

**INVITATION TO TENDER**

**for the Provision of**

**Business Case Independent Review Framework under the Open Procedure**

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**SECTION 1 – THE REQUIREMENT**

1.1 **Introduction**

The West of England Combined Authority, WECA, came into operation in February 2017. Comprised of three local authorities – Bath and North East Somerset Council, Bristol City Council and South Gloucestershire – one of WECA’s areas of responsibility is the management and distribution of Government funding, known as the Investment Fund, across these three areas. WECA is also the Accountable Body for the West of England Local Enterprise Partnership, WoE LEP, which includes the aforementioned local authorities as well as North Somerset Council. In the role of Accountable Body for the WoE LEP the Combined Authority has responsibility for the management of three additional funds, Local Growth Fund, LGF, Economic Development Fund, EDF, and the Revolving Infrastructure Fund, RIF, across the four local authority areas.

1.2 **Overview**

The Authority wishes to establish a multi-provider Framework Agreement for the provision of Business Case Independent Reviews. The Authority is managing this procurement in line with the Public Contracts Regulations 2015.

This is a services Framework Agreement being procured under the Open procedure.

The Authority is procuring the Framework Agreement as a central purchasing body for itself.

1.3 **Background**

WECA has a requirement for the independent review of business cases seeking funding from the LEP funding streams (LGF, EDF, RIF) and the West of England Investment Fund. This requirement is stated in the respective Government guidance for these funds. The way in which these requirements are met for the LEP funding streams is provided in an assurance framework which can be viewed [here](https://s3-eu-west-1.amazonaws.com/so-welep-uploads2/WoE%20LEP%20Assurance%20Framework%20Feb%2018%20Submission.pdf). This includes the templates for Outline and Full Business Cases referred to in this document. As set out in Appendix 4 of the assurance framework different requirements apply for transport schemes over £5m and in this case Outline and Full Business Cases will be those referred to in DfT [guidance](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/85930/dft-transport-business-case.pdf).

The aim of the independent reviews is to provide challenge and scrutiny of scheme viability, deliverability and anticipated outcomes. In doing so the independent reviews will help to support project investment decision making by the WECA Committee and West of England Joint Committee

1.4 **Specification**

The reviewer will be required to undertake assessments of both Outline and Full Business Cases seeking both capital and revenue funding across diverse projects including skills, business support, enabling infrastructure, transport and other building projects. Due to the complex and challenging context that many of the projects, particularly the construction projects, are developed and delivered in, the reviewer will need sector relevant experience and a specialist set of skills in project and proposal assessment/appraisal. Across the two lots reviewers would be expected to ensure that sufficient analysis and level of detail was provided through assessment of business case submissions to WECA and would therefore need to have an understanding and knowledge of:

* Technical aspects of infrastructure and other development/construction projects including design & planning, consents and procurement.
* Pre-acquisition work, planning and programme analysis.
* Appraising technical information including architect/engineer drawings, cost plans and specifications.
* Cost and risk assessments, including the ability to appraise and identify potential issues and risks associated with the delivery of a project.
* Assessment of costs, benefits and Value for Money with regard to the type of scheme being considered and relevant guidance. In relation to Transport Projects over £5m any assessment including VfM should be in line with the Department for Transport’s WebTAG guidance[[1]](#footnote-1)*.*
* Procurement and contract elements and operation.
* Sustainable construction considerations/targets.
* Knowledge of skills capital projects and the further education landscape and constraints
* Reviewing suitability of evaluation plans.

In addition to business case reviews, the reviewer will also be required to provide ad hoc support on other key programme management and assurance tasks such as:

* reviews of highlight reports.
* other scheme promoter reports such as change requests.
* technical support and guidance to promoters.
* advice on resolution of approval conditions.
* support with prioritisation and scheme panel reviews.

**Timescales and volume of work**

Reviews would be required each reporting cycle. The cycles are cyclical and currently every two to three months. Specific dates for 2018/19 are listed below which show when business cases and highlight reports are due for submission from scheme promoters. The peak workload for reviewers will be for approximately two to three weeks following the submissions dates detailed in the table.

|  |  |
| --- | --- |
| Submission of Full Business Case for Review | Submission of Outline Business Case/ Highlight Reports |
| 25/04/18 | 03/05/18 |
| 05/07/18 | 13/07/18 |
| 05/09/18 | 14/09/18 |
| 09/11/18 | 19/11/18 |
| 11/01/19 | 22/01/19 |

*these dates may be subject to change*

As mentioned previously ad hoc support would also be required which may fall outside of the dates specified and the regular two-monthly reporting cycle.

Over the last year approximately four business cases have been received each cycle for the LEP funding streams. Currently the volume and timing for the Investment Fund is unknown though it is expected that the volume associated with this funding stream will increase significantly going forward.

**Data Protection** - As a reviewer you will have access to commercially sensitive data and as such any accepted supplier will be required to treat such information confidentially, complying with the General Data Protection Regulation that comes into force in May 2018.

**Conflict of interests** – Reviews should be undertaken that are independent of the scheme promoter. It is recognised that in certain circumstances as schemes progress, reviewers or their organisation may have real or perceived conflicts of interest that could potentially compromise this position of independence. Where this arises the reviewer should immediately advise WECA officers and where necessary a different reviewer, who still meets the award criteria, will be engaged to undertake the work. The Framework approach would also allow for the alternative reviewer to give a second opinion on the conclusions of a review if required.

As outlined later in the document the primary reviewer will be the lowest cost amongst those who have met the threshold of quality and price for entry onto the framework through the tender process, with the alternative consultant being the second lowest price. Consultants who meet the award criteria will be notified and any work commissioned will be on a call off ‘mini-competition’ basis from the Framework (see Call off process under Section 1.5).

**Tenderers submission** – submissions should be provided on the exact terms specified above. Submissions supplied that vary from the specification listed above will not be considered.

**1.5** **Lots**

The Authority will, where appropriate, break contracts into lots to facilitate SME participation in line with the Public Contracts Regulation 2015.

The services covered by this procurement exercise have been sub-divided into two lots as follows:-

|  |  |
| --- | --- |
| Lot | Description |
| 1 | **Provision of specialist transport business case review.**  Though Lot 1 is not limited to transport projects over £5m there is a requirement that where schemes are over £5m then reviewers are to advise in line with Department for Transport requirements and guidance. This should include a review of transport economic case, appraisal methodology and value for money statements. Again, where transport projects are over £5m it is also anticipated that reviews may be undertaken by a team rather than an individual. However, one named individual will need to be the owner of the review report. For smaller transport schemes, and those which are less complex, the expectation would be for one individual to conduct the review. |
| 2 | **Review function for other business cases.**  Lots 2 seeks reviewers to cover the broad and full range of projects including skills, business support, enabling infrastructure, transport and other building projects that are seeking capital and revenue funding. Reviews of transport projects could also be awarded through this lot but these will only be for projects less than £5m and any awarded through this lot would be expected to be managed by an individual rather than a team. |

Tenderers may tender for one or both lots.

**Call off process**

As covered later in the tender documentation – Section 5, Evaluation and Award – bids will be reviewed based on price and quality. Both criterion carry a maximum score of 100, though the weighting for both aspects is not equal with price carrying a weighting of 40% and quality 60%.

The quality criterion is broken down with sub-questions and weightings, with each question carrying a maximum score of 5 and a minimum of zero. These scores and their weightings are then combined to give the overall score for the criterion.

For a bid to proceed to the stage where it is reviewed against both price and quality a minimum score of 75 (45%) against the quality criterion will first need to be achieved.

Thereafter, to be accepted onto the Framework there is requirement for a minimum total score of:

Lot 1 - 80%

Lot 2 - 80%

So for example:

|  |  |  |  |
| --- | --- | --- | --- |
| **Price Score out of 100 (Weighted - 40%)** | **Quality Score out of 100 (Weighted - 60%)** | **Overall Score / Weighting** | **Accepted onto the Framework** |
| 100 (40%) | 100 (60%) | 100% | Yes |
| 50 (20%) | 100 (60%) | 80% | Yes |
| 90 (36%) | 75 (45%) | 80% | Yes |
| 100 (40%) | 67 (40%) | 80% | No |
| 75 (30%) | 75 (45%) | 75% | No |

Where tenderers are successful in their bids and are accepted onto the Framework the process for call off against the Framework and assigning of work will be on the basis of a ‘mini-competition’. Given that quality will have been tested and the threshold achieved in order for suppliers to join the Framework the bids will be ranked on price, with the lowest price being ranked first. Work will be assigned to the supplier who is ranked first for price so long as the timeframe for concluding the work can be met by that supplier. Where timeframes cannot be met by the first-ranked reviewer then the second lowest cost reviewer will be approached to undertake the review work. This shall continue until timescales can be adequately met.

Exceptionally if a review was required under lot 2 for a scheme of a particularly specialist nature or complexity, then a mini competition would be undertaken on the basis of quality (60%) and price (40%) amongst the suppliers on the framework.

**1.6 Scope of Contract**

The scope of the works is the West of England covering the four local authority areas of Bath and North East Somerset, Bristol City Council, North Somerset and South Gloucestershire.

**1.7 Term of Contract**

The Framework Agreement will be for a period of three years, commencing on Monday 2 July 2018 and expire on Friday 2 July 2021.

The term of this Framework can be extended beyond the initial three year term for a further 12 months subject to satisfactory performance and agreed costs.

**1.8 Value**

We anticipate that the Framework value for the service will be in the region of £45k - £70k in 2018/19 and £60k - £90k per year thereafter. The total value, including the possible extension will be in the region of £225k - £340k. The split between the lots is anticipated to be as follows:

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | 2018/19 | 2019/20 | 2020/21 | 12 month extension | **Total** |
| LOT 1 | £15 -25k | £30 – 45k | £30 – 45k | £30 – 45k | **£105 – 160k** |
| LOT 2 | £30 – 45k | £30 – 45k | £30 – 45k | £30 – 45k | **£120 – 180k** |

**SECTION 2 – INSTRUCTIONS TO TENDERERS**

2.1 **E-tender System**

The Authority uses ProContract as its e-tendering system. Assistance in relation to the e-tender system is available to Tenderers via the Supplier Help facility on the Homepage.

Supplier Guidance documents are also available to view and download.

**Suppliers must ensure that they have the most up to date Invitation to Tender document by registering on the e-tendering system at** [**www.supplyingthesouthwest.**](http://www.supplyingthesouthwest.com)**org.uk and expressing an interest. This will enable suppliers to view the latest documents and see any comments and discussions on those documents.**

If you are still unable to resolve your issue in using the system you should send an e-mail to [ProContractsuppliers@Proactis.com](mailto:ProContractsuppliers@Proactis.com) explaining the nature of your query.

2.2 **Register Intent or opt out**

The “Register Intent” button will be greyed out until the mandatory requirement to click on “View ITT” has been carried out.

Once the Tender Information has been viewed Tenderers will be able to click on “Register Intent” which will inform the Authority of your intention to respond to this opportunity.

If a Tenderer does not wish to, or is unable to submit a Tender and not interested in proceeding, then they are required to click on “Opt Out” to decline the opportunity.

2.3 **Preparation of tender**

Organisations must obtain for themselves all information necessary for the preparation of their Tender response and all costs, expenses and liabilities incurred by the Tender in connection with the preparation and submission of the Tender shall be borne by the Tenderer, whether or not their offer is successful.

Information supplied to the Tenderer by Authority staff or contained in Authority publications is supplied only for general guidance in the preparation of the Tender. It shall remain the property of the Authority and shall be used only for the purpose of this procurement exercise.

Tenderers must satisfy themselves as to the accuracy of any such information and no responsibility is accepted by the Authority for any loss or damage of whatever kind and howsoever caused arising from the use by Tenderers of such information.

Responses to each Tender question should be written concisely and clearly answer the question posed in English.

Tenderers will only be able to respond to questions that require an input from them and are located within the Invitation to Tender document attached within the e-tender system.

2.4 **Price Schedule/s**

The Authority requires Tenderers to complete and upload Price Schedule(s) where requested to do so within the e-tender system.

All prices shall be in Pounds Sterling.

2.5 **Other Documents or Supporting Evidence**

As instructed to do so within the e-tender system, the Tenderer must complete and upload other documentation that may be provided with this Tender process, or upload evidence to support their Tender submission.

Tenders must not be qualified, conditional, or accompanied by statements that could be construed as rendering them equivocal and/or placed on a different footing to those of other Tenderers. Only tenders submitted without qualification, in accordance with this invitation to tender will be accepted for consideration. The Authority’s decision on whether or not a tender is acceptable will be final and the Tenderer concerned will not be consulted. If a Tenderer is excluded from consideration, the Tenderer will be notified.

2.6 **Submission deadline**

Tenderers are required to submit their Tender within the e-tender system by 17:00 on Tuesday 1 May 2018.

Tenderers are advised to allow sufficient time to complete questions and upload documentation to the e-tender system, where requested to do so.

It is the Tenderer’s responsibility to ensure that the Tender is submitted and has fully uploaded all required documentation within the e-tender system by the closing date and time. Emailed or hard copy Tenders will not be accepted.

Failure to answer and complete the Tender within the e-tender system will result in the Authority rejecting the Tender as a Fail / Non-compliant tender.

Failure to complete and upload any required documentation within the e-tender system will result in the Authority rejecting the Tender as a Fail / Non-compliant tender.

Documentation: If you are uploading multiple documents, it is recommended that you zip them using WinZipor WinRAR. Do not include any macro enabled spreadsheets or embedded documents. Acceptable file formats are: *txt, rtf, mpp, vsd, dwg, rar, msg, ics, html, gif, jpg, png, jpeg, tiff, tif, zip, pdf, doc, xls, ppt, docx, xlsx, pptx, mp3, mov, m4a, swf, wmv, mpg, mpeg, avi, wav, odt, odp, ods, numbers and pages.*

Late Tender Submissions: Tenders received after the closing date will not be considered.

The Authority is under no obligation to consider partial or late submissions.

If the Authority issues an amendment to the original Tender process, and if it regards that amendment as significant, an extension of the closing date may, at the discretion, of the Authority be given to all Organisations.

The information supplied in response to the Tender will be checked for completeness and compliance before responses are evaluated. The Authority expressly reserves the right to require a Tenderer to provide additional information supplementing or clarifying any of the information provided in response to the requests set out in the Tender. However, the Authority is not obliged to make such requests.

Tenderers shall accept and acknowledge that by issuing this ITT the Authority shall not be bound to accept any Tender and reserves the right not to conclude a Framework Agreement for some or all of the services for which tenders are invited.

2.7 **Tender Validity**

The tender should remain open for acceptance for a period of 120 days. A Tender valid for a shorter period may be rejected.

2.8 **Communication**

All contact and communication during this procurement should be submitted in writing through the e-tender system.

Tenderers should seek to clarify any points of doubt or difficulty via the e-tender system in sufficient time before the closing date of the Tender, to enable to the Authority to respond to all Tenderers. It is not acceptable for Tenderers to seek clarifications via telephone or e-mail outside of the e-tender system.

Where the Authority considers any question or request for clarification to be of material significance it may communicate both the query and the response, in a suitably anonymous form, to all interested parties. Tenderers should therefore not include within the question placed their organisation’s name and any potential commercially sensitive information.

2.9 **Confidentiality**

The supplier must keep confidential and will not disclose to any third parties any information contained within their bid. They shall not release details other than on an ‘In Confidence’ basis to those whom they need to consult for the purpose of preparing the Quote response, such as professional advisors or joint bidders.

The Tender shall not be canvassed for acceptance or discussed with the media, any other Organisation, member/officer of the West of England Combined Authority, or their representatives. Any supplier trying to exert any undue influence during the tender process could be excluded from the process.

2.10 **Grounds for Rejection**

The Authority reserves the right to reject or disqualify a Tender and/or its Consortium Members where:-

* A Tender is submitted late, is completed incorrectly, is materially incomplete or fails to meet the Authority’s submission requirements which have been notified to Tenderers;
* the Tenderer and/or its Consortium Members are unable to satisfy the terms of Regulation 57 of the Public Contracts Regulations 2015 and/or fails to certify that it has fulfilled these requirements;
* the Tenderer and/or its Consortium Members are guilty of material misrepresentation in relation to its application and/or the process;
* the Tenderer and/or its Consortium Members contravene any of the terms and conditions of this document or the ITT; or
* there is a change in identity, control, financial standing or other factor impacting on the selection and/or evaluation process affecting the Tenderer and/or its Consortium Members;
* dis-qualification of a Tenderer will not prejudice any other civil remedy available to the Authority and will not prejudice any criminal liability that such conduct by a Tenderer may attract.

2.11 **Disclaimer**

Whilst the information in this ITT and supporting documents has been prepared in good faith, it does not purport to be comprehensive nor has it been independently verified.

Neither the Authority, [nor any relevant Other Contracting Bodies], nor their advisors, respective directors, officers, members, partners, employees, other staff or agents:

* make any representation or warranty (express or implied) as to the accuracy, reasonableness or completeness of the ITT; or
* accepts any responsibility for the information contained in the ITT or for their fairness, accuracy or completeness of that information nor shall any of then be liable for any loss or damage (other than in respect of fraudulent misrepresentation) arising as a result of reliance on such information or any subsequent communication.

Any Framework Agreement or Contract concluded as a result of this ITT shall be governed by English law.

2.12 **Freedom of Information Act**

Tenderers should note that the Authority is subject to the ‘Freedom of Information Act 2000’ and provisions are in force allowing any person access to information held by the Authority. There are limited exemptions to this. The exemptions include information, the disclosure of which would be an actual breach of confidence or likely to prejudice the commercial interests of any person, or information that constitutes a trade secret. Tenderers are requested to state which part, if any, of the information supplied with their tenders is confidential or commercially sensitive or should not be disclosed in response to a request for information. Where Tenderers state that any information is confidential or commercially sensitive, they must also state why they consider the information to be confidential or commercially sensitive. Tenderers’ statements will be considered in the context of the exemptions provided for under the Act and the Authority is unable to give any guarantee that the information in question will not be disclosed.

2.13 **Transparency**

Suppliers and those organisations who bid should be aware that if they are awarded a contract, the resulting contract between the supplier and the Authority will be published under the government transparency policy. To view details of what we MUST publish, see the Local Government Transparency Code 2015 at the link below.

[Local Government Transparency code 2015](file:///S:\Corporate%20Procurement%20Team\Procurement\Transparency%20Code%202014\Local%20Government%20Transparency%20code%202015.pdf)

The Authority is required to publish details of all expenditure over £500 made to its suppliers and all contracts and framework agreements over £5000.

Details will be published on the Authority’s website and the government’s transparency website (Data.gov.uk) and Contracts Finder.

Suppliers and those organisations who bid should be aware that if they are awarded a contract, the resulting contract between the supplier and the Authority will be published. In some circumstances limited redactions will be made to some contracts before they are published in order to comply with existing law and for the protection of national security.

In submitting a tender, the supplier accepts the Authority’s right to publish details of expenditure as well as information contained within the supplier’s tender.

2.14 **Equality**

The West of England Combined Authority is committed to equality of opportunity for everyone and believes that the diversity of the local community is a major strength that contributes to the social and economic prosperity of the area. This extends to the way it deals with its suppliers. All suppliers will be treated fairly and equitably before, during and after this tender procedure.

2.15 **Ethical Standards**

Ethical procurement takes the wider view and incorporates the net benefits for both the buyer organisation and the wider world. The Authority will consider the impact of environmental, economic and social factors along with price and quality.

The Authority must ensure that the practices it undertakes in business are above reproach. They will be aware and lookout for signs of unacceptable practices in the supply chain such as fraud, corruption, modern-day slavery, human trafficking and wider issues such as child labour.

2.16 **Step-In Rights**

Please note that the Authority reserves the right to incorporate step-in rights into this contract in the incidence of a failure of the main contractor or a sub-contractor to carry out their obligations under the contract.

2.17 **Payment to Sub-Contractors**

Suppliers should be aware that where they will enter into a sub-contract with a supplier or contractor for the purpose of performing its obligations under the Contract, it shall ensure that a provision is included in such a sub-contract which requires payment to be made of all sums due by the supplier to the sub-contractor within a specified period not exceeding 30 days from the receipt of a valid invoice.

2.18 **Procurement Timetable**

The indicative timetable for this procurement is set out below. This is intended as a guide and, whilst the Authority does not intend to depart from the timetable, it reserves the right to do so at any time.

|  |  |
| --- | --- |
| **Date or Target Date** | **Activity** |
| Friday 23 March 2018 | ITT issued to potential suppliers |
| Monday 9 April 2018 | Closing date for clarification questions to be submitted |
| Monday 16 April 2018 | Authority responds to clarification questions |
| Tuesday 1 May 2018 | Closing date and time for receipt by the Authority of tenderers responses to the ITT |
| Friday 1 June 2018 | Evaluation of the ITT responses by tender panel & supplier financial accounts by Internal Audit |
| Friday 8 June 2018 | Award decision made and standstill letter issued |
| Friday 22 June 2018 | Expiry of standstill period |
| Monday 25 June 2018 | Contract award concluded |
| Monday 2 July 2018 | Commencement Date of Contract |

2.19 **Required documents**

Within this Tender process Tenderers have been provided with the following documentation. Where indicated these are required to be completed and uploaded within the e-tender system.

|  |  |
| --- | --- |
| **DOCUMENT TITLE** | **COMPLETE AND UPLOAD** |
| Section 1 – The Requirement including specification | 🗶 |
| Section 2 – Instructions to Tenderers | 🗶 |
| Section 3 – Questionnaire | ✓ |
| Section 4 – Pricing Schedule & Price Score Sheet | ✓ |
| Section 5 – Evaluation and Award | 🗶 |
| Appendix 1 – Non Collusion Certificate | ✓ |
| Appendix 2 – WECA Terms and Conditions | 🗶 |
| Appendix 3 – Pricing Schedule | ✓ |
| Appendix 4 - Scoring Methodology Scoresheet | 🗶 |

Please Note: The completion and electronic return of all the documents ticked above is mandatory

**2.21 Terms & Conditions**

The Authority’s Terms and Conditions of Contract are attached at Appendix 2. These are the terms that will apply to this contract.

We accept the Terms & Conditions of Contract set out in the Appendix 2 Yes/NO

**SECTION 3 - Standard Selection Questionnaire**

**Potential Supplier Information and Exclusion Grounds: Part 1 and Part 2.**

The standard Selection Questionnaire is a self-declaration, made by you (the potential supplier), that you do not meet any of the grounds for exclusion[[2]](#footnote-2). If there are grounds for exclusion, there is an opportunity to explain the background and any measures you have taken to rectify the situation (we call this self-cleaning).

A completed declaration of Part 1 and Part 2 provides a formal statement that the organisation making the declaration has not breached any of the exclusions grounds. Consequently we require all the organisations that you will rely on to meet the selection criteria to provide a completed Part 1 and Part 2. For example these could be parent companies, affiliates, associates, or essential sub-contractors, if they are relied upon to meet the selection criteria. This means that where you are joining in a group of organisations, including joint ventures and partnerships, each organisation in that group must complete one of these self-declarations. Sub-contractors that you rely on to meet the selection criteria must also complete a self-declaration (although sub-contractors that are not relied upon do not need to complete the self-declaration).

When completed, this form is to be sent back to the contact point given in the procurement documents along with the selection information requested in the procurement documentation.

**Supplier Selection Questions: Part 3**

The procurement document will provide instructions on the selection questions you need to respond to and how to submit those responses. If you are bidding on behalf of a group (consortium) or you intend to use sub-contractors, you should complete all of the selection questions on behalf of the consortium and/or any sub-contractors.

If the relevant documentary evidence referred to in the Selection Questionnaire is not provided upon request and without delay we reserve the right to amend the contract award decision and award to the next compliant bidder.

**Scored Questions: Part 4**

This document may invite you to answer additional questions that are specific to the project and these will be scored.

**Consequences of misrepresentation**

If you seriously misrepresent any factual information in filling in the Selection Questionnaire, and so induce an authority to enter into a contract, there may be significant consequences. You may be excluded from the procurement procedure, and from bidding for other contracts for three years. If a contract has been entered into you may be sued for damages and the contract may be rescinded. If fraud, or fraudulent intent, can be proved, you or your responsible officers may be prosecuted and convicted of the offence of fraud by false representation, and you must be excluded from further procurements for five years.

**BUSINESS CASE INDEPENDENT REVIEW FRAMEWORK**

**[INSERT REFERENCE NUMBER]**

**OPEN PROCEDURE**

**Notes for completion**

1. The “authority” means the contracting authority, or anyone acting on behalf of the contracting authority, that is seeking to invite suitable candidates to participate in this procurement process.
2. “You” / “Your” refers to the potential supplier completing this standard Selection Questionnaire i.e. the legal entity responsible for the information provided. The term “potential supplier” is intended to cover any economic operator as defined by the Public Contracts Regulations 2015 (referred to as the “regulations”) and could be a registered company; the lead contact for a group of economic operators; charitable organisation; Voluntary Community and Social Enterprise (VCSE); Special Purpose Vehicle; or other form of entity.
3. Please ensure that all questions are completed in full, and in the format requested. If the question does not apply to you, please state ‘N/A’. Should you need to provide additional information in response to the questions, please submit a clearly identified annex.
4. The authority recognises that arrangements set out in section 1.2 of the standard Selection Questionnaire, in relation to a group of economic operators (for example, a consortium) and/or use of sub-contractors, may be subject to change and will, therefore, not be finalised until a later date. The lead contact should notify the authority immediately of any change in the proposed arrangements and ensure a completed Part 1 and Part 2 is submitted for any new organisation relied on to meet the selection criteria. The authority will make a revised assessment of the submission based on the updated information.
5. For Part 1 and Part 2 every organisation that is being relied on to meet the selection must complete and submit the self-declaration.
6. All sub-contractors are required to complete Part 1 and Part 2[[3]](#footnote-3).
7. For answers to Part 3 -If you are bidding on behalf of a group, for example, a consortium, or you intend to use sub-contractors, you should complete all of the questions on behalf of the consortium and/ or any sub-contractors, providing one composite response and declaration.

The authority confirms that it will keep confidential and will not disclose to any third parties any information obtained from a named customer contact, other than to the Cabinet Office and/or contracting authorities defined by the regulations, or pursuant to an order of the court or demand made by any competent authority or body where the authority is under a legal or regulatory obligation to make such a disclosure.

**Part 1: Potential supplier Information**

Please answer the following questions in full. Note that every organisation that is being relied on to meet the selection must complete and submit the Part 1 and Part 2 self-declaration.

|  |  |  |
| --- | --- | --- |
| Section 1 | Potential supplier information | |
| Question number | Question | Response |
| 1.1(a) | Full name of the potential supplier submitting the information |  |
| 1.1(b) – (i) | Registered office address (if applicable) |  |
| 1.1(b) – (ii) | Registered website address (if applicable) |  |
| 1.1(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) |  |
| 1.1(d) | Date of registration in country of origin |  |
| 1.1(e) | Company registration number (if applicable) |  |
| 1.1(f) | Charity registration number (if applicable) |  |
| 1.1(g) | Head office DUNS number (if applicable) |  |
| 1.1(h) | Registered VAT number |  |
| 1.1(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 ☐ |
| 1.1(i) - (ii) | If you responded yes to 1.1(i) - (i), please provide the relevant details, including the registration number(s). |  |
| 1.1(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 ☐ |
| 1.1(j) - (ii) | If you responded yes to 1.1(j) - (i), please provide additional details of what is required and confirmation that you have complied with this. |  |
| 1.1(k) | Trading name(s) that will be used if successful in this procurement |  |
| 1.1(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 |  |
| 1.1(m) | Are you a Small, Medium or Micro Enterprise (SME)[[4]](#footnote-4)? | Yes ☐  No ☐ |
| 1.1(n) | Details of Persons of Significant Control (PSC), where appropriate: [[5]](#footnote-5)  - 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. [[6]](#footnote-6)  (Please enter N/A if not applicable) |  |
| 1.1(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) |  |
| 1.1(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.

Please provide the following information about your approach to this procurement:

|  |  |  |
| --- | --- | --- |
| Section 1 | Bidding model | |
| Question number | Question | Response |
| 1.2(a) - (i) | Are you bidding as the lead contact for a group of economic operators? | Yes ☐  No ☐  If yes, please provide details listed in questions 1.2(a) (ii), (a) (iii) and to 1.2(b) (i), (b) (ii), 1.3, Section 2 and 3.  If no, and you are a supporting bidder please provide the name of your group at 1.2(a) (ii) for reference purposes, and complete 1.3, Section 2 and 3. |
| 1.2(a) - (ii) | Name of group of economic operators (if applicable) |  |
| 1.2(a) - (iii) | Proposed legal structure if the group of economic operators intends to form a named single legal entity prior to signing a contract, if awarded. If you do not propose to form a single legal entity, please explain the legal structure. |  |
| 1.2(b) - (i) | Are you or, if applicable, the group of economic operators proposing to use sub-contractors? | Yes ☐  No ☐ |
| 1.2(b) - (ii) | If you responded yes to 1.2(b)-(i) please provide additional details for each sub-contractor in the following table: we may ask them to complete this form as well.   |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | Name |  |  |  |  |  | | Registered address |  |  |  |  |  | | Trading status |  |  |  |  |  | | Company registration number |  |  |  |  |  | | Head Office DUNS number (if applicable) |  |  |  |  |  | | Registered VAT number |  |  |  |  |  | | Type of organisation |  |  |  |  |  | | SME (Yes/No) |  |  |  |  |  | | The role each sub-contractor will take in providing the works and /or supplies e.g. key deliverables |  |  |  |  |  | | The approximate % of contractual obligations assigned to each sub-contractor |  |  |  |  |  | | |

**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.

|  |  |  |
| --- | --- | --- |
| Section 1 | Contact details and declaration | |
| Question number | Question | Response |
| 1.3(a) | Contact name |  |
| 1.3(b) | Name of organisation |  |
| 1.3(c) | Role in organisation |  |
| 1.3(d) | Phone number |  |
| 1.3(e) | E-mail address |  |
| 1.3(f) | Postal address |  |
| 1.3(g) | Signature (electronic is acceptable) |  |
| 1.3(h) | Date |  |

**Part 2: Exclusion Grounds**

Please answer the following questions in full. Note that every organisation that is being relied on to meet the selection must complete and submit the Part 1 and Part 2 self-declaration.

|  |  |  |
| --- | --- | --- |
| Section 2 | Grounds for mandatory exclusion | |
| Question number | Question | Response |
| 2.1(a) | **Regulations 57(1) and (2)**  The detailed grounds for mandatory exclusion of an organisation are set out on this [webpage](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List_of_Mandatory_and_Discretionary_Exclusions.pdf), which should be referred to before completing these questions.  Please indicate if, within the past five years you, your organisation or any other person who has powers of representation, decision or control in the organisation been convicted anywhere in the world of any of the offences within the summary below and listed on the [webpage](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List_of_Mandatory_and_Discretionary_Exclusions.pdf). | |
|  | Participation in a criminal organisation. | Yes ☐  No ☐  If Yes please provide details at 2.1(b) |
|  | Corruption. | Yes ☐  No ☐  If Yes please provide details at 2.1(b) |
|  | Fraud. | Yes ☐  No ☐  If Yes please provide details at 2.1(b) |
|  | Terrorist offences or offences linked to terrorist activities | Yes ☐  No ☐  If Yes please provide details at 2.1(b) |
|  | Money laundering or terrorist financing | Yes ☐  No ☐  If Yes please provide details at 2.1(b) |
|  | Child labour and other forms of trafficking in human beings | Yes ☐  No ☐  If Yes please provide details at 2.1(b) |
| 2.1(b) | If you have answered yes to question 2.1(a), please provide further details.  Date of conviction, specify which of the grounds listed the conviction was for, and the reasons for conviction,  Identity of who has been convicted  If the relevant documentation is available electronically please provide the web address, issuing authority, precise reference of the documents. |  |
| 2.2 | If you have answered Yes to any of the points above have measures been taken to demonstrate the reliability of the organisation despite the existence of a relevant ground for exclusion? (Self Cleaning) | Yes ☐  No ☐ |
| 2.3(a) | **Regulation 57(3)**  Has it been established, for your organisation by a judicial or administrative decision having final and binding effect in accordance with the legal provisions of any part of the United Kingdom or the legal provisions of the country in which the organisation is established (if outside the UK), that the organisation is in breach of obligations related to the payment of tax or social security contributions? | Yes ☐  No ☐ |
| 2.3(b) | If you have answered yes to question 2.3(a), please provide further details. Please also confirm you have paid, or have entered into a binding arrangement with a view to paying, the outstanding sum including where applicable any accrued interest and/or fines. |  |

Please Note: The authority reserves the right to use its discretion to exclude a potential supplier where it can demonstrate by any appropriate means that the potential supplier is in breach of its obligations relating to the non-payment of taxes or social security contributions.

|  |  |  |
| --- | --- | --- |
| Section 3 | Grounds for discretionary exclusion | |
|  | Question | Response |
| 3.1 | **Regulation 57 (8)**  The detailed grounds for discretionary exclusion of an organisation are set out on this [webpage](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List_of_Mandatory_and_Discretionary_Exclusions.pdf), which should be referred to before completing these questions.  Please indicate if, within the past three years, anywhere in the world any of the following situations have applied to you, your organisation or any other person who has powers of representation, decision or control in the organisation. | |
| 3.1(a) | Breach of environmental obligations? | Yes ☐  No ☐  If yes please provide details at 3.2 |
| 3.1 (b) | Breach of social obligations? | Yes ☐  No ☐  If yes please provide details at 3.2 |
| 3.1 (c) | Breach of labour law obligations? | Yes ☐  No ☐  If yes please provide details at 3.2 |
| 3.1(d) | Bankrupt or is the subject of insolvency or winding-up proceedings, where the organisation’s assets are being administered by a liquidator or by the court, where it is in an arrangement with creditors, where its business activities are suspended or it is in any analogous situation arising from a similar procedure under the laws and regulations of any State? | Yes ☐  No ☐  If yes please provide details at 3.2 |
| 3.1(e) | Guilty of grave professional misconduct? | Yes ☐  No ☐  If yes please provide details at 3.2 |
| 3.1(f) | Entered into agreements with other economic operators aimed at distorting competition? | Yes ☐  No ☐  If yes please provide details at 3.2 |
| 3.1(g) | Aware of any conflict of interest within the meaning of regulation 24 due to the participation in the procurement procedure? | Yes ☐  No ☐  If yes please provide details at 3.2 |
| 3.1(h) | Been involved in the preparation of the procurement procedure? | Yes ☐  No ☐  If yes please provide details at 3.2 |
| 3.1(i) | Shown significant or persistent deficiencies in the performance of a substantive requirement under a prior public contract, a prior contract with a contracting entity, or a prior concession contract, which led to early termination of that prior contract, damages or other comparable sanctions? | Yes ☐  No ☐  If yes please provide details at 3.2 |
| 3.1(j)  3.1(j) - (i)  3.1(j) - (ii)  3.1(j) –(iii)  3.1(j)-(iv) | Please answer the following statements  The organisation is guilty of serious misrepresentation in supplying the information required for the verification of the absence of grounds for exclusion or the fulfilment of the selection criteria.  The organisation has withheld such information.  The organisation is not able to submit supporting documents required under regulation 59 of the Public Contracts Regulations 2015.  The organisation has influenced the decision-making process of the contracting authority to obtain confidential information that may confer upon the organisation undue advantages in the procurement procedure, or to negligently provided misleading information that may have a material influence on decisions concerning exclusion, selection or award. | Yes ☐  No ☐  If Yes please provide details at 3.2  Yes ☐  No ☐  If Yes please provide details at 3.2  Yes ☐  No ☐  If Yes please provide details at 3.2  Yes ☐  No ☐  If Yes please provide details at 3.2 |

|  |  |  |
| --- | --- | --- |
| 3.2 | If you have answered Yes to any of the above, explain what measures been taken to demonstrate the reliability of the organisation despite the existence of a relevant ground for exclusion? (Self Cleaning) |  |

**Part 3: Selection Questions**[[7]](#footnote-7)

|  |  |  |  |
| --- | --- | --- | --- |
| **Section 4** | **Economic and Financial Standing** | | |
|  | Question | Response | |
| **4.1** | 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 ☐ |
| **4.2** | 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 ☐ |

|  |  |  |
| --- | --- | --- |
| **Section 5** | **If you have indicated in the Selection Questionnaire question 1.2 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** | Are you able to provide parent company accounts if requested to at a later stage? | Yes ☐  No ☐ |
| **5.2** | If yes, would the parent company be willing to provide a guarantee if necessary? | Yes ☐  No ☐ |
| **5.3** | If no, would you be able to obtain a guarantee elsewhere (e.g. from a bank)? | Yes ☐  No ☐ |

|  |  |
| --- | --- |
| **Section 6** | **Technical and Professional Ability** |
| **6.1** | **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 |

|  |  |  |  |
| --- | --- | --- | --- |
|  | **Contract 1** | **Contract 2** | **Contract 3** |
| **Name of customer organisation** |  |  |  |
| **Point of contact in the organisation** |  |  |  |
| **Position in the organisation** |  |  |  |
| **E-mail address** |  |  |  |
| **Description of contract** |  |  |  |
| **Contract Start date** |  |  |  |
| **Contract completion date** |  |  |  |
| **Estimated contract value** |  |  |  |

|  |  |
| --- | --- |
| **6.2** | 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) |
|  |  |

|  |  |
| --- | --- |
| **6.3** | If you cannot provide at least one example for questions 6.1, 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. |
|  |  |

|  |  |  |
| --- | --- | --- |
| **Section 7** | **Modern Slavery Act 2015:** **Requirements under Modern Slavery Act 2015** | |
| **7.1** | 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 ☐ |
| **7.2** | If you have answered yes to question 7.1 are you compliant with the annual reporting requirements contained within Section 54 of the Act 2015? | Yes ☐  Please provide the relevant url …  No ☐  Please provide an explanation |

**8. Additional Questions**

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

|  |  |
| --- | --- |
|  | **Additional Questions** |
| **8.1** | **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:  Y/N  Employer’s (Compulsory) Liability Insurance = £5m  Public Liability Insurance = £5m Professional Indemnity Insurance = £500k  \*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. |

|  |  |  |
| --- | --- | --- |
| **8.2** | **Payment** |  |
| a. | WECA standard payment terms are 30 days nett. Unless you tell us otherwise, we will assume these are acceptable to you for this contract. |  |
| b. | Are you able to provide consolidated monthly bills for this Contract? | ▢ Yes  ▢ No |
| c. | Do you accept Purchasing Card transactions for low value purchases? | ▢ Yes  ▢ No |

**9. Scored Questions**

Suppliers are required to answer the following questions comprehensively and provide evidence, where requested to support their answer. They should adhere to any word counts or any instructions on how to respond. Where responses exceed the word count, assessment against the question will cease at the point where the work count is met and the remainder of the response will not be considered. Unless specified or requested additional appendices will not be accepted as supplements to responses. Some questions relate to both Lots 1 & 2, some to just Lot 1 and some only Lot 2, please make sure you answer the questions relevant to the Lot you are submitting a bid against, any answers submitted against questions not related to the bid you are submitting will not be considered.

|  |  |  |
| --- | --- | --- |
| **9.1** | **Scored Questions** |  |
| a. | **Both Lots 1 & 2**  Please explain the breadth of projects you have been involved in previously including the extent of programme and project support, review and advice you have provided.  **[Word count 500]**  Criteria:   * Scale of projects and types of scheme. * Support and advice provided including assessment/reviews of business cases, highlight reports, change requests. * Knowledge of technical aspects and relevant guidance and standards and good practice. |  |
| **Lot 1 only**  *The following questions ‘b’ – ‘d’ only need be answered for bid submissions in respect of Lot 1.* | | |
| b. | **Lot 1 only**  Please provide an overview of the approach and methodology you would use to undertake a Business Case review and provide a report/feedback, using recent (within the last 18 months), experience as an example.  **[Word Count – 1000]**  Criteria:   * Review areas considered e.g. Strategic Case, Economic Case, Commercial Case, Financial Case and Management Case. * Approach to transport modelling and appraisal, including DfT’s WebTAG guidance and the scale and nature of schemes. * Analysis on the quality of transport modelling evidence base. * Approach to identification of issues, risks, constraints and clarification points or areas for improvement. * Assessment of deliverability including timescales and budget/cost plans. * Value for Money analysis. * Report feedback structure and content/sections. |  |
| c. | **Lot 1 only – supplementary question to ‘b’**  Further to your response on question ‘a’ please explain how you plan to deliver business case reviews, will it be as an individual or as part of a team.  Individual delivery - if you plan to undertake the review work as an individual please provide an overview of your skills and experience to enable you to provide a comprehensive and detailed review.  Team delivery – if you plan to deliver the review work as a team please provide an overview of the people/roles that will be involved, the team lead member and experience of skills of all the team members.  **[Word count 750]**  Criteria:   * Number of reviewer(s). * Skills and experience, including projects worked on. * Time worked in the sector. * Team members estimated time involvement on each review as a ratio/split. |  |
| d. | **Lot 1 only**  Please provide an example of a Value for Money assessment you have undertaken on a transport project that required using the Department for Transport’s Guidance as detailed in Section 1, Footnote 1, outlining the approach taken and factors considered.  **[Word count 750]**  Criteria:   * Aspects considered such as option development, costs and impacts, risks and uncertainties. * Understanding and knowledge of metrics and VfM calculation. * Use of non-monetised assessment. * Presenting and reporting of VfM. |  |

|  |  |  |
| --- | --- | --- |
| **Lot 2 only**  *The following questions ‘e’ – ‘f’ only need be answered for bid submissions in respect of Lot 2.* | | |
| e. | **Lot 2 only**  Please provide an overview of the approach and methodology you would use to undertake a Business Case review and provide a report/feedback, using recent (within the last 18 months), experience as an example.  **[Word Count – 1000]**  Criteria:   * Review areas considered e.g. Strategic Case, Economic Case, Commercial Case, Financial Case and Management Case. * Approach to identification of issues, risks, constraints and clarification and improvement points. * Assessment of deliverability including timescales and budget/cost plans. * Assessment of costs, benefits and Value for Money. * Common key issues and those for particular types of scheme. * Report feedback structure and content/sections. |  |
| f. | **Lot 2 only**  Further to your response on question ‘e’ please detail the skills and experience you have that will to enable you to provide a comprehensive and detailed review.  **[Word count 500]** |  |

**SECTION 4 – PRICING SCHEDULE**

4.1 **Pricing**

Tenderers must complete the Pricing Schedule (Appendix 3 - spreadsheet attached) in ProContract with all the proposed charges/prices to provide the requirement(s) as well as any supplementary spreadsheets to provide transparency of the metrics used for calculating fixed minimum and variable charges.

All charges/prices must be in pounds sterling and should be exclusive of VAT. All pricing information will form the basis of any resulting framework or contract.

**SECTION 5 – EVALUATION AND AWARD**

5.1 Evaluation and Award

Evaluations will be undertaken by officers of the Authority who will follow a systematic and comprehensive process in accordance with the Authority’s procedures. Tenders will be evaluated to find the most suitable Tenderer who can meet the Specification and provide competitiveness of price.

The Authority expects to make an award for the Contract within 22 days of the closing date for the submission of tenders. The Authority may, if necessary, extend the period for completing the award process.

The decision of the award will be based on the evaluation criteria as outlined under Award Criteria and Weightings.

Tenderer(s) that are successfully awarded will receive in writing an award decision notice pursuant to Regulation 86 of the Public Contracts Regulations 2015.

Tenderers who have not been successful will equally receive in writing an award decision notice pursuant to Regulation 86 of the Public Contracts Regulation 2015.

Upon acceptance, the Contract shall thereby be constituted and become binding on both parties and, notwithstanding that, the Tenderer upon request of the Authority execute a formal Contract in the form contained in this Tender process.

Tenderers must not undertake work without written notification that they have been awarded a Contract and are required to start work.

Tenderers should note that the Authority reserves the right to terminate this procedure without any decision to award and will not be liable for any costs incurred by the Tenderers in preparing their responses.

Tenderers should also note that, should they be successful the Authority reserves the right to terminate the Contract, if at any time it is discovered that the Tenderer made any material misrepresentation and/or have not notified to the Authority about any material changes in relation to the information provided in the Tender submission.

5.2 Award Criteria & Weightings

Submitted Tenders will be evaluated by officers of the Authority using the award criteria and weightings detailed in the table below.

|  |  |  |  |
| --- | --- | --- | --- |
| **AWARD CRITERIA & WEIGHTINGS** | | |  |
| **Price** | **[40%]** | Both Lots 1 & 2 will be based on the Total Price Score derived from prices for OBC, FBC and ad hoc support. |  |
| **Quality** | **Scored questions**  **[60%]** | (Score out of 100 / weighted %)  Lot 1 only:  Breadth and range of knowledge (15 / 9%)  Methodology and approach to commission (25 / 15%)  Skills and experience of Project Lead (25 / 15%)\*  Skills and experience of specialist staff (15 / 9%)\*  Approach to and analysis of VfM (20 / 12%)  *\*[Note: if no additional staff are proposed the Project Lead score is 24 / 40%]*  Lot 2 only:  Breadth and range of knowledge (20 / 12%)  Methodology and approach to commission (30 / 18%)  Skills and experience of Project Lead (50 / 30%)  *A minimum score of 75 (45% of 60% weighting) must be achieved in order to proceed to the stage where bids are reviewed and ranked based on both price and quality.* |  |
|  | **All the individual questions are mandatory therefore Tenderers are required to submit a response. Failure to complete the questions will result in a Fail as Evaluators will not be able to evaluate fully the submitted Tender.**  **Pass / Fail:** Where sections or questions have the criteria as a Pass or Fail, it will be clearly stated as such. Sections or questions scored as a Fail will result in the disqualification of the Tender and it will not proceed to full evaluation.  **Quality Scoring**  Where responses to questions are to be scored, the following scores are applied by Evaluators to a Tenderer’s submitted responses.  The scores are awarded dependent on the level of evidence provided to each question. A score of 3 represents an acceptable level of evidence.  Sections or questions scored as 0 or 1 may result in the Tender not proceeding to full evaluation.  0 – No response and/or evidence is unacceptable or non-existent, or there is a failure to properly address any issue. The Authority does not have any confidence in the Tenderer’s experience, capacity and ability to meet its requirements.  1 – The response and/or the evidence are deficient (or not relevant) in the majority of areas and the Authority has a low level of confidence in the Tenderer’s experience, capacity and capability to meet its requirements.  2 – Large portions of the response are not satisfactory and/or are not supported by a satisfactory level of evidence and the Authority has limited confidence in the Tenderer’s experience, capacity and capability to meet its requirements.  3 – The response is satisfactory and supported by an acceptable standard of relevant evidence but with some reservations/issues not addressed. The Authority is satisfied with the Tenderer’s experience, capacity and capability to meet its requirements.  4 – The response is comprehensive and supported by a good standard of relevant evidence and provides the Authority with a good standard of confidence in the Tenderer’s experience, capacity and capability to meet its requirements.  5 – The standard of the response is very high and the relevance of the response and the supporting evidence is very comprehensive and provides the Authority with a very high level of confidence in the Tenderer’s experience, capacity and capability to meet the Authority’s requirements.  **Applying weightings to scores**  The weighting for the overall tender between quality and price is listed in the table above. The quality and price criteria are given sub-weightings (also listed above).  The total score will depend on the number of questions for that criterion. So if there are 20 questions for Contract Management, for example, then the maximum marks will be 100 (20 x 5) because each question is scored out of 5.  The weighted score is the total score represented as a percentage of the sub-weighting. So if the sub-weighting for Contract Management was 20%, then scoring 100 would achieve the full 20%. 50 would achieve 10% out of 20% etc.  All sub-criteria weighted scores are added together to achieve a total weighted score out of the main quality weighting.  See the attached blank score sheet for further details.  **Price Evaluations:** The scoring is carried out within an Excel spread sheet outside of the e-tender system  All price bids are compared against the lowest bid to reach the percentage difference from the lowest bid.  Example with price weighting 40%, the calculation is:  (40\* lowest price)/bid price  The lowest price bid would receive the full 40 points.  The price weighting applicable to this tender is in the table above. | | |

5.3 Clarifications

Upon examination of the tenders, it may be necessary for the evaluators to request clarifications from the tenderers. The question(s) will be submitted on the e-tendering system and tenderers must respond in the same manner.

Clarifications received from tenderers outside the e-tendering system will not be responded to.

It may be necessary to also hold a clarification meeting with one or more tenderers for due diligence purposes. These may result in the initial scores being moderated.

5.4 Final score

All the scores from the tender, presentation clarifications, and site visits (where relevant) will be combined to produce a final score. In order to be accepted onto the Framework a total minimum score will need to be achieved as follows:

Lot 1 – 80%

Lot 2 - 80%

***Please note: Any bid not receiving a score of 75 out of 100 (45% of 60% weighting) for quality will not proceed to the stage where bids are evaluated and ranked against both price and quality****.*

5.5 Customer References

WECA may take up references from Contractors on the Framework.

5.6 Evaluation Report and Recommendation

An evaluation report will be produced by the evaluators and a recommendation made to award to the winning Contractors.

5.7 Contract Approval

The approval of the award will be made by the appropriate Authority representative, usually the budget holder for the project.

5.8 Contract Award and Debriefing

Upon completion of the tender exercise, the Authority will debrief the successful and unsuccessful tenderers as follows:-

The successful companies will receive a written notification letter that the Authority is intending to award them the business subject to a 10 day standstill period. During this period unsuccessful companies are able to challenge the award of contract, should they wish to do so. The award letter must contain information to explain why the offer was successful, including scores and commentary pertaining to the award criteria published in the Invitation to Tender.

Unsuccessful companies will receive a written notification that the Authority intends to award the Contract. The notification will explain the 10 day standstill period and must state the name of the winning tenderer, the overall score of all the tenders and reasons to justify the award and must pertain to the published award criteria. The Authority must explain the advantages of the winning tender and the disadvantages of the unsuccessful tenders.

The 10 day standstill period starts on the day after the date of the notification letter. The letter will advise the date the standstill elapses which shall not be on a weekend or Bank Holiday.

The Authority will be careful not to disclose confidential information of the successful Contractors and may withhold debriefing information in certain circumstances including where disclosure would be contrary to the public interest, would prejudice the legitimate commercial interests of any supplier, or might prejudice fair competition.

**SECTION 6 - APPENDICES**

1. Non-Collusion Certificate (to be completed and returned)
2. Terms and Conditions of Contract
3. Pricing Schedule (to be completed and returned)
4. Scoring Methodology spreadsheet (for information only)

**APPENDIX 1**

**NON-COLLUSION CERTIFICATE**

I, the undersigned, in submitting the accompanying tender to

(Name of Client)………………………………………………

………………………………………………………………………………………………

in relation to (details of tender and reference)……………………………............

……………………………………………………………………………………………….

certify on behalf of (name of Tenderer)………………………………………………

that, with the exception of any information attached hereto (see \* below):

1) this tender is made in good faith, and is intended to be genuinely competitive;

2) the amount of this tender has been arrived at independently, and has not been fixed, adjusted or influenced by any agreement or arrangement with any other undertaking, and has not been communicated to any competitor;

3) we have not entered into any agreement or arrangement with any competitor or potential competitor in relation to this tender;

4) I have read and I understand the contents of this Certificate, and I understand that knowingly making a false declaration on this form may result in legal action being taken against me.

In this certificate, the word ‘competitor’ includes any undertaking who has been requested to submit a tender or who is qualified to submit a tender in response to this request for tenders, and the words ‘any agreement or arrangement’ include any such transaction, whether or not legally binding, formal or informal, written or oral.

\* Information is/is not attached hereto (delete as appropriate)

SIGNED:....................................................

FOR AND ON BEHALF OF:........................................

DATE:.........................................

**APPENDIX 2**

**TERMS AND CONDITIONS OF CONTRACT**

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**APPENDIX 3 – PRICING SCHEDULE**

**To be completed and returned with bid**

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**APPENDIX 4 – SCORING METHODOLGY (for information only)**

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**Glossary**

‘Bidder’ means the company that is submitting a tender response to this Invitation to Tender document;

Contracting Bodies’ or `Contracting Body’ means any other public sector organisation or Local Authority described in the Contract or Framework Agreement who is allowed to procure under the Contract;

‘Contractor' means the person, firm or company appointed by the Authority or Contracting Body to supply the Goods or Services under this Contract and shall include the Contractor's employees, personal representatives, successors and permitted assigns;

‘Authority’ means West of England Combined Authority;

`Contract’ means the written agreement between the Authority or Contracting Body consisting of the clauses within the terms and conditions of contract and the Order;

“e-tender system” means the electronic tender system named Pro-Contract. It is provided by ProActis and is hosted via http://www.supplyingthesouthwest.org.uk

`Invitation to Tender’ means this document and all its components, which is inviting Bidders to bid for the Contract or for inclusion in the Framework Agreement;

`Offer’ means the offer made by the Bidder in relation to the proposed Contract

‘Specification’ means the scope and description of the Goods or Services to be provided pursuant to this Contract as set out in Section 1 – Specification;

1. DfT guidance on VfM is available in the [Value for Money Assessment: Advice Note for Local Transport Decision Makers (Dec 2013) Report](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/267296/vfm-advice-local-decision-makers.pdf) [↑](#footnote-ref-1)
2. For the list of exclusion please see <https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List_of_Mandatory_and_Discretionary_Exclusions.pdf> [↑](#footnote-ref-2)
3. See PCR 2015 regulations 71 (8)-(9) [↑](#footnote-ref-3)
4. See EU definition of SME <https://ec.europa.eu/growth/smes/business-friendly-environment/sme-definition_en> [↑](#footnote-ref-4)
5. 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-5)
6. Central Government contracting authorities should use this information to have the PSC information for the preferred supplier checked before award. [↑](#footnote-ref-6)
7. [See Action Note 8/16 Updated Standard Selection Questionnaire](https://www.gov.uk/government/collections/procurement-policy-notes) [↑](#footnote-ref-7)