



Dunbar Boardman

LIFTS ESCALATORS  
DUNBAR AND  
BOARDMAN ACCESS  
EQUIPMENT

**ASSISTANT DIRECTOR (GOVERNANCE)  
DEMOCRATIC SERVICES  
Epping Forest District Council  
Civic Offices  
High Street  
Epping  
Essex CM16 4BZ**

22<sup>nd</sup> November 2017

Dear Assistant Director

**RE: TENDER FOR THE COMPLETE REPLACEMENT OF ONE PASSENGER LIFT & MODERNISATION OF EIGHT PASSENGER LIFTS AT LIMES FARM ESTATE, COPPERFIELD, CHIGWELL, ESSEX IG7 5LE**

Further to the recent tender exercise we have pleasure in providing our summary of the returns as detailed herein and attached summary.

Overview

Epping Forest District Council (EFDC) appointed TÜV SÜD Ltd Dunbar Boardman (TSDB) to provide Professional Engineering Consultancy Services for the Repair and Refurbishment of the Limes Farm Estate Lift Installations.

TSDB produced a Specification setting out the contractual, technical requirements for a 'turn key' contractor to carry out the complete replacement of one passenger lift and modernisation of eight passenger lifts and EFDC requirements for Passenger Lifts Servicing (Including: Preventative, Routine and Reactive Maintenance; Breakdown and Entrapment attendance; Thorough Inspection and Supplementary Testing of Lifting Equipment.

The intent of the TSDB Specification is that the Plant and/or the Works shall be designed, manufactured, supplied, installed and constructed such as to be fit for the purpose of providing Passenger Lift service in compliance with BS EN81-20 and BS EN81-50 requirements as far as is practicable; the Lifts Regulations 2016; EU Lifts Directive 2014/33/EU; Fire Recall Service to BS EN81-73 requirements.

Specific elements of the lift installations, namely; the lift car frame and enclosure, door operator, locking devices, door detector, car and landing doors, landing fascia's, landing architraves and car and landing signal operating devices shall also comply with vandal resistance to BS EN81-71 Category 2 requirements.

The TSDB Specification was reviewed and commented on by EFDC and amended as necessary prior to tender.

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## The Tender

Invitations to tender were issued electronically by TSDB on 3<sup>rd</sup> October 2017 to four contractors, namely Apex Lift & Escalator Engineers Ltd, Axis Elevators Ltd, Essex Lift Services Ltd and Stannah Lift Services Ltd. The documents forming the tender package were;

- a) Letter of invitation.
- b) Confirmation of receipt of tender documents.
- c) Epping Forest District Council Policies.
- d) EDFC Standard Tender Return Label – Lift Replacement & Modernisation.
- e) N.L1700098 – TUV SUD LFE Specification 17\_9\_29
- f) Appendix a - N.L1700098 TUV SUD RA 17\_7\_24.
- g) Appendix b – Specification for Passenger Lifts Servicing Ref - EFDCLift MaintSpec-2017A.
- h) Gifford & Partners drawings; 6641/S/002 REV D, 6641/S/005 REV G, 6641/S/006 REV G, Epping Forest DC drawings; E-055 & A-085).
- i) N.L1700098 – Tuv Sud Tender Return Checklist.

All tenderers were given the opportunity to survey the lifts by prior arrangement with EFDC. Axis Elevators Ltd, Essex Lift Services Ltd and Stannah Lift Services Ltd all attended site and carried out surveys.

Tender returns from Axis Elevators Ltd, Essex Lift Services Ltd and Stannah Lift Services Ltd were sent to the Assistant Director (Governance) Democratic Services, Epping Forest District Council Civic Offices, High Street, Epping, Essex CM16 4BZ no later than 12:00 noon on Friday 3<sup>rd</sup> November 2017.

An official ‘Tender opening’ was conducted by EFDC, the tenders scanned and electronically issued to TSDB by David Mead on Wednesday 8<sup>th</sup> November 2017.

## Tender Analysis

A full breakdown and summary of tender prices and tender return documentation received is appended to this letter.

### Apex Lift & Escalator Engineers Ltd (ALEEL)

On 16<sup>th</sup> October 2017 ALEEL emailed TSDB to confirm “Following a review of the tender documents, location and scope of works, we unfortunately will be declining to tender this opportunity”.

### Axis Elevators Ltd (AEL)

Contractual comments;

- a) Fixed Price; Price fixed until end of April 2019.
- b) Price; In the event of significant currency fluctuations ( $\geq \pm 3\%$ ), AEL reserve the right to re-quote the price to cover movement in cost of materials imported from outside the U.K.
- c) Conditions Precedent to Payment; AEL cannot consent to the provision of bonds, guarantees or collateral warranties as being conditions of payment.

- d) Consequential and Economic Loss; AEL shall have no liability whether in contract, tort (including negligence, breach of contract, non-performance, breach of statutory duty) or otherwise for any consequential, economic or indirect loss, expense or damage which term shall include loss of profit, loss of use, loss of revenue, loss of goodwill, loss of data, loss of production, loss of anticipated business.
- e) Indemnities for General Damages; AEL's aggregate liability in respect of negligence, breach of contract, breach of statutory duty, infringement of intellectual property rights shall be limited to the total order value.
- f) Insurance; AEL do not offer Professional Indemnity insurance.
- g) Liquidated and Ascertained Damages; Liquidated damages shall apply at the rate of 1% of the order value per week of delay to a maximum liability for proven delay of 10% of the order value in full satisfaction of delay whatsoever. Specific terms & conditions will need to be mutually agreed and AEL specifically unacceptance of Liquidated & Ascertained damages as these exceed the recommendations issued LEIA.
- h) Parent Company Guarantee (PCG); AEL are unable to offer a PCG.
- i) Performance Bond; Subject to Conditions Precedent to Payment, a Performance Bond can be offered in AEL standard wording, subject to additional cost.
- j) Retention; AEL offer The Lift and Escalator Industry Association (LEIA) Contract Guarantee in lieu of withholding of retention monies.
- k) Set-Off; AEL will not accept cross set-off provisions.
- l) International Trade Compliance; AEL's offer is subject to the condition that contract partners are not listed with MK Denial.
- m) Collateral Warranties; AEL can provide a collateral warranty in their standard wording.
- n) Payment Terms; AEL would like to discuss and agree mutually-acceptable schedule of payment milestones for the project.
- o) AEL's offer is based on sectional completion with the lifts replaced consecutively based on the program detailed with the invitation and read in conjunction with AEL's completed schedules 10.3, 10.4 and 10.6 of the Specification.

Technical comments;

- a) AEL will test the lifts in accordance with BS: 8486-2:2007+2011.
- b) AEL offer to replace the existing architraves 'like for like' i.e. full depth or standard frame with Vandal Resistant Category 2.
- c) All lifts where the guides rails are being replaced (EFL18 Red Block E, EFL19 Yellow Block B, EFL20 Yellow Block D and EFL21 Yellow Block E) will be provided with complete new systems and therefore CE Marked on completion.
- d) AEL offer 1:1 direct acting 3 stage telescopic hydraulic cylinders for new lift systems.
- e) AEL offer hydraulic system and mechanical package from German manufacturer ALGI, lift control panels from UK manufacturer Lester Controls Ltd, doors and door operator from Italian manufacturer Fermator and pushes and indicators from UK manufacturer Dewhurst.
- f) All the equipment offered is from established manufacturers with a track record of equipment supply into the UK lift market and associated technical and spare parts support.

Programme;

- a) AEL offer a 16-week procurement and manufacture lead time. Based on execution of the contract in December 2017 the first delivery of materials to site would be circa April/May 2018.
- b) AEL offer a 11-week per lift site programme of works. Based on a start on site circa April 2018 and a break in site works between 15<sup>th</sup> Dec and 2<sup>nd</sup> Jan completion would be circa July 2020.
- c) AEL offer the longest overall program of site works of all tenderers.



Price;

- a) AEL have submitted the highest tender price at £833,833.00 (based on TSDB corrected figures).
- b) AEL submitted an optional price of £106,824.00 for the complete replacement of EFL18 Red Block E with a machine room less electric traction passenger lift.

Essex Lift Services Ltd (ELSL)

Contractual comments;

- a) No contractual comments or deviations were stated by ELSL.

Technical comments;

- a) For EFL18 Red Block E have included for replacing the existing, therefore it would be classed as modernisation as opposed to full replacement.
- b) ELSL offer hydraulic system from German manufacturer Allweiler, lift control panels from UK manufacturer Lester Controls Ltd, lift cars from UK manufacturer Bramptons, doors and door operator from German manufacturer Meiller and pushes and indicators from UK manufacturer Dewhurst.
- c) All the equipment offered is from established manufacturers with a track record of equipment supply into the UK lift market and associated technical and spare parts support.

Programme;

- a) ELSL offer an 11-week procurement and manufacture lead time. Based on execution of the contract in December 2017 the first delivery of materials to site would be circa March/April 2018.
- b) ELSL offer a 7-week per lift site programme of works. Based on a start on site circa April 2018 and a break in site works between 15<sup>th</sup> Dec and 2<sup>nd</sup> Jan completion would be circa June 2019.

Price;

- a) ELSL have submitted the lowest tender price of £679,370.51 (based on TSDB corrected figures).
- b) ELSL have not submitted an option cost for complete replacement of EFL18 Red Block E with a machine room less electric traction passenger lift.

Stannah Lift Services Ltd (SLSL)

Contractual comments;

- a) Recitals (A) delete "such as to be fit for the purpose".
- b) Recitals (D) Extent of maintenance to be ascertained. Should not be Comprehensive of existing equipment and should not extend beyond the Defects period after which time a suitable service contract should be entered into.
- c) 4.7: Any works that are the subject of Sub Contract shall be on a domestic basis and the subject of Stannah's standard trade terms.
- d) 13.1.2: Delete "from time to time". Insert "at the date of tender".
- e) 13.1.3: Delete clause.
- f) 15.2: Add at beginning of clause "Without prejudice to the Contractor's right to refer to adjudication".

MF/1 Amendments

- g) 1.4: Lines 34 & 35 to remain.
- h) 5.3: Standard provision to remain.
- i) 6.1: Standard provision to remain.
- j) 11.4: Stannah shall not be responsible for the provision of access, or the adequacy of the Purchaser's existing structure or fittings thereto.

- k) 13.1: Delete “manufacture” and substitute “supply”.
- l) 13.3: First proposed amendment not agreed. (Fit for purpose is an uninsurable risk).
- m) 26.1: Standard provision to remain.
- n) 31.1: Deletion not accepted, alternative proposed to say if Contractor prevented from testing the date for Completion will be amended to accommodate delay.
- o) 31.2: the Purchaser shall not make use of the Works until testing has been carried out successfully.
- p) 33.1(d) Standard provision to remain.
- q) 34.2: Standard provision to remain.
- r) 36.9: Standard provision to remain.
- s) 40.10: Delete additional clause – NOT USED.
- t) 43.7: Standard provision to remain ‘expeditiously’ is an unnecessary subjective term.
- u) 44.4: Standard provision to remain.
- v) 45.1(d) Standard provision to remain.
- w) 46.1(f): Standard provision to remain.
- x) 46.4: Retain sub-clause (c), deletion of sub-clause (e) is accepted.
- y) 47.4a: All insurances are maintained on an “Indemnity to principals” basis.
- z) 51.1(a): Standard provision to remain.
- aa) 51.1(g): It is unclear why reference is made to Scottish Regulations.
- bb) 56.1: Delete “whether the same may or may not be in particularly described in the Specification”.

#### Appendix

- cc) 34.1: The Contractor’s weekly liability shall not exceed 2% of the Value of Section.

#### Technical comments;

- a) Stannah have not fully completed the Tender Particulars Section 10, therefore are not able to carry out full technical evaluation of their tender.
- b) Stannah offer lift control panels from UK manufacturer Lester Controls Ltd, lift cars from UK manufacturer Bramptons, doors and door operator from German manufacturer Wittur.
- c) All the equipment offered is from established manufacturers with a track record of equipment supply into the UK lift market and associated technical and spare parts support.

#### Programme;

- c) Stannah offer an 18-week procurement and manufacture lead time for all lifts except EFL18 Red Block E for which they offer a 24 week lead time. Based on execution of the contract in December 2017 the first delivery of materials to site would be circa May 2018.
- d) Stannah offer a 6-week per lift site programme of works for all lifts except EFL18 Red Block E for which they offer 7-weeks. Based on a start on site circa May 2018 and a break in site works between 15<sup>th</sup> Dec and 2<sup>nd</sup> Jan completion would be circa May 2019.
- e) Stannah offer the shortest overall programme.

#### Price;

- c) Stannah have submitted the middle tender price of £701,556.03 (based on TSDB corrected figures). However, it should be noted that Stannah have not provided prices for TR.6 Item’s B, C & D, which will increase their price.
- d) Stannah submitted an optional price of £85,311.00 for the complete replacement of EFL18 Red Block E with a machine room less electric traction passenger lift.



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## Recommendations

Axis Elevators Ltd have submitted the highest tender price, approximately 19% higher than the lowest and the longest overall programme. Whilst they offer high quality equipment we do not believe that their tender represents best value for money and recommend that their tender is given no further consideration.

Stannah Lift Services Ltd submitted the second highest tender price, approximately 3.2% higher than the lowest. Whilst Stannah offer the shortest overall programme by approximately 4 weeks, they have not fully completed the TR.6 Contract Cost Summary or Tender Particulars, Section 10. From the very limited details they have provided we have not been able to carry out full technical evaluation of their tender. Stannah have also tendered on the basis of numerous amendments to Preliminaries and Conditions of Contract and importantly have deviated from the EFDC Maintenance Specification. We therefore recommend that their tender is given no further consideration.

Essex Lift Services Ltd submitted the lowest tender price, offering high quality equipment from established manufacturers with a track record of equipment supply into the UK lift market and associated technical and spare parts support and we believe offers the best value for money of the tenders received. They are the incumbent maintenance provider with inherent knowledge of the Limes Farm Estate lifts and EFDC processes, which should be beneficial and negate a lot of problems that might be expected with a 'new' contractor. The fact that they already have a working relationship with EFDC may also explained why they have not proposed any amendments to Preliminaries and Conditions of Contract.

We recommend that Epping Forest District Council enter negotiations with Essex Lift Services Ltd to agree mutually acceptable terms to carry out the lift works at the Limes Farm Estate.

We trust that the above meets with your requirements and approval but if you do require any further information or assistance, please do not hesitate to contact the undersigned.

Yours sincerely

FOR AND ON BEHALF OF TÜV SÜD LTD DUNBAR & BOARDMAN

A handwritten signature in blue ink, appearing to read 'Tim Piggott'.

Tim Piggott  
E [tim.piggott@tuv-sud.co.uk](mailto:tim.piggott@tuv-sud.co.uk)  
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Enclosed: N.L1700098 – EFDC – LFE Lift Modernisation\_Replacement Breakdown & Summary of Tender Prices\_17\_11\_22