Institute for Apprenticeships & Technical Education

T Levels ITT – Invitation to tender

INVITATION TO TENDER
T LEVEL
AWARDING ORGANISATIONS
PROCUREMENT

WAVE 4

Lot 1 Hair and Beauty: Hair, Beauty & Aesthetics

Lot 2 Creative & Design: Craft & Design

Lot 3 Creative & Design: Media, Broadcast & Production

Lot 4 Catering & Hospitality: Catering

Lot 5 Agriculture, Environment & Animal Care: Animal Care & Management

Lot 6 Agriculture, Environment & Animal Care: Agriculture, Land Management & Production

Lot 7 Legal, Finance & Accounting: Legal Services

Lot 8 Business & Administration: Human Resources

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Appendix 1 – Glossary

Appendix 2 – Additional Useful Information

1 Documents for this Procurement

1.1 The following documents form part of this Invitation to Tender:

INVITATION TO TENDER DOCUMENTS
Invitation to Tender *This document provides an introduction to the Procurement, signposts key information and provides instructions to Potential Suppliers. This ITT document also includes:* ***Appendix 1**: Glossary of terms used throughout the ITT and attachments.* ***Appendix 2**: Additional useful information in relation to the Procurement.*
Attachment 1 – Terms of Participation *This attachment sets out the rights and obligations which apply respectively to the Potential Supplier and the Authority during this Procurement.*
INFORMATION AND GUIDANCE
Attachment 2 – Service Requirements *This attachment provides a detailed description of the Services that the Supplier will be required to provide to the Authority and Providers. This attachment will form part of the Contract.*
Attachment 3 – Contract (including Schedules) *This attachment sets out the terms and conditions and the schedules that will govern the relationship between the Authority and the Supplier.*
Attachment 4 – Evaluation Methodology and Guidance *This attachment describes the evaluation methodology and selection and evaluation criteria that will apply to the evaluation of Tenders.*
Attachment 5 – Proactis ProContract e-Sourcing Portal Guidance *This attachment describes how to use the e-Sourcing Portal.*

DOCUMENT TO COMPLETE AND RETURN BY THE SQ DEADLINE
Attachment 6 – Tender Response Document – Part 1 – Selection Questionnaire *This attachment contains the selection questions which the Potential Supplier is required to respond to.* *Certain responses in this attachment will form part of the Contract with the Supplier.*
DOCUMENTS TO COMPLETE AND RETURN BY THE TENDER SUBMISSION DEADLINE
Attachment 6 – Tender Response Document – Part 2 – Award Questionnaire general questions *This attachment contains the award questions which are generally applicable across Lots.* *Certain responses in this attachment will form part of the Contract with the Supplier.*
Attachment 6 – Tender Response Document – Part 3 – Award Questionnaire Lot specific questions *This attachment contains the Lot specific award questions which the Potential Supplier is required to respond to or complete.* *Certain responses in this attachment will form part of the Contract with the Supplier.*
Attachment 7 – Pricing Schedule and Guidance *This attachment is to be completed by the Potential Supplier setting out the requested pricing details in compliance with the guidance notes included as part of this attachment.* *Certain parts of this attachment when completed will form part of the Contract with the Supplier.*
Attachment 8 – Conflict of Interest Declaration *This attachment is to be completed by the Potential Supplier setting out details of each known Conflict of Interest and the steps the Potential Supplier will take to eliminate or mitigate any such Conflict of Interest.*

Attachment 9 – Commercially Sensitive Information and/or Confidential Information *This attachment is to be completed by the Potential Supplier setting out details of any information forming part of the Potential Supplier's Tender which the Potential Supplier believes to be commercially sensitive and/or confidential (a) during this Procurement and (b) from the Effective Date of the Contract.* *This attachment when completed will form part of the Contract with the Supplier.*
Attachment 10 – Form of Tender Declaration *This attachment is to be completed by the Potential Supplier.*

2 Introduction

2.1 This Invitation to Tender ("**ITT**") accompanies the PIN Notice submitted for publication in the Official Journal of the European Union on 3rd November 2020. This ITT sets out details of the procurement process being run by the Institute for Apprenticeships and Technical Education to select a supplier to design, implement and deliver the Technical Qualification component of the next wave of T Levels to be launched.

2.2 This ITT and its attachments contain information and instructions that will facilitate your submission of a compliant SQ Response and Tender. Words in this ITT and its Attachments which are capitalised have definitions either in the paragraph in which they appear or in the Glossary at Appendix 1 to this ITT.

2.3 Please read the information and instructions carefully because non-compliance with the instructions may result in disqualification of your SQ Response or Tender from this Procurement.

2.4 If you are participating in this Procurement and plan to use sub-contractors and/or bid as a consortium, please read the guidance in paragraph 12 of this ITT (Contracting Arrangements (Sub-Contractors and Consortia)).

2.5 The Authority is using the Proactis ProContract e-sourcing portal ("**e-Sourcing Portal**") to manage this Procurement and to communicate with Potential Suppliers. No hard copy documents will be issued and all communications with the Authority (including the submission of SQ Responses and Tenders) will be conducted via the e-Sourcing Portal. To ensure all communications relating to this Procurement are received, you must ensure that the point of contact you nominate in the e-Sourcing Portal is accurate at all times as the Authority will not be under any obligation to contact any other point of contact apart from the one that you have named in the e-Sourcing Portal. Guidance on how to use the e-Sourcing Portal can be found in the Proactis ProContract e-Sourcing Portal Guidance (Attachment 5).

2.6 The Wave 4 procurement will comprise of two stages. The Selection Questionnaire will need to be completed as part of stage 1. Your SQ Response comprising the documents set out in paragraph 15.2 of this ITT must be submitted via the e-Sourcing Portal, by the SQ Submission Deadline specified in paragraph 10 below. At the end of stage 1, you will be notified of the outcome of the SQ. Those that pass will immediately progress on to stage 2 Technical and Price Evaluation (Gate D). Your

Tender(s) comprising the documents set out in paragraph 15.3 of this ITT must also be submitted via the e-Sourcing Portal, by the Tender Submission Deadline specified in paragraph 10 below.

2.7 You are welcome to ask questions or seek clarification regarding this Procurement. See paragraph 11 (Questions and Clarifications) below for details on how to do so. You must read all the information contained within this ITT and the Attachments on the e-Sourcing Portal thoroughly so that any questions or clarifications are not raised unnecessarily.

2.8 This Procurement is being conducted under the Concession Contracts Regulations 2016 ("**Regulations**"). As the Services which are the subject of the Procurement fall within Schedule 3 of the Regulations, the Procurement is subject to lighter regulation in accordance with Regulation 19. Accordingly, whilst the Authority intends to conduct this Procurement as a form of restricted procedure, it shall only be bound by those obligations referred to in Regulation 19.

2.9 There have been a number of important updates to this ITT from the ITT published in relation to previous Waves of the T Levels Programme, and you should read this ITT carefully and ensure that you respond to this version of the ITT and its attachments.

3 Background

Introduction to the T Levels Programme

3.1 The report of the Independent Panel on Technical Education ("**the Sainsbury Report**") recommended a new system of technical education that would introduce a high-quality technical option alongside an academic option for students aged 16 and above. The Government's Post-16 Skills Plan committed to these recommendations, which were enacted through the Technical and Further Education Act 2017.

3.2 The Government's aim is to reform the post 16 education system so that options for 16 year olds are radically simplified. Students will be able to choose from an academic study programme (primarily through A levels), or a technical option (primarily through a T Level study programme or an apprenticeship).

3.3 All young people will have access to high quality education programmes that give them the chance to succeed, wherever their aspirations lie. The Department is unashamedly ambitious for the new technical education system. The Department is not setting out to make incremental improvement, but rather to make a transformational change to the

quality of the system, achieving parity of esteem between academic A-levels and technical education routes. The Department will achieve this by simplifying the options available to students, promoting high quality provision, and removing poor quality provision.

3.4 As set out in the T Level Action Plan published in October 2017, A levels and T Levels will exist as high quality, rigorous, level 3 study programmes. Although A levels and T Levels will support entry to degree level higher education, T Levels will primarily support entry to skilled employment in technical occupations at level 3 and above. They will also support progression to higher education options including higher technical qualifications, higher apprenticeships, degree apprenticeships, and technical degrees, including through Institutes of Technology and National Colleges. Both A levels and T Levels will be prestigious programmes for ambitious students who want to progress into rewarding careers.

3.5 T Levels are a classroom-based technical study programme. They will be available alongside apprenticeships as one half of a high quality technical education offer. Both T Levels and apprenticeships will provide in depth technical training via two different routes. Apprenticeships are employment with training, and apprentices specialise in one occupation as they learn on the job. T Levels will be primarily studied at an education or training provider. Students will study a broad occupational area before specialising, and will have the opportunity to apply their knowledge and skills on a substantial industry placement.

3.6 As set out in the Technical and Further Education Act 2017, approved Technical Qualifications (which will form part of T Levels) and apprenticeships will be based on the same set of employer designed Standards. The Authority approves and manages the development of Standards and will in turn approve Technical Qualifications and determine the other elements of the T Levels.

3.7 We want Students who complete T Levels to be able to move into apprenticeships at level 4 and above, or progress to further specialist technical qualifications at higher levels or higher education.

3.8 T Levels will develop in-depth knowledge and skills, and we want Students who take them to be highly prized by employers. The goal is for T Levels to be valued as highly as apprenticeships and academic programmes, improving social mobility and enabling Students from all backgrounds to reach their potential. They will also benefit

employers, who will have access to more highly skilled young people across different areas of our economy. A variety of T Levels will eventually be available to all Students, regardless of where they live.

3.9 The introduction of T Levels must simplify our qualifications system. In future, as T Levels are introduced, we expect the majority of funding for post 16 students studying level 3 qualifications to be directed to T Level and A level programmes. The Department recognises that there may be a need to fund some other qualifications in addition to A levels and T Levels but is keen to ensure that the system is as simple as possible and that all qualifications offer the best possible opportunity for young people. Therefore, the Department will review the range of qualifications currently funded by Government and the role of Applied General Qualifications. The proposal is that the review should be guided by three key principles in assessing continued funding: they have a distinct purpose, and are truly necessary in the new simplified system; they are good quality; and they support progression to good outcomes.

The components of the T Level programme

3.10 T Levels will follow a study programme format, designed to deliver the skills, knowledge and behaviours required for skilled employment. T Levels will each follow the same broad framework. Each programme will consist of five components:

3.10.1 an approved Technical Qualification, which is the subject of this Procurement;

3.10.2 an industry placement, which will be put in place by Providers for each of their Students;

3.10.3 maths and English requirements;

3.10.4 any other occupation-specific requirements and/or qualifications, as set out by the relevant T Level Panel, and to be delivered by the Provider; and

3.10.5 any further employability, enrichment and pastoral ("**EEP**") provision (as required in all study programmes) to be delivered by the Provider.

3.11 On average, it is expected that each T Level will consist of 1,800 hours over two years. T Levels will differ in size to reflect the requirements of different occupations. It is expected that the total time for the Technical Qualification will fall between 900 and

1,400 hours. The remainder of the programme time will be made up of the other components listed above.

The process for developing T Levels

3.12 The Authority will manage the process of developing content for new T Levels through appointed T Level Panels, consisting of experts in relevant occupations and industries. The T Level Panels will set out the knowledge and skills required for each T Level, based on the Standards developed by employers and others, and approved by the Authority – the Outline Content for each Technical Qualification forming part of this Procurement is published as part of this ITT.

3.13 An Occupational Map has been developed for each occupational Route. This Occupational Map breaks the Route down into a number of Occupations, and closely-related Occupations are grouped together into Pathways. We expect there to be one or a small number of T Levels to be developed per Pathway. There were 15 Routes set out in the Sainsbury report and, in line with the report's recommendations, we expect that T Levels will be developed in 11 of these Routes.

3.14 Employer-led T Level Panels use a consistent process to develop T Level content. This follows the following principles:

3.14.1 T Level Panels use the approved Standards, which have been developed by apprenticeship trailblazer groups, as a basis for Outline Content, and the Authority will ensure that this process is responsive to new and revised Standards;

3.14.2 the content of Technical Qualifications will vary depending on the requirements of the Occupations relevant to each T Level. For the eight (8) T Levels taught from September, 2023 the scope of each Technical Qualification will be at Pathway level. T Level Panels have designed the Outline Content to ensure that it meets the needs of their industry, so that young people will learn the skills that enable them to secure employment. The Outline Content has also been reviewed by delivery and assessment experts to ensure that it is deliverable in a study based setting and capable of being assessed;

3.14.3 T Level Panels advise on broader programme requirements. This includes the study of further qualifications where needed (e.g. mandatory licence to

practise qualifications that cannot be incorporated into the Technical Qualification) and the maths and English requirements and other transferable skills required to secure skilled employment;

3.14.4 the T Level Panels also make recommendations about particular industry placement requirements to ensure young people finish the T Level with the skills necessary for employment; and

3.14.5 the Authority is responsible for overseeing and giving final approval to the work of the T Level Panels.

The Technical Qualification

3.15 Each T Level will include a substantial Technical Qualification based on content devised by T Level Panels and Standards approved by the Authority. This Technical Qualification will be the largest component of the T Level and will provide the Student with technical knowledge and skills.

The role of the Technical Qualification

3.16 The purpose of the Technical Qualification within the T Level is to ensure Students have the knowledge, skills and behaviours needed to progress into skilled employment or higher level technical training relevant to the T Level. To achieve this, each TQ must:

3.16.1 provide reliable evidence of Students' attainment in relation to:

(i) the core knowledge and skills relevant to the Route and occupational specialist component(s) covered by the TQ; and

(ii) the knowledge, skills and behaviours required for at least one occupational specialist component relevant to the TQ;

3.16.2 be up-to-date, ensuring the knowledge, skills and behaviours needed for the Occupations have continued currency among Employers and other end-users;

3.16.3 ensure maths, English and digital skills are developed and applied where they are essential to achieve occupationally relevant outcomes;

3.16.4 ensure the minimum pass grade standard for occupational specialist components attests to threshold competence, meets Employer expectations, and is as close to full occupational competence as possible;

3.16.5 allow end users to accurately identify Students' level of attainment and effectively differentiate their performance;

3.16.6 provide a clear and coherent basis for development of suitably demanding high-quality level 3 courses, which enable Students to realise their potential;

3.16.7 provide Students with the opportunity to manage and improve their own performance; and

3.16.8 support fair access to attainment for all Students who take the TQ, including those with special educational needs and disabilities ("**SEND**").

Technical Qualification components

3.17 In designing a Technical Qualification, the selected Potential Supplier will need to ensure the Outline Content produced by T Level Panels is properly covered within the Technical Qualification.

3.18 The Sainsbury Report recommended that the Technical Qualification included core content followed by specialisation. In line with this, the content for each Technical Qualification is assessed through separate components:

3.18.1 **the core** which will develop underpinning knowledge, skills and behaviours relevant to the overall occupational route. This component will have two parts:

(i) knowledge and understanding of contexts, concepts, theories and principles relevant to the T Level; and

(ii) a coherent set of core skills relevant to the T Level that will support progression, adaptability and movement between different job roles once in work; and

3.18.2 **one or more occupational specialisms** focussed on developing occupationally specific knowledge, skills and behaviours to achieve 'threshold competence' in the occupational specialism.

3.19 Achievement of threshold competence signals that a Student is well-placed to develop full occupational competence, with further support and development, once in employment. Threshold competence is as close to full occupational competence as can be reasonably expected of a Student studying the Technical Qualification in a classroom-based setting (e.g. in the classroom, workshops and simulated working environments). This will differ according to the Pathways.

3.20 It is expected that occupational specialisms will represent 50-80% of the TQ, and so students will select one, or in some cases two, specialisms from a defined set.

3.21 In designing the Technical Qualification, the Authority would encourage Potential Suppliers to ensure much of the core is delivered before Students are assessed on their occupational specialism(s).

Assessment

3.22 The content of the Technical Qualification (e.g. knowledge, skills, behaviours, attitudes, understanding) will inform the method of assessment used.

3.23 It is expected that:

3.23.1 the underpinning knowledge of the core component is assessed through one or more external examinations, set and marked by the appointed Supplier. This will ensure breadth of knowledge and understanding is covered in sufficient depth;

3.23.2 core skills are assessed through practical employer-set projects, to ensure a motivating and authentic work-relevant focus to how they are applied; and

3.23.3 for occupational specialisms, Students will need to demonstrate that they have the skills to achieve threshold competence through being assessed on the knowledge and skills needed to carry out tasks that relate to specific occupations i.e. through practical assignments to, for example, find and fix faults in an electrical system, deliver a learning plan or create a software application.

Scope of this Procurement

3.24 This Procurement is to select a Potential Supplier to provide the Services in respect of the Technical Qualification for each of the following T Levels being launched for first teaching in September 2023

Route	**Pathway**
Hair and Beauty	Hair, Beauty & Aesthetics
Creative and Design	Craft and Design
	Media, Broadcast & Production
Catering and Hospitality	Catering
Agriculture, Environment & Animal Care	Animal Care and Management
	Agriculture, Land Management & Production
Legal, Finance & Accounting	Legal Services
Business and Administration	Human Resources

3.25 Potential Suppliers may submit a Tender in respect of the Technical Qualification for one or more of the above T Levels. A Potential Supplier must submit a separate Tender for each Technical Qualification they wish to be considered for. The Tenders for each Lot will be evaluated separately. It is the Authority's intent that the Potential Supplier offering the most economically advantageous Tender for the relevant Technical Qualification(s) in a Lot (as determined taking into account both quality and price in accordance with the Evaluation Methodology and Guidance) will be awarded the Contract in relation to the Technical Qualification(s) for the relevant T Level(s). The Authority reserves the right to have a dialogue with relevant Potential Suppliers on their technical responses if all Tenders within a Lot fail to pass through Gate D sections 9A, 9B, 10A and 10B (as set out in Table 2 of Attachment 4 (Evaluation Methodology and Guidance)). In such circumstances, the relevant Potential Suppliers may be asked to resubmit their Tender or relevant parts of their Tender.

3.26 The attention of Potential Suppliers is drawn to the tests on economic and financial standing described in this ITT (see Attachment 4 and Attachment 6 Part 1). When formulating their bidding strategy for TQs included in this wave and TQs planned to be included in future waves, Potential Suppliers should note that the Authority will assess

and take into account whether the Potential Supplier has the necessary economic and financial standing to deliver the services in relation to each TQ which the Potential Supplier is bidding for.

3.27 The following elements of the T Level are out of scope of this Procurement and will not form part of the Services:

3.27.1 arranging, operating and/or assessing industry placements;

3.27.2 assessing the requirement for level 2 maths and English (although the elements of maths and English forming part of the Technical Qualification are within scope);

3.27.3 any occupation-specific requirements and/or qualifications set out by the relevant T Level Panel which do not form part of the Outline Content; and

3.27.4 employability, enrichment and pastoral ("**EEP**") provision for T Level Students.

3.28 Each Technical Qualification has a specific number of occupational specialisms associated with it as set out in the relevant Outline Content. The Institute may, in consultation with or following feedback from Providers, employers and/or the relevant Awarding Organisation(s), determine during the term of the Contract that adjustments need to be made to the number of occupational specialisms offered for operational reasons. In such circumstances, any required changes will be dealt with through the Contract variation procedure as set out in clause 27 of the Contract.

4 Contracts

4.1 This Procurement will result in the conclusion of Contracts with the Potential Suppliers that are successful in this Procurement.

4.2 The Contract is based on the Crown Commercial Service's Core Terms, which have been amended to be appropriate for this Procurement. It is important that you review the Contract carefully to understand the rights and obligations it confers on the parties. A summary of some of the key principles reflected in the Contract is provided in paragraph 5 of this ITT.

4.3 The Contract is non-negotiable, whether during the Procurement or post award. However, you may seek clarification of any points of ambiguity or apparent error in

relation to the Contract throughout the clarification period (see paragraph 11 (Questions and Clarifications) of this ITT).

4.4 Following the award decision to conclude the Contracts, they will be updated to incorporate the Service Requirements (Attachment 2), the relevant parts of the winning Tender (i.e. the relevant parts of Attachment 6), the Pricing Schedule (Attachment 7) and the content of Attachment 9 (Commercially Sensitive Information and/or Confidential Information).

4.5 Any description in your Tender of a service that you will provide under the Contract must be within the scope of the Services.

5 Key contract principles summary

5.1 This summary is provided to assist Potential Suppliers. Full details are set out in the Contract, and Potential Suppliers must review the Contract in detail before submitting their Tender.

Contracting parties

5.2 The Contract will be entered into between the Supplier and the Authority.

Guarantee

5.3 A guarantee will be required where the Supplier has relied on the financial strength of another consortium member / group company to pass the selection stage of the Tender evaluation. The guarantor must execute the guarantee in accordance with the Contract.

Lots

5.4 Potential Suppliers can bid for (and win) any number of Lots. There are eight (8) Lots in this Wave 4 Procurement, one for each of the Technical Qualifications for the T Level in respect of each Pathway forming part of this Procurement (as described in paragraph 3.24).

Contract term

5.5 Following Contract award (anticipated to be in ***August 2021)***, the appointed Supplier will have a period to develop the Technical Qualification and to prepare Providers in readiness for teaching the Technical Qualification from September 2022.

5.6 Suppliers will be appointed to deliver the Services in respect of 4 Cohorts of Students (with the expected duration of 2 years of teaching for each Cohort), with the right for the Authority to extend the Contract by a further Cohort.

5.7 Suppliers will have the exclusive right to offer the relevant Technical Qualification for the relevant T Level for the Cohorts in respect of which they are appointed.

5.8 Suppliers will be expected to continue to offer post-results Services such as appeals and re-sits for the period of two years following the end of the second year of teaching of the final Cohort.

5.9 Therefore, the total Contract term is expected to be from August 2021 until 31 August 2030 (or, if extended, 31 August 2031).

Geographical scope

5.10 The Procurement covers the Technical Qualification for T Levels to be offered to Providers in England. The Supplier(s) may be entitled to use content developed for the T Levels Technical Qualification in qualifications to be made available outside England as set out in paragraph 5.22 below.

5.11 Following an expression of interest process operated by the Education and Skills Funding Agency, around 44 Providers have qualified to deliver T Levels in 2020. They will be able to offer any of the three (3) T levels that will be launched in 2020 and any of the seven (7) T Levels that will be launched in 2021, as long as they have previous experience of delivering in the relevant subject area (i.e. the relevant Route). Around sixty (60) Providers have been selected to offer T Levels in 2021. The list of Providers who have been selected to deliver T Levels in 2020 and 2021 can be found here:

https://www.gov.uk/government/publications/providers-selected-to-deliver-t-levels

5.12 On 9 January 2020, the Education and Skills Funding Agency launched the expression of interest exercise for Providers to deliver T Levels from 2022. We have selected around 80 Providers and we expect the number of Providers delivering T Levels to continue to increase as they are rolled out and they become a ‘mainstream’ part of the qualifications offer.

5.13 Further details can be found at:

https://www.gov.uk/guidance/t-levels-how-to-express-an-interest-to-deliver-from-2022-to2023-academic-year

Pricing approach

5.14 There are four revenue streams covering all obligations of the Suppliers in respect of the delivery of the Services (including meeting all regulatory conditions), as set out below:

5.14.1 Qualification development fee. The Authority will pay the Supplier(s) a fixed fee for the initial development of the TQ[1]. The qualification development fee will be paid in instalments on three milestones during the development process. Details of the milestones are set out in Annex 7 of the Service Requirements and delivery of the relevant requirements for Interim Milestone 1, Interim Milestone 2 and the Final Approval Milestone respectively represent 30%, 40% and 30% of the qualification development fee. The final milestone occurs at the point at which the TQ is approved by the Authority.

5.14.2 Entry fee. The Supplier(s) will charge a per-Student entry fee to Providers covering all of their assessment and support services.

5.14.3 Fees for additional services. A menu of additional services which Providers can purchase from the Supplier(s) on an "as and when needed" basis.

5.14.4 Fees for changes to the TQ. The Authority will pay the Supplier(s) for making changes requested by the Authority to the TQ where these are defined as Exclusive TQ Changes in the Contract. The basis for calculation of the fees for Exclusive TQ Changes is set out in the Contract. The Supplier is otherwise responsible for keeping the TQ up to date during the Contract term at no extra cost to the Provider or the Authority.

5.15 Fees (other than the qualification development fee) may be subject to increase by the Supplier(s) once annually during the Contract term (as set out in the Contract) provided that any proposed increase shall not exceed the relevant annual increase in the Consumer Price Index. No separate fee may be charged for Provider approval services.

5.16 Suppliers are required to deliver efficiencies in the event that they are successful in multiple Lots within this wave of T Levels. In the event that a Supplier wins two or more

[1] Further details of what may be included in the development fee are set out in paragraph 10.4 of the Evaluation Methodology and Guidance.

Lots within Wave 4 the relevant Fee referred to as “Entry fee” in Schedule 6 (*Pricing Schedule*) shall be reduced in the Contract in respect of each Lot in which that Supplier has been successful by a total of 15%.

Sub-contracting

5.17 The Supplier may sub-contract certain elements of its delivery of the Services with the Authority’s consent. More detail around how this will be addressed as part of the Procurement process is set out in paragraph 12 below.

Intellectual property

5.18 The Authority has the right under the Act to take a statutory transfer of all rights in copyright in all course documents for the TQ which the Authority considers necessary for the purposes of its remit. The Authority will take a contractual assignment of copyright and other intellectual property rights in Key Materials, at appropriate stages leading to the Authority’s approval of the TQ, in order to secure that rights in the necessary materials for the TQ are available on approval. The Authority will determine on approval the materials which are relevant course documents to which any statutory transfer of copyright will apply.

5.19 The Authority will also acquire a licence of certain ancillary materials to which the Authority and/or a future TQ supplier would require access for its administration and related activities in relation to the TQ and the procurement, implementation and/or operation of the TQ by a future supplier.

5.20 Suppliers will be granted an exclusive licence to use the Key Materials assigned or transferred to the Authority, in the implementation and operation of the TQ for the duration of the Contract, subject to certain rights retained by the Authority.

5.21 Suppliers may offer the TQ outside England subject to certain restrictions as specified in the Contract. Suppliers may continue to offer and update their current qualifications and may re-use content developed for the TQ within another qualification, both within and outside England. Suppliers must not offer or promote their other qualifications as being identical to a TQ or demonstrating the same level of occupational competence as the TQ.

5.22 Suppliers will be licensed to use the name “T Level” for their T Level material for the Contract term, and prohibited from using the name “T Level” or any confusingly similar

name outside the Authority's approved T Level Programme. Use of the name "T Level" will be subject to compliance with branding guidelines issued by the Institute.

5.23 Suppliers may use their own branding on materials used in connection with the TQ, including Student or employer facing materials (e.g. exam papers) required for the T Level, subject to meeting the specified rules on joint branding aimed at ensuring that the T Level brand remains a distinct brand, and that a T Level (and any TQ forming part of it) is clearly seen to be part of a T Level Programme run by the Authority, and to be the same T Level when offered by a future supplier.

Performance management

5.24 Once the TQ has been approved by the Authority, key performance indicators will apply to the delivery of the services to Providers. Suppliers will be required to monitor their own performance against a number of the KPIs (and provide other management information) and will be required to report back to the Authority on a regular basis.

TUPE

5.25 TUPE is not expected to apply at the start of the Contract. TUPE may apply at the end of the Contract term and Suppliers should seek their own legal advice in relation to this.

Cooperation

5.26 Suppliers will be required to cooperate with other T Level suppliers, the Authority and other stakeholders to promote efficient delivery of the T Levels Programme (including agreeing assessment dates and results dates).

Ofqual recognition

5.27 It is a requirement that Suppliers must be recognised by Ofqual to deliver the TQ at the point of Contract award, and if a Potential Supplier is not currently recognised for any qualification, that the Potential Supplier must separately submit an application to Ofqual for Ofqual recognition prior to the SQ Submission Deadline. Details are set out in paragraph 15 of the Evaluation Methodology and Guidance.

6 <u>Student volumes</u>

6.1 T Levels are brand new study programmes and their take up by Students will be influenced by various factors. As a result, the numbers of T Level entrants per Pathway

expected over the Contract term are difficult to estimate with certainty. The volumes provided in this Invitation to Tender are an estimated order of magnitude, rather than precise predictions of expected T Level entrants. Potential Suppliers will need to ensure their business model is robust to changes in actual volumes, whilst maintaining levels of customer service.

6.2 The table below provides estimated magnitudes of potential T Level entrants, by Cohort, for the Pathways that are the subject of this Procurement, based on the information currently available to the Education and Skills Funding Agency. Given the uncertainties in estimating future demand for T Levels, the figures are rounded to the nearest 100.

T Level Pathway	Cohort 1 2023/24	Cohort 2 2024/25	Cohort 3 2025/26	Cohort 4 2026/27	Cohort 5 2027/28	**Total across cohorts**
Hair, Beauty & Aesthetics	2200	5100	5900	5900	6100	**25200**
Craft & Design	1400	3100	3400	3500	3500	**14900**
Media, broadcast, & production	4800	10700	11700	11900	12100	**51200**
Catering	400	900	1000	1000	1100	**4400**
Animal care & Management	2500	5700	6300	6400	6600	**27500**
Agriculture, Land Management & Production	1200	2700	2900	3000	3100	**12900**
Legal Services	600	1400	1500	1500	1500	**6500**
Human resources	600	1400	1400	1500	1500	**6400**
Total across pathways	**13700**	**31000**	**34100**	**34700**	**35500**	**149000**

6.3 The above estimates have been derived by the Education and Skills Funding Agency. The estimates are based on a number of modelling assumptions about key factors that are necessary to make but uncertain at this stage. All the estimated T Level entrant numbers in the above table are thus subject to change.

6.4 The figures reflect the estimated level of student interest in the relevant T Levels. They are based on the numbers of 16-18 year olds in England (excluding A Level-only students) studying technical and vocational qualifications in subject areas corresponding to the relevant T Level Pathways in academic year 2017-18. The qualifications are from the Section 96 list of qualifications. The relevant student figures are from the Individualised Learner Records database.

6.5 The Education and Skills Funding Agency has taken the approach of identifying qualifications that correspond to T Level Pathways as it gives a reasonable indication of the potential size of the market for the relevant T Levels. This does not prejudice future decisions about continued funding of the existing qualifications, and should not be taken to indicate the qualifications that will fall within the scope of the review of post-16 qualifications at level 3 and below, nor the outcome of this review, which is subject to consultation. The first consultation stage (Spring 2019) set out the broad principles that are guiding the review. A second consultation setting out the proposed criteria that will be used to determine whether a qualification continues to receive public funding will follow in Autumn 2020.

6.6 To reflect the managed rollout and the assumed increase in the number of Providers delivering T Levels, estimated entrants for the first Cohort of this wave of T Level Students are assumed to be in the region of forty percent of the estimated volume in steady-state. The precise speed of rollout and future adoption of this wave of T Levels by Providers is unknown currently.

6.7 The estimates include assumptions about future population growth for 16-18-year olds, based on population projections published by the Office for National Statistics.

6.8 Given the uncertainties in estimating future T Level entrants, the Education and Skills Funding Agency and the Authority cannot guarantee the volumes stated in this Invitation to Tender. The key modelling assumptions have been explained so that Potential Suppliers can understand the estimates and their rationale. We would expect Potential Suppliers to take this information into account in conjunction with their own market analysis, in developing their Tender response.

7 Service Requirements

7.1 A detailed description of the Services and associated deliverables required from the Supplier is set out in the Service Requirements (Attachment 2).

8 e-Sourcing Portal

8.1 Any supporting documentation in relation to this Procurement (to include all relevant attachments to this ITT) will be available via the e-Sourcing Portal (as referred to at paragraph 2.5 above).

9 Procurement contacts

9.1 All contact with the Authority in relation to this Procurement must be via the e-Sourcing Portal.

9.2 The Authority will issue communications relating to this Procurement through the e-Sourcing Portal, therefore please ensure that the mailbox of the individual who is the primary contact for the Potential Supplier is reviewed on a regular basis.

10 Procurement timetable

10.1 The timetable for the Procurement is set out in the table below.

DATE	ACTIVITY
3rd November 2020	Submission of PIN Notice to the OJEU for publication
3rd November 2020	Issue of ITT
9th November 2020	Deadline for the receipt of Selection Questionnaire clarifications ("**SQ Clarifications Deadline**")
13th November 2020	Final responses to Selection Questionnaire clarifications to be published
17th November 2020	SQ Response to be submitted ("**SQ Submission Deadline**")
1st December 2020	Notification to Potential Suppliers of the outcome of Stage 1 Selection Questionnaire and Stage 2 Award Questionnaire opens[2]
15th January 2021	Deadline for the receipt of Award Questionnaire clarifications ("**Tender Clarifications Deadline**")

[2] Potential Suppliers bidding for Craft & Design will complete the Award Questionnaire – general questions only

DATE	ACTIVITY
21st January 2021	Final responses to Award Questionnaire clarifications to be published
23rd February 2021	Tender to be submitted ("**Tender Submission Deadline**")
Week Commencing 1st March and 8th March 2021	Clarification meetings (if required – see the Evaluation Guidance for more details)
August 2021	Potential Suppliers notified of award decision and Standstill Period observed
August 2021	Contract commencement

10.2 For Potential Suppliers bidding for the Craft & Design Pathway, a Wireframe will be made available at the point of issuing the ITT. This will enable Potential Suppliers to complete the Selection Questionnaire and Award Questionnaire – general questions, to the timeline set out above. When the outline content for Craft & Design is finalised, Potential Suppliers bidding for Craft & Design will have to complete the Award Questionnaire – Lot specific questions to the timetable set out below:

DATE	ACTIVITY
1 March 2021	Craft & Design Final Outline Content issued Stage 2 Award Questionnaire – Lot specific questions opens
10 March 2021	Deadline for the receipt of Craft & Design Award Questionnaire – Lot Specific clarifications ("**Tender Clarifications Deadline**")
15 March 2021	Final responses to Craft & Design Award Questionnaire – Lot Specific clarifications to be published
26 March 2021	Tender to be submitted ("**Tender Submission Deadline**")

10.3 The timing for all deadlines in the Procurement timetable set out above is 23:59 on the relevant date.

10.4 The Authority may, at any time and for any reason, amend the Procurement timetable. Potential Suppliers will be informed through the e-Sourcing Portal in the event that any such changes are made.

11 Questions and clarifications

11.1 Potential Suppliers may raise questions or seek clarification in relation to the Selection Questionnaire at any time prior to the SQ Clarifications Deadline and regarding any other aspect of this Procurement at any time prior to the Tender Clarifications Deadline.

11.2 Questions must be submitted using the online message board forming part of the e-Sourcing Portal, and in the format required by such message board.

11.3 The Authority will only answer questions submitted via the e-Sourcing Portal.

11.4 If a Potential Supplier believes that its question is commercially sensitive, then it must indicate this when it submits the question via the e-Sourcing Portal message board. The Authority will consider the sensitivity of the question and if it considers the question not to be commercially sensitive it will give the Potential Supplier the opportunity to either retract the question without receiving an answer or confirm that that the question is not commercially sensitive and that the response may be circulated to all Potential Suppliers. If the Authority considers a question to be commercially sensitive and that providing a response only to the relevant Potential Supplier would not favour or dis-favour any Potential Supplier nor distort competition, then it may respond only to that Potential Supplier.

11.5 To ensure that all Potential Suppliers have equal access to information regarding this Procurement, the Authority will publish all its responses to questions (in an anonymised format) raised by Potential Suppliers via the e-Sourcing Portal only.

11.6 The Authority's objective is to respond to clarification questions within three (3) business days (and in any event by the relevant deadline shown in paragraph 10). If for any reason a response will take longer than this, the Authority will notify the Potential Supplier that submitted the question.

11.7 Unless otherwise stated by the Authority, Potential Suppliers should aim to respond to any clarification questions submitted by the Authority within three (3) business days.

12 Contracting arrangements (Sub-Contractors and consortia)

12.1 The Authority welcomes SQ Responses and Tenders from Potential Suppliers collaborating as a Group of Economic Operators or sub-contracting elements of their obligations. Where one of these approaches is adopted the remaining provisions of this paragraph 12 must be followed.

12.2 It is important that SQ Responses clearly explain how Potential Suppliers will satisfy the Authority's minimum requirements for legal, economic, technical and professional capacity as set out in the Tender Response Document. Potential Suppliers should also explain how their proposals are structured in terms of organisations contributing to them.

Sub-Contracting Proposals

12.3 Subject to the provisions of the Contract, only Sub-Contractors identified in the SQ Response will be able to provide Services through the Contract. Subject to paragraph 12.5, any organisation, group company, subsidiary, parent company, holding company, associated company, franchise or fellow franchisee, strategic partner or organisation in any other relationship with the Potential Supplier must be identified as a Sub-Contractor in the SQ Response.

12.4 Subject to paragraph 12.5, where Potential Suppliers propose to use one or more Sub-Contractors, they should complete question 1.2(b) in the Selection Questionnaire with the relevant details of the Sub-Contractors.

12.5 The Authority does not require all sub-contractors to be disclosed and to be named in response to question 1.2(b) of the Selection Questionnaire. Only those sub-contractors who directly contribute to the ability of the Potential Supplier to meet its obligations under the Contract must be disclosed and must be named in response to question 1.2(b) in the Selection Questionnaire. There is no need to specify sub-contractors supplying general services to the Potential Supplier (such as window cleaners, lawyers etc.) or sub-contractors who are providing contingent labour on an ad hoc basis, or are individuals working through personal service companies, or to complete a separate Selection Questionnaire in relation to any such sub-contractors.

12.6 Potential Suppliers must clearly identify in responses to questions in their SQ Response any instances in which they are relying on the capability and/or experience of one or more Sub-Contractor(s) to demonstrate the Potential Supplier's technical and

professional ability to provide the Services, and explain the role, capability and experience of the Sub-Contractor(s) as the context of the question requires.

12.7 For information as to when an additional copy of the Selection Questionnaire must be completed and submitted, please see the section entitled "*Who must complete a Selection Questionnaire?*" in the "*Important note to Potential Suppliers*" section of the Selection Questionnaire.

Group of Economic Operator proposals

12.8 If a Group of Economic Operators wishes to act jointly to provide the Services, it may do so. However, it is a requirement that the Authority contracts with a single legal entity, and the Authority may therefore require the Group of Economic Operators to assume a specific legal form for the purposes of concluding the Contract. This may be either: (a) a joint venture company or special purpose vehicle to be established by the Group of Economic Operators which will then enter into the Contract with the Authority; or (b) a prime / lead contractor and sub-contractor arrangement with one member of the Group of Economic Operators taking the role of prime / lead contractor and entering into the Contract with the Authority. In the case of a joint venture company or special purpose vehicle being established, the Authority may require the members of the Group of Economic Operators to nominate a Guarantor (or Guarantors) for the single legal entity's performance of the Contract. Following such requirement, the Authority reserves the right to request and assess information on the economic and financial standing of the proposed guarantor(s) and to disqualify a Group of Economic Operators from further participation in this Procurement in the event that the Group of Economic Operators do not nominate a guarantor(s) that resolves any Authority concerns in relation to the economic and financial standing of such single legal entity, or in relation to the technical and professional ability of the same. In the case of a prime / lead contractor arrangement it will be the financial standing of the prime / lead contractor which will be assessed by the Authority for the purposes of the SQ Response evaluation.

12.9 A Lead Supplier should be nominated to lead the bidding process and to complete the SQ Response and Tender on behalf of all the members of the Group of Economic Operators. Potential Suppliers should set out details of the members of the proposed Group of Economic Operators and the percentage of contractual obligations assigned to each member in their responses to question 1.2(a) in the Selection Questionnaire.

12.10 Potential Suppliers must clearly identify in responses to questions in their SQ Response any instances in which they are relying on the capability and/or experience of one or more members of their Group of Economic Operators to demonstrate the Potential Supplier's technical and professional ability to provide the Services, and explain the member's role, capability and experience as the context of the question requires.

12.11 For information as to when an additional copy of the Selection Questionnaire must be completed and submitted, please see the section entitled "*Who must complete a Selection Questionnaire?*" in the "*Important note to Potential Suppliers*" section of the Selection Questionnaire.

Changes to the contracting arrangements

12.12 The Authority recognises that arrangements in relation to sub-contracting and Groups of Economic Operators may be subject to future change, and may not be finalised until a later date. However, Potential Suppliers must promptly tell the Authority about any changes to the proposed sub-contracting or to the relevant Group of Economic Operators by notifying the Authority via the e-Sourcing Portal. The Authority will assess the new information provided and reserves the right to exclude the Potential Supplier at any time prior to any award of Contract.

12.13 Failure to notify the Authority of any changes in accordance with paragraph 12.12 may lead to a Potential Supplier being disqualified from the Procurement.

12.14 The Authority reserves the right to require Potential Suppliers to put in place such appropriate arrangements as the Authority may require in order to provide additional reassurance to the Authority in circumstances of change in their Sub-Contractors or members of Groups of Economic Operators such as those described in paragraph 12.12.

13 Conflicts of Interest

13.1 The concept of a Conflict of Interest includes (but is not limited to) any situation where relevant member of Staff of the Authority involved in this Procurement has, directly or indirectly, a financial, economic or other personal interest, which might be perceived to compromise their impartiality and independence in the context of the Procurement procedure and/or affect the integrity of the Contract award. It also includes the situation

referred to in paragraph 4.4 of the Terms of Participation (Involvement in multiple tenders).

13.2 Where the Potential Supplier is aware of any circumstances giving rise to a Conflict of Interest or has any indication that a Conflict of Interest exists or may arise, it should inform the Authority of this as soon as possible (whether before or after it has submitted an SQ Response or Tender). Details of the relevant Conflict of Interest should be included in Attachment 8 – Conflict of Interest Declaration together with details of the steps the Potential Supplier proposes to take to eliminate or mitigate the impact of the potential Conflict of Interest.

13.3 Potential Suppliers should remain alert to the possibility of a Conflict of Interest arising at all stages of the Procurement and should update the Authority if any new relevant circumstances or information arises, or there are any changes to information already provided to the Authority. Failure to do so, and/or to properly manage any Conflict of Interest may result in an SQ Response and/or Tender being rejected.

14 Terms of participation

14.1 Potential Suppliers must accept the Terms of Participation (Attachment 1) in order to participate in this Procurement process, and submission of an SQ Response and Tender shall constitute acceptance by the Potential Supplier of the Terms of Participation.

14.2 The Authority requires single entity Potential Suppliers or Lead Suppliers to confirm any Sub-Contractor and/or member of a Group of Economic Operators has read, understood and complied with all of the statements contained within the Terms of Participation (Attachment 1).

15 Completing and submitting an SQ Response and a Tender

15.1 Potential Suppliers are strongly advised to read through this ITT and all associated documents to ensure that they understand the Authority's requirements in order to facilitate submission of a compliant SQ Response and Tender. Failure to be compliant with any requirements in this ITT may result in disqualification of the SQ Response and/or Tender.

15.2 Potential Suppliers must complete and submit separately via the e-Sourcing Portal a completed SQ Response by the SQ Submission Deadline which must include:

15.2.1 Attachment 6 – Tender Response Document – Part 1 – Selection Questionnaire (together with required attachments as set out in the Selection Questionnaire); and

15.2.2 a response to Selection Questionnaire questions 1 to 8 in respect of each entity which is required to complete the document (see the guidance in the Selection Questionnaire).

15.3 Potential Suppliers must complete and submit separately via the e-Sourcing Portal a completed response to each of the following documents by the Tender Submission Deadline:

15.3.1 Attachment 6 – Tender Response Document – Part 2 – Award Questionnaire general questions (together with required attachments as set out in the questionnaire). A response to the Award Questionnaire questions 9.1 to 9.6 and 10.1 to 10.5 (together with required attachments as set out in the questionnaire) must be submitted once only in respect of a Potential Supplier's Tender;

15.3.2 Attachment 6 – Tender Response Document – Part 3 – Award Questionnaire Lot specific questions (together with required attachments as set out in the questionnaire);

15.3.3 Attachment 7 – Pricing Schedule and Guidance;

15.3.4 Attachment 8 – Conflict of Interest Declaration;

15.3.5 Attachment 9 – Commercially Sensitive Information and /or Confidential Information; and

15.3.6 Attachment 10 – Form of Tender Declaration.

15.4 Each Potential Supplier is allowed to submit a Tender for any number of Lots: for one Lot only, or for up to eight (8) Lots in this Procurement. The ITT documentation is exactly the same for each Lot, save that:

15.4.1 the Outline Content is specific to each Pathway covered by the relevant Lot;

15.4.2 the Wireframe is specific to the Craft & Design Pathway; and

15.4.3 a separate version of the Pricing Schedule is provided for each Lot (and the correct version must be used when submitting a Tender).

15.5 Where a Potential Supplier wishes to submit a Tender for multiple Lots, the Potential Supplier must submit via the e-Sourcing Portal:

15.5.1 prior to the SQ Response Deadline:

(i) a single response to Attachment 6 – Tender Response Document – Part 1 (Selection Questionnaire) questions 1 – 8, in respect of each entity which is required to complete the document (see the guidance in the Selection Questionnaire). Only one copy of the Selection Questionnaire is required in respect of each entity regardless of the number of Lots the Potential Supplier wishes to bid for; and

15.5.2 prior to the Tender Response Deadline:

(i) a single response to Attachment 6 – Tender Response Document – Part 2 (Award Questionnaire general questions) questions 9.1 to 9.6 and 10.1 to 10.5, in respect of each Potential Supplier's Tender. Only one copy of the Award Questionnaire general questions is required in respect of each Tender regardless of the number of Lots the Potential Supplier wishes to bid for; and

(ii) a separate response to Attachment 6 – Tender Response Document – Part 3 (Award Questionnaire Lot specific questions) questions 9.7 and 9.8 and 10.6 to 10.8 in respect of each TQ for which the Potential Supplier is submitting a Tender; and

(iii) a separate response to the Pricing Schedule for each Lot (and the correct version of the Pricing Schedule for the relevant Lot must be used when submitting a Tender); and

(iv) a single response to Attachment 8 – Conflict of Interest Declaration; and

(v) a single response to Attachment 9 – Commercially Sensitive and/or Confidential Information; and

(vi) a single response to Attachment 10 – Form of Tender Declaration.

15.6 Potential Suppliers must respond in the format presented in the above Attachments, with all responses made within the appropriate space provided, which may be expanded as required. Answers given must not exceed the character limit specified in relation to the relevant question. Potential Suppliers should note that the e-Sourcing Portal character count can differ from the character count stated by word processing packages, and Potential Suppliers are advised to check the applicable character count within the e-Sourcing Portal in sufficient time to make changes if needed to reduce the length of the relevant response.

15.7 Where the Tender Response Document specifically states that it is necessary to provide information/documentary evidence in a separate attachment, Potential Suppliers must ensure that they have completed the box beside the question and that each separate attachment is clearly marked with the name of their organisation and the section/question to which it refers.

15.8 SQ Responses and Tenders may be deemed to be non-compliant if they do not:

15.8.1 provide the required information in the format requested;

15.8.2 provide a response to all questions; or

15.8.3 supply all documentation referred to in the responses.

15.9 All text within the SQ Response and the Tender should be in 12 point, Arial font.

15.10 Potential Suppliers are advised of the following:

15.10.1 Save as provided in the Terms of Participation at paragraph 4.4 (*Involvement in multiple tenders*), each Potential Supplier may only submit one Tender for each Contract in its own right and name.

15.10.2 It is your responsibility to ensure that you have submitted a fully compliant SQ Response and Tender. Variant Tenders will be regarded as non-compliant and may be rejected.

15.10.3 You should ensure that you are referring to the latest versions of the ITT and the associated documents, as this documentation may be updated from time to time in the e-Sourcing Portal.

15.10.4 Any incomplete or incorrectly completed SQ Response or Tender submission may be deemed non-compliant, and as a result you may be unable to proceed further in the Procurement process.

15.10.5 Allow plenty of time for the entering of responses in relation to your SQ Response and Tender into the documents in the e-Sourcing Portal and for uploading the requested attachments. It is advised that this activity commences as soon as possible and is not left until the day of the SQ Submission Deadline or Tender Submission Deadline as applicable.

15.10.6 Failure to either (i) submit a fully compliant SQ Response by the SQ Response Deadline; and/or (ii) submit a fully compliant Tender prior to the Tender Submission Deadline, may result in the disqualification of your SQ Response and Tender.

15.11 For technical guidance on how to complete questions and SQ Response / Tender fields, and how to upload any requested attachments, please see the Proactis ProContract e-Sourcing Portal Guidance (Attachment 5).

15.12 Potential Suppliers should name each file submitted via the e-Sourcing Portal which forms part of their Tender in accordance with the following:

[*Potential Supplier name*]_[*Lot number*]_[*Document name*]

For example: *ABC Limited_Lot 1_Attachment 6 Part 1*

Price

15.13 Prices should be submitted in pounds sterling inclusive of all expenses but should exclude VAT.

15.14 For this Procurement, Potential Suppliers are required to complete the Pricing Schedule and Guidance (Attachment 7), following the guidance contained within that document.

16 <u>Tender validity</u>

16.1 Tenders must remain valid and capable of acceptance by the Authority for 9 months following submission.

17 Tender evaluation

17.1 The Evaluation Methodology and Guidance (Attachment 4) sets out how the Authority will evaluate SQ Responses and Tenders.

17.2 Following submission of SQ Responses and Tenders, the Authority may request any Potential Supplier to clarify any aspect of its SQ Response or Tender as described in the Evaluation Guidance.

17.3 As part of the evaluation of Tenders, the Authority may invite Potential Suppliers to a clarification meeting. If required this will take place between receipt of Tenders and announcement of the successful Potential Supplier(s). Potential Suppliers should refer to the Evaluation Guidance for further details.

18 Contract award

18.1 The Authority intends to award the Contract to the Potential Supplier that offers the Most Economically Advantageous Tender ("**MEAT**") in the opinion of the Authority (as determined taking into account both quality and price by the application of the Evaluation Methodology).

18.2 Contract award is subject to the formal approval process of the Authority. Until all necessary approvals are obtained and the standstill period completed, no Contract will be entered into.

18.3 Once the Authority has reached a decision in respect of a Contract award, it will notify all Potential Suppliers of that decision in accordance with Regulation 47 and will provide for a minimum ten (10) calendar day standstill period ending on a business day ("**Standstill Period**") before entering into the Contract.

19 Armed Forces Covenant

19.1 The Armed Forces Covenant (**"the Covenant"**) is a public sector pledge from Government, businesses, charities and organisations to demonstrate their support for the armed forces community. The Covenant was brought in under the Armed Forces Act 2011 to recognise that the whole nation has a moral obligation to redress the disadvantages the armed forces community face in comparison to other citizens, and recognise sacrifices made.

19.2 The Covenant's two principles are that:

19.2.1 the armed forces community should not face disadvantages when compared to other citizens in the provision of public and commercial services; and

19.2.2 special consideration is appropriate in some cases, especially for those who have given most such as the injured and the bereaved.

19.3 The Authority encourages all Potential Suppliers, and their Sub-Contractors, to sign Armed Forces Covenant Pledge, declaring their support for the armed forces community by displaying the values and behaviours set out therein.

19.4 Guidance on the various ways you can demonstrate your support through the Covenant is provided at https://www.gov.uk/government/publications/corporate-covenant-pledge.

19.5 If you wish to register your support you can provide a point of contact for your company on this issue to the Armed Forces Covenant Team at the address below, so that the Ministry of Defence can alert you to any events or initiatives in which you may wish to participate. The Armed Forces Covenant Team can also provide any information you require in addition to that included on the website.

Email address: covenant-mailbox@mod.uk

Address: Armed Forces Covenant Team, Zone D, 6th Floor, Ministry of Defence, Main Building, Whitehall, London, SW1A 2HB

19.6 Paragraphs 19.1 to 19.5 above are not a condition of working with the Authority now or in the future, nor will this issue form any part of the tender evaluation, contract award procedure or any resulting Contract. However, the Authority very much hopes you will want to provide your support.

ITT Appendix 1 – Glossary

Accreditation	means Ofqual's statutory authorisation process for individual qualifications under section 139 of the Act;
Act	means the Apprenticeship, Skills, Children and Learning Act 2009 (as amended by (amongst others) the Technical and Further Education Act 2017);
Additional Services	has the meaning given to it in the Contract;
Approved Providers	has the meaning given to it in the Contract;
Assessment Strategy	has the meaning given to it in the Contract;
Assessors	has the meaning given to it in the Contract;
Attachment	means a document made available to Potential Suppliers via the e-Sourcing Portal in relation to this Procurement and forming part of this ITT;
Authority	means the Institute in relation to this Procurement;
Award Questionnaire	means Attachment 6 Part 2, being the document titled 'Award Questionnaire general questions' together with Attachment 6 Part 3, being the document titled 'Award Questionnaire Lot specific questions' forming part of the Tender Response Document, which contain award questions which the Potential Suppliers are required to respond to or complete as part of their Tender;
Awarding Organisation	has the meaning given to it in the Contract;
Cohort	has the meaning given to it in the Contract;
Conditions of Recognition	has the meaning given to it in the Contract;
Conflict of Interest	means any conflict of interest arising in relation to the Procurement, Tender or Contract. This includes (but is not limited to) where: (a) the Supplier's interests in any activity undertaken by the Supplier, on its behalf, or by a member of its Group have the potential to lead the Supplier to act contrary to the Supplier's interests in the development, delivery and award of the TQ in accordance with the Conditions of Recognition; (b) a person who is connected to the development, delivery or award of the TQ by the Supplier has interests in any other activity which have the potential to lead that person to act contrary to his or her interests in that development, delivery or award in accordance with the Conditions of Recognition, or

	© an informed and reasonable observer would conclude that either of these situations was the case; It also includes, for the purpose of the Procurement, any of the situations referred to in paragraph 13 of this ITT;
Consolidated Score	means the Technical Score and the Price Score (each as calculated in accordance with the Evaluation Guidance), added together to give a Consolidated Score, as set out in the Evaluation Guidance;
Contract	means the terms of contract (including schedules) set out at Attachment 3 of this ITT to be entered into between the Authority and the successful Potential Supplier in each Lot at the conclusion of this Procurement, or the contract as concluded with the successful Supplier as applicable;
Covenant	means the covenant from the public and private sectors that those who serve or have served in the armed forces, and their families, will be treated fairly, as more particularly set out in the Armed Forces Covenant published and available at https://www.gov.uk/government/publications/an-explanation-of-the-armed-forces-covenant;
Data Protection Legislation	has the meaning given to it in the Contract;
Department / DfE	means the Secretary of State for Education;
EIRs	has the meaning given to it in the Contract;
Evaluation Guidance	means the detailed guidance provided to Potential Suppliers in respect of the Authority's assessment and evaluation of a Tender in Attachment 4 - Evaluation Methodology and Guidance;
Evaluation Methodology	means the methodology and criteria which will be used by the Authority to evaluate the Tenders, as more particularly set out in the Attachment 4 - Evaluation Methodology and Guidance;
Exclusive Cohort	has the meaning given to it in the Contract;
e-Sourcing Portal	means the Proactis ProContract online tender management system which is being used by the Authority for this Procurement which can be found at https://procontract.due-north.com/Register;
Final Score	means the overall final score achieved by a Tender at the conclusion of the evaluation calculated in accordance with the Evaluation Guidance;
FoIA	has the meaning given to it in the Contract;
GCoR	means the General Conditions of Recognition set by Ofqual;
GDPR	has the meaning given to it in the Contract;

Glossary	means this glossary of capitalised terms and expressions in the ITT;
Group	means in relation to a company, that company, any subsidiary or holding company from time to time of that company, and any subsidiary from time to time of a holding company of that company. Holding company and subsidiary shall mean a "holding company" and "subsidiary" as each are defined in section 1159 of the Companies Act 2006;
Group of Economic Operators	means a group of economic operators acting jointly and severally to provide the Services;
Guarantor	means any person nominated and/or appointed to guarantee the responsibilities and obligations of the Supplier(s) as set out under the Contract;
Institute	means the Institute for Apprenticeships and Technical Education;
Invitation to Tender and ITT	means the suite of documentation comprising of the Invitation to Tender, the Appendices, Attachments and all other documents referred to in the ITT and published by the Authority through the e-Sourcing Portal in relation to this Procurement;
Key Materials	has the meaning given to it in the Contract;
Lead Supplier	means the member of the Group of Economic Operators who is authorised in writing by each of the other members of that Group of Economic Operators to provide the responses to the ITT and to submit the Tender on behalf of the Group of Economic Operators;
Level 3 Qualification	means a UK qualification described as level 3, which currently includes those qualifications listed at https://www.gov.uk/what-different-qualification-levels-mean/list-of-qualification-levels;
Lot	means a discrete sub-division of the Services which are the subject of this Procurement as described in the PIN Notice;
Moderators	has the meaning given to it in the Contract;
Most Economically Advantageous Tender (MEAT)	means the Tender which the Authority considers demonstrates the most economically advantageous solution to deliver the Services taking into account both quality and price, as determined in accordance with the Evaluation Guidance;
Occupation	means a set of jobs where the main tasks and duties are characterised by a high degree of similarity, where a "job" is a role connected to a specific employment contract in a workplace;
Occupational Map	means, for each Route, a map which groups Occupations according to where there is a requirement for shared technical

	knowledge, skills, and behaviours, and identifies the Occupations for which Standards exist;
Occupational Specialist Component	has the meaning given to it in the Contract;
Ofqual	means the Office of Qualifications and Examinations Regulation;
Outline Content	means the knowledge, skills and behaviours identified by T Level Panels, and based on the relevant standards, that each TQ should cover, as published in respect of each TQ by the Authority;
Pathway	means a sub-set of a Route, which groups common sets of Occupations into a number of occupational clusters together;
PIN Notice	means the prior information notice as defined in Recital (A) of the Contract and published in the Official Journal of the European Union, which provided notice of this Procurement and invited the submission of Tenders;
Post-16 Skills Plan	means the report prepared by the Department and the Department for Business Innovation and Skills, published in July 2016 and available at: https://www.gov.uk/government/publications/post-16-skills-plan-and-independent-report-on-technical-education;
Potential Supplier	means an economic operator or Group of Economic Operators participating in this Procurement with a view to providing the Services to the Authority;
Pricing Schedule	means the document titled 'Pricing Schedule and Guidance' set out at Attachment 7 to this ITT, which contains a template for Potential Suppliers to set out their price and cost details for supplying the Services and guidance for Potential Suppliers on how to complete the template;
Procurement	means the process used to establish Contract(s) that facilitate the supply of the Services to the Authority for each Lot as described in the PIN Notice;
Provider	means organisations that have a grant agreement and/or a contract for services with the Education and Skills Funding Agency to provide education and training services to Students aged 16 to 19 or that provide such services on a privately funded basis;
Quality Score	means the total score obtained by a Potential Supplier for their responses to questions 9 and 10 forming part of the Award Questionnaire, as more particularly set out in the Evaluation Guidance;
Rate Card	means the rate card to be completed by Potential Suppliers as set out in the Pricing Schedule;

Recognition	means recognition by Ofqual's statutory process under section section 132 of the Act for authorising awarding organisations before they can provide any qualifications regulated by Ofqual;
Regulations	means the Concession Contracts Regulations 2016;
Route	means the broadest category of Occupations in an Occupational Map, typically covering an industrial area;
Route Panel	means the panel of employers convened by the Authority which approves the Outline Content, the Standards and the TQ;
Sainsbury Report	means the report prepared by The Independent Panel on Technical Education, chaired by Lord Sainsbury, published in April 2016 and available at: https://www.gov.uk/government/publications/post-16-skills-plan-and-independent-report-on-technical-education;
Selection Questionnaire	means Attachment 6 Part 1, being the document titled 'Selection Questionnaire' forming part of the Tender Response Document, which contains questions that Potential Suppliers are required to answer as part of their SQ Response;
SEND	means Special Educational Needs and Disabilities, sometimes known as LDD (Students with learning difficulties and disabilities) in post-16 education;
Service Requirements	means the document titled 'Service Requirements' set out at Attachment 2 to this ITT, which contains a detailed description of the services that the Supplier(s) will be required to supply to the Authority under the Contract(s);
Services	means the services that may be provided by a Potential Supplier as set out in the Service Requirements;
Small Medium Enterprise or SME	means an economic organisation falling within the category of micro, small and medium-sized enterprises defined by the European Commission's Recommendation of 6 May 2003. See also: http://ec.europa.eu/enterprise/policies/sme/facts-figures-analysis/sme-definition/;
SQ Clarification Deadline	means the time and date set out in paragraph 10 of this ITT as the deadline for the submission of clarification questions in relation to the Selection Questionnaire;
SQ Response	means a completed Selection Questionnaire in respect of each entity that is required to complete a Selection Questionnaire as described in paragraph 15.2;
SQ Submission Deadline	means the time and date set out in paragraph 10 of the ITT for the latest uploading of the SQ Response;

Staff	means directors, officers, employees, agents, consultants and contractors;
Standards	means the description of the Occupation and the outcomes (knowledge, skills and behaviours) which a Student will be expected to attain to successfully achieve competence in that Occupation, as approved and published by the Institute;
Standstill Period	has the meaning as set out in paragraph 18.3 of this ITT;
Student	has the meaning given to it in the Contract;
Study Programme	means a study programme for which 16 to 19 year-old Students are funded by the Education and Skills Funding Agency. Each study programme combines qualifications and other activities, tailored to each Student's prior attainment and career goals. Study programmes include a core aim which mainly be the study of a substantial, technical, applied or academic qualification(s) or preparation for employment;
Sub-Contractor	means any sub-contractor a Potential Supplier may nominate, or appoint, to supply any part of the Services, as identified as such in its SQ Response;
Supplier	means a Potential Supplier with whom the Authority has concluded a Contract under this Procurement;
Technical Education	means education that focusses on progression into skilled employment and require the acquisition of both a substantial body of technical knowledge and a set of practical skills valued by industry. Technical education draws its purpose from the workplace rather than an academic discipline;
Technical Qualification or TQ	means the Technical Education qualification which if approved by the Authority under section A2DA of the Act will form part of the T Level;
TQ Core Component	has the meaning given to it in the Contract;
T Levels	means the Technical Education Study Programme known as a T Level made up of the TQ and other steps towards occupational competence to be determined by the Authority under section A2DB of the Act (such as a work placement);
T Level Panel	means the advisory groups of employers, professionals and practitioners that will advise on the content of T Levels, drawing on their own experience of the common knowledge, skills and behaviours required for Occupations;
T Level Programme	means the programme to establish and operate the T Levels of which this Procurement forms part, as described in more detail in the ITT;
Tender	means the Potential Supplier's formal offer in response to the

	Service Requirements and this ITT which must include the documents set out in paragraph 15.3;
Tender Clarifications Deadline	means the time and date set out in paragraph 10 of this ITT as the deadline for the submission of clarification questions in relation to the Award Questionnaire stage of this Procurement;
Tender Response Document	means the form of response template to be completed by Potential Suppliers comprising two parts, the Selection Questionnaire as set out in Attachment–6 - Part 1 and the Award Questionnaire as set out in Attachment–6 - Part 2, Attachment–6 - Part 3;
Tender Submission Deadline	means the time and date set out in paragraph 10 of the ITT for the latest uploading of Tenders;
Terms of Participation	means the binding terms of participation of a Potential Supplier in this Procurement in Attachment 1;
Voluntary Community Social Enterprise or VCSE	means a non-governmental organisation that is value-driven and which principally reinvests its surpluses to further social, environmental or cultural objectives.
Wireframe	The wireframe is a high-level draft version of the T Level outline content, which captures proposed specialisms for each pathway and their underpinning performance outcomes.

ITT Appendix 2 – Additional useful information

- Sainsbury Report: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/536046/Report_of_the_Independent_Panel_on_Technical_Education.pdf
- Post-16 Skills Plan: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/536043/Post-16_Skills_Plan.pdf
- Government response to the T Level consultation: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/711472/Implementation_of_T_Level_programmes-Government_consultation_response.pdf
- T Level Action Plan (2019): https://www.gov.uk/government/publications/t-level-action-plan
- Introduction of T Levels: https://www.gov.uk/government/publications/introduction-of-t-levels/introduction-of-t-levels
- Outline content: https://www.instituteforapprenticeships.org/t-levels/approved-t-level-technical-qualifications-and-final-outline-content/final-outline-content/
- Standards that have been approved or are in development: https://www.instituteforapprenticeships.org/apprenticeship-standards/
- Providers delivering T Levels in 2020: https://www.gov.uk/government/publications/providers-selected-to-deliver-t-levels-in-academic-year-2020-to-2021/providers-selected-to-deliver-t-levels-in-academic-year-2020-to-2021
- Further Providers selected to deliver T Levels from the 2021 to 2022 academic year: https://www.gov.uk/government/publications/providers-selected-to-deliver-t-levels
- T Level Panels: https://www.gov.uk/government/publications/t-level-panels-membership
- T Level Website: https://www.instituteforapprenticeships.org/t-levels/