

Bikeability training

Clarification Date:
5/7/17

Clarification No.	Section	Issue raised by supplier for clarification	Date raised	Issue responded to by SBC	Date Responded
1	Section 1, 12.1-12.3	Please confirm the preferred format for submitting completed tenders, and that tendering organisations are NOT required to upload a completed copy of the ITT Ref: PB00210 via the eProcurement portal?	12/06/2017	Tender responses should be sent as hard copy (2 copies, 1 marked 'Master') and USB. We are unable to accept returns via the portal.	16/06/2017
2	Section 1, 12.1-12.3	If USB storage device is preferred, according to SBC's Data Protection policy, should the USB storage device have hardware/software encryption?	12/06/2017	USB storage does not have to be encrypted in order for SBC to access tender files.	16/06/2017
3	Section 5	Regarding the 4x Casual Road Safety Assistant posts which have been identified under TUPE, could you please confirm whether these posts are self-employed National Standard Instructors, or whether they currently hold contracts of employment with Swindon Borough Council?	13/06/2017	Our current instructors are casual workers, employed under a letter of engagement. Two of the four casual workers spend the majority of their time delivering Bikeability, and we consider them to have the right to transfer under TUPE.	22/06/2017
4	Section 5, Table 1	Can you please clarify whether the total figures outlined are the actual figures to be delivered as part of this contract, or if the in-house team will be sharing these training numbers?	13/06/2017	The numbers in the table are the expected total to be delivered as part of this contract. Our current in-house road safety team will not be delivering any Bikeability training.	16/06/2017
5	Section 1, 12.1	Correction of return address	14/06/2017	Return address is as per Appendix D - tender return label	16/06/2017
6	Section 1, 13.4	Correction of pricing weighting	15/06/2017	The pricing weighting figures for Level 2 (standalone) and Level 1/2 training have been transposed in error. Figures should read: Level 1 8% Level 2 2% Level 1/2 27% Level 3 1% Bikeability Balance 2%	16/06/2017
7	N/A	Please provide details of which schools have had training in the past and how many children have been trained in each.	15/06/2017	All primary schools are offered Level 1/2, and secondary schools offered Levels 2/3. Figures for individual schools for the 2015-16 school year are attached as a separate document	16/06/2017
8	Section 3	The information provided in Section 3 regarding TUPE of the Casual Road Safety assistants doesn't provide us with adequate information to understand our liabilities. Please could you let us know the following: a) Who are they currently employed by b) Are they employees or self-employed c) What are the terms and conditions of their contracts – please can we have a copy of these? Do they get paid for travel time? Do they get reimbursed for mileage? d) Details of any future pay settlements and redundancy entitlements if any e) Details of pensions entitlements, if any f) Job titles of the individuals affected and their qualifications	15/06/2017	a) The 'Casual Road Safety Assistants' are employed by SBC b) They are considered to be 'workers', with protected employment rights in relation to: • unlawful deductions from wages • whistleblowing • the right to be accompanied • the national minimum wage • working hours • paid holiday • part-time working • certain rights relating to trade union membership • pension auto-enrolment • the right to transfer under TUPE c) They are appointed under a Letter of Engagement, which includes a standard rate of pay, irrespective of when worked, paid monthly in arrears for hours actually worked. Holiday pay is paid as an enhancement to the hourly rate of pay, proportionate to any working hours. The Letter of Engagement sets out clearly that work may only be offered if and when it is available, and that it may not be possible to give very much notice of work. As such, casual workers are in no way obliged to accept any work that may be offered to them by the Council, nor is the Council obliged to offer them work. d) Not applicable e) Casual workers are eligible to opt-in to the Local Government Pension Scheme. f) Their current job title is 'Casual Road Safety Assistant' and relevant staff hold National Standard Instructor status.	22/06/2017
9	N/A	Are there any other individuals who have not been mentioned in the Tender who could fall under the TUPE regulations e.g. people employed by the current external Bikeability provider?	15/06/2017	No. The current external provider uses self-employed instructors.	16/06/2017
10	Section 5, 4.1	We are unclear what the role of SBC is in terms of Training Administration.	15/06/2017	SBC traditionally survey parents in June each year to assess demand for Bikeability training during the following school year. These figures are shared with schools and instructors/training providers in order to gauge number of courses required, (whilst acknowledging that figures are approximate and subject to change). As the Bikeability grant recipient, SBC are responsible for collating and submitting monitoring data and grant claims to the Department for Transport's Bikeability team.	16/06/2017
11	N/A	Is the provider required to provide bikes or does SBC already have bikes that can be used for delivery of sessions, and in particular Bikeability Balance?	16/06/2017	SBC have one set of 10 small balance bikes that could be used. We have no bikes available for Bikeability	16/06/2017
12	N/A	Can we provide our response to section 6 in a separate document, or do you require us to complete it within the ITT?	16/06/2017	Responses to Section 6 should be completed within the ITT document.	16/06/2017
13	N/A	Are providers allowed to charge parents a fee per child to supplement the Council funding?	19/06/2017	No. We are not expecting parents to be charged a fee to supplement the Council funding.	22/06/2017
14	N/A	Are we allowed to speak with the staff who are going to be TUPED over before we submit our tender?	22/06/2017	No. The information we can pass to prospective bidders must eliminate any personal data, or data that might lead to the identification of employees. It is only at that point where a successful bid is accepted that confidential information would be released.	30/06/2017
15	N/A	Can the Due Diligence information can be shared with tendering organisations?	23/06/2017	as above	30/06/2017
16	N/A	Please can you clarify if the Road Safety Assistants are provisionally or fully qualified NSI's?	23/06/2017	Provisionally qualified	30/06/2017
17	6.1.2, 6.1.3, 6.1.4	Can you clarify if there are word limits to questions 6.1.2; 6.1.3 and 6.1.4	23/06/2017	There are no word limits to these sections	30/06/2017
18	N/A	Please can you clarify if you pay your Casual Road Safety Assistants for travel time and mileage?	26/06/2017	Yes, travel time and mileage is paid	30/06/2017
19	N/A	What is the enhancement rate for holiday pay? What is the Employers pension contribution rate?	26/06/2017	The current employer rate is 19.4% and is currently due to increase by 1% per annum for each of 2018/19 and 2019/20 Holiday pay enhancement is 12.07%. As this enhancement is paid for each hour worked, accrued holiday pay is automatically proportionate to any working hours	05/07/2017

20	N/A	<p>It is our understanding that as staff transferring from local authorities usually have specific pension protection which means their new employer has to either allow them to remain in the LGPS and become an admitted body to pay in as their new employer, or offer them membership of a broadly comparable scheme certified by the Government Actuary Department.</p> <p>Can you please let us know if the rules outlined above will apply to these workers?</p> <p>2) If the staff to be transferred are currently members of the LA pension scheme, and if they are members what their actual entitlements are? i.e. the percentage paid by the employer and employee.</p>	27/06/2017	<p>In relation to the appropriate pension scheme, workers should be offered entry to the Wiltshire Pension scheme when working for Swindon Borough Council.</p> <p>On transfer, the new employer, the transferee, should seek admitted body status.</p> <p>It is permissible for the new employer to offer an alternative scheme, but this would have to be approved by GAD (Government Actuarial Service)</p> <p>Three of the existing staff are in the scheme and one is not. The current employer rate is 19.4% and is currently due to increase by 1% per annum for each of 2018/19 and 2019/20. The actuary, however, would carry out an assessment based on the ages, service length, salaries etc. of the 4 staff and determine a new specific contribution rate for the new provider.</p>	30/06/2017
21	N/A	<p>Please can you clarify exactly how many people are to be Transferred? The wording is ambiguous. From previous responses we had thought it was 2, but now that you say 3 people are in the pension scheme, we are not sure. Is it 2 or 3 or 4?</p>	03/07/2017	<p>As item 3 above, we consider 2 people to be in scope for TUPE, and both individuals are currently members of the Wiltshire pension scheme.</p>	05/07/2017
22	N/A	<p>Please can you provide details of how you calculate mileage and travel time and what rates you pay for both.</p>	03/07/2017	<p>Mileage and travel time are calculated from the instructor's home address to the training location and return. Mileage is paid using the current HMRC rate of 45p per mile for the first 10,000 miles. Travel time is paid at the flat hourly rate.</p>	05/07/2017
23	N/A	<p>Please can you clarify who will pay for the assessment by the actuary, and how much will this cost (if we're required to pay).</p>	03/07/2017	<p>The employer has to pay the actuary costs. Unfortunately we are not in a position to know the potential cost of this work.</p>	05/07/2017
24	Section 6	Correction of weighting for quality question responses	04/07/2017	<p>Quality question responses will be weighted as follows:</p> <p>6.1.1 (Method statement) 25%</p> <p>6.1.2 (Quality assurance) 15%</p> <p>6.1.3 (Access) 10%</p> <p>6.1.4 (Added value) 10%</p>	05/07/2017
25					
26					
27					
28					
29					
30					
31					
32					
33					
34					
35					
36					
36					
37					
38					
39					
40					
41					
42					
43					
44					
45					
46					
47					
48					
49					
50					
51					
52					
53					
54					
55					
56					
57					
58					

The tender clarification is now closed as of **Insert Deadline**