

**INVITATION TO PARTICIPATE
for the Provision of**

**Apprenticeships & Training
Programmes**

under a

**Dynamic Purchasing System for
the light touch regime**

SECTION 1 – THE REQUIREMENT

1.1 Introduction

The Council wishes to establish a local multi-supplier Dynamic Purchasing System (DPS) for the provision of Apprenticeships and Training Programmes. The Council is managing this procurement in line with the Public Contracts Regulations 2015.

1.2 The Requirement

The Apprenticeship Levy came into effect in April 2017 when in England, control of apprenticeship funding was put into the hands of employers through the Digital Apprenticeship Service.

Bath and North East Somerset Council is looking for local training providers to support the Council in delivering the new Apprenticeship Levy by identifying apprenticeship opportunities in the Council, recruiting and training apprentices and supporting the Council in the delivery of a quality Apprenticeship Programme that secures best value and operates within the Apprenticeship Levy contract rules.

1.3 Term of the DPS

The DPS shall be in place from the 1st September 2017 for an initial 2 year term with the option to extend for 12 month periods up to a further 3 years.

1.4 Set up of The Dynamic Purchasing System

The initial set-up of the DPS and the later application of more Suppliers shall be administered electronically through the Council's chosen procurement portal.

This opportunity has been advertised in the OJEU, on the Council's local procurement portal and the Government's 'Contracts Finder' site. Entry onto this DPS will only be for those training providers who have successfully registered on the 'Register of apprenticeship training providers' (RoATP). All those who have registered on the RoATP will automatically be admitted onto this DPS.

1.5 Call Off Arrangements

As a "Light Touch" service, The Contracting Authority may decide to either run a competition between the appropriate providers, against the relevant occupation/geographical area, or make a direct award subject to being assured that this represents best value for money for both the Contracting Authority and apprentice cohort.

1.6 Later Entry To And Exit From The DPS

New Suppliers can enter into the DPS at any time by providing assurance of their registration on the RoATP.

Suppliers who fail to be accepted onto the DPS, may reapply at any time following successful registration on the RoATP.

Suppliers who decide to leave the DPS, may do so at any time, unless they are currently supplying the Council, in which case Suppliers are required to give three months' notice.

Where the Council considers there to be insufficient Suppliers able to fulfil a given requirement to the satisfaction of all Council Representatives, new Suppliers will be actively encouraged to apply to the DPS.

SECTION 2 – INSTRUCTIONS TO TENDERERS

2.1 E-tender System

The Council uses ProContract as its e-tendering system. Assistance in relation to the e-tender system is available to Tenderers via the Supplier Help Icon within the system.

Supplier Guidance documents are also available to view and download.

If after reading the ProContract reference guides you are still unable to resolve your issue in using the system and require support please contact the technical Support Team

ProContract Technical Support Team

By Tel: 0844 334 5204 (lines open from 08:30am to 17:00pm Monday to Friday, excluding English public holidays).

By Email: swsupport@due-north.com

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.org.uk and expressing an interest. This will enable Tenderer to view the latest documents and see any comments and discussions on those documents.

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 Council 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 Submission Deadline

Tenderers are required to submit their PQQ within the e-tender system by:

Monday, 17th July 2017 at 12:00hrs

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

2.7 Communication

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

It is not acceptable for Tenderers to seek clarifications via telephone or e-mail outside of the e-tender system.

Where the Council considers any question or request for clarification to be of material interest 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.

2.8 Freedom of Information Act

Tenderers should note that the Council is subject to the 'Freedom of Information Act 2000' and provisions are in force allowing any person access to information held by the Council. 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 Council is unable to give any guarantee that the information in question will not be disclosed.

2.9 Transparency

Tenderers and those organisations who submit PQQs should be aware that if they are awarded a contract, the resulting contract between the Supplier and the Council 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](#)

The Council is required to publish details of all expenditure over £500 made to its Suppliers and all contracts over £5000.

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

Tenderers and those organisations who bid should be aware that if they are awarded a contract, the resulting contract between the supplier and the Council

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.

2.10 Equality

Bath & North East Somerset Council 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 Tenderer. All Tenderers will be treated fairly and equitably before, during and after this tender procedure.

2.11 Ethical Standards

Ethical procurement takes the wider view and incorporates the net benefits for both the buyer organisation and the wider world. The Council will consider the impact of environmental, economic and social factors along with price and quality for this DPS and any subsequent Mini-Competitions.

The Council 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.

2.12 Procurement Timetable

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

Date or Target Date	Activity
9th June 2017	OJEU Notice Published
6th July 2017	Closing date for clarification questions to be submitted
7th July 2017	Council responds to clarification questions
10th July 2017	Closing date and time for receipt by the Council of PQQs
10th July - 20th July	Evaluation of PQQs by panel & Supplier financial accounts by Internal Audit
20th July 2017	Award decision made
27th July 2017	Contract award concluded and start of DPS

2.13 Required documents

Please make sure when submitting your bid through the e-tendering system that you include the following documents:

DOCUMENT TITLE	COMPLETE AND UPLOAD
Section 3 – Standard Selection Questionnaire	✓
Annex 1 – Non Collusion Certificate	✓
Annex 2 – Contract Terms and Conditions	X

SECTION 3 - QUESTIONNAIRE

Please answer the following questions in full

Supplier information

1.1 Supplier details	Answer	
Full name of the Supplier		
Registered company address		
Registered company number		
Registered charity number		
Registered VAT number		
Name of immediate parent company		
Name of ultimate parent company		
Please mark 'X' in the relevant box to indicate your trading status	i) a public limited company	
	ii) a limited company	
	iii) a limited liability partnership	
	iv) other partnership	
	v) sole trader	
	vi) other (please specify)	
Please mark 'X' in the relevant boxes to indicate whether any of the following classifications apply to you	i) Voluntary, Community and Social Enterprise (VCSE)	
	ii) Small or Medium Enterprise (SME) ¹	
	iii) Sheltered workshop	
	iv) Public service mutual	
1.2 Bidding model		
Please mark 'X' in the relevant box to indicate whether you are;		

¹ See EU definition of SME: <http://ec.europa.eu/enterprise/policies/sme/facts-figures-analysis/sme-definition/>

a) Bidding as a Prime Contractor and will deliver 100% of the key contract deliverables yourself	
b) Bidding as a Prime Contractor and will use third parties to deliver <u>some</u> of the services If yes, please provide details of your proposed bidding model that includes members of the supply chain, the percentage of work being delivered by each sub-contractor and the key contract deliverables each sub-contractor will be responsible for.	
c) Bidding as Prime Contractor but will operate as a Managing Agent and will use third parties to deliver <u>all</u> of the services If yes, please provide details of your proposed bidding model that includes members of the supply chain, the percentage of work being delivered by each sub-contractor and the key contract deliverables each sub-contractor will be responsible for.	
d) Bidding as a consortium but not proposing to create a new legal entity. If yes, please include details of your consortium in the next column and use a separate Appendix to explain the alternative arrangements i.e. why a new legal entity is not being created. Please note that the Council may require the consortium to assume a specific legal form if awarded the contract, to the extent that it is necessary for the satisfactory performance of the contract.	Consortium members: Lead member:
e) Bidding as a consortium and intend to create a Special Purpose Vehicle (SPV). If yes, please include details of your consortium, current lead member and intended SPV in the next column and provide full details of the bidding model using a separate Appendix.	Consortium members: Current lead member: Name of Special Purpose Vehicle:

1.3 Contact details	
Supplier contact details for enquiries	
Name	

Postal address	
Country	
Phone	
Mobile	
E-mail	

1.4 Licensing and registration (please mark 'X' in the relevant box)		
1.4.1	Is your organisation on the Register of apprenticeship training providers?	<input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, please provide your Ukprn in this box.

SECTION 4 - APPENDICES

ANNEX 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:.....

ANNEX 2

TERMS AND CONDITIONS OF CONTRACT

The terms and conditions below will be adopted for any contract resulting from a call off from this DPS



Terms and
Conditions Template.