphasis being on the Candidate's ability to demonstrate sound support from key financiers. The risk associated with persistent breaches of covenants will be assessed on a case by case basis but does not necessarily imply a 'fail'.

The following table will identify the indicators and will be used by the Council to evaluate the Candidate's financial structure.

Indicator	Maximum score
Banking facilities	Pass/Fail
Gearing	10
Current ratio	10
Interest cover (P&L)	10
Interest cover (cash)	10
Sub total	40
Number of indicators	4
Maximum score	10

Definitions of indicators to be used:

Debt/Net Worth

$$(\text{Debt} / \text{Net Worth}) \times 100\% = \%$$

Gearing is a measure of financial leverage, demonstrating the degree to which a firm's activities are funded by owner's funds versus creditor's funds. It is calculated by summing the total short-term and long-term debt obligations divided by the net worth of the firm. The higher a company's degree of leverage, the more the company is considered risky. As for

most ratios, an acceptable level is determined by its comparison to ratios of companies in the same industry. A company with high gearing (high leverage) is more vulnerable to downturns in the business cycle because the company must continue to service its debt regardless of how bad sales are. A greater proportion of equity provides a cushion and is seen as a measure of financial strength.

A lower gearing ratio is more favourable than a higher one, although it is appreciated there is a minimum level of gearing firms will have to maximise firm value through the interest tax shield.

Current Ratio

Current Assets / Current Liabilities

This test provides an indication of the company's ability to meet its short term liabilities (liquidity). Debtor amounts beyond one year, where shown, should be excluded, likewise with creditors. While a ratio of 1:1 is generally considered appropriate, many companies can survive and trade with ratios considerably less than that and others have liquidity problems with ratios well in excess of it. It should be noted that industry average liquidity tends to vary by market sector.

A higher current ratio will be more favourable than a lower current ratio.

Interest Cover (P&L)

Operating Profit / Interest Charges

This shows the number of times available profit covers interest charges and measures the extent to which operating profit can fall without being insufficient to cover the interest charges and thereby create a pre-tax loss. The higher the ratio the better. Consideration should also be given as to whether interest payments are external or inter-company, as the latter usually have a lower level of risk associated with them.

A higher ratio is more favourable than a lower ratio as this indicates the firm has greater headroom to meet its debt interest obligations.

Interest Cover (Cash)

Cash Flow From Operations / Interest Charges

Operating profit in the profit and loss account can be distorted and manipulated by various accounting policies, such as sales recognition policies and depreciation methods. Replacing operating profit with cash flow from operations provides the interest cover metric from a cash perspective as opposed to an accrual perspective. This ratio simply states how much cash (after cash operating costs) the firm has to service debt interest payments.

A higher ratio is more favourable than a lower ratio as this indicates the firm has more headroom to meet its debt interest obligations.

Operating Performance

Test to assess how efficiently the Economic Operator is performing. Key elements of the evaluation will be;

- Return on Capital Employed, Return on Equity, Return on Total Assets;
- Operating Margin; and
- Debtor Days, Creditor Days.

The following table will identify the indicators and will be used by the Council to evaluate the Candidate's operating performance.

Indicator	Maximum score
Return on Capital Employed	10
Return on Equity	10
Return on Total Assets	10
Operating Margin	10
Debtor Days	10
Creditor Days	10
Sub Total	60
Number of indicators	6
Maximum score	10

Definitions of indicators to be used:

Return on Capital Employed (ROCE)

$$(\text{operating profit} / \text{capital employed}) \times 100 = \%$$

ROCE is the most important measure of the overall efficiency of the management of the business because it relates the result of operations to the total funds being used in the business. It avoids the distortions that might arise from different capital and financing structures and therefore gives a measure of the efficiency with which the resources of the business have been utilised irrespective of how they have been financed. It sheds more light on the criticality of gearing and, when compared with the acid test, gives an idea as to the Candidate's vulnerability to take-over and bankruptcy. Capital employed is the total of shareholders' funds and long-term debt or expressed in terms of assets as total assets less current liabilities. Operating profit is used because loans are included in the capital employed and therefore the return on them must be calculated before charging the interest on them.

The higher the ROCE ratio the better.

Return on Equity

$$\text{Net Income} / \text{Net Worth} \times 100\%$$

The amount of net income returned as a percentage of shareholders equity. Return on equity measures a Economic Operator's profitability by revealing how much profit a company generates with the money shareholders have invested. ROE is expressed as a percentage. Net income is for the full fiscal year (before dividends paid to common stock holders but after dividends to preferred stock.) Shareholder's equity does not include preferred shares.

The higher the ratio the better.

Return on Total Assets

$$(\text{operating profit} / \text{total assets}) \times 100 = \%$$

This ratio measures the overall efficiency with which assets are being utilised. Return on assets measures a company's earnings in relation to all of the resources it had at its disposal (the shareholders' capital plus short and long-term borrowed funds).

The higher the ratio the better.

Operating Margin

$$(\text{profit before interest and tax} / \text{turnover}) \times 100 = \%$$

This ratio measures the efficiency of the operating management of the business and indicates the management's ability to generate profits from the business before deducting costs that are unrelated to operating efficiency. The Operating Margin will tend to vary by industry sector and can be skewed by large contracts.

The higher the ratio the better.

Debtor Days

$$(\text{average debtors} \times \text{no. of days in period}) / \text{turnover}$$

This gives an estimate of the number of days between the dates of credit sales and when payment has been received for them. It is a good indicator of the credit trends within the business and of the liquidity of debtors, and will vary by industry sector.

The lower the ratio the better.

Creditor Days

$$(\text{average creditors} \times \text{no. of days in period}) / \text{cost of sales}$$

This ratio gives an estimate of the number of days credit being taken from the Economic Operator. It will vary by industry sector. Within reason, the higher the number the better, although if a company is very slow in paying its creditors (say 100 days plus) it is worth determining if this is because it has problems generating enough cash quickly enough to pay them.

Investment

It is important to determine how the market perceives each Economic Operator's prospects and how each entity is using any cash generated by the business. Key elements of the evaluation will be;

- Price/Earnings ratio;
- Dividend Yield; and
- Cashflow.

For unlisted entities the Price/Earnings ratio and Dividend Yield will not be evaluated, with the available scores for these factors being transferred to Cashflow and therefore scaling up that score.

The following table will identify the indicators and will be used by the Council to evaluate the Candidate's investment performance.

Indicator	Maximum score
Price/Earnings Ratio	10
Dividend Yield	10
Cashflow	10
Subsequent Information	10
Sub Total	40
Number of indicators	4
Maximum score	10

Definitions of indicators to be used:

Price/Earnings Ratio

market price of share / earnings per share

This is the ratio most frequently used by the market in general to assess the relative rating of a share and the Candidate's prospects. The higher the P/E ratio the higher the market's rating of the share. It identifies the number of years' earnings needed to cover the current market price of the share. It should not be used to compare entities in differing industries.

The higher the ratio the better.

Dividend Yield

dividend per share / market price of share

This is the actual yield currently available on investment in the share at the current market price.

A higher ratio signals to the market that company management have a stronger degree of confidence in the prospects of the business, although a lower ratio does not necessarily indicate problems since management may be making investments instead of paying out cash as dividends.

Cash Flow from Operations/EBITDA

EBITDA is commonly used in the investment community as a proxy for cashflow. This relationship tests the strength of the relationship between cashflow from operations and EBITDA. This ratio should be close to 1 and if the ratio is significantly higher or lower than 1, it may be the case that the Candidate is using unusual accounting policies.

Annex: Risk Factors

There are a number of risk factors in each specific area of financial health which may be an indication of deterioration in financial performance.

The evaluator should be careful to test for each risk factor only to the extent where suitable information is available to make a full and informed risk appraisal.

Financial structure	• ongoing financial restructuring issues • adverse movements or trends in key ratios • material issues raised in press • significant declines in liquidity • debt rating downgrades and sub-investment grade ratings • equity analyst downgrades • high gearing levels • falling cash levels • increasing overdraft with static turnover • deteriorating liquidity • over-reliance on short-term debt • heavy write-offs of foreign or subsidiary holdings • poor credit ratings • debt rating downgrades/alerts • adverse press reports
Operating performance	• adverse movements or trends in key ratios • accounts qualified on a going concern basis (parent or entity) • qualified accounts • administration, receivership or liquidation • evidence of insolvent trading • evidence of impropriety • adverse movements or trends in key ratios • material issues raised in press • regulatory body investigations • profit warnings and trading updates • recent management changes • compliance with combined code • falling cash levels • falling profit margins

	• major reductions in staffing • increasing employment with static turnover • increasing debtor and creditor days • larger increases in creditors than debtors • increasing stocks, slower stock turnover • late filing of accounts • unusual accounting policies • changing auditors and bankers excessively • adverse press reports
Investment	• adverse movements or trends in key ratios • material issues raised in press • investment bank prospect reports • adverse press reports

Appendix H: Important Notice

This document is issued by Halton Borough Council (the 'Council') on the terms set out below for the exclusive use of persons interested in submitting a Prequalification Submission (the 'PQQ Submission') in respect of the Project as advertised in the OJEU Notice (the 'Notice') with date of dispatch 20th October 2011.

The information contained in this document and any further documents enclosed with it or to be made available by the Council, or any other information provided whether orally or in writing, in respect of the Project (the 'Disclosed Information') is selective. The Disclosed Information provides information in connection with the Project but does not form the basis of any contract, nor does it constitute an invitation or offer to participate in the Project.

The Disclosed Information is confidential and is made available to each recipient ('Recipient') on this basis. Neither the Disclosed Information (which does not purport to be comprehensive) nor the opinions contained in the Disclosed Information have been independently verified by the Council or its directors, officers, employees, advisers, subsidiaries or agents (collectively the 'Associated Persons'). The Disclosed Information is given in good faith for the guidance of Recipients in completing Prequalification Submissions and is preliminary information only and will be superseded (in due course) by the ITPD documents.

None of the Council, or its Associated Persons, owes any duty of care to any Recipient in relation to the Disclosed Information. Recipients must undertake such investigations as they see fit before deciding whether or not to submit a PQQ Submission in respect of the Project.

None of the Council, or its Associated Persons, makes any express or implied representation or warranty and no responsibility or liability whether in contract, tort, by statute or otherwise howsoever and whether or not arising out of any negligence on the part of the Council, its Associated Persons or any other person (except in the case of fraud) is accepted by any of them with respect to the adequacy, accuracy, reasonableness or completeness of the Disclosed Information.

The Council reserves the right to update, alter, amend or replace the Disclosed Information at any time and without prior notice and undertakes no obligation to provide any Recipient with access to any additional information. The provision of further information will not create an obligation to update or correct this document or to provide any further additional information. No additional time in relation to submission of deadlines for PQQ Submissions will be granted, following notification of any such revision, unless Recipients are expressly notified of any extension by the Council.

The Council expressly reserves the right (i) to suspend or terminate the procurement process for the Project at any time; (ii) without prior discussion with any Recipient to modify the rules and procedures set out in this document or any other procedures relating to the procurement process provided that such modifications will be notified to all Recipients; or (iii) to waive any

of its requirements in respect of the procurement process. The Council may exercise its rights in (i) to (iii) without responsibility or liability to the Recipients resulting from the exercising of such rights, including any liability for any costs or expenditure incurred or inconvenience caused. In no instance will the Council be required to give any reason for such termination or alteration of the procurement process in respect of the Project.

Recipients, Candidates, Bidders and Tenderers will be solely responsible for all costs incurred in connection with their participation in the procurement process in respect of the Project, including the preparation and submission of a PQQ Submission, participation in dialogue, submission of a final tender or other related activity. The Council shall not, in any circumstances, be liable for any costs however incurred by those participating in this procurement or otherwise.

In preparing a PQQ Submission and in signing the declaration in Part 5 of the PQQ Questionnaire, each Recipient (and where applicable any Group Members, Relevant Organisations, Parent Companies and Ultimate Parent Companies):

- agrees to be bound by the conditions set out in this document and elsewhere in the Disclosed Information;
- confirms that it understands that providing false information and omitting to provide information could result in exclusion of the Recipient from the procurement process;
- confirms that it understands that it is a criminal offence, punishable by imprisonment, to give or offer any gift or consideration whatsoever as an inducement or reward to any officer or servant of a public body and also understands that any such action will result in exclusion from the procurement process; and
- acknowledges that it will not enter into any arrangement or agreement with any other Recipient (save to the extent that such Recipients have disclosed to the Council that they are members of a group of Recipients and the nature of such arrangements) to fix or adjust the amount of any tender, the rates and prices quoted within any tender or any other term of such tender, or otherwise to adversely affect the procurement process or the Council.

In the event that at any stage:

- a Recipient or Candidate decides not to pursue its interest;
- the Council notifies a Recipient or Candidate that it will not be invited to participate in the competitive dialogue; or
- the Council discontinues the procurement process,

the Recipient or Candidate shall return the Disclosed Information to the Council or confirm to the Council in writing that it has been destroyed and that all copies have also been returned to the Council or destroyed.

Neither the receipt of the Disclosed Information by any Recipient nor any information contained in it or distributed with it or consequently communicated to any Recipient (or the Recipient's advisers) shall or shall be taken as constituting the giving of investment advice by the Council or its Associated Persons.

Each Candidate grants to the Council a non-exclusive, irrevocable, perpetual, royalty free right to use, copy, modify and adapt the materials the Candidate provides in relation to the procurement process and each Candidate grants sub-licences to any of the Council's Associated Persons a right to do the same provided that the Council and its Associated Persons shall only use the materials provided in connection with this Project. Each Candidate warrants and represents to the Council that any information it provides and the grant of such right, will not infringe the intellectual property rights of any person.

In the event that a Single Economic Operator or a Group of Economic Operators alters its composition (which shall include, but not be limited to, a change in the identity of any entity named in any PQQ Submission) or legal character after prequalifying, the Council reserves the right to require any proposed reconstituted Single Economic Operator or Group of Economic Operators to complete another copy of the PQQ for re-evaluation in accordance with the criteria used in relation to the evaluation of the original PQQ Submission.

Single Economic Operators and Groups of Economic Operators are required to inform the Council immediately of any changes to the information provided in their PQQ Submission. The Council reserves the right to withdraw the prequalified status of a Single Economic Operator or Group of Economic Operators at any time, if the Council believes that the Single Economic Operator or Group of Economic Operators no longer has the required economic and financial standing and/or technical or professional ability, or the Single Economic Operator or Group of Economic Operators is otherwise ineligible in terms of Regulation 23 of the Public Contracts Regulations 2006.

Recipients are instructed to ensure that their participation in this procurement process and their appointment, if successful, as the Project Company (and their use of any advisers, consultants or subcontractors) has not and will not create any conflict of interest or any situation which might compromise the Council's duty to manage an open, fair, non-discriminatory and competitive procurement process and the Council's interests generally. Any conflict or potential conflict shall be reported in writing to the Council.

The Council requires all actual or potential conflicts of interest to be identified (including in particular those rising where a supply chain member or advisor for a Recipient is the same firm, company or is a member of the same group of companies as that proposed by another Recipient, or is working for the Council on this or any other project) and to be resolved to the Council's satisfaction prior to the commencement of the competitive dialogue, or as soon as possible following such conflict of interest becoming apparent.

The declaration of a potential conflict of interest shall not result in the automatic disqualification of a Recipient. The Council will assess the likelihood of any conflict affecting the procurement process (taking into account the Recipient's proposals for dealing with the

conflict) in deciding whether or not to consider the Recipient ineligible to participate in this procurement process. If it appears that the conflict will have such an effect, the Council will discuss the matter with the Recipient and seek to agree a method for dealing with the conflict satisfactorily. In the event that agreement is not reached on terms acceptable to the Council, the Recipient will be excluded from further consideration.

Appendix I: Draft Letter Of Commitment

[ON LETTERHEAD OF ECONOMIC OPERATOR]

[Date]

Mersey Gateway
Halton Borough Council
Municipal Building
Kingsway
Widnes
Cheshire WA8 7QF

Dear Mr Nicholson,

Letter of Commitment in respect of the Mersey Gateway Bridge Project

1. In response to an OJEU notice dated [insert date], **[NAME OF ECONOMIC OPERATOR]** has successfully prequalified through to the competitive dialogue stage of the Mersey Gateway Bridge project.
2. This letter confirms that **[NAME OF ECONOMIC OPERATOR]** has considered the terms of the invitation to participate in dialogue ('ITPD') and the contract documents and is fully committed to:
 - 2.1 participating (and allocating sufficient financial and labour resources to enable such participation) in an open, efficient and constructive competitive dialogue procedure with the Council to discuss and refine **[NAME OF ECONOMIC OPERATOR]**'s technical, risk and pricing proposals for the Project in accordance with sections **[•]** to **[•]** of the ITPD;
 - 2.2 the submission, at call for final tender stage, of a compliant tender submission including (as a minimum) a tender representing value for money for the Council; and
 - 2.3 proceeding to the preferred tenderer and contract award stages of the procurement process in the event that **[NAME OF ECONOMIC OPERATOR]**'s tender submission is identified as the most economically advantageous to the Council.
3. We attach to this letter a resolution of the board of directors of **[NAME OF ECONOMIC OPERATOR]** dated [insert date] authorising the commitments made in paragraph 2 of this letter.

Yours sincerely

.....

[SIGNED ON BEHALF OF THE ECONOMIC OPERATOR]



Mersey Gateway Bridge Project, Halton Borough Council, 3rd Floor,
Waterloo Centre, Waterloo Road, Widnes WA8 0PR.

w: merseygateway.co.uk t: 0151 495 4091 e: mersey.gateway@halton.gov.uk

This project is backed by:

