****

**Learning Management System Contract**

**Three years plus Two Optional One-Year Extension Periods**

**Note: All submissions must be uploaded**

**and returned via The Chest**

**The submission deadline is:**

**7pm on Friday 05 January 2018**

Contents

1. **Instructions to Organisations and Details of Contract ……………… 3**
2. **Specification…………………………………………………………………. 6**
3. **Potential Supplier Information…… ……………………………………... 7**
4. **Evaluation and Award Criteria……………………………………………. 10**
5. **Stage 1: Selection Criteria – Supplier Questionnaire………………… 14**
6. **Stage 2: Award Criteria – Final Submission…………………………… 19**
7. **Declaration…………………………………………………………………… 21**

1. **INSTRUCTIONS TO ORGANISATIONS AND DETAILS OF CONTRACT**
	1. **Overview**

|  |  |
| --- | --- |
| **ITEM** | **CONTRACT DETAILS** |
| Contract Description: | Learning Management System |
| Period of Contract: | Initial term of contract is three years plus two optional one-year extension periods |
| Authority Contact: | Any queries must be submitted anonymously via the Chest to:Karen Crump, Procurement & Contracts ManagerPam Moffatt, Procurement Officer  |
| Additional Documents: | Schedule 2 – Canvassing Collusive Certificate,Schedule 3 – Pricing ScheduleSchedule 4 – Statement of RequirementsSchedule 5 – Terms and Conditions of ContractAppendix A – iTrent report format |
| Submission Instructions: | All completed documents must be submitted via the e-tendering portal, The Chest |
| Submission Deadline for return of Quotation Documents: | **7pm on Friday 05th January 2018** |

1.1.1 **Please note:** organisations must disclose any actual or potential conflict of interest regarding the Contract.

* 1. **Timetable**
		1. This timetable is indicative only. The Council reserves the right to change it at its discretion.

| **Stage** | **Date/Time** |
| --- | --- |
| Publish contract opportunity | 28th November 2017 |
| Deadline for queries | 21st December 2017 |
| Deadline for query responses | 29th December 2017 |
| Submission of Quotation Documents | **05th January 2018 at 7pm** |
| Evaluation of Submissions | 12th January 2018 |
| Demonstration of Learning Management System | wc. 15th January 2018 (date to be confirmed) |
| Notification of Intention to Award | 22nd January 2018 |
| Contract Award | 29th January 2018 |
| Contract Start Date | 1st February 2018 |

* 1. Important Notice
		1. These documents are for use by Organisations, their professional advisers and other parties essential to preparing a response, who are interested in providing a Learning Management System for the Council, and for no other purpose.
		2. The contents of this documentation and that of any other documentation sent to you in respect of this procurement process are provided on the basis that they remain the property of the Council and must be treated as confidential. If you are unable or unwilling to comply with this requirement you must destroy all associated documents immediately and not retain any electronic or paper copies.
		3. No warranty is given as to the accuracy or completeness of the information contained in the relevant documentation and any liability for any inaccuracy or incompleteness is therefore expressly disclaimed by the Council and its advisers.
		4. The Council reserves the right to reject submissions which are not presented in accordance with the instructions given.
		5. The Council reserves the right to cancel the procurement process at any point. The Council is not liable for any costs resulting from cancellation of the process or for any costs incurred by Organisations participating in the process.
		6. All submissions must be completed in the English language.
		7. If anything is unclear bidders are encouraged to request clarification via the Chest ([www.the-chest.org.uk](http://www.the-chest.org.uk)) prior to the submission deadline. No exceptions will be given after the deadline where there has been failure to do so.
	2. Freedom of Information and Environmental Information Statement
		1. The Council is subject to The Freedom of Information Act 2000 (“Act”) and The Environmental Information Regulations 2004 (“EIR”).
		2. As part of the Council’s duties under the Act or EIR, it may be required to disclose information concerning the procurement process or the Contract to anyone who makes a request.
		3. If the Organisation considers that any information provided in their Questionnaire is commercially sensitive (meaning it could reasonably cause prejudice to the Organisation if disclosed to a third party) then it should be clearly marked as "**Not for disclosure to third parties**” together with valid reasons in support of the information as being exempt from disclosure under the Act and the EIR.
		4. The Council will endeavour to consult with the Organisation and have regard to comments and any objectives before it releases any information to a third party under the Act or the EIR. However the Council shall be entitled to determine in its absolute discretion whether any information is exempt from the Act and/or the EIR, or is to be disclosed in response to a request of information. The Council must make its decision on disclosure in accordance with the provisions of the Act or the EIR and can only withhold information if it is covered by an exemption from disclosure under the Act or the EIR.
	3. Environmental Responsibility and Sustainability

1.5.1 The Council are committed to the principles of sustainability and protection of the environment. So far as reasonably practicable, this will be achieved by inclusion of environmental and sustainability considerations in procurement processes and contracts, as appropriate and proportionate to the subject matter.

1.5.2 The Council continually aims to achieve sustainable procurement outcomes that will offer value for money whilst delivering socio-economic and environmental benefits to the end users and our local communities.

1.5.3 Suppliers can find assistance on responding to these requirements in the procurement process as well as how they can further support the Council in delivering its environmental and sustainability objectives at [www.southlakeland.gov.uk/procurement](http://www.southlakeland.gov.uk/procurement).

2.0 SPECIFICATION

Please see Schedule 4 – Statement of Requirements

**3.0 Potential Supplier Information**

|  |  |  |
| --- | --- | --- |
| Question number | Question | Response |
| 3.0 (a) | Full name of the potential supplier submitting the information |  |
| 3.0 (b) – (i) | Registered office address (if applicable) |  |
| 3.0 (b) – (ii) | Registered website address (if applicable) |  |
| 3.0 (c) | Trading status 1. public limited company
2. limited company
3. limited liability partnership
4. other partnership
5. sole trader
6. third sector
7. other (please specify your trading status)
 |  |
| 3.0 (d) | Date of registration in country of origin |  |
| 3.0 (e) | Company registration number (if applicable) |  |
| 3.0 (f) | Charity registration number (if applicable) |  |
| 3.0 (g) | Head office DUNS number (if applicable) |  |
| 3.0 (h) | Registered VAT number  |  |
| 3.0 (i) - (i) | If applicable, is your organisation registered with the appropriate professional or trade register(s) in the member state where it is established? | Yes ☐No ☐N/A ☐ |
| 3.0 (i) - (ii) | If you responded yes to 3.0 (i) - (i), please provide the relevant details, including the registration number(s). |  |
| 3.0 (j) - (i) | Is it a legal requirement in the state where you are established for you to possess a particular authorisation, or be a member of a particular organisation in order to provide the services specified in this procurement? | Yes ☐No ☐ |
| 3.0 (j) - (ii) | If you responded yes to 3.0 (j) - (i), please provide additional details of what is required and confirmation that you have complied with this. |  |
| 3.0 (k) | Trading name(s) that will be used if successful in this procurement |  |
| 3.0 (l) | Relevant classifications (state whether you fall within one of these, and if so which one)1. Voluntary Community Social Enterprise (VCSE)
2. Sheltered Workshop
3. Public service mutual
 |  |
| 3.0 (m) | Are you a Small, Medium or Micro Enterprise (SME)[[1]](#footnote-1)? | Yes ☐No ☐ |
| 3.0 (n) | Details of Persons of Significant Control (PSC), where appropriate: [[2]](#footnote-2) - Name; - Date of birth; - Nationality; - Country, state or part of the UK where the PSC usually lives; - Service address; - The date he or she became a PSC in relation to the company (for existing companies the 6 April 2016 should be used); - Which conditions for being a PSC are met;  - Over 25% up to (and including) 50%,  - More than 50% and less than 75%,  - 75% or more. [[3]](#footnote-3)(Please enter N/A if not applicable) |  |
| 3.0 (o) | Details of immediate parent company: - Full name of the immediate parent company- Registered office address (if applicable)- Registration number (if applicable)- Head office DUNS number (if applicable)- Head office VAT number (if applicable)(Please enter N/A if not applicable) |  |
| 3.0 (p) | Details of ultimate parent company:- Full name of the ultimate parent company- Registered office address (if applicable)- Registration number (if applicable)- Head office DUNS number (if applicable)- Head office VAT number (if applicable)(Please enter N/A if not applicable) |  |

Please note: A criminal record check for relevant convictions may be undertaken for the preferred suppliers and the persons of significant in control of them.

**3.1 Contact details and declaration**

I declare that to the best of my knowledge the answers submitted and information contained in this document are correct and accurate.

I declare that, upon request and without delay I will provide the certificates or documentary evidence referred to in this document.

I understand that the information will be used in the selection process to assess my organisation’s suitability to be invited to participate further in this procurement.

I understand that the authority may reject this submission in its entirety if there is a failure to answer all the relevant questions fully, or if false/misleading information or content is provided in any section.

I am aware of the consequences of serious misrepresentation.

|  |  |  |
| --- | --- | --- |
| Question number | Question | Response |
| 3.1 (a) | Contact name |  |
| 3.1 (b) | Name of organisation |  |
| 3.1 (c) | Role in organisation |  |
| 3.1 (d) | Phone number |  |
| 3.1 (e) | E-mail address  |  |
| 3.1 (f) | Postal address |  |
| 3.1 (g) | Signature (electronic is acceptable) |  |
| 3.1 (h) | Date |  |

**4.0 EVALUATION AND AWARD CRITERIA**

**4.1 Introduction**

The contract will be awarded to the bidder who, in the opinion of the Council at conclusion of the evaluation, offers the most economically advantageous option having regard to the following criteria. The evaluation will take place in two stages:

**4.2 Stage 1 – Selection Criteria**

4.2.1 Bidders will initially be evaluated on their responses to Section 5 Stage 1: Supplier Questionnaire. The Councils is seeking to identify organisations with sufficient capacity and capability to deliver the contract. **Only bidders that achieve 60% of the Supplier Questionnaire score will be taken forward and evaluated against the Award Criteria.**

4.2.2 Each Supplier Questionnaire will be checked initially for compliance. If any bidder is awarded a ‘fail’ on any pass/fail section they will be eliminated from the process. Failure to complete any part of this section may also invalidate the response. In such an occurrence the relevant Bidder(s) will be notified immediately.

4.2.3 Bidders that comply with the compulsory criteria will then be evaluated on their responses to the other sections contained within the Supplier Questionnaire. Each section is weighted as shown in the table below. This part of the selection process focusses on the Bidder’s characteristics and capability in principle to provide the Council’s requirements.

|  |
| --- |
| **Sub Criteria** | **Points** | **%** |
| Economic and Financial Standing | Pass/Fail |
| Technical and Professional Ability | 1000 | 100% |
| Modern Slavery Act 2015 | Pass/Fail |
| Insurance | Pass/Fail |
| **Totals** | **1,000** | **100%** |

4.2.4 The maximum number of points available for each question can be found alongside the question in brackets ( ) or Note above the question in the Supplier Questionnaire. All responses will be assessed using the following scoring methodology:

|  |  |
| --- | --- |
| **Score** | **Criteria** |
| 0%-25% ofavailablescore | **Unacceptable –** Nil or inadequate response. The response fails to meet the required standard, contains significant shortcomings and/or is inconsistent with other proposals. |
| 25%-50% ofavailablescore | **Poor –** The response addresses some elements of the requirement but contains insufficient detail or explanation to demonstrate how the requirement will be fulfilled.  |
| 50%-75% ofavailablescore | **Acceptable –** The response addresses a broad understanding of the requirement but lacks detail or is inconsistent in some respects.  |
| 75%-100% ofavailablescore | **Good –** The response Is sufficiently detailed to demonstrate a good understanding and meets the required standard in all material respects.  |
| 100% ofavailablescore | **Excellent –** The response demonstrates a thorough understanding, provides detail of how the requirement will be met in full and exceeds the major requirements to offer added value to the council.  |

**4.2.5 *Important Note:*** Bidders should not assume members of the evaluation panel have any prior knowledge of their organisation. The assessment will be made on the written response provided only.

**4.3 Stage 2 – Award Criteria**

4.3.1 Only Bidders who achieve the minimum 60% of Selection Criteria will be evaluated against the Award Criteria set out below. Evaluation of this section will be against information included in response to the Specification.

4.3.2 Information requested by the Council will be evaluated against the criteria detailed below:

| **Evaluation Criteria** |
| --- |
| **High Level Criteria** | **Sub Criteria** | **Points** | **%** |
| **Price**  |  | 600 | 60% |
| **Quality** | Method Statement 1 – Statement of Requirements Responses | 250 | 25% |
| Method Statement 2 - Implementation | 50  | 5% |
| System demonstration | 100 | 10% |
|  | **Totals** | **1,000** | **100%** |

**4.4 Financial Evaluation (60%)**

4.4.1 A maximum of **600** points will be awarded for price out a total 1,000 points. The table below illustrates how the total sum of the amount quoted in Schedule 3 - Pricing Schedule will be converted to a score for each Bidder.

|  |
| --- |
| **Cost Scores** |
| **Description** | **Formula** |  | **Worked Example** |
|  | **T1** | **T2** | **T3** | **T4** | **T5** |
| Whole System Cost | A | £500 | £622 | £425 | £440 | £625 |
| Lowest Cost | B | £425 |
| Calculation | C = B ÷ A | 0.85 | 0.68 | 1.00 | 0.97 | 0.68 |
| Convert to Points | D = C x 600 | 510 | 408 | **600** | 582 | 408 |

**4.5 Quality Evaluation (40%)**

4.5.1 The Council requests the method statements detailed at section 6.3 are produced in response to the quality criteria. The allocated sub-weightings for the Method Statements are detailed in 6.3. Responses will be evaluated using the following scoring criteria:

| **Score** | **Criteria for Award** |
| --- | --- |
| 0% ofavailablescore | The proposal includes a solution which is unacceptable or would seriously threaten the deliverability of the service. Alternatively this score will be awarded when the elements under consideration are not clearly included in the submission. |
| 0% ofavailablescore | The proposal does not comply with our aspirations. |
| 25% ofavailablescore | The proposal complies with our aspirations, covered by a general statement, but includes detail in conflict with our aspirations. |
| 50% ofavailablescore | The proposal complies with the aspirations covered by a general statement. |
| 75% ofavailablescore | The proposal complies with our aspirations and offers a high level of detail. |
| 100% ofavailablescore | The proposal complies with our aspirations and offers a high level of detail. The proposal also includes features which will bring added benefit to the Council. |

4.5.2 Bidders who pass the Selection Stage of the competition and have provided compliant bids will be invited to demonstrate the functionality of their Learning Management System at South Lakeland House, Kendal, Cumbria, LA9 4DH during the week commencing 15th January 2017 (date and timing to be advised). The demonstration will be scored using the following scoring criteria:

| **Score** | **Criteria for Award** |
| --- | --- |
| 0% ofavailablescore | The proposal includes a solution which is unacceptable or would seriously threaten the deliverability of the service. Alternatively this score will be awarded when the elements under consideration are not clearly included in the submission. |
| 0% ofavailablescore - | The proposal does not comply with our aspirations. |
| 25% ofavailablescore | The proposal complies with our aspirations, covered by a general statement, but includes detail in conflict with our aspirations. |
| 50% ofavailablescore | The proposal complies with the aspirations covered by a general statement. |
| 75% ofavailablescore | The proposal complies with our aspirations and offers a high level of detail. |
| 100% ofavailablescore | The proposal complies with our aspirations and offers a high level of detail. The proposal also includes features which will bring added benefit to the Council. |

**5. Stage 1 – Supplier Questionnaire**

**5.1 Economic and Financial Standing**

|  |  |  |
| --- | --- | --- |
|  | Question | Response |
| **5.1.1** | Are you able to provide a copy of your audited accounts for the last two years, if requested?If no, can you provide **one** of the following: answer with Y/N in the relevant box. | Yes ☐No ☐ |
| (a) | A statement of the turnover, Profit and Loss Account/Income Statement, Balance Sheet/Statement of Financial Position and Statement of Cash Flow for the most recent year of trading for this organisation. | Yes ☐No ☐ |
| (b) |  A statement of the cash flow forecast for the current year and a bank letter outlining the current cash and credit position. | Yes ☐ No ☐ |
| (c) |  Alternative means of demonstrating financial status if any of the above are not available (e.g. forecast of turnover for the current year and a statement of funding provided by the owners and/or the bank, charity accruals accounts or an alternative means of demonstrating financial status). |  Yes ☐No ☐ |
| **5.1.2** | Where we have specified a minimum level of economic and financial standing and/ or a minimum financial threshold within the evaluation criteria for this procurement, please self-certify by answering ‘Yes’ or ‘No’ that you meet the requirements set out. | Yes ☐No ☐ |
| **5.1.3** | **If you have indicated in the Selection Questionnaire question 3.0 (o) that you are part of a wider group, please provide further details below:**  |
| **Name of organisation:** |
| **Relationship to the Supplier completing these questions:** |
| **5.1.4** | Are you able to provide parent company accounts if requested to at a later stage? | Yes ☐No ☐ |
| **5.1.5** | If yes, would the parent company be willing to provide a guarantee if necessary? | Yes ☐No ☐ |
| **5.1.6** | If no, would you be able to obtain a guarantee elsewhere (e.g. from a bank)? | Yes ☐No ☐ |

* 1. **Technical and Professional Ability**

|  |  |
| --- | --- |
| **5.2.1** | **Relevant experience and contract examples**Please provide details of up to three contracts, in any combination from either the public or private sector; voluntary, charity or social enterprise (VCSE) that are relevant to our requirement. VCSEs may include samples of grant-funded work. Contracts for supplies or services should have been performed during the past three years. Works contracts may be from the past five years.The named contact provided should be able to provide written evidence to confirm the accuracy of the information provided below.Consortia bids should provide relevant examples of where the consortium has delivered similar requirements. If this is not possible (e.g. the consortium is newly formed or a Special Purpose Vehicle is to be created for this contract) then three separate examples should be provided between the principal member(s) of the proposed consortium or Special Purpose Vehicle (three examples are not required from each member).Where the Supplier is a Special Purpose Vehicle, or a managing agent not intending to be the main provider of the supplies or services, the information requested should be provided in respect of the main intended provider(s) or sub-contractor(s) who will deliver the contract.If you cannot provide examples see question 6.3(1000 Points) |
| **5.2.1 Contract 1** |
| 5.2.1.1  | Name of customer organisation |       |
| 5.2.1.2 | Point of contact in the organisationPosition in the organisationE-mail address |                 |
| 5.5.1.3 | Contract start dateContract completion dateEstimated Contract Value |                 |
| 5.2.1.4 | In no more than 500 words, please provide a brief description of the contract delivered including evidence as to your technical capability in this market. |       |
| **5.2.2 Contract 2** |
| 5.2.2.1  | Name of customer organisation |  |
| 5.2.2.2 | Point of contact in customer organisationPosition in the organisationE-mail address |                 |
| 5.2.2.3 | Contract start dateContract completion dateEstimated Contract Value |                 |
| 5.2.2.4 | In no more than 500 words, please provide a brief description of the contract delivered including evidence as to your technical capability in this market. |       |
| **5.2.3 Contract 3** |
| 5.2.3.1  | Name of customer organisation |       |
| 5.2.3.2 | Point of contact in customer organisationPosition in the organisationE-mail address |                 |
| 5.2.3.3 | Contract start dateContract completion dateEstimated Contract Value |                 |
| 5.2.3.4 | In no more than 500 words, please provide a brief description of the contract delivered including evidence as to your technical capability in this market. |       |
| 5.3 | Where you intend to sub-contract a proportion of the contract, please demonstrate how you have previously maintained healthy supply chains with your sub-contractor(s)Evidence should include, but is not limited to, details of your supply chain management tracking systems to ensure performance of the contract and including prompt payment or membership of the UK Prompt Payment Code (or equivalent schemes in other countries) |
|       |
| 5.4 | If you cannot provide at least one example for questions 5.2.1, in no more than 500 words please provide an explanation for this e.g. your organisation is a new start-up or you have provided services in the past but not under a contract. |
|  |

* 1. **Modern Slavery Act 2015:** **Requirements under Modern Slavery Act 2015**[[4]](#footnote-4)

|  |  |  |
| --- | --- | --- |
| **5.3.1** | Are you a relevant commercial organisation as defined by section 54 ("Transparency in supply chains etc.") of the Modern Slavery Act 2015 ("the Act")? | Yes ☐N/A ☐ |
| **5.3.2** | If you have answered yes to question 1 are you compliant with the annual reporting requirements contained within Section 54 of the Act 2015? | Yes ☐Please provide relevant the url …No ☐Please provide an explanation |

* 1. **Additional Questions**

Suppliers who self-certify that they meet the requirements for these additional modules will be required to provide evidence of this if they are successful at contract award stage.

|  |  |
| --- | --- |
| **5.4.1** | **Insurance** |
| (a) | Please self-certify whether you already have, or can commit to obtain, prior to the commencement of the contract, the levels of insurance cover indicated below: Employer’s (Compulsory) Liability Insurance = £5 millionPublic Liability Insurance = £5 million\*It is a legal requirement that all companies hold Employer’s (Compulsory) Liability Insurance of £5 million as a minimum. Please note this requirement is not applicable to Sole Traders. | Yes ☐No ☐ |

**6.0 STAGE 2: AWARD CRITERIA – FINAL SUBMISSION**

**6.1 Requirement of Bidders**

6.1.1 In order to be considered for this opportunity bidders must provide the following information in the required format. Any submissions which are incomplete are likely to be excluded.

**6.2 Financial Submission**

6.2.1 Bidders must complete the following information to be considered in the financial evaluation.

|  |
| --- |
| **OVERALL PRICE (INCLUDING EXPENSES)** |
| **Price (Excluding VAT)** | **£** |

**6.3 Quality Submission – Method Statements**

6.3.1 Bidders must provide a response to the following method statements to be considered in the quality evaluation. Method statements should clearly describe delivery of the contract. Please do not include unrequested case studies or marketing material.

**MS01: Statement of Requirements (250 points)**

*Complete the Statement of Requirement responses to evidence the functionality of the Learning Management System*

**MS02: Implementation Plan (50 points)**

*Describe your proposals to manage the ‘transitional period’ with particular reference an implementation plan that demonstrates how the Tenderer proposes to commence the contract. This should cover proposals in relation to:*

* *Staff and additional resource;*
* *Familiarisation with contract arrangements in preparation for contract commencement;*
* *Stakeholder liaison – notification and consultation of new arrangements;*
* *Integration with any existing systems or procedures;*
* *Identification of key dates and milestones.*

**System Demonstration (100 points)**

*Bidders are required to demonstrate the functionality detailed in Schedule 4 - Statement of Requirements.*

**7 - Declaration**

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
|  | I declare that to the best of my knowledge the answers submitted to these questions are correct. I understand that the information will be used in the selection process to assess my organisation’s suitability to be invited to participate further in this procurement, and I am signing on behalf of       (**Insert name of Supplier**).I understand that the authority may reject my submission if there is a failure to answer all relevant questions fully or if I provide false/misleading information. I have provided a full list of any Appendices used to provide additional information in response to questions.I also declare that there is no conflict of interest in relation to the authority’s requirement.The following appendices form part of our submission;

|  |  |
| --- | --- |
| Section of document | Appendix Number |
|       |       |
|       |       |

 |
|  | Document completed by |
| 7.1 | Name |       |
| 7.2 | Role inorganisation |       |
| 7.3 | Date |       |
| 7.4 | Signature |       |

1. See EU definition of SME: http://ec.europa.eu/enterprise/policies/sme/facts-figures-analysis/sme-definition/ [↑](#footnote-ref-1)
2. UK companies, Societates European (SEs) and limited liability partnerships (LLPs) will be required to identify and record the people who own or control their company. Companies, SEs and LLPs will need to keep a PSC register, and must file the PSC information with the central public register at Companies House. [See PSC guidance](https://www.gov.uk/government/publications/guidance-to-the-people-with-significant-control-requirements-for-companies-and-limited-liability-partnerships). [↑](#footnote-ref-2)
3. Central Government contracting authorities should use this information to have the PSC information for the preferred supplier checked before award. [↑](#footnote-ref-3)
4. [Procurement Policy Note 9/16 Modern Slavery Act 2015](https://www.gov.uk/government/collections/procurement-policy-notes) [↑](#footnote-ref-4)