



2 Information

Contract Reference

T00316HR

Contract Title

Lot One - Occupational Health
Lot Two - Face to Face Counselling
Lot Three – Employee Assistance
Programme

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1 Procurement Information

1.1 Background Information

Torbay Council is seeking imaginative responses for providing Occupational Health, an Employee Assistance Programme and Face to Face Counselling Services to a group of diverse employees who are based at a variety of locations. The Authority is looking for Providers who are flexible in approach to service delivery, with a proven approach to providing Occupational Health Services, an Employee Assistance Programme and Face to Face Counselling.

The procurement opportunity is being divided into 3 Lots.

Lot One – Occupational Health Service

The current Occupational Health Service is being provided by an external provider in a fully managed Occupational Health process which includes a web enabled online referral system and the administration support.

The Authority is looking for applications from Organisations who can provide a service in keeping with the current arrangements.

The Contract is to provide a service to Torbay Authority employees who are based at a variety of locations and is also open to schools and academies and some third parties who buy into the Authority's Human Resources Services.

The schools and academies (approximately 3,200 employees) have delegated budgets under the fair funding arrangements and may decide to make separate arrangements for receiving Occupational Health services. Of the 43 schools and academies who buy into the Authority's Occupational Health Services, one secondary school currently has not opted for the Authority's current arrangements.

Non -School and Academy activity levels for standard, core referral appointments are shown in the table below, however we cannot guarantee exactly how many employees will need to be seen.

Year	Core Authority		Schools		Total Number of Referrals for Each Financial Year
	Number of Referrals for Occupational Health only.	Percentage	Number of Referrals for Occupational Health only.	Percentage	
2012/13	168	64%	93	36%	261
2013/14	217	56%	170	44%	387
2014/15	183	54%	146	46%	329
2015/16	163	54%	140	46%	303
Total	731	57%	549	43%	1280

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The information is a guide to future activity and is provided to assist bidders. The Authority cannot guarantee that the activities will remain or be required at these levels during the contract term. Staffing numbers may increase or decrease during the life of the contract. There is also no guarantee of future usage by schools, academies and other third parties although we continue to develop new business and numbers in this area may increase.

The numbers per annum (based on service usage within the last 12 months) are detailed within 5 Pricing Submission.

Lot Two – Face to Face Counselling Service

The Authority requires a Face to Face Counselling Service which is currently being provided by an external provider who provides their own secure and private location to host all face-to-face/one-to-one Counselling sessions.

The estimated numbers of referrals and estimated number of sessions per annum (based on service usage within the last 12 months) are detailed within 5 Pricing Submission.

Lot Three – Employee Assistance Programme

The Authority also requires a confidential Employee Assistance Programme (EAP) that will provide a support to the Authority, locally based schools, academies and other third parties by qualified and experienced staff, via a helpline on a 24 hours a day/7 days a week (24/7) basis 365 days per year. However, Applicants should please note that this Service will only be awarded as an additional Contract, if it is affordable within the overall available budget, for the required services within Lot 1 and Lot 2 above. Please refer to section 1.4 below.

The Authority has not used this service before so no service usage figures are available.

1.2 Contract Period

It is intended that any resultant Contract shall commence as soon after receipt of formal letter of award as may be agreed. Contract period to be up to a period of 2 years with an option to extend up to a period of 2 further year(s) or until the end of the allocated budget subject to termination clauses contained with the Contract terms and conditions.

1.3 Division of Contract into Lots

This Contract is being divided into Lots.

- Lot 1 – Occupational Health service;
- Lot 2 – Face to Face Counselling Service;
- Lot 3 - Employee Assistance Programme (EAP).

Applicants may submit Tenders, for Lot 1 and/or Lot 2, but may only submit a Tender for Lot 3 where they bidding for at least one of the other Lots. Applicants are not limited to the number of Lots they apply for or the number of Lots they may be awarded. Lot 3 will only be awarded to an Applicant who has been successful in Lot 1 and/or Lot 2. The Authority reserves the right not to award Lot 3 if the cost of including this service means the total value of the resultant Contract exceeds the stated budget.

Each Lot will be evaluated separately. A separate Contract will be awarded for each Lot. Should all

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three Lots be awarded to a single Applicant the Authority reserves the right to issue a single Contract.

1.4 Contract Price

The price offered by the Applicant in 5 Pricing Submission must be firm and fixed for the duration of the Contract.

As per Volume 5 Pricing Submission, Applicants should please note that the Authority's overall budget for all services required within this Tender is as follows:

1.4.1 Lot 1 – Occupational Health Services: £62,000 per annum. Where the Total Price for the following:

- a) Clinician Rates;
- b) Pre-employment Health Screening;
- c) Management Referrals (based on 1 hour and $\frac{3}{4}$ hour appointment slots);
- d) Ill Health Retirement;

exceeds this budget the Applicant will be deemed to have failed this section of the process and will not be evaluated further.

1.4.2 Lot 2 – Face to Face Counselling Service: £13,000 per annum. Where the Total Annual Price for the Service proposed by the Applicant in 5 Pricing Submission exceeds this budget the Applicant will be deemed to have failed this section of the process and will not be evaluated further.

1.4.3 Lot 3 – Employee Assistance Programme: No allocated budget. Applicants should note that in order for the Authority to consider the inclusion of an Employee Assistance Programme, the total stated budgets for Lot 1 or Lot 2, depending on which Lot or Lots the Applicant is bidding for, must not be exceeded.

1.4.4 Contract Price Review Mechanism

The schedule in 5 Pricing Submission has been structured to enable pricing to be provided for the Whole Life of the Contract. Therefore no further price reviews will be available.

1.5 Variant Bids

The Authority will consider variant bids: Yes.

The Authority will consider variant bids for this opportunity, only if it is stated within the OJEU Contract Notice that variant bids are acceptable and it also states 'Yes' above.

A fully compliant Tender must also be submitted in order for the variant bid to be considered. The variant bid must be prepared and submitted separately to the compliant Tender and must clearly detail where the offer varies from the requirements.

The Authority may only accept a variant bid where the Applicant's compliant Tender is the winning bid. The Authority reserves the right to award a Contract to the successful Applicant for either the

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compliant Tender or the variant bid.

Where an Applicant submits a variant bid but has not submitted a compliant Tender then they will be judged to have submitted a non-compliant Tender, their submission will not be evaluated further and the Applicant will be notified accordingly.

1.6 Procurement Timetable

The Authority proposes the following timetable for the award of the Contract(s):

Procurement Stage	Dates
Sent call for competition	Friday 05 August 2016
Tender documents published	Wednesday 10 August 2016
Clarification questions to be submitted by	Thursday 25 August 2016 by 5:00pm
Clarification responses to be issued by	Tuesday 30 August 2016
Stage one tender submission date & time	Tuesday 06 September 2016 no later than 12:00 noon
Stage one tender evaluation period	Wednesday 07 September to Thursday 29 September 2016
Stage two tender documents published	Friday 30 September 2016
Deadline for request to attend site visit	Thursday 06 October 2016
Sites visits to take place	Week commencing Monday 10 October 2016
Clarification questions to be submitted by	Tuesday 18 October 2016
Clarification responses to be issued by	Friday 21 October 2016
Stage two tender submission date & time	Friday 28 October 2016 no later than 12:00 noon
Stage two tender evaluation period	Monday 31 October to Monday 28 November 2016
Approval to award	Tuesday 29 to Thursday 01 December 2016
Contract award	Friday 02 December 2016
Standstill period	Monday 05 to Wednesday 14 December 2016
Contract start	Tuesday 03 January 2017

The Authority reserves the right to change the above timetable and Applicants will be notified accordingly if there is a change.

1.7 Authority Representatives

Applicants are advised that the Authority Representatives will only respond to queries or questions in relation to this Tender opportunity via the Supplying the South West e-tendering portal and are unable to respond to any questions raised verbally or by email.

No other person other than the names listed below have the authority to make any representation as the meaning of these Procurement Documents or to issue any instruction in relation to this Tender process or to any other matter so as to bind the Authority.

1.7.1 Authority Authorised Representative:

Jane May, HR Officer, Policy, Organisational Development and Wellbeing

1.7.2 Procurement Representative:

Lawrence Brown, Category Procurement Lead

1.8 Site Visit

Applicants may visit the sites prior to completing their offer to ensure they are fully familiar with the site locations. This includes examples of schools/academies which may utilise the services of this Contract. Claims on the grounds of lack of knowledge of site locations/conditions will not be accepted by the Authority.

1.8.1 Site Visit Instructions

Applicants are required to contact the Authority Authorised Representative via the Supplying the South West e-tendering portal no later than Thursday 06 October 2016, if they wish to attend a site visit. A specific date and time (during the week commencing Monday 10 October 2016) will be booked in. Each prospective Applicant will be limited to a maximum of two representatives and at least one of your representatives must come from the operational side of your organisation.

2 Procurement Process

2.1 Procurement Procedure

This Procurement is being undertaken following the 'Restricted Procedure as outlined within the Directive (2014/24/EU) and implemented in the United Kingdom by The Public Contracts Regulations 2015 (SI 2015/102).

A restricted procedure is a 2 stage process, meaning that at Stage One the Authority is able to limit the number of suitable Applicants invited to Stage Two Tender.

For this Tender process, the maximum number of Applicants who will be invited to Stage Two Tender, following the evaluation at Stage One will be 5 for Lot One and 5 for Lot Two. If more than one Applicant is at 5th place, then all such Applicant's will be invited to Tender. As Lot 3 will not be awarded in isolation, Applicants will only be invited to Stage Two Tender based on their short listing scores for Lot 1 and/or Lot 2.

2.2 Tender Award Process – For each individual Lot

2.2.1 Stage One

This is a 2 stage process. Applicants are required to submit a request to participate in the tender process, by completing and submitting the Stage One Tender submission information that has been requested by the Authority. This can be found in 4 Stage One Tender Submission. This formulates stage one of this process. The Evaluation Criteria used to determine the Applicants that will be taken forward to Stage Two are detailed in Section 2.3 below.

2.2.2 Stage Two

Only Applicants invited to do so by the Authority following the evaluation of the information completed and submitted at Stage One of this process are then invited to Stage Two. Applicants who are invited to Tender are then required to complete and submit the Stage Two Tender Submission information that has been requested by the Authority. This can be found in 4 Stage Two Tender Submission. This formulates Stage Two of this process. The Evaluation Criteria used to evaluate the Most Economically Advantageous Tender (MEAT) is detailed in Section 2.3 below.

2.3 Evaluation Criteria

The evaluation process is a critical part of the procurement process and is the means by which the Authority is able to assess to whom the Authority wishes to select to progress to the next Stage of this procurement process and/or award the Contract.

The information disclosed by Applicants in its Tender will be used in this evaluation process and will form part of the resultant Contract.

The following criteria and weightings will be applied in the evaluation process:

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Evaluation Criteria Breakdown	Main Criteria	Sub Criteria	Threshold	
Stage One –Selection				
Pre Qualification Questionnaire	Pass		Pass	
Sub Criteria:				
Grounds for Mandatory Exclusion		Pass	Pass	
Grounds for Discretionary Exclusion		Pass		
Economic & Financial Standing		Pass		
Technical and Professional Ability		Pass		
Project Specific Questions to Assess Technical and Professional Ability		Pass		
Project Specific Questions to Assess Technical and Professional Ability – Short listing Questions		100%	50% of the total mark available for every response	
Insurance		Pass	Pass	
Compliance with Equality Legislation		Pass		
Environmental Management		Pass		
Health and Safety		Pass		
Stage Two – Award –				
Lot One - Occupational Health				
Sub Criteria:	100%			
Mandatory Criteria		Pass	Pass	
Method Statements		40%		
Technical Questions		20%		
Pricing		40%		
Lot Two - Face to Face Counselling Service				

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Sub (Criteria):	100%		
Mandatory Criteria		Pass	Pass
Method Statements		40%	
Technical Questions		20%	
Pricing		40%	
Lot Three - Employee Assistance Programme			
Sub (Criteria):	100%		
Mandatory Criteria		Pass	Pass
Method Statements		40%	
Technical Questions		20%	
Pricing		40%	

Applicants should note that the scores in relation to Lot 3 will be used to determine whether the Authority awards this Lot or not and in the event the successful Applicants for both Lot 1 and Lot 2 both offer an Employee Assistance Programme which Applicant this Lot will be awarded to.

2.4 Stage One Evaluation Process

2.4.1 Selection Criteria

Selection criteria are those that can be considered in assessing the Applicant's suitability to pursue the professional activity concerned, the Applicant's economic and financial standing and their technical and professional ability.

2.4.2 Pre Qualification Questionnaire

Applicants bidding one or more Lots, or who are bidding for all three Lots need only to complete and submit one Stage 1 Tender Submission (Pre Qualification Questionnaire).

This Pre-Qualification Questionnaire (PQQ) has been designed to assess the suitability of an Applicant to deliver the Authority's Contract requirement(s). This can be found in 4 Stage One Tender Submission and is for all Applicants to answer in full.

In accordance with Regulation 59 of the UK Public Contract Regulations 2015 and EU Implementing Regulation 2016/7 the Authority will accept submission of the following parts/sections of the European Single Procurement Document (ESPD) as part of any submission:

- a) ESPD Part II (A, B, C & D) in place of 1. Supplier Information of Stage 1 Standardised Pre-Qualification Questionnaire.

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- b) ESPD Part III (A & B) in place of 2. Grounds for Mandatory Exclusion of Stage 1 Standardised Pre-Qualification Questionnaire.
- c) ESPD Part III (C & D) in place of 3. Grounds for Discretionary Exclusion of Stage 1 Standardised Pre-Qualification Questionnaire.

Where Applicants choose to submit all or any part of the ESPD in place of any of the PQQ requirements listed above this must be clearly identified and referenced by the Applicant. The Applicants response will be assessed as outlined in the table below.

Applicants submitting all or any part of the ESPD in place of any of the PQQ requirements listed above are required to complete all other requirements within Stage One Standardised Pre-Qualification Questionnaire of 4 Stage 1 Tender Submission.

For each individual Lot, the 5 top scoring Applicants who have passed all the Evaluation criteria within the PQQ will be considered to have been successful at this Stage of the procurement process, and will be selected to be taken forward to Stage Two.

PQQ Section	Evaluation Criteria
Supplier Information	This section is for information only and will not be part of the assessment process.
Bidding Model	This will be assessed on the basis of pass or fail. The Applicant must demonstrate that the Bidding Model proposed meets the requirements of the tender to pass. The Authority may exclude any Applicant who fails this section
Contact Details	This section is for information only and will not be part of the assessment process.
Licensing and registration	This will be assessed on the basis of pass or fail. The Applicant must demonstrate that they meet the requirements of this section to pass. The Authority may exclude any Applicant who fails this section
Grounds for Mandatory Exclusion	This will be assessed on the basis of pass or fail. The Authority may exclude any Applicant who answers 'Yes' in any of the situations set out in this section
Grounds for Discretionary Exclusion	This will be assessed on the basis of pass or fail The Authority may exclude any Applicant who answers 'Yes' in any of the following situations set out in this section
Economic and Financial Standing	This will be assessed on the basis of pass or fail. The Applicant must demonstrate that they meet the requirements of this section to pass. The Authority may exclude any Applicant who fails any of these sections
Technical and Professional Ability	
Project Specific Questions to Assess	

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Technical and Professional Ability	
Project Specific Questions to Assess Technical and Professional Ability – Short listing Questions	The questions will be scored in accordance with the one to 10 scoring system as per the table in section 2.6.2 below.
Insurance	This will be assessed on the basis of pass or fail. The Applicant must demonstrate that they meet the requirements of this section to pass. The Authority may exclude any Applicant who fails any of these sections
Compliance with Equality Legislation	
Environmental Management	
Health and Safety	

2.5 Stage Two Evaluation Process

2.5.1 Award Criteria

The Award criteria have been designed to assess the Most Economically Advantageous Tender (MEAT). The criteria can be found in 4 Stage Two Tender Submission and 5 Pricing Submission is all for those Applicants who were successful at Stage One to answer in full.

Please Note: 4 Stage Two Tender Submission and 5 Pricing Submission will be issued in PDF format at Stage One of the Process and will be re-issued in Word format to short listed Applicants at Stage Two of the Process to complete and submit.

The top scoring Applicant who has passed all the Evaluation criteria will be considered to have been successful.

Award Criteria	Evaluation Process
Mandatory Criteria	<p>The questions within this section will be assessed on the basis of pass or fail.</p> <p>The Authority may exclude any Applicant who fails this section.</p>
Method Statements/Technical Questions	<p>The questions within this section will be assessed on a scoring basis.</p>
Pricing	<p>Lot One – Occupational Health Services:</p> <p>Applicants must submit all required costs within 5 Pricing Submission. The Pricing evaluation for Lot1 will be calculated by adding together the Total prices (the unit cost multiplied by numbers per annum within the last 12 months) as detailed within 5 Pricing Submission, as follows:</p> <ul style="list-style-type: none">• Unit Cost per Day/Per Half Day;• Unit Cost per Referral;• Unit Cost per Appointment;

	<ul style="list-style-type: none"> • Unit Cost per Assessment; • Unit Cost for Other Costs <p>to provide a 'Grand Total' Annual Price for the Service.</p> <p>Applicants with the lowest 'Grand Total' price will score maximum marks out of a possible 100 and Applicants submitting higher prices will be awarded marks proportionate to their distance from the lowest price.</p> <p>Lot Two – Face to Face Counselling:</p> <p>Applicants must submit all required costs within 5 Pricing Submission. The Pricing evaluation will be calculated by adding together the Total Annual Price for each service element (the estimated number of sessions (based on the last 12 months' service usage) divided by the cost for 1 – 100 referrals) as detailed within 5 Pricing Submission) to provide a 'Grand Total' Annual Price for the Service.</p> <p>Applicants with the lowest 'Grand Total' price will score maximum marks out of a possible 100 and Applicants submitting higher prices will be awarded marks proportionate to their distance from the lowest price.</p> <p>Lot Three - Employee Assistance Programme (EAP):</p> <p>The Pricing evaluation will be calculated by adding together the Total Annual Prices (the cost for annual /one-off subscription rate and the provision of service cost for 1 to 100 employees) as detailed within 5 Pricing Submission, to provide a 'Grand Total' Annual Price for the Service.</p> <p>Applicants with the lowest 'Grand Total' price will score maximum marks out of a possible 100 and Applicants submitting higher prices will be awarded marks proportionate to their distance from the lowest price.</p> <p>Applicants Bidding for Lots One, Two, Three or all Lots:</p> <p>You are required to complete 5 Pricing Submission in respect of each Lot as detailed above.</p>
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2.5.2 Lot Three – Employee Assistance Programme

Lot Three will only be awarded to an Applicant who has been successful in Lot One and/or Lot Two. Where Lots One and Two are awarded to separate Applicants and they have both bid for Lot Three, then Lot Three will be awarded to the Applicant who achieves the highest score for that Lot, assuming they have met the Authority's criteria for price, as stated in 1.4.3 above.

The Authority reserves the right not to make an award in relation to Lot Three.

2.6 Evaluation Assessment

Evaluation criteria will be assessed as either Pass/Fail or scored.

2.6.1 Pass/Fail

Where evaluation criteria are being assessed as either a Pass/Fail, the response will be assessed as either a pass or a fail. Guidance as to the Authority's minimum requirements in relation to what constitutes a pass or a fail can be found within each question.

Should an Applicant fail One or more questions, they will be considered to have failed the tender process in its entirety and as such shall be deselected from participating further in this process and will be notified accordingly.

2.6.2 One to Ten Scoring

Where evaluation criteria are being assessed on a scoring basis, a One to ten scoring system will be used in accordance with the guidelines in the table below.

The scoring system awards the highest marks to Applicants who show innovation, creativity, further relevant details and information that could potentially enhance the Applicant's proposal. It should be noted that to achieve the highest marks available for the questions you should not only meet but exceed the requirements of the specification.

Where any questions have been given a weighting, that weighting shall be applied to the scores awarded e.g. a question weighted a One which achieves a score of five will achieve an overall score of five and a question weighted a three which achieves a score of five will achieve an overall score of fifteen.

Score 0	No response	No response	
Score 1	Extremely Weak	Very poor proposal/response; does not cover the associated requirements, major deficiencies in thinking or detail, significant detail missing, unrealistic or impossible to implement and manage	Weak
Score 2	Very Weak	Poor proposal/response, only partially covers the requirements, deficiencies in thinking or detail apparent, difficult to implement and manage	
Score 3	Weak	Mediocre proposal/response, moderate coverage of the requirements, minor deficiencies either in thinking or detail, problematic to implement and manage	

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Score 4	Fair - Below Average	Proposal/response partially satisfies the requirements, with small deficiencies apparent, needs some work to fully understand it	Fair - Good
Score 5	Fair – Average	Satisfactory proposal/response, would work to deliver all of the Authority's requirements to the minimum level	
Score 6	Fair - Above Average	Satisfactory proposal/response, would work to deliver the majority of the Authority's requirements to the minimum level with some evidence of where the Applicant could exceed the minimum requirements	
Score 7	Good	Good proposal/response that convinces the Authority of its suitability, response slightly exceeds the minimum requirements with a reasonable level of detail	
Score 8	Strong	Robust proposal/response, exceeds minimum requirements, including a level of detail or evidence of original thinking which adds value to the bid and provides a great deal of detail	Strong - Excellent
Score 9	Very Strong	Proposal/response well in excess of expectations, with a comprehensive level of detail given including a full description of techniques and measurements employed	
Score 10	Outstanding/ Excellent	Fully thought through proposal/response, which is innovative and provides the reader with confidence of the suitability of the approach to be adopted due to the complete level of detail provided	

3 Glossary

3.1 Definitions

Term	Definition
1 Instructions	Shall mean the document containing all the instructions on how to conduct the procurement process
2 Information	Shall mean the document containing information relating to the procurement including definitions, information on the procurement procedure, the evaluation process, information about the Contract and other information that may assist the Applicant to complete their submission.
3 Specification	Shall mean the document containing the Authority's requirements in relation to the goods, services or works being procured.
4 Stage One Tender Submission	Shall mean the document which the Applicant is required to complete and submit at Stage One of the Process, containing the Pre-Qualification Questionnaire and certificates / declarations Applicants are required to sign at this Stage of the process.
4 Stage Two Tender Submission	Shall mean the document which the Applicant is required to complete and submit at Stage Two of the process, containing the Method Statements, Technical Questions and certificates / declarations Applicants are required to sign at this Stage of the process.
5 Pricing Submission	Shall mean the document which the Applicant is required to complete and submit at Stage Two of the Process, containing their pricing for this Tender.
Abnormally Low Tender	Shall mean a Tender where the Authority considers the Applicant's price to be abnormally low.
Applicant	Shall mean the organisation responding to this tender opportunity.
Authority	Shall mean Torbay Council.
Authority Authorised Representative	Shall mean the Officer leading the Procurement process on behalf of the Authority

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Award	Shall mean the process by which the Authority shall determine to whom the Contract will be awarded in accordance with the criteria listed at Regulation 30 of the Public Contracts Regulations 2006 as amended in 2009.
Award Questions	Shall mean the written response submitted by the Applicant to evidence their ability to meet the Authority's requirements, which will form part of the evaluation process upon which award of the Contract will be based.
Bidding Model	Shall mean the Applicant's proposals relating to any consortia or sub-contracting arrangements that will be put in place in order to deliver the Contract.
CESG	Shall mean the UK Government's National Technical Authority for Information Assurance (CESG).
Call for Competition	Shall mean the notice sent for publication by electronic means to the EU Publications Office for Publication.
Confidential Information	Shall mean any information or documents which the Authority considers to be of a confidential nature and which will only be made available to Applicants who sign and submit a Confidentiality Agreement.
Confidentiality Agreement	Shall mean the Agreement which Applicants are required to complete and submit in order to access any confidential documents.
Consortia/Consortium	Shall mean 2 or more persons, at least One of whom is an economic operator, acting jointly for the purpose of being awarded a public contract (pursuant to Article 28(1) Public Contracts Regulations 2006).
Contract	Shall mean the same as the Contract Terms and Conditions.
Contract Term	Shall mean the length of the Contract including extensions, if available.
Contract Terms and Conditions	Shall mean the Agreement this is the Agreement between the Authority and the successful Applicant for the provision of the goods, services or works, including all documents to which reference may properly be made in order to ascertain the rights and obligations of all the parties involved.
Contracting Authority	Shall mean Torbay Council and any other Authority on whose

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	behalf Torbay Council may be working.
Contractor	Shall mean the Applicant awarded the Contract culminating from an offer to supply accepted by this Authority.
Discussions Facility	Shall mean the area within Supplying the Southwest where Applicants submit clarification questions and confidentiality agreements during the tender process and through which the Authority will post its replies.
Documents	Shall mean all of the tender documents in relation to this process as detailed in section 2 The Tender Documents of 1 Instructions.
EAP	Shall mean Employee Assistance Programme
Eligible Users	Shall mean any organisation given access to a Contract as a result of the procurement process and on whose behalf the Authority may be establishing the arrangements.
Employers' Liability (Compulsory Insurance)	<p>Shall mean an insurance that enables organisations to meet the costs of damages and legal fees for employees who are injured or made ill at work through the fault of the employer. Employees injured due to an employer's negligence can seek compensation even if the organisation goes into liquidation or receivership. The NHS can also claim the costs of hospital treatment (including ambulance costs) when personal injury compensation is paid. This applies to incidents that occur either on or after 29 January 2007.</p> <p>By law, an employer must have EL insurance and be insured for at least £5 million. Most insurers automatically provide cover of at least £10 million. The insurance must cover all the organisation's employees in England, Scotland, Wales and Northern Ireland.</p> <p>If the organisation is not a limited company, and you are the only employee or you only employ close family members, you do not need compulsory Employers' Liability Insurance. Limited companies with only One employee, where that employee also owns 50 per cent or more of the issued share capital in the company, are also exempt from compulsory Employers' Liability Insurance. However, there is nothing to prevent an exempt employer from choosing to buy this insurance in view of the financial security it can provide.</p>
Evaluation Questions	Shall mean the written response submitted by the Applicant to evidence their ability to meet the Authority's requirements, which

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	will form part of the evaluation process upon which award of the Contract will be based.
Goods	Shall mean all Goods to be supplied as part of this Contract and covered by the Official Purchase Order.
Incomplete Tender	Shall mean a Tender which has been submitted with information / documents missing or in an incorrect format.
Irregular Tender	Shall mean a Tender which has not been submitted via Supplying the Southwest.
Late Tender	Shall mean a Tender which has been automatically classified by Supplying the Southwest as being received after the submission deadline.
Lead Applicant	Shall mean the organisation leading the bidding process on behalf of its consortia or sub-contractor partners.
Lot	Shall mean One of a number of categories of goods or services which a single procurement process has been divided into. The use of lots potentially allows for multiple providers to be appointed following One procurement process.
MEAT	Shall mean most economically advantageous tender from the point of view of the contracting authority in relation to the subject matter of the contract.
Official Purchase Order	Shall mean the Authority's Official Purchase Order, to which these conditions apply.
On Time Tender	Shall mean a Tender which has been automatically classified by Supplying the Southwest as being received by the submission deadline.
Portal	Shall mean the same as Supplying the South West
Post Tender Clarification	Shall mean the process by which the Authority will seek clarification or supplementary information from Applicants following submission of their Tender.
Price Review Mechanism	Shall mean the mechanism that will be used to vary the pricing of the Contract.
Pre Qualification Questionnaire	Shall mean the questionnaire to be completed by all Applicants, containing the selection requirements through which Applicants shall be assessed against in order to move through to the next

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	Stage of the process.
Process	Shall mean the procurement process in relation to this tender opportunity.
Procurement Representative	Shall mean the Procurement Officer who is leading the Procurement Process on behalf of the Authority
Product Liability Insurance	<p>In Product Liability Insurance terms, a product is any physical item that is sold or given away.</p> <p>Products must be 'fit for purpose'. The organisation is legally responsible for any damage or injury that a product it supplies may cause (in some circumstances this also includes products that the organisation does not manufacture).</p> <p>Product Liability Insurance covers the organisation against damages awarded as a result of damage to property or personal injury caused by the product. If damages are paid for personal injury, the NHS can claim to recover the costs of hospital treatment (including ambulance costs). This applies to incidents that occur either on or after 29 January 2007.</p>
Professional Indemnity Insurance	<p>Shall mean a liability cover that provides protection for negligent advice or a service provided by the organisation, it also protects against damages the organisation becomes liable for in relation to mistakes made such as errors of judgement, basic administration errors, mislay of or damage to clients' documents. It is designed to safeguard it against claims made by clients for any resulting financial loss or damage to their reputation. This type of insurance should also cover legal fees and costs.</p> <p>Individuals and organisations that provide professional advice or consultancy services need Professional Indemnity cover.</p>
Public Contracts Regulations	Shall mean the legislation incorporated in to English law concerning public procurement, which can be found at: www.legislation.gov.uk .
Public Liability Insurance	<p>Shall mean an insurance that covers members of the public or customers coming to the organisation's premises or if the organisation's staff go to theirs (including if the organisation is based 'at home').</p> <p>It covers any awards of damages given to a member of the public because of an injury or damage to their property caused by the organisation. It also covers any related legal fees, costs and expenses as well as costs of hospital treatment (including</p>

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	ambulance costs) that the NHS may claim from the organisation. Premiums are based on the type of business and rated on an estimate for the level of activity of the business.
Relevant Tax Authority	Shall mean the organisation responsible for administering tax policy in the country in which the Applicant's organisation is established.
Restricted Procedure	Shall mean the procedure the procurement process is following, in accordance with the Public Contract Regulations 2015.
Selection	Shall mean the process by which Applicants will be selected to move forward to the next Stage of the procurement process, in accordance with the criteria listed at Regulations 23, 24 and 25 of the Public Contracts Regulations 2006 as amended in 2009.
Service(s)	Shall mean any action/s by the Contractor required by the Contract.
Stage One	Shall mean the first Stage of the Procurement Process addressing the selection criteria in the form of the Pre Qualification Questionnaire.
Stage Two	Shall mean the second Stage of the Procurement Process addressing the Award criteria.
Standstill	Shall mean the period, as set out in Regulation 87 of the Public Contracts Regulations 2015, immediately following notification of the award decision to Applicants during which the Authority must not enter into the Contract.
Submission	Shall mean the correct and proper process for electronically submitting the Applicant's Tender, as detailed in section 4 Completion, Submission and Receipt of Tenders of 1 Instructions.
Supplying the South West	Shall mean the e-Tendering Portal through which the Authority advertises procurement opportunities and conducts procurement processes electronically
Tender	Shall mean the invitation to bid for this Contract. Shall mean the Applicant's response to this tender opportunity.
Tender Clarification	Shall mean the opportunity for Applicants to submit questions, within a specified timescale, relating to this tender and the

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	associated Documents.
Terms	Shall mean the same as the Contract.
Transfer of Undertaking (Protection of Employment) Regulations 2006 (TUPE)	Shall mean the regulations which govern how employers shall deal with transfer of staff when a service or business changes hands from One employer to another in order to ensure the principal terms of employees' rights are protected.
Whole Life	Shall mean the Contract length, including extensions, if available.