**Cheshire East Borough Council**

**RESPONSE DOCUMENT**

**REQUEST FOR QUOTATION**

**CONTRACT FOR THE PROVISION OF A SEND (Special Educational Needs Disability)**

**Mediation and Disagreement Resolution Service**

**PERIOD: 1st April 2020 – 31st March 2023**

**3 years with 2 x 12 months option to extend**

**CHEST REF: DN428585**

**INTERNAL REF: 19 124**

|  |  |
| --- | --- |
| **Name of Bidder** |  |

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**of the Council**

**Version 3**

**CHECKLIST FOR BIDDERS**

This is the RFQ response document, failure to provide all of the items in the checklist may cause your Quote to be non-compliant and not considered.

|  |  |  |
| --- | --- | --- |
| **Schedule** | **Item** | **Included in Quote?** |
| 1 | Form of Tender and certificate of non-collusion & non-canvassing | [ ]  |
| 2 | Standard Selection Questionnaire (SQ) | [ ]  |
| 3 | Pricing Schedule | [ ]  |
| 4 | Compliance with Specification & Scope of requirements | [ ]  |
| 5 | RFQ qualitative evaluation questions | [ ]  |
| 6 | Declaration | [ ]  |

**Cheshire East Borough Council**

Provision of SEND (Special Educational Needs Disability) Mediation and Disagreement Resolution Service

**Period: 01.04.2020 –31.03.2023 with 2 x 12 months option to extend**

**SCHEDULE 1 - FORM OF TENDER and CERTIFICATE OF NON-COLLUSION & NON-CANVASSING**

**Contract for the provision of A SEN (Special Educational Needs) Mediation and Disagreement Resolution Service**

Cheshire East Council are looking to provide a Mediation and Disagreement Resolution Service to provide dispute resolution, mediation adviser and mediation services to support children, young people and their families with mediation and dispute resolution in relation to SEN (Special Educational Needs) issues, including where Education, Health and Care Plans assessed by the Local Authority and its key partners are contested by the young person and their parent/carers.

To: Cheshire East Borough Council

(Via ‘The Chest’)

Date:

For the Attention of: **Katie Griffin**

Dear Sir/Madam,

TENDER FOR: SEND (Special Educational Needs Disability) Mediation and Disagreement Resolution Service

Form of Tender

I/We the undersigned, hereby tender and offer to provide the Contract as listed below which is more particularly referred to in the RFQ supplied to me/us for the purpose of tendering for the provision of the Contract and upon the terms thereof.

Attached to this Form of Tender are the following:

1. My/our response to the requirements ofthe RFQ.
2. The completed Pricing Schedule.

I/We confirm that I/we can supply the Contract as specified in the RFQ at the total costs of ----per session(excluding VAT) submitted within the Pricing Schedule herein.

I/We confirm that we accept the Contract as issued with the RFQ

I/We undertake in the event of acceptance of our Tender to execute the Contract within the timescales stipulated.

I/We understand that the Council reserves the right to accept or refuse this Tender whether it is lower, the same, or higher than any other Tender.

I/We confirm that the information supplied to you and forming part of this Tender including (for the avoidance of doubt) any information supplied to you as part of my/our initial expression of interest in tendering, was true when made and remains true and accurate in all respects.

I/We confirm that this Tender will remain valid for 90 days from the date of this Form of Tender.

I/We confirm and undertake that if any of such information becomes untrue or misleading that I/we shall notify you immediately and update such information as required.

I/We confirm that the undersigned are authorised to commit the Tenderer to the contractual obligations contained in the Invitation to Tender and the Contract.

Statement of non-canvassing

I/we hereby certify that I/we have not canvassed any member, Director, employee, representative or adviser of the Council in connection with the proposed award of the Contract by the Council, and that no person employed by me/us or acting on my/our behalf, or advising me/us, has done any such act.

I/we further hereby undertake that I/we will not canvass any member, Director, employee, representative or adviser of the Council in connection with the award of the Contract and that no person employed by me/us or acting on my/our behalf, or advising me/us, will do any such act.

**Statement of non-collusion**

The essence of selective tendering for the Contract is that the Council shall receive bona fide competitive Tenders from all Tenderers.

In recognition of this principle, I/we certify that this is a bona fide offer, intended to be competitive and that I/we have not fixed or adjusted the amount of the offer in accordance with any agreement or arrangement with any other person (except any sub-contractor identified in this offer).

I/we also certify that I/we have not done, and undertake that I/we will not do, at any time any of the following acts:

* + - * 1. communicate to a person other than the Council, the amount or approximate amount of my/our proposed offer except where the disclosure in confidence of the approximate value of the Tender was essential to obtain insurance premium quotations required for the preparation of the Tender; or
				2. enter into any agreement or agreements with any other person that they shall refrain from tendering or as to the amount of any offer submitted by them; or
				3. offer or agree to pay or give or actually pay or give any sum of money, inducement or valuable consideration, directly or indirectly, to any person for doing or having done or having caused to be done in relation to any other offer or proposed offer, any act or omission.
				4. committing any offence under the Bribery Act 2010 or any subordinate legislation made under that Act from time to time.

http://www.legislation.gov.uk/ukpga/2010/23/contents

I/we agree that there is a requirement to disclose and declare any direct or

Indirect financial or non financial interest in an organisation, company, or

other body that is doing business with, or has dealings with, the council and

where this may affect and/or could bring about a conflict with the Council’s

interest.

I/we should notify this to the Council and that failure to disclose or declare

such an interest could result in the contract being terminated.

I/we agree that the Council may, in its consideration of the offer and in any subsequent actions, rely upon the statements made in this Certificate.

Signed

Name:

Position

For and on behalf of **[Tenderer]**

**Cheshire East Borough Council**

Provision of a SEND (Special Educational Needs Disability) Mediation and Disagreement Resolution Service

**Period: 01.04.2020 – 31.03.2023 with 2 x 12 months option to extend**

**SCHEDULE 2: STANDARD SELECTION QUESTIONNAIRE (SQ)**

This Standard Selection Questionnaire (“SQ”) has been issued by the Authority in connection with a tender under Part 4 of the Public Contracts Regulations 2015 (“the Regulations”). Your response to the SQ will be used by the Authority to understand the nature of the bidding organisation

**Notes for completion**

Please ensure that you complete this SQ fully, as requested as part of the tender submission. Failure to do so may result in your tender being disqualified. If the question does not apply to you please write N/A; if you do not know the answer please write N/K.

* “Authority” means the purchasing organisation that is seeking to award a contract.
* “You”/ “Your” or “Supplier” means the business or company which is completing this SQ.

**Verification of Information Provided**

Please do not send any supporting documents with your tender.

**However, the Authority may ask to see these documents at a later stage, so it is advisable you ensure they can be made available upon request.**

You may also be asked to clarify your answers or provide more details about certain issues.

**For further assistance, please refer to the RFQ Guidance Document.**

|  |
| --- |
| **NOTE TO ORGANISATION:*** *Schedule 2 Selection Questionnaire will be marked based on pass and fail*
* *Applicants will fail on incomplete responses and or doesn’t meet the minimum pass score of 4. Tenders that fail Schedule 2 will not be evaluated any further.*
* *Questions marked ‘for information only’ will not be assessed however they must still be answered in full.*
* *Where you are asked to mark an* ***‘X’*** *to indicate your answer, please double click the grey box and select ‘checked’. Try it here* [ ]
* *Failure to answer a question which is* ***scored*** *will result in a score of zero for that question.*
* *Failure to provide an* ***acceptable explanation*** *with any* ***Fail*** *Questions answered will fail on Schedule 2 as a result.*
* *Tenderers are therefore strongly advised to ensure they answer all questions within each section*
 |

**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[[1]](#footnote-1). 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.

**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.

**Cheshire East Borough Council**

Provision of SEND (Special Educational Needs Disability) Mediation and Disagreement Resolution Service

**Period: 01.04.2020 –31.03.2023 with 2 x 12 months option to extend**

**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. 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)[[2]](#footnote-2)? | Yes ☐No ☐ |
| 1.1(n) | Details of Persons of Significant Control (PSC), where appropriate: [[3]](#footnote-3) - 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. [[4]](#footnote-4)(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**(This question is to be scored on a pass/fail basis.) |
| 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 [web page](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 convictedIf 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.

|  |  |
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| **Section 3** | **Grounds for discretionary exclusion** (This question is to be scored on a pass/fail basis.) |
|  | Question | Response |
| 3.1 | **Regulation 57 (8)**The detailed grounds for discretionary exclusion of an organisation are set out on this [web page](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 statementsThe 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 3.2Yes ☐No ☐If Yes please provide details at 3.2Yes ☐No ☐If Yes please provide details at 3.2Yes ☐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**[[5]](#footnote-5)

|  |  |
| --- | --- |
| **Section 4** | **Economic and Financial Standing** (This question is to be scored on a pass/fail basis.) |
|  | 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 ☐ |

|  |  |
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| **Section 5** | **If you have indicated in the Selection Questionnaire question 1.1(o) and/or 1.1(p) that you are part of a wider group, please provide further details below:**(This question is to be scored on a pass/fail basis.) |
| **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** (This question is to be scored on a pass/fail basis.) |
| **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[[6]](#footnote-6)**(This question is to be scored on a pass/fail basis.) |
| **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 1 are you compliant with the annual reporting requirements contained within Section 54 of the Act 2015? | Yes ☐Please provide relevant the url …No ☐Please provide an explanation |

**8 Additional SQ modules**

**Schedule 2, Sections 8 will carry a 100% weighting of the SQ scoring**.

**8) - Project specific questions to assess Technical and Professional Ability**

*Section* ***8***  *will be marked on* ***both pass/fail*** *basis and weightings are identified individually for each question where applicable.*

**Introduction**

These are further project specific questions relating to the technical and professional ability of the supplier. Please ensure you responses are in line with the questions page limit and 12pt Arial. Anything beyond the page limit will not be taken into consideration by the Council.

Cross Referencing is not deemed a valid response by the Council.

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

Please indicate your answer by marking ‘X’ in the relevant boxes where necessary and enter responses to questions in the fields provided.

|  |  |
| --- | --- |
| **Section 8** | **Additional Questions**  |
| **8.1** | **Insurance***(This question is to be scored on a pass/fail basis.)* |
| **8.1.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:1. **Employer’s Liability Insurance\*** = £10million.  Is required in respect of each and every claim.
2. **Public Liability Insurance** = £10million. Is required in respect of each and every claim with no abuse exclusion/inner limit.
3. **Professional Indemnity Insurance** = £1million. Is required in respect of each and every claim.
4. Cyber Insurance = £5 million

*\* It is a legal requirement that all companies hold Employer’s Liability Insurance of £5 million as a minimum. Please note this requirement is not applicable to Sole Traders* | Yes ☐No ☐ |

|  |  |
| --- | --- |
| **Section 8** | **Additional Questions** (This question is to be scored on a pass/fail basis.) |
| **8.2** | **Service Questions** (This question is to be scored on a pass/fail basis.) |
| **8.2.A** | Outline any previous experience and qualifications in SEN advice, disagreement, resolution and mediation services, including for example ;* Specific case examples
* Areas you have worked in
* Qualifications of your staff

Page Limit - 1 X A4 | (Submission score graded 100%) Minimum score of 4 for a pass. |
| **8.2.B** | Please confirm whether the Organisation has ever had a contract terminated within the last 3 years? Please confirm whether the Organisation has ever NOT had a contract renewed for failure to perform to the terms of the contract? | Yes ☐No ☐ |
| **8.2.C** | Please confirm that you regularly DBS screen staff, with enhanced checks (NOTE: this only applies to staff who have contact with children)  | Yes ☐No ☐ |

|  |  |
| --- | --- |
| **Section 8** | **Additional Questions**  |
| ***8.3*** | ***DATA Security Questionnaire****(This section will be scored on a Pass/Fail basis.)* |
|  | To pass this section, bidders must meet the Council’s expectations which are detailed below as various requirements.Organisations are required to demonstrate that they have the relevant knowledge, ability, understanding, experience, skills, and resource / quality measures needed to meet the Council’s requirements, and may be asked to provide evidence to support the responses.As part of the selection process bidders must demonstrate compliance with the 5 security screening criteria listed by responding fully in writing to every requirement and question in this section. In order to pass this section, bidders must meet each and every requirement set out in this ICT security questionnaire. Validation of the answers provided by the bidder may be requested during the evaluation process, however, bidders will not be permitted to re-submit or change any of the responses originally provided to the 5 questions. Any erroneous information could limit the bidders’ ability to be awarded a contract. Bidders are expected to maintain an awareness of the latest laws and regulations i.e. Data Protection Act 2018, applicable to the storing and protecting data (i.e GDPR) in a public sector environment and you will be expected to ensure that your organisation is up to date in this area for the full term of any contract that may be awarded.DocumentationThe bidder may be asked to provide security whitepapers, technical documents, or copies of policies as necessary to fully demonstrate compliance with each requirement. Failure to provide any necessary supporting evidence or information to show how you intend to meet the requirements in this section could lead to you failing this section and your full submission being excluded from this process. Please note that if you plan to sub-contract or partner with another organisation to deliver any part of your data security requirements then it may be necessary for sub-contract or partner organisation(s) to also complete the ICT security questions below.For further guidance on this area please refer to: https://www.ncsc.gov.uk/ especially the advice & guidance section, where various small business guides are available.Considering the specification that you are bidding for, please provide full responses to the 5 questions in ICT security questionnaire [APPENDIX 3] . |
| ***ICT SECURITY QUESTIONNAIRE*** |
| ***PLEASE NOTE THAT THE WINNING BIDDER ONLY WILL BE ASKED TO COMPLETE A FURTHER ICT SECURITY QUESTIONNAIRE (APPENDIX 4). THE COUNCIL RESERVES THE RIGHT TO NOT AWARD THE CONTRACT TO ANY BIDDER WHO IS UNABLE TO SATISFY ICT AND DATA SECURITY REQUIREMENTS.*** |

Bidder represents and warrants that their responses to the questions are accurate and that the system configuration will continue to conform to these answers unless mutually agreed upon by Cheshire East Council and the Bidder. Bidder further agrees to work with Cheshire East Council in good faith to maintain compliance with new laws and regulations and/or to improve the security of the system.

Agreed on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2019

 Company Name:

 Signer's Name:

 Signer's Title:

*End of Data and ICT security questionnaire*

*(End of Schedule 2 SQ)*

**Cheshire East Borough Council**

Provision of a SEND (Special Educational Needs Disability) Mediation Disagreement Resolution Service

**Period: 01.04.2020- 31.03.2023 with 2 x 12 months option to extend**

**SCHEDULE 3 – PRICING SCHEDULE**

**Pricing Schedule – 30% of total evaluation score**

Please complete the pricing schedule below for your proposed charges for the provision of **SEND (Special Educational Needs Disability) Mediation and Disagreement Resolution Service.**

This should represent the full charges payable by Cheshire East Council for the **full term of 3 years plus 2 x 12 months option to extend** available under the contract - **No claim for additional payment will be considered for items that have not been specified.**

Please ensure that you use the following schedules.

Please note that the evaluated price will be the **Total Amount Payable** (excluding VAT) which must include **ALL** charges in respect of the term of the contract.

Failure to quote for all aspects of the project listed will result in a score of zero for this section. If no separate charge is made for any of the below please indicate the charge is “nil” rather than leave the box blank.

***Pricing Schedule 1 –***

|  |  |  |
| --- | --- | --- |
| **Element** | **Activity** | **Cost (£)** |
| **Advice 5%** | **Salaries / Wages** |  |
|  | **Management and admin cost** |  |
|  | **National Insurance** |  |
|  | **Travel** |  |
|  | **Premises / Venue** |  |
|  | **Insurance** |  |
|  | **Telephone** |  |
|  | **Translation Service** |  |
|  | **Cost of information leaflets / packs** |  |
|  | **Other (Please specify)** |  |
| **Advice – Total unit cost per advice service( Excluding VAT)** |  |  |
| **Advice – Cost per hour – For information only** |  |  |
| **Disagreement Resolution Service – 10%** | **Salaries / Wages** |  |
|  | **Management and Admin Cost** |  |
|  | **National Insurance** |  |
|  | **Travel** |  |
|  | **Premises / Venue** |  |
|  | **Insurance** |  |
|  | **Telephone** |  |
|  | **Translation Service** |  |
|  | **Cost of information leaflets / packs** |  |
|  | **Other (Please specify)** |  |
| **Disagreement Resolution Service – Total unite cost per case – Excluding VAT** |  |  |
| **Disagreement Resolution Service – Cost per hour – for information only** |  |  |
| **Mediation 15%** | **Salaries / wages** |  |
|  | **Management and admin cost** |  |
|  | **National Insurance** |  |
|  | **Travel** |  |
|  | **Premises / Venue** |  |
|  | **Insurance** |  |
|  | **Telephone** |  |
|  | **Translation Service** |  |
|  | **Cost of information leaflets / packs** |  |
|  | **Other (Please Specify)** |  |
| **Mediation – Total unit cost per case – Excluding VAT** |  |  |
| **Mediation – Cost per hour – for information only**  |  |  |
|  |  |  |

 *(End of Schedule 3)*

**SCHEDULE 4**

**COMPLIANCE WITH SPECIFICATION & SCOPE OF REQUIREMENTS**

**This section will be evaluated on a pass / fail basis**

Please confirm you have complied with the stated specification included within this RFQ document, by entering an ‘X’ in the field below:

Yes [ ]

Please also confirm that you accept and will comply with the terms and conditions of the contract that has been supplied with the tender documentation, as they will not be open to negotiation post award.

Yes [ ]

Please also confirm that you accept and will comply with the PMF.

Yes [ ]

*(End of Schedule 4)*

**SCHEDULE 5**

**RFQ QUALITATIVE EVALUATION QUESTIONS (WEIGHTING 60%)**

Where a page limit applies to the tenderer’s response to each qualitative question set out below and where tenderers exceed this **page limit** the information included on the additional pages shall not be considered for the evaluation of the tenderer’s submission. All responses to this section much be submitted in Arial 12 font format.

Tenderers are asked to state the number of words use at the end of each ‘word count limited’ response. Eg*/* ***(498 words)***

All responses should be input directly into this response document. Appendices can be provided but Cheshire East Council are not committed to consider the content as part of the RFQ Response.

**Cross referencing answer for answer will not be taken into consideration as a valid response.**

Q1. Please provide a method statement detailing your organisation proposals

for delivering all elements of the specification, including for example;

* Your service model
* Approach to both disagreement resolution and mediation
* Staffing arrangements

Response (Submission score graded 10%)

Page Limit 2 x A4

Q2. Please provide details of how your model of service will deliver effective mediation and disagreement resolution for our parent / carers, including for example;

* Your approach to the first contract
* Ensuring continued engagement
* Securing successful outcome

Response (Submission score graded 10%)

Page Limit 2 x A4

Q3. Outline how you could support the Council in reducing the number of formal SEN complaints or your impact on families decisions on whether to take a case to tribunal.

Response (Submission score graded 10%)

Page Limit 1 x A4

Q4. Please describe your arrangements for this contract in relation to our Performance Management Framework and continued service improvement.

Response (Submission score graded 10%)

Page Limit 1 x A4.

Q5. Please provide details of how your model of service will provide added value for the council service users.For example; additional services such as training for SEND team or attending parent/carer forums.

Response (Submission score graded 10%)

Page Limit 1 x A4.

Q6.Please articulate (in less that 500 words) how you wil support the Council in achieving its priorities and what Social Value you can bring to this Contract.

This could include, but is not limited to:

* Creation of local employment opportunities
* Creation of apprenticeships
* Sustaining employment
* Creation of volunteer opportunites
* Procuring goods and services locally
* Energy efficiency
* Enccourage recycling
* Commitment to living wage
* Improve health and wellbeing of staff /local community

Response (Submission score graded 5%)

Page Limit 1 x A4.

Q7. Cheshire East Council has committed to becoming Carbon neutral by 2025 and to encourage all businesses, residents and organisations in Cheshire East to reduce their carbon footprint.

Please detail how you will contribute to the Councils Carbon Neutral aims.

Response (Submission score graded 5%)

Page Limit 1 X A4.

*(End of Schedule 5)*

**SCHEDULE 6 – RFQ PRESENTATION – 10%**

Tenderers who pass the selection questionnaire and the quality evaluation will be invited to attend a presentation. Any tender failing these aspects will not be evaluated further. The date for this presentation is included in the indicative timetable.

As part of the assessment process you will be asked to prepare a presentation on the following scenario –

**You are provided with a referral from us, in which a parent / carer remains unhappy with their child’s Education, Health and Care Plan and want to go through our Complaints Procedure.**

**Please detail how you would deal with this referral**.

The presentation will be for 10 minutes, with 10 minuutes for clarification questions from the assessment panel.

The presentation will have a 10% weighting of the overall score.

Following completion of the presentation stage, providers/suppliers score will be added to the scores from schedules 4 and 5 to establish their overall score.

The contract will be awarded to the supplier with the highest evaluation score overall.

**SCHEDULE 6**

**DECLARATION**

I/We certify that the information supplied by me/us in this document is accurate to the best of my/our knowledge. I/We understand that the giving of false or incomplete information could result in my/our exclusion from the quotation exercise and may result in Criminal Proceedings.

I/We also understand that it is a Criminal Offence, punishable by imprisonment, to give or offer any gift or consideration whatsoever as an inducement or reward to any servant of a public body and that any such action will empower the Council to cancel any contract currently in force and will result in my/our exclusion from the quotation exercise. As per the bribery act 2010.

I/We certify that I/we have not now or will in the future, canvassed or solicited any member, officer or employee of the council and any other companies in the group of which the council forms part, in connection with this document and that to the best of our knowledge and belief no person employed by me/us or acting on my/our behalf has done such an act.

Signed for on the behalf of the Organisation:

Name:

Position/Status in the Organisation:

Date:

*(End of Schedule 6)*

***End of RFQ Response Document***

1. 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-1)
2. See EU definition of SME: <http://ec.europa.eu/growth/smes/business-friendly-environment/sme-definition/> [↑](#footnote-ref-2)
3. 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-3)
4. Central Government contracting authorities should use this information to have the PSC information for the preferred supplier checked before award. [↑](#footnote-ref-4)
5. [See Action Note 8/16 Updated Standard Selection Questionnaire](https://www.gov.uk/government/collections/procurement-policy-notes) [↑](#footnote-ref-5)
6. [Procurement Policy Note 9/16 Modern Slavery Act 2015](https://www.gov.uk/government/collections/procurement-policy-notes) [↑](#footnote-ref-6)