A group of buildings and trees

Description automatically generated with low confidenceShape

Description automatically generated with medium confidence

**Legal Services Framework**

**Further Competition Invitation to Tender**

Land North East of Castor & Ailsworth

Date: 28/03/2024

ProContract Identification Number: DN717613

**The Housing and Regeneration Agency**

**The Housing and Regeneration Agency**

**Table of Contents**

**1.0 Introduction page 3**

**Part 1: Commission Requirements**

**1.1 Commission Background page 4**

**1.2 Site Information page 5**

**1.3 Progress to Date page 7**

**1.4 Objectives page 10**

**1.5 Key Deliverables page 12**

**1.6 Indicative Programme page 15**

**1.7 Management page 15**

**1.8 Payment page 15**

**1.9 Collateral Warranties page 15**

**1.10 Termination page 16**

**1.11 Conflict of Interest page 16**

**1.12 Confidentiality page 16**

**1.13 Health & Safety page 16**

**Part 2: Instructions for Submitting a Response:**

**2.1 General page 17**

**2.2 Quality page 19**

**2.3 Pricing page 19**

**2.4 Evaluation page 19**

**2.5 Documents to be Returned page 20**

**2.6 Evaluation Criteria page 21**

**2.7 Worked Example page 25**

**Part 3: Response Form:**

**3.1 Response Form page 27**

**3.2 Resourcing and Pricing Schedule Appendix A (Separate Document)**

**1.0 Introduction**

1. The purpose of this Invitation to Tender is to award the call off contract for the project ‘Land North East of Castor & Ailsworth’.
2. We ask you to respond to the questions detailed in Evaluation Criteria (Part 2, Section 2.6) using the Response Form (Part 3, Section 3.1).
3. Please return the Response Form and Resource and Pricing Schedule (Part 3, Section 3.1 & 3.2) with your tender.
4. This Further Competition ITT is divided into three parts:

**Part 1: Commission Requirements**

Details the commissions requirements.

Details additional terms and conditions for the Further Competition. The successful Supplier will be subject to both the terms and conditions of this Further Competition and the Framework Contract. Unless otherwise defined in these instructions, terms used shall have the meaning given to them in the Framework Contract.

**Part 2: Instructions for Submitting a Response**

Contains important information and instructions on preparing and submitting a tender response. Please read these instructions carefully prior to submitting your tender response.

Outlines the evaluation criteria which will be used for assessment. It is important that Suppliers familiarise themselves with the criteria and ensure they are considered when compiling their tender response.

**Part 3: Response Form**

Contains the standard forms required to be completed and returned by the Supplier when submitting a tender response.

**Part 1: Commission Requirements**

**1.1 Commission Background**

1. This Invitation to Tender has been issued by Homes England for the procurement of a professional legal services team to support the successful promotion of ‘Land North East of Castor & Ailsworth’ (‘*the Site*’) for development, securing an allocation in the current Peterborough Local Plan Review 2023-44.
2. Land North East of Castor and Ailsworth is a strategically important project for Homes England and is being delivered in accordance with the Agency’s delivery and oversight arrangements.

**1.2 Site Information**

1. The Site is located within the administrative area of Peterborough City Council (PCC).
2. It lies immediately north and south of the A47, adjacent to the settlements of Castor and Ailsworth, approximately 4km West of Peterborough City itself.
3. The Site measures circa 338 ha. Please refer to **Figure 1** which shows the land currently within Homes England’s freehold ownership. As part of this commission Homes England would seek a legal review of the title to identify any risks to the delivery of the project.

A map with red lines

Description automatically generated

**Figure 1: Site Location Plan**

1. The Site benefits from an excellent strategic location both in relation to the City of Peterborough and also in connection to the wider country given the strong road and rail links. The Site is located approximately 9km (c. 12 minutes) by road from Peterborough railway station, and less than 5 minutes from the A1/A47 junction.
2. Most of the Site is currently in agricultural use. It is worth noting to the west of Ailsworth, the business, Nene Overland, is situated within the Site, as well as a small menage, that appears to be associated with the local farm business.
3. Nearby there are areas of significant natural value including, for instance, the Nene River which opens up to Nene Park and the Castor Hanglands National Nature Reserve. Despite the proximity to the river, the Site is not located within an area of significant flood risk.
4. The surrounding villages of Castor, Ailsworth and Sutton have several listed buildings, a Scheduled Ancient Monument and two Conservation Areas, with many buildings dating predominantly from the 18th Century. The wider geography is home to Roman-British archaeological remains.
5. The Site is well supported by utilities infrastructure and has limited physical constraints, the most notable relating to a gas main easement.
6. It is worth noting the planned investment in the widening and junction improvements to the A47 currently being led by National Highways which will improve connectivity to Peterborough and wider area.
7. Homes England are currently in the process of disposing of a linear parcel of land that runs along the northern edge of the A47 north of Sutton to National Highways. Further detail on these works can be viewed on National Highway’s website:

[A47 Wansford to Sutton dualling - National Highways](https://nationalhighways.co.uk/our-roads/east/a47-wansford-to-sutton-dualling/)

[A47 Wansford to Sutton flythrough - YouTube](https://www.youtube.com/embed/oHDID9PChAA)

**1.3 Progress to Date**

1. The Site was originally purchased in the late 1960’s by Peterborough Development Corporation as the fourth township of the Peterborough New Town. It transferred into Homes England’s predecessor’s ownership in 1977.
2. Land to the north of the A47 was informally promoted for housing development in 2006 and 2012 (capacity for up to c. 5,000 homes across 4 villages), however the Site was not allocated.
3. In 2016, the Site was actively promoted for up to 4,500 homes as part of an emerging Garden Community in the Peterborough Local Plan. The Site was subsequently identified as a proposed allocation in the Peterborough Local Plan (Further Draft) Regulation 18 version of the Plan but was discounted late in the process due to the publication of the National Planning Policy Framework’s standard housing methodology which reduced Peterborough City Council’s housing need. As a result, the Plan’s Spatial Strategy was revised to instead focus on options that supported the regeneration of the town centre and adjacent urban extensions.
4. Further detail on the previous promotion / emerging allocation can be found using the following link:

<https://www.peterborough.gov.uk/council/planning-and-development/planning-policies/local-plan-examination>

1. Previous promotion was supported by technical studies undertaken by Homes England and their Consultant Team at the time. Relevant work will be made available to the legal firm appointed.
2. In January 2023, Peterborough City Council (PCC) embarked on a Local Plan Review 2023-2044, proposed to replace the current Local Plan adopted in 2019.
3. Peterborough has undertaken the first stage in the process, undertaking a Call for Sites exercise (18 May and 29 September 2023) and inviting representations on the Regulation 18 Issues and Options Consultation Document Stage 1 (28 July and 29 September 2023).
4. Through the emerging Regulation 18 Issues and Options Consultation Document Stage 1, Peterborough City Council demonstrated there was an appetite to consider new strategic growth locations within the City’s administrative area to provide long term growth opportunities, alongside other options including ongoing urban regeneration activities particularly within the city centre.
5. Homes England commissioned some initial work to support the submission of the site in the Call for Sites consultation, and to inform Homes England’s subsequent investment decisions prior Local Plan Review. Relevant work will be made available to the legal firm appointed.
6. Homes England submitted the Site for the Local Planning Authority’s (LPA) consideration as part of the Call for Sites exercise in September 2023. The Site was presented as a flexible opportunity to provide a sustainable new standalone settlement or a series of linked villages that could deliver up to 5,000+ homes, employment and other commercial uses alongside infrastructure and local community facilities and services.
7. Subsequently the LPA has published a Key Issues Report, Strategic Housing Economic Land Availability Assessment (SHELAA) and a Suggested Local Green Spaces Designation Report, along with interactive maps showing site and Local Green Spaces information. In addition, a Sustainability Appraisal Scoping Report that sets out the proposed methodology and framework, including objectives and indicators to measure progress against has been published. According to the Council, this methodology and framework will form the basis and approach for the Sustainability Appraisal of the Local Plan.
8. As the Council prepare the Local Plan, the LPA intend to update the Local Plan Review document library. Further details can be found using the following links:

<https://www.peterborough.gov.uk/council/planning-and-development/planning-policies/local-plan-review>

1. Homes England has procured and appointed WSP as a Multidisciplinary Consultant Team to review the previous work undertaken, update the technical evidence base, prepare illustrative visioning and masterplanning for the site, as well as prepare and progress a planning strategy that promotes the site through the next stages of the Local Plan Review.

The following programme is taken from the Council’s latest Local Development Scheme:

* Regulation 18 (Issues and Options Stage 2): October 2024
* Regulation 19 (Pre-Submission Publication): March/April 2025
* Regulation 22 (Submission): June 2025
* Independent Examination/ Inspector’s Report/ Adoption of the Local Plan: July-December 2025 / March 2026

1. Please see the Council link to where this information is held on their website:

<https://cccandpcc.sharepoint.com/sites/PCCPlanningPolicyPublicData/Shared%20Documents/Forms/AllItems.aspx?id=%2Fsites%2FPCCPlanningPolicyPublicData%2FShared%20Documents%2FPlanning%20Policy%2FLocal%20Plan%20Review%2FLocal%20Development%20Scheme&p=true&ga=1>

1. Given the implications of the recent changes (December 2023) to the National Planning Policy Framework (NPPF), Homes England anticipates that the Council will be keen to accelerate the Local Development Scheme programme and anticipate that the second stage of Regulation 18 consultation could start earlier this year (August/September).
2. The Council is also currently undertaking and commissioning evidence work, and has carried out workshops with consultees on viability, need for employment land and local housing needs assessments. Any consultation responses will be made available to the legal firm appointed.
3. As previously explained, it is Homes England’s aspiration to promote the Site for development via the Local Plan Review and secure an allocation in the Local Plan Review. Homes England intend to engage with the Council, local community, key stakeholders, and other interested parties through this process.
4. The commission and project will be reviewed by Homes England at each stage as the Local Plan progresses. It may be that there are changes to the promotion strategy are required depending on whether the Site is proposed or omitted as a future allocation in the Local Plan Review and Homes England reserves the right to pause or put on hold the promotion of the site at any stage in the process.

**1.4 Objectives**

1. This appointment is for a legal firm to support Homes England in promoting land at North East of Castor and Ailsworth for strategic development in Peterborough City Council’s Local Plan Review 2023-44. The successful legal firm will be expected to provide property and planning legal advice to support the successful allocation of the site as detailed further below.

*Homes England’s Strategic Objectives*

1. In delivering this commission, the successful supplier will be required to support Homes England in achieving the aims of the new Strategic Plan 2023–2028 which sets out our mission and five strategic objectives detailed below:

We will…

Support the creation of vibrant and successful places that people can be proud of, working with local leaders and other partners to deliver housing-led, mixed- use regeneration with a brownfield first approach.

Build a housing and regeneration sector that works for everyone, driving diversification, partnership working, and innovation.

Enable sustainable homes and places, maximising their positive contribution to the natural environment and minimising their environmental impact.

Promote the creation of high-quality homes in well-designed places that reflect community priorities by taking an inclusive and long-term approach.

Facilitate the creation of the homes people need, intervening where necessary, to ensure places have enough homes of the right type and tenure.

1. This project presents an opportunity for the application and delivery of our mission and each of the objectives. Homes England also have a set key performance indicator (KPI’s) within the Strategic Plan to achieve these objectives which will be integral to this project.
2. Homes England will brief the successful bidder should the strategic direction, plan and organisational objectives evolve or change.

*Project Objectives*

1. The following key objectives for this project and commission are highlighted below:
2. To promote a viable and deliverable scheme that considers title / land ownership and technical constraints and opportunities to optimise allocation potential at each stage of the Plan Making process.
3. To minimise risk to the promotion and any allocation of the Site throughout the plan making process by taking an informed approach based on legal and technical advice.
4. To secure a deliverable strategic site allocation for the Site in PCC’s emerging Local Plan Review for residential led mixed use development, or other uses (e.g. employment) as may be sought by PCC.
   1. **Key Deliverables**
5. As previously mentioned, the following stages are taken from Peterborough City Council’s latest Local Development Scheme for the Local Plan Review:

|  |  |
| --- | --- |
| Stage 1 | Regulation 18 (Issues and Options Stage 2): October 2024 |
| Stage 2 | Regulation 19 (Pre-Submission Publication): March/April 2025 |
| Stage 3 | Regulation 22 (Submission): June 2025 |
| Stage 4 | Independent Examination/ Inspector’s Report/ Adoption of the Local Plan: July-December 2025 / March 2026 |

1. The commissioned work will need to align with the Council’s programme for these key stages of the Local Plan Review when they occur.
2. Please note that these key deadlines and the process is not in Homes England’s control, with timings and process decided upon by the Local Planning Authority and the Planning Inspectorate. These can be subject to change.
3. Please note that Homes England’s planning strategy will be reviewed following each key stage and if the prospect of securing an allocation does not looking favourable, the Agency reserve the right to put the project and work on hold.
4. The following key deliverables apply throughout the commission and are sought as fixed fees within the price and resourcing schedule:
5. **Liaison with Homes England Project Team and appointed consultants, and attendance at meetings throughout the commission.** Please identify within the assumptions supporting your price and resource schedule the number of meetings anticipated per across the project programme (aligned to the Peterborough City Council’s Local Development Scheme above).
6. **Undertake ‘Title Investigation’, including review of land ownership plans and titles.**.
7. **Legal review of Homes England’s appointed Multi-Disciplinary Consultant Team’s proposed planning strategy, and the programme to promote the Site through the Council’s Local Plan Review programme.** This will include a legal review of planning prospects of securing an allocation at each stage of the Local Plan Review to inform what position Homes England takes, risks of JR challenge to the emerging Local Plan Review and any draft allocation, and whether KC advice should be sought at each stage.

*Please note, the appointment of Counsel is to be approved by the Homes England’s Legal Services. KC opinion may be sought at an early stage in the programme given the Council’s expedited programme for preparation of the Local Plan Review.*

1. **Legal review of re-submission of site proformas to Peterborough City Council** (which typically details the site vision, capacity, masterplan, technical constraints, and opportunities and how the site complies with the council’s Local Plan Review objectives) **at each stage of the Local Plan Review process.**
2. **Provide legal advice on Local Plan compliance issues, the Council’s proposed policies/allocations and soundness of evidence base**. This, depending on the stage and process will include, legal review of Local Plan Review consultation documents, evidence base and other relevant Council documentation.
3. **Legal review and advice in relation to third-party representations** (e.g. competitor sites, statutory consultees, key stakeholders) **that make comments for/against the site and advice on risks/responses to these representations.**
4. **Legal review of the site promotion’s draft representations and supporting evidence base for each stage of the project**. Legal advice will also be sought on suitable measures to mitigate any potential risks or challenges that could be made to Homes England’s site promotion.
5. **Provide legal advice during the** **Examination in Public (EiP)**. This includes legal reviews of documents published and representations being made during the examination process, including any examination communications/documentation, Statement of Common Grounds, Inspector’s Initial Questions, Inspector’s Matters, Issues and Questions (MIQs), Hearing Statements, Local Plan (Proposed/Made) Modifications, the Inspector’s Report, as well as attending the Examination where necessary. Attendance at Examination in Public (EiP) is anticipated to relate to key topic area sessions, including spatial strategy, housing growth, employment growth and any other relevant specialist technical areas to support the promotion of the Site. In addition, legal advice may be sought on the best approach and necessary steps to facilitate successful attendance and representations at Examination in Public (EiP).
6. **Provide legal review of draft Instructions to KC and attendance at 2 x Conferences (virtual)**. Please note that the appointed Multi-Disciplinary Consultant Team are leading the KC appointment, instructions, and briefings for any KC advice required related to the site promotion through the emerging Local Plan Review.
7. The following key deliverables may be required during the commission. The supplier is requested to provide their daily rate to undertake each item set out below in the event it is required. It is however at Homes England’s discretion whether a competitive tender process is undertaken at the necessary time. Please note this will not be included within the ITT assessment:
8. **Review of any additional instructions and attendance at any additional conferences with KC in relation to plan promotion workstreams**.
9. **If a KC is required for other legal issues, the legal appointed team will be responsible for the KC appointment, instruction, and briefings.** KC fees/payment will be subject to a separate instruction.
10. **Provide legal advice on development, land, property, landlord and tenant issues,** including unregistered land, neighbouring landowner issues or disputes, boundary or encroachment issues, agricultural classifications, highways, servicing, infrastructure, CIL, agreements, leases, wayleaves, easements and permissive rights, Local Community Use or Village Green Designations etc.
11. **Provide legal advice to inform the preferred delivery strategy and stewardship arrangements**.
12. **Provide other legal advice,** as and when required.
13. **Attend site visit**, as and when required.
14. Within any response to this ITT, please identify any other workstreams you consider necessary to support the promotion of the Site.

**1.6 Indicative Programme**

1. Suppliers should note the indicative procurement programme and project dates when preparing their response:

|  |  |
| --- | --- |
| **Key Delivery Milestones** | **Anticipated Date** |
| Issue ITT | 28 March 2024 |
| Return of ITT | 25 April 2024 |
| Notification of successful supplier | w/c 6th May 2024 (6 May is a Bank Holiday) |
| Commencement of instruction | w/c 20 May 2024 |
| Inception meeting | w/c 20 May 2024 |

**1.7 Management**

1. The main day-to-day point of contact for this commission will be Homes England’s lead Project Manager. This may change overtime as the project progresses through the development stages. Reporting arrangements will be agreed with the Homes England at the inception meeting and subsequent review meetings, where appropriate.
2. Poor performance meetings will hopefully not be required.  However, if poor performance is repeated following escalation to the Supplier’s Key Personnel to resolve the issue, as required in the Framework Management Schedule of the Framework Contract, the Framework Manager must be notified, and Homes England may call for a Poor Performance Meeting.  Beforehand, Homes England will present areas of concern so that the Supplier and Homes England can discuss what happened and why, what will be done to prevent it happening again and how matters will improve.  The Supplier subject to such a meeting would be expected to outline in writing in a Rectification Plan afterwards what improvements/modifications they will be putting in place.  There will be a maximum of two Poor Performance Meetings before termination of the commission.

**1.8 Payment**

1. Payment for this commission will be monthly, as and when required.

**1.9 Collateral Warranty (if appropriate)**

1. Homes England may require the supplier to provide collateral warranties for some of the work that is produced. The specific details will be confirmed, if required, at the appropriate time.

**1.10 Termination**

1. Should performance during the period of this appointment prove unsatisfactory following the Poor Performance Meeting, provisions set out in the Management Section above, Homes England will exercise its right under the Termination and Suspension of the Contract clause in the Framework Contract to give notice to terminate the arrangement with immediate effect.
2. If the services are no longer required, for whatever reason, then Homes England reserves the right to terminate the appointment and pay for services completed at that point.

**1.11 Conflict of Interest**

1. Homes England will exclude the Supplier if there is a conflict of interest which cannot be effectively remedied. The concept of a conflict of interest includes any situation where relevant staff members have, 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.
2. Where there is any indication that a conflict of interest exists or may arise then it is the responsibility of the Supplier to inform Homes England, detailing the conflict in a separate Appendix.

**1.12 Confidentiality**

1. This Further Competition ITT and associated information is confidential and shall not be disclosed to any third party without the prior written consent of Homes England. Copyright in this Further Competition ITT is vested in Homes England and may not be reproduced, copied, or stored on any medium without Homes England's prior written consent.
2. Suppliers shall not undertake, cause, or permit to be undertaken at any time any publicity in respect of this Further Competition process in any media without the prior written consent of Homes England.

**1.13 Health & Safety**

1. Homes England takes health and safety very seriously and expects all Suppliers to do the same. All Suppliers must adhere to the Health and Safety obligations in the Framework Contract and the following Homes England policies where applicable:

* Homes England Safety, Health and Environment Policy
* Homes England Asbestos Policy
* Homes England CDM Policy

**Part 2 - Instructions for Submitting a Response**

**2.1 General**

1. The Further Competition **deadline is 18:00 on 25 April 2024** and tender responses must be submitted via the e-tendering portal ProContract.
2. **Please regularly check ProContract for any amendments to the Further Competition deadline**.
3. **For all ProContract portal issues please contact ProContractSuppliers@proactis.com**.
4. Suppliers must ensure that suitable provision is made to ensure that the submission is made on time. Any tender responses received after the Further Competition deadline shall not be opened or considered unless Homes England, exercising its absolute discretion, considers it reasonable to do so. Homes England, may, however, at its own absolute discretion extend the Further Competition deadline and shall notify all Suppliers of any change via ProContract.
5. Please note all communications during the tender period will be via the ProContract website. All Suppliers that have registered their interest for the Procurement will receive a direct email notification from ProContract on any updates via the Suppliers registered email address. No approach of any kind should be made to any other person within, or associated with, Homes England. It is the Suppliers responsibility to check the ProContract website for any updates to the Procurement process. No claim on the grounds of lack of knowledge of the above-mentioned item will be entertained.
6. The Supplier should check the Further Competition ITT for obvious errors and missing information. Should any such errors or omissions be discovered the Supplier must send a message via the messaging function on ProContract. No alteration may be made to any of the documents attached thereto without the written authorisation of Homes England. If any alterations are made, or if these instructions are not fully complied with, the tender response may be rejected.
7. All clarification requests must be sent using ProContract no later than **10 working days** before the Further Competition deadline shown on ProContract. Any queries submitted after this may not be answered. Homes England will respond to clarifications as soon as practicable.
8. Suppliers should specify in their clarification questions if they wish the clarification to be considered as confidential between themselves and Homes England. Homes England will consider any such request and will either respond on a confidential basis or give the Supplier the right to withdraw the clarification question. If the Supplier does not elect to withdraw the question and Homes England considers any clarification question to be of material significance, both the question and the answer will be communicated, in a suitably anonymous form, to all prospective Suppliers who have responded. If Suppliers, consider that page limits set out in the Evaluation Criteria (Part 2, Section 2.6) are insufficient to provide the information required by the question then a clarification request should be raised. No guarantee can be given that the page limit will be increased.
9. All responses received and any communication from Suppliers will be treated in confidence but will be subject to the above.
10. Tender responses must not be accompanied by statements that could be construed as rendering the tender response equivocal and/or placing it on a different footing from other Suppliers. Only tender responses submitted without qualification strictly in accordance with the Further Competition ITT (or subsequently amended by Homes England) will be accepted for consideration. Homes England’s decision on whether or not a tender response is acceptable will be final.
11. Tender responses must be written in English.
12. By submitting a Tender, each Supplier undertakes that, in the event of its Tender being accepted by Homes England, it will deliver the services and each individual instruction in accordance with the Framework Agreement Terms and Conditions without variation. The Framework Agreement Terms and Conditions shall not be amended in any way and any document submitted as part of the Tender which purports to do so shall have no effect and shall be disqualified. Homes England shall not engage in any negotiations over the terms of the contract either before or after Tender close nor in relation to each individual instruction. By submitting a Tender, a supplier is accepting the terms of the Framework Agreement without variation other than to put into effect details relating to the supplier and Tender specific information and in respect of each individual instruction made under the Framework Agreement. Suppliers shall be aware that persistent failure to accept the Framework Terms and Conditions in respect of individual instruction may cause the supplier to be suspended or removed from the Framework.
13. Under no circumstances shall Homes England incur any liability in respect of this Further Competition or any supporting documentation. Homes England will not reimburse the costs incurred by Suppliers in connection with the preparation and submission of their tender response to this Further Competition.
14. Homes England reserves the right to cancel this Further Competition process at any time**.**

**2.2 Quality**

1. A Response Form template has been provided in Part 2 to respond to the Quality questions detailed in the Evaluation Criteria (Part 2, Section 2.6). The Response Form (Part 3, Section 3.1) must be completed and returned as part of the tender response.
2. Suppliers must provide information on proposed staff in the Response Form and Resource and Pricing Schedule in Part 3. If the Supplier is a consortium or intends to sub-contract the Services, in whole or in part, then it should specify precisely in the Resource and Pricing Schedule (Part 3, Section 3.2 – Appendix A) which economic operator shall perform the Services (or parts thereof).

**2.3 Pricing**

1. A Resource and Pricing Schedule (Part 3, Section 3.2 – Appendix A) has been provided with this Further Competition ITT which must be completed and returned as part of the tender response. *Suppliers must follow the instructions contained in the Resource and Pricing schedule in relation to completing the schedule and raising clarifications on activities or assumptions during the tender period.*
2. The potential suppliers are also required to provide their daily rates for the additional activities highlighted within this instruction (Part 1, Section 1.5.7 i.-vi.).
3. The day-rate will not be assessed but is expected that any works procured will be at this rate. *Please note that Homes England reserve the right to run a competitive tender for any of these works if necessary, at the appropriate time.*
4. Suppliers are reminded that day rates for all individuals must be the agreed Framework Contract rates unless discounted rates are offered and will be used for all of the services.
5. If there are any assumptions the Supplier must take into account in their Pricing, please identify these in the Resource and Pricing Schedule Assumptions tab.
6. The list of activities in the Resource and Pricing Schedule (Part 3, Section 3.2 – Appendix A) is not exhaustive and there may be additional duties/services required that will emerge as work is undertaken.  This commission may be extended on client instruction to cover such matters as arise, based on a time charged fee schedule completed in the tender response. The commission will only be extended if the services relate to the original objective of the overall call off contract.

**2.4 Evaluation**

1. Tender responses will be evaluated based on the overall most economically advantageous Tender (MEAT) submitted to Homes England. The evaluation criteria (and relative weightings) that Homes England will use to determine the most economically advantageous Tender are set out in the Evaluation Criteria (Part 2, Section 2.6) below and the scoring approach is detailed in the Worked Example (Part 3, Section 3.2 – Appendix A). Scores will be rounded to two decimal places.
2. Evaluators will initially work independently. Once they have completed their independent evaluation they will meet to discuss, understand, and moderate any differences they have via a consensus meeting, where a single consensus score for each question will be agreed.
3. Award decisions will be subject to the standstill period if over the FTS Services threshold. Unsuccessful Framework Suppliers will be provided with their scores and feedback to explain the award decision.

**2.5 Documents to be Returned**

1. Suppliers are expected to provide the following information in response to this Further Competition ITT:

* Completed Response Form
* Completed Resource and Pricing Schedule
* Supporting CV’s for staff proposed to undertake this commission (no more than 2 pages each)

2.6 EVALUATION CRITERIA

|  |  |  |  |
| --- | --- | --- | --- |
| Quality will account for **60%** of the Overall Score. The following scoring methodology will apply:  **5 – Excellent** Satisfies the requirement and demonstrates exceptional understanding and evidence in their ability/proposed methodology to deliver a solution for the required supplies/services. Response identifies factors that will offer potential added value, with evidence to support the response.  **4 – Good** Satisfies the requirement with minor additional benefits. Above average demonstration by the Supplier of the understanding and evidence in their ability/proposed methodology to deliver a solution for the required supplies/services. Response identifies factors that will offer potential added value, with evidence to support the response.  **3 – Acceptable** Satisfies the requirement. Demonstration by the Supplier of the understanding and evidence in their ability/proposed methodology to deliver a solution for the required supplies/services.  **2 - Minor Reservations** Some minor reservations of the Supplier’s understanding and proposed methodology, with limited evidence to support the response.  **1 – Major Reservations/Non-compliant** Major reservations of the Supplier’s understanding and proposed methodology, with little or no evidence to support the response.  **0 - Unacceptable/Non-compliant** Does not meet the requirement. Does not comply and/or insufficient information provided to demonstrate that the Supplier has the understanding or suitable methodology, with little or no evidence to support the response.  **PLEASE NOTE IF YOUR RESPONSE SCORES 0 0R 1 FOR ANY ONE QUESTION YOUR OVERALL SUBMISSION WILL BE DEEMED AS A FAIL.** | | | |
| **Number** | **Criteria** | **Demonstrated by** | **Weighting** |
| 1 | **Terms and Conditions Acceptance**  Please confirm acceptance of the Framework Agreement Terms and Conditions for appointment to the framework and for each individual instruction. | By submitting a Tender, each Supplier undertakes that, in the event of its Tender being accepted by Homes England, it will deliver the services and each individual instruction in accordance with the Framework Agreement Terms and Conditions without variation. The Framework Agreement Terms and Conditions shall not be amended in any way and any document submitted as part of the Tender which purports to do so shall have no effect and shall be disqualified. Homes England shall not engage in any negotiations over the terms of the contract either before or after Tender close nor in relation to each individual instruction. By submitting a Tender, a supplier is accepting the terms of the Framework Agreement without variation other than to put into effect details relating to the supplier and Tender specific information and in respect of each individual instruction made under the Framework Agreement. Suppliers shall be aware that persistent failure to accept the Framework Terms and Conditions in respect of individual instruction may cause the supplier to be suspended or removed from the Framework.  Suppliers will pass this question by accepting the Framework Agreement Terms and Conditions for appointment to the framework and for each individual instruction. If a supplier does not pass this question the supplier will be disqualified. | Pass/Fail |
| 2 | **Proposal: Proposed Technical Approach and Methodology**  Provide an overview of the proposed technical approach and to undertake this commission.  *Maximum page limit = Five A4 pages, 11-point Corbel font* | Statement outlining method and approach explaining how the commission will be undertaken.  Schedule of services to be delivered.  Information on other supplier input that may be required.  Identification of other information or legal services that may be required on the basis of the ITT brief.  Where relevant, identification of areas of innovation.  Where appropriate, identify the potential impact of external influences and stakeholders.  Other commentary on the brief.  Supported by relevant examples where applicable, demonstrating how they are relevant to the approach proposed. | 30% |
| 3 | **Proposed Staff**  Provide an overview of the staff involved within the commission, their roles and suitability.  *Maximum page limit = Three A4 pages, 11-point Corbel font (excluding CVs)*  *Maximum page limit per CV = One/Two A4 pages, 11-point Corbel font* | Who will undertake the commission and why have they been chosen?  Why are the proposed team members suitable for this commission, supported by relevant examples, where applicable.  Identify key team members and allocation to the required services.  How much time will they devote to it?  Supported by resourcing information, provided in Resource and Pricing Schedule  Supported by CVs for key team members. | 20% |
| 4 | **Management arrangements**  Provide details of how the instruction will be undertaken, including the approach to engaging/feeding back to Homes England.  *Maximum page limit = Two A4 pages, 11-point Corbel font* | How will the commission be managed?  What are the management procedures for the work?  What is the communication strategy?  Who will be responsible for reporting to the Client?  Who will manage the team?  Where subcontracting arrangements are in place, who will manage the contract?  Who will attend client meetings?  Supported by relevant examples, where applicable, demonstrating how they are relevant to the approach proposed. | 5% |
| 5 | **Programme/Timescales**  Provide an overview of the proposed programme to undertake the work, including dependencies and risks.  *Maximum page limit = Two A4 pages, 11-point Corbel font* | Provide an overview of the programme to undertake the workstreams based on the milestones and dates set out throughout the ITT brief.  What are the key dependencies to undertake the instruction?  Identify risks which may affect the programme or costs, what impact they may have, and any mitigation. | 5% |

|  |  |  |
| --- | --- | --- |
| Price will account for 40% of the Overall Score. The lowest price will gain the maximum marks with other prices expressed as a proportion of the best score using the maths explained in the worked example below.  The contract will be awarded on the basis of the overall most economically advantageous tender submitted to Homes England. | | |
| **Criteria** | **Demonstrated by** | **Weighting** |
| Price | Completed Resource and Pricing Schedule | 40% |

**2.7 Worked Example**

**The worked example will need to relate to the weightings used in your questions. How your scoring will be used to give a weighted score.**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Bidder | Question | Score out of 5 | Weighting | Weighting Multiplier | Weighted Score | Total Weighted Score |
| Supplier A | 1 | Pass | N/A | N/A | Pass |  |
| 2 | 3 | 30% | 3 | 9 | 31 |
| 3 | 4 | 20% | 3 | 12 |
| 4 | 3 | 5% | 2 | 6 |
| 5 | 2 | 5% | 2 | 4 |
| Supplier B | 1 | Pass | N/A | N/A | Pass |  |
| 2 | 5 | 30% | 3 | 15 | 41 |
| 3 | 4 | 20% | 3 | 12 |
| 4 | 4 | 5% | 2 | 8 |
| 5 | 3 | 5% | 2 | 6 |
| Supplier C | 1 | Fail | N/A | N/A | Fail |  |
| ~~2~~ | ~~2~~ | 30% | ~~3~~ | ~~6~~ | Fail n/a (fail)\* |
| ~~3~~ | ~~1~~ | 20% | ~~3~~ | ~~n/a~~ |
| ~~4~~ | ~~2~~ | 5% | ~~2~~ | ~~4~~ |
| ~~5~~ | ~~2~~ | 5% | ~~2~~ | ~~4~~ |

\* In the example above Supplier C’s pricing will not be scored

**Worked example of how your price will be used to calculate a score:**

|  |  |  |  |
| --- | --- | --- | --- |
| Bidder | Form of Tender price | Lowest price/Supplier’s price (as %) | Price Score (out of 40) |
| Supplier A | 350 | 350/350 = 100% | * 100%\*40 = 40 |
| Supplier B | 700 | 350/700 = 50% | * 50%\*40 = 20 |
| Supplier C | ~~250~~ | n/a | n/a |

Worked example of Overall Score and Ranking

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Bidder | Total Quality Score | Price Score | Total Score | Ranked Position |
| Supplier A | 31 | 40 | 71 | 1 |
| Supplier B | 41 | 20 | 61 | 2 |
| Supplier C | n/a | n/a | n/a | n/a |

3.1 RESPONSE FORM

|  |  |
| --- | --- |
| **Framework:** | Legal Services Framework |
| **Project Title:** | Land North East of Castor and Ailsworth |
| **ProContract Identification Number:** | **DN717613** |
| **Supplier:** | [insert] |
| **Date:** | [insert] |

To enable Homes England to evaluate your tender, we require Suppliers to respond to the questions below whilst making reference to the evaluation section above.

Please refer to the evaluation section for page limits for each question. Any text beyond this will be ignored and will not be evaluated.

|  |
| --- |
| **1. Terms and Conditions Acceptance** |
| **2. Proposal: Proposed Technical Approach and Methodology** |
| **3. Proposed Staff** |
| **4. Management arrangements** |
| **5. Programme/Timescales** |

3.2 RESOURCING AND PRICING SCHEDULE.

**Please see Appendix A (Separate Document)**.

|  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| |  |  | | --- | --- | | **Document Information** | | | Document Owner | Abigail Brennan | | Document Author | Abigail Brennan | | Issue Date | September 2023 | | Review Date | September 2024 | |

|  |  |  |  |
| --- | --- | --- | --- |
| **Version History** | | | |
| Version | Date | Summary of changes | Editor |
| V1.0 | 08/09/2023 | New Branding | NDP |
|  |  |  |  |