

Procurement Document

(Open Framework)

Round 3 - application to enter Learning and Development Training Framework

Reference DN601936

Contents

	Page Number
Introduction	3
Notes for Completion	
1. Glossary	8
2. E-Tender System	9
3. To View this Opportunity	9
4. Register Intent	9
5. Response Wizard	9
6. Not used	9
7. Confidentiality	9
8. Application Process	9
9. Communication	10
10. Other Documents and Supporting Evidence	10
11. Whistleblowing Policy and Procedure	10
Application Process	
1. Application to Enter the Open Framework	11
2. Application Validation Period	11
Selection Process and Criteria	
1. Standard Selection Questionnaire (SQ)	12
2. Selection Process	12
3. Selection Criteria	12
Evaluation and Award	
1. Evaluation	14
2. Evaluation Award Criteria and Weightings	14
3. Evaluation Award Criteria Scoring	14
4. Moderation of Evaluation Award Criteria Scores	15
5. Financial Evaluation	16
6. Procurement Timetable	16
Invitation to Tender for Call-Off Contracts	
1. Invitation to Tender	17
2. Direct Award Under the Open Framework	17
3. Invitation to Tender Response Time	17
Framework Agreement Terms and Conditions	
1. Terms and Conditions	18
2. Framework Agreement Documentation	18
Documentation	19
Disclaimer	19

Introduction

Purpose

The purpose of this document is to provide instructions on applying for entrance ("application") into an Open Framework. The Application enables Dorset Council to receive sufficient information from Organisations ("Tenderers") interested in supplying the required Goods, Services or Works and to allow: a) both the assessment of their capacity and suitability, and b) enable the Council to evaluate the application submitted to find the most suitable Tenderers who can meet the Selection Criteria to appointment on to the Open Framework. Only Tenderers who successfully enter the Open Framework will receive a further "Invitation to Tender" ("ITT") for specific contract.

This application process has been issued by Dorset Council in connection with a competitive procurement in accordance with the Public Contract Regulations 2015 ("the Regulations").

Title of Open Framework: Learning and Development Training Framework

Aim of the Open Framework

Dorset Council requires high quality training providers to deliver a diverse range of training courses for our staff and wider workforce who work with children, young people, and adults accessing social care and housing services. The workforce attending these courses will be:

- staff in Dorset Council's Children's Services
- staff in Dorset Council's Adults and Housing Services
- the wider Children's and Adults workforce in Dorset e.g. NHS, Police, childcare, education, foster carers, shared lives carers and the voluntary and community sector

The Pan Dorset Safeguarding Children Partnership (PDSCP) will also use the framework. They are responsible for providing multi-agency safeguarding training which enables those working with children and their families to work effectively to safeguard and promote the welfare of children across Dorset Council (and the Bournemouth, Christchurch and Poole Council area).

We are seeking a diverse range of training providers to join the framework e.g. businesses of all sizes including sole traders and differing delivery methods.

Dorset Council's Adults and Housing Services and Children's Services are committed to:

- delivering high quality services
- embedding a learning culture where the workforce is motivated and continuously strives to improve so they can deliver better outcomes for the residents of Dorset

Dorset Council is committed to the provision of a comprehensive learning and development offer, which meets statutory requirements and supports achievement of the Council's People Strategy 2019-2024. Local authorities have related workforce development responsibilities and standards we must adhere to, including:

- Professional standards for social work
- Work in Children's must be aligned to the Children's Act 2004
- Work with adults must be aligned to The Care Act 2014
- Equality Act 2010
- Mental Capacity Act
- Assessed and Supported Year in Employment (ASYE) programme
- Standards of proficiency for occupational therapists
- Disability specific training frameworks e.g. learning disability and autism capabilities

- Work in Adults must align with Dorset Safeguarding Adults Board
- Work in Children's must align with Pan-Dorset Safeguarding Children Partnership - Pan-Dorset Safeguarding Children Partnership (pdscp.co.uk)

Adults and Housing Service has approximately 600 staff, of which about 450 are frontline workers. The services provided include:

- Learning disability
- Mental health
- Safeguarding
- Mental Capacity Act
- Locality services
- Hospital discharge
- Continuing health care
- Shared Lives
- Carers support
- Homelessness prevention
- Housing advice
- Housing standards
- Housing solutions

Children's Services has approximately 1000 staff, of which about 700 are frontline practitioners working directly with children, young people and their families. Services are delivered across six integrated locality teams in Dorset, supported by a central team of specialist services. The services include:

- Child protection
- Permanence
- Early help
- Special educational needs and disability (SEND)
- Children who are disabled
- Residential care
- Care Leavers
- Young carers
- Educational Psychology
- Alternative provision
- Youth Work
- Children's Advice and Duty Service

Dependent on needs, training courses will be delivered either: 'live' online, e-learning, face-to-face or a hybrid of these delivery methods.

Providers listed on the framework will be invited to tender for further competitions to deliver specific courses or a programme of courses to meet identified needs. Most further competitions will run prior to the financial year start, so the full training offer is available from April to March. However, there will be some further competitions that run at different times of the year and for varying durations. The schedule of services for each further competition will detail the requirements. Invitations to bid for further competitions will usually be targeted at either the children's or adults workforce, although sometimes they will be jointly commissioned by both services. We also occasionally commission training with other partner organisations e.g. CCG, NHS or neighbouring councils.

Framework Term: 4 years

The new Framework will open periodically during the 4 years (a minimum of once a year but possibly up to 3 times per year), to allow new providers to bid to join, including those who have previously applied and failed to

become a Framework provider (but excluding any whose Framework Agreement and/or Call-Off Contract has been terminated for Contract Non Compliance).

Being accepted on the Learning and Development Framework does not guarantee work.

Framework agreement awards from the first round opening were made in October 2022 so that further competitions could be run in time for the 2023-24 training programme to be developed and contracts for specific learning and development to be awarded. Framework agreement awards for this second round are expected to be made during July 2023.

Total Value of Framework: £2,176,820

Open Framework under Light Touch Regime

The Services are deemed to be health, social, education and other related services (Schedule 3 Social and "social and other specific services") for the purposes of the Public Contracts Regulations 2015 (SI 2015/102) ("the Regulations"). As the value of the Services exceeds the threshold of the "Light Touch" procurement regime set out in Chapter 3 Section 7 of the 2015 Regulations, the Regulations will apply for the purpose of procuring the Services however the Council is not obliged to comply with the full requirements of the 2015 Regulations.

In the case of an Open Framework, Light Touch Regime has been applied to:

- secure a framework term beyond the standard set by the Regulations;
- be open periodically for new Tenderers to apply to enter at any time during the term of the Framework [not "Closed" to new entrants];
- provide the ability for Tenderers to improve their standing in the Framework as they themselves develop, e.g. to apply to enter further Lots.
- provide the ability for Tenderers, should they be unsuccessful, to improve their application and re-apply to enter the Framework;
- provide the ability to seek to Call-off Contracts based on Further Competition but reserving the right Direct Award based on need.

Mitigating Fraud and Corruption Risks

Public sector commercial activity can be attractive to organised criminals. It is therefore important for the Council to consider risk of fraud and corruption when commissioning and procuring goods, works and services. Effective management of risk in these areas are part of being a risk-aware council, that manages its resources efficiently to secure value for money outcomes. The Ministry of Housing and Local Communities (MHCLG) defines such fraud and corruption as:

"... any fraudulent or corrupt activity occurring within the entire procurement lifecycle, from decision to procure through to the conclusion of the contract and including all purchasing with a value below the level of a formal tender process. This will therefore include commissioning, contract management and purchasing, as well as the tendering process itself". <https://www.local.gov.uk/review-risks-fraud-and-corruption-local-government-procurement>

The Council mitigates the risk of fraud and corruption using various tools, which includes before any contract award carrying out checks that will involve sharing personal and organisational information with fraud prevention agencies who will use it to prevent fraud and money-laundering and to verify identity. If fraud is detected, individuals or organisations could be refused certain services, finance, or employment. Further details on how

information will be used by the Council, fraud prevention agencies, and data protection rights is available on [\[Cifas\]](#).

The Council takes any fraud and corruption seriously. Any suspected fraud or corruption must be brought to the attention of Commercial & Procurement in the first instance, who will refer to Legal Services for guidance, investigation, or action with the appropriate authorities. Alternatively, issues can be raised via the Council's whistleblowing policy.

Information Governance

Information is one of the core assets of Dorset Council and is vital for the delivery of quality services and the efficient management of resources. The Council's [Information Governance Policy 2024](#) outlines the strategic framework of individual responsibilities, accountable roles, governance group, and co-operation between information-related professionals, to build a culture that values information assets.

IR35 - Employment Status

When the Council engages a contractor to provide services, it must ascertain the contractor's employment status to meet the requirements of HMRC and IR35 legislation. Should the Council determine that the contractor is to be regarded as an employee, the Council is required to deduct income tax and national insurance contributions from payments to the contractor.

Accordingly, Tenderers are expected to fully co-operate with the Council to provide all necessary information to enable the Council to accurately determine employment status.

Data Protection Legislation

Where the services require the successful Tenderer to process or share personal data, the contract/framework will be subject to the Data Protection Act 2018, incorporating the UK GDPR as set out therein and the Privacy and Electronic Communications Regulations 2003 (SI 2003/2426).

The successful Tenderer must be familiar with all data protection legislation applicable within the UK, including their obligations as a data processor or controller, and will have all necessary systems and processes in place to ensure compliance. Guidance from the Information Commissioner's Offices is available here: [Guide to Data Protection | ICO](#)

If the service likely to result in high risk for individuals, the Council may be required to conduct a Data Protection Impact Assessment after contract/framework award but prior to any processing take place. The successful Tenderer must co-operate with this process as required.

The Council will liaise with the winning Tenderer to complete the data processing schedule which will form part of the contract/framework agreement entered into.

Call-Off Award Procedure

If the Council decides to purchase Services through the Framework Agreement, then it may award the Services following further competition. The evaluation criteria and lot-specific Service Specification will be provided at the further competition stage.

The terms laid down in the Framework Agreement may be supplemented at the further competition stage if they are not sufficiently precise for the purposes of the Call-Off Contract.

Further competition will be held with those Providers on the Framework Agreement that are on the Lot under which the Call-Off Contract is awarded.

Further competition will be undertaken in accordance with the process and criteria set out at the point of further competition. The basic terms and conditions of the Framework Agreement cannot be re-negotiated and the Service Specification cannot be substantively changed.

Following further competition, the Council may place an Order with the Provider in a form agreed with the Provider.

The Order constitutes an offer by the Council to purchase the Services under a Call-Off Contract subject to terms and conditions of the Framework Agreement and any additional terms set at further competition.

Notes for Completion

1. Glossary

- 1.1. **'Application'** means the process for applying for entrance into the Open Framework. It comprises of the minimum selection criteria, general service specification and contract terms and conditions;
- 1.2. **'Call-Off Contracts'** means the securing of contracts off the Open Framework via an Invitation to Tender;
- 1.3. **'Contract Terms and Conditions'** means the terms and conditions that will apply to all contracts secured from the Open Framework and forms part of the Application;
- 1.4. **'Council'** means Dorset Council;
- 1.5. **'Open Framework'** is for Services that are deemed to be health, social, education and other related services (Schedule 3 Social and "social and other specific services") for the purposes of the Public Contracts Regulations 2015 (SI 2015/102) ("the Regulations). Where the value of the Services exceeds the threshold of the 'light touch' procurement regime set out in Chapter 3 Section 7 of the Regulations, the Regulations will apply for the purpose of procuring the Services however the Council is not obliged to comply with the full requirements of the Regulations.

The Open Framework is a completely electronic process for the selection of providers that comply with minimum selection requirements. It will remain open throughout its duration for the admission of any Tenderer who meets the Selection Criteria. Tenderers admitted to the Framework will be invited to submit Tenders [Invitation to Tender] for specific call-off contracts for Services when these requirements are identified by the Council;

- 1.6. **'E-tender system'** means the electronic tender system named Pro-Contract. It is provided by Proactis and is hosted via <http://www.supplyingthesouthwest.org.uk>;
- 1.7. **'Framework Agreement'** sets out the terms and conditions for the provision of the Services which may be called off by the Commissioning Partners under a Call-Off Contract awarded during or after the Term of the Framework Agreement. Additional terms relevant to the particular lot may be specified by the Commissioning Partners as part of the Call-Off Contract prior to undertaking further competition for those Services under the Framework Agreement;
- 1.8. **'Invitation to Tender'** means the Tender process and all its components, inviting tenders for specific contracts following admittance into the Open Framework;
- 1.9. **'Open Framework'** means where the Framework will be periodically opened to allow new applications to be made to join the Framework.
- 1.10. **'Overarching Specification'** means the service specification that indicates the nature of Services intended to be purchased under the Open Framework as provided in the General Specification and forms part of the Contract Terms and Conditions;
- 1.11. **'Selection Criteria'** means the minimum or essential criteria to be met by Tenderers in order to enter into the Open Framework and forms part of their Application. The selection criteria questions are within the e-tender system for Tenderers to respond to.

2. E-Tender System

- 2.1. Assistance in relation to the e-tender system is available to Tenderers via the Supplier Help Icon within the system.
- 2.2. Supplier Guidance documents are also available to view and download.

3. To View this Opportunity

- 3.1. To view the Tender (ITT) Information in detail click on the opportunity title within 'My activities' section. Click start, you can now view all the documents relevant to that opportunity.

4. Register Intent

- 4.1. Tenderers are able to click on "Register Intent" which will inform the Council of your intention to respond to this opportunity.
- 4.2. If a Tenderer does not wish to or is unable to submit an Application and not interested in proceeding, then they are required to click on 'No longer wish to respond' to decline the opportunity.

5. Response Wizard

- 5.1. After registering intent, Tenderers may then proceed to respond to the on-line questions.
- 5.2. To start the response Tenderers are required to click 'Start My Response'.

6. Not used.

7. Confidentiality

- 7.1. This Application process, including all documentation, must be treated as private and confidential. Tenderers must not release the details of the Open Framework and/or Application other than on an 'In Confidence' basis to those whom they need to consult for the purpose of preparing the response, such as professional advisors or partner organisations for joint applications or consortia partners.
- 7.2. The Application and/or the Open Framework shall not be canvassed for acceptance or discussed with the media, any other Organisation, member/officer of Dorset Council, or their representatives.

8. Application Process

- 8.1. If the Council issues an amendment to the original Application process, and if it regards that amendment as significant, an extension of the closing date may, at the sole discretion, of the Council be given to all Tenderers.
- 8.2. Tenderers must obtain for themselves all information necessary for the preparation of their Application response and all costs, expenses and liabilities incurred by the Tenderers in connection with the preparation and submission of the Application shall be borne by the Tenderer, whether or not their application to enter the Open Framework is successful.
- 8.3. It is the Tenderers responsibility to ensure that they obtain the legal and specialist advice required to ensure they submit a compliant and complete Application and will be deemed by the Council to have done so.
- 8.4. Information supplied to the Tenderer by Council staff or contained in Council publications is supplied only for general guidance in the preparation of the Application.
- 8.5. Tenderers must satisfy themselves as to the accuracy of any such information and no responsibility is accepted by the Council for any loss or damage of whatever kind and howsoever caused arising from the use by Tenderers of such information.
- 8.6. Responses to each application question should be written concisely and clearly answer the question posed in English.
- 8.7. It is the Tenderers responsibility to ensure that their answers are responded directly to the questions. The Council will not evaluate any response or documentation submitted elsewhere by Tenderers in the e-tender system; only answered responses made direct to question placed will be evaluated.

- 8.8. Use of Artificial Intelligence (AI) Tools: AI tools can be used to improve the efficiency of an organisation's Tender writing process however use of AI may also introduce an increased risk of misleading statements via 'hallucination'. Tenderers are required to advise the Council whether they have used AI or machine learning tools, including larger language models, to assist in any part of their Tender submission and to confirm they have been checked and verified for accuracy.
- 8.9. Refer to [Supplier resources and top tips for tendering - Dorset Council](#)

9. Communication

- 9.1. All contact during this procurement should be submitted in writing through the e-tender system.
- 9.2. Tenderers should seek to clarify any points of doubt or difficulty via the e-tender system. It is not acceptable for Tenderers to seek clarifications via telephone or e-mail outside of the e-tender system.
- 9.2.1. Where the Council considers any question or request for clarification to be of material significance it may communicate both the query and the response, in a suitably anonymous form, to all interested parties. Tenderers should therefore not include within the question placed their organisation's name and any potential commercially sensitive information.

10. Other Documents or Supporting Evidence

- 10.1. As instructed to do so within the e-tender system, the Tenderers must complete and upload other documentation that may be provided with this application process, or upload evidence to support their submission.

11. Whistleblowing Policy and Procedure

- 11.1. This policy describes the Council's commitment to supporting and protecting whistleblowers. It not only applies to council employees but also applies to suppliers.
- 11.2. For details of the policy:
<https://moderngov.dorsetcouncil.gov.uk/ecCatDisplay.aspx?sch=doc&cat=13280>

Application Process

1. Application to enter and to be appointed onto the Open Framework

- 1.1. Tenderers may apply to enter the Open Framework by submitting an on-line application which comprises of:
 - Selection Criteria questions regarding minimum entrance criteria (Technical and Professional Ability questions within e-tender system).
 - Framework Agreement Terms and Conditions
 - Appendix 1 - General Specification
- 1.2. Tenderers are required to submit their Application within the e-tender system by **2.00pm [14:00 hrs] on Tuesday 25 June 2024**
- 1.3. Tenderers must complete questions and upload documentation to the e-tender system, where requested to do so.
- 1.4. **It is the Tenderer's responsibility to ensure that the Application is submitted within the e-tender system by the closing date and time.**
- 1.5. Failure to answer and complete in full the Application within the e-tender system will result in the Council rejecting the Application as a failed submission.

2. Application Validation Period

- 2.1. All Tenderers shall keep their Application valid and open for acceptance by the Council for a period of 90 calendar days from the date of submission of Application.

Selection Process and Criteria

1. Standard Selection Questionnaire (SQ)

- 1.1. Supplier selection is a key stage in public procurement, where contracting authorities must gather information on, and make assessments of, potential suppliers' technical and professional abilities, economic and financial standing and whether any of the exclusion grounds apply.
- 1.2. The standard selection questions ask Tenderer's to self-declare their status against the exclusion grounds and provide preliminary evidence of their suitability to pursue a professional activity, economic and financial standing, and technical and professional ability.
- 1.3. The standard selection questions are structured in 3 separate parts:
 - Part 1 – covers basic information about Tenderer, such as the contact details, professional body memberships, details of parent companies, group bidding, and so on.
 - Part 2 – constitutes self-declarations of whether (or not) any of the exclusion grounds apply.
 - Part 3 – asks for evidence and self-declarations of economic and financial standing and for self-declarations relating to technical and professional ability.
- 1.4. SQ Part 1 and SQ Part 2 self-declarations on exclusion grounds are built into the e-tender system by ProActis (e-tender system ProContract provider). This provides means for the SQ Part 1 and Part 2 to be portable across the e-tender system and the questions are mandatory to be applied by contracting authorities.
- 1.5. SQ Part 3 is built into the e-tender system by the contracting authority as the set questions may be adopted or not adopted by the contracting authority, depending on the procurement concerned.
- 1.6. Tenderers are required to complete all 3 parts of the SQ.

2 Selection Process

2.1 The Council expects to make a decision on selection to enter the Open Framework within 10-15 working days of the closing date for the submission of Applications.

2.2 The decision will be based on the evaluation criteria as outlined under Evaluation and Selection

2.3 Tenderers selected by the Council to enter into the Open Framework shall be notified in writing.

2.4 Tenderers who have not been successful in entering into the Open Framework shall also be notified in writing.

2.5 Admission on to the Open Framework shall not:

- be a guarantee for any award of Contract for Goods or Services. There is no obligation on the Council to purchase any Services via the Open Framework;
- provide any guarantee of business;
- constitute a Contract nor the authorisation to supply Goods or Services to the Council nor carry out any Work on behalf of the Council.

2.6 Tenderers should note that the Council reserves the right to terminate this procedure without any Invitation to Tender. They should also note that, should they be successful in being selected to enter into the Open Framework, the Council reserves the right to terminate the selection, if at any time it is discovered that the Tenderer made any material misrepresentation and/or have not notified to the Council about any material changes in relation to the information provided in the application process.

3 Selection Criteria

3.1 Tenderer's completion of the On-Line Questions will give the selection outcome. Such questions shall include, but are not limited to, questions in relation to company policies, accreditations and memberships, or specific

technical abilities in relation to the goods and services to be tendered for and are considered essential criteria to enter the Open Framework.

SELECTION CRITERIA	
Quality and Social Value	Pass/Fail questions. A pass will be achieved by meeting or exceeding the minimum evaluation score threshold applicable to each question. This will be the evaluation panel's award criteria score as the result of the evaluation process. A score of 2 will be the minimum for all questions except question 7.2 (competence) where the minimum score will be 3. The Council shall reject Tenders that do not meet one or more of the minimum score thresholds
Evaluation	<p>The on-line questions within the e-tender system must be completed by Tenderers and, where requested to do so, Tenderers must attach required documentation. All the individual questions are mandatory therefore Tenderers are required to submit a response. Failure to complete the on-line questions will result in a Fail as Evaluators will not be able to evaluate fully the submitted Application.</p> <p>Pass / Fail: Where sections or questions have the criteria as a Pass or Fail, it will be clearly stated as such. Section or questions scored as a Fail will result in the Application not being successful in entering the Open Framework.</p>

Evaluation and Award

1 Evaluation

- 1.1 Evaluations will be undertaken by officers of the Council. Evaluators will follow a systematic and comprehensive process in accordance with the Council's procedures.
- 1.2 Tenders will be evaluated using the declared evaluation award criteria and weightings and/or pass/fail criteria to find the most suitable Tenderers for the Framework.
- 1.3 Submitted Tender responses will be evaluated by using the evaluation award criteria and weightings.

2 Evaluation Award Criteria and Weightings

- 2.1 Refer to the 'Procurement Document – Appendix' for a copy of the on-line questions, and their weightings, that Tenderers are required to respond to.
- 2.2 The following Evaluation Award Criteria and Weightings shall be applied:

AWARD CRITERIA & WEIGHTINGS	
Quality	80%
Social Value	20%

3 Evaluation Award Criteria Scoring

- 3.1 Tenderer's response to each question shall be scored using the evaluation award criteria score set out in the table below:

SCORE	CLASSIFICATION	DEFINITION
0	Unable to evaluate (complete non-compliance with the requirements)	No response at all or insufficient response that fails to evidence and demonstrate the Tenderer's understanding of the requirements or the Tenderer's ability, expertise, skills and/or resources to deliver the requirements, and/or elements of the response gives cause of concern.
1	Unsatisfactory response (potential for some compliance with requirements but major areas of weakness)	Unsatisfactory response that fails in several significant areas to address and meet the requirements. It includes unsatisfactory detail (and, where evidence is required or necessary, no evidence submitted) within the response to demonstrate the Tenderer's understanding of the requirements and/or considerable reservations as to the Tenderer's relevant ability, expertise, skills and/or resources to deliver the requirements.
2	Basic response (one or more areas of weakness of compliance with the requirements)	Basic response which does not fully address and meet the requirements. It includes basic detail (and, where evidence is required or necessary, with insufficient evidence submitted) within the response to demonstrate the Tenderer's

		understanding of the requirements and/or some reservations and weakness as to the Tenderer's relevant ability, expertise, skills and/or resources to deliver the requirements.
3	Good response (substantial compliance with the requirements and no major concerns)	Good response which addresses and meets the requirements. It includes good detail (or, where evidence is required or necessary, with some relevant evidence submitted) within the response to demonstrate the Tenderer's understanding of the requirements to be able to deliver the requirements and/or minimal reservations as to the Tenderer's relevant ability, expertise, skills and/or resources to deliver the requirements.
4	Very good response (fully compliant with the requirements, good level of confidence of delivery)	Very good response which addresses and meets the requirements. It includes very good detail (and, where evidence is required or necessary, with full and relevant evidence submitted) within the response to demonstrate the Tenderer's understanding of the requirements or will be able to deliver requirements and provides a good level of confidence as to the Tenderer's relevant ability, expertise, skills and/or resources to deliver the requirements.
5	Excellent, outstanding response (fully compliant with the requirements, high level of confidence of delivery)	Excellent detailed response which fully addresses and meets the requirements. It includes excellent and extensive detail (and, where evidence is required or necessary, with full and relevant evidence submitted) within the response to demonstrate the Tenderer's understanding of the requirements and will be able to deliver requirements and provides a high level of confidence as to the Tenderer's relevant ability, expertise, skills and/or resources to deliver the requirements. Overall, an outstanding response.

3.2 The Council reserves the right to supplement to the above definitions, against individual questions to aid evaluation and Tenderers.

3.3 The 'Procurement Document – Appendix' provides a copy of the on-line evaluation specific to the requirements in terms of:

- questions and if applicable, sections/subsections that will be evaluated;
- evaluation award criteria scoring per question;
- weightings per question and if applicable, weighting per section/subsection;
- pass/fail criteria;

3.4 All the individual questions are mandatory therefore Tenderers are required to submit a response. Failure to complete the on-line questions will result in a Fail as evaluators will not be able to fully evaluate the submission.

4 Moderation of Evaluation Award Criteria Scores

4.1 The evaluators shall independently score tender submissions. In the event that evaluators have given different scores to the same response, a moderation exercise will be led by Commercial & Procurement, as the moderator, where the evaluators will agree to consensus scores in accordance with the evaluation award criteria scoring (refer to 3.1).

5 Financial Evaluation

- 5.1 The extent of the Financial Evaluation will depend on the value and strategic importance of the contract, whether a Public Contract or individual Call-Off Contracts from an Open Framework Agreement. The objectives of undertaking Tenderer's financial assessment as part of a procurement exercise are to:
- Assess the risk to public sector business and/or public money which would result if a Tenderer bidding for a contract were to go out of business, or have inadequate financial resources to perform the contract; and
 - When justified, eliminate from the procurement any Tenderer whose current financial capacity would pose an unacceptable risk to business and/or public money.
- 5.2 Financial evaluation will be a combination of both financial and non-financial factors and will consider:
- Applicant Acceptability - status of a Tenderer in relation to the requirements of Regulation 57 and 58 of the Public Contracts Regulations 2015.

Economic and Financial Standing

- 5.3 A Tender will be deemed to be a higher risk if the Tenderer appears to be an unrealistic candidate where the contract value represents a disproportionate volume of the Tenderer's business taking into account the nature, timescales, value and risk of the contract.
- 5.4 The review of the financial health of a Tenderer may include, but not be limited to, the following checks:
- General review of Financial Statements.
 - Review of ratios as appropriate, such as the areas of Financial Structure (such as liquidity and gearing), Operating Performance (such as efficiency, profitability, and working capital), and Investment.
 - A credit rating check.
 - Review for unusual accounting policies
 - Review for major business restructuring.
 - Review of Audit Opinion.
- 5.5 It is emphasised that financial standing is only a part of the overall selection criteria.

6 Procurement Timetable:

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

Date or Target Date	Activity
Tuesday 25 June 2024 @ 14:00hrs	Deadline for Round 3 submissions
Wednesday 28 th August 2024	Evaluation Concluded
Wednesday 4 th September 2024 – Tuesday 17 th September 2024	Authorisation to Award
Wednesday 18 September 2024	Successful Applicants – Notified of Provisional Award
Wednesday 18 September 2024	Unsuccessful Applicants - Notified
Thursday 19 September 2024 – Monday 30 September 2024	Standstill Period
Tuesday 1 October 2024	Successful Applicants – Notified of Formal Award

Invitation to Tender for Call-Off Contracts

1 Invitation to Tender

- 1.1 If the Council decides to conduct a further competition through the Open Framework in respect of individual call-off contracts, only those Tenderers who have successfully entered the Open Framework shall receive an Invitation to Tender. The basis of the Contract Terms and Conditions, selection criteria, and any overarching general service specification shall not be substantially changed.
- 1.2 The Council reserves the right to conduct further competitions based on the most economically advantageous tender as declared in the individual Invitation to Tender. This will be an evaluation based on:
 - Price (50%) and Quality (50%)
- 1.3 When conducting an Invitation to Tender for call-off contracts from the Open Framework, Tenderers will be provided with a service specification and any related terms and conditions, specific to the call-off requirements which shall be in addition to the already agreed Framework Terms and Conditions, and award criteria. Further competitions shall be commensurate to the size and complexity of the individual requirement.
- 1.4 Demonstrations, interviews, presentations and/or site visits may be required as part of an Invitation to Tender for call-off contracts.

2 Direct Award under Open Framework (Light Touch applied)

- 2.1 Whilst it is the intention for the Council to Call-off contracts following tender competition, the Council reserves to right direct award a contract without competition should there be a particular need, unforeseen or otherwise.

3 Invitation to Tender Response Time

- 3.1 The response time for submission of tenders for call-off contracts may vary to meet the particular circumstances of the individual requirement and shall be declared within the Invitation to Tender.

Framework Agreement Terms and Conditions

1. Terms and Conditions

- 1.1. The terms and conditions as set out in Contract Terms and Conditions and Appendices form part of the Tenderer's Application to enter the Open Framework and as such:
 - 1.1.1. These terms may not be qualified or amended with the submission of an Application for selection to the Open Framework.
 - 1.1.2. Where a Tenderer receives an Invitation to Tender for specific contract following entrance into the Open Framework, these terms and conditions will wholly be incorporated in the said contract, unless otherwise amended by the Council in the Invitation to Tender.
 - 1.1.3. Further terms and conditions may be incorporated within a specific contract by the Council and details of which will be included within the Invitation to Tender relating to the Contract.
- 1.2. By submitting an Application to enter the Open Framework Tenderers are agreeing to the Contract Terms and Conditions and shall thereby constituted and become binding on both parties under any pursuant Contract.

2. Framework Agreement Documentation

- 2.1. It is not a requirement of the Open Framework for both parties, Council and the Tenderer, to sign paper-based contract documentation as it is a requirement for all elements of the process to be fully electronic held within the system. The Council however reserves the right to seek a hard copy signature between both parties for any specific contract and should this be a requirement, the details of which will be included in the Invitation to Tender.

Documentation

Within this Tender process Tenderers have been provided with the following documentation. Where indicated by ✓ these are required to be completed and uploaded within the e-tender system.

LOCATION OF DOCUMENT	DOCUMENT TITLE	COMPLETE AND UPLOAD
Advert / EOI	Procurement Document – Open Framework	x
Advert / EOI	Appendix A to Procurement Document	x
Advert / EOI	Framework Terms & Conditions	x
Advert / EOI	Service Specification	x
Advert / EOI	Service Specification - Appendix A – Course Programme	x
Advert / EOI	Service Specification - Appendix B – Outcomes based accountability example	x

Disclaimer

This information in this document does not purport to be comprehensive. It has not been independently verified. It is not intended to provide the basis of any investment decision and should not be considered as recommendation by Dorset Council as an invitation to negotiate.

The Council does not accept any qualifications or additions to invitations to tender except those raised and responded to in the clarification stage or where a response to a question is requested. The Council will not accept any amendments or alterations to the terms and conditions raised during or after the tender submission.

Any errors in this procurement document shall not invalidate the Tender procedure or release any Tenderer from any obligation under a Contract. Errors or omissions corrected by the Council that affect the contract shall be made by agreement.

The Council reserves the right to change the Tender procedure without prior notice and to terminate discussions and the delivery of information at any time before the signing of any contract.