



BY E-MAIL

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OUR REF: 140225_11833_L01_TENDER EVALUATION

25 FEBRUARY 2014

Dear Peter

SUBJECT: **GRENFELL TOWER, TENDER EVALUATION**

From our review of the recent tenders returned, we have reviewed all three tenders and as you are aware, each have raised clarifications and qualifications that need to be addressed. This has been discussed with Jenny and letters drafted to each of the contractors.

Despite the above, it is our view that Rydon and Durkan's tenders are deemed to be complaint tenders. However, I understand that there is some concern Mulalley's tender may not be compliant and should be rejected. The reasons for this being, they did not submit a programme that delivered the project within the timeframe specified in the preliminaries. Tender Preliminaries Clause A10/110 specified the length of contract to be 14 months from date of site possession and the Contractor is to provide a programme that accords with the dates identified in the tender documents (see Part 3 - Schedule of Key Dates). The schedule of key dates also state that *"In the event that the date for Contract Award is delayed then the duration of the remaining key activities will remain as stated in the table below but the key dates will be adjusted accordingly. All Tenders must be capable of mobilising within the timescales detailed below following Contract Award"*. Mulalley's start on site 09/05/14 and finish 23/11/15 which is an 80 week (approximately 18 months) programme. As they have submitted a programme, my view is that it should be evaluated in accordance with the criteria stated in the tender invitation at 0% on the basis that the response is unacceptable.

Similarly, Mulalley have also failed to submit a price for Part 5 Alternative Design Solution for Cladding as required by the tender. On the basis that they have not submitted a price our evaluation of this element must be 0%.

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- 2 -

25 February 2014

Peter Maddison

The criteria for assessing and scoring tender submissions can only be carried out if the Tender is sufficiently detailed to allow evaluation in accordance with the ITT and Tenders that are not substantially complete or are non-compliant with the submission requirements can, at the Client's sole discretion, be excluded from further consideration. This gives two courses of action, either to exclude Mulalley now for submitting an incomplete and non-compliant tender, which I think would risk a possible challenge from them, or continue to include them in the evaluation process, on the basis that from their current position, even if they excel at interview, they will not be successful in being recommended.

Based on the above, it is our view that there is sufficient detail in Mulalley's tender to allow a fair and proper evaluation. So, we have opted to continue to include them in the evaluation process and notified them that interviews will take place next Friday.

I trust this clarifies the situation, but would be happy to discuss further should you wish.

Yours sincerely



SIMON CASH
DIRECTOR OF COST MANAGEMENT
ARTELIA UK