**Procurement on behalf of the** 

**Commercial, Information and Communications Technology**

**Finance**

**Transport for London**

**Request for Proposal**

**Name of Project:** HMO Identifier Tool

**Date:** February 2019

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**Revised for open procurement**

# 

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# **Section A: Introductory Information**

## Introduction and Scope of Tender

This document is a Request for Proposal (“RFP”) and it forms part of the procurement exercise to support the selection of supplier(s), to enter into a contract(s) to provide the services defined in section B of this RFP. The aim of this document is to:

* Identify GLA’s technical, operational, functional and commercial requirements.
* Provide Suppliers with a framework for submitting responses detailing the process that will be followed
* Describe the basis on which responses will be evaluated
* Provide a basis for contractual arrangements

## Background

As set out in the London Housing Strategy, the Mayor wants all private renters to benefit from decent property standards and management practices, regardless of their background or income. As a first step to improving standards, the Mayor set up his Private Rented Sector (PRS) Partnership to bring representatives from all 33 London local authorities together. The first project delivered via the Partnership was the Mayor’s Rogue Landlord and Agent Checker (RLAC), which publicly names and shames criminal landlords and agents, and assists boroughs in sharing data about rogue operators.

The GLA has recently successfully won funding from MHCLG’s Rogue Landlord Enforcement Grant Fund. In order to build on the success of RLAC and continue to the Mayor’s work to improve standards and conditions in the PRS, it is proposed that this funding is used to:

* Procure the development of a pan-London tool to identify unlicensed HMO properties, to help all London boroughs better target their enforcement resources on rogue operators in the PRS;
* Make software improvements to RLAC, including exploring how it can work together effectively with MHCLG’s planned public national Rogue Landlord Database and other related databases;
* Provide project officer support for the delivery of the above.

This work will contribute to the Mayor’s longer-term aim to significantly improve borough regulation of the PRS, to create higher standards and more consistency across London, and to ensure that all of London’s vulnerable renters are better supported. Through the GLA’s strategic oversight, it will provide a pan-London solution that will help boroughs to make better use of their limited resources by enabling them to better target their enforcement activity.

## Timescales

Below are deadline dates for the tendering process:

|  |  |
| --- | --- |
| Tender Event Description | Date |
| Release RfP | 20 March 19 |
| Clarification questions closing date | Midday on 27 March 2019 |
| Return of RfP | Midday 10 April 19 |
| Post Tender clarity Meeting | w/c 22 April 2019 |
| Award | 29 April 2019 |

## Tender Response Instructions

This tender is comprised of three lots:

1. **HMO identifier model** – creation of a model that aggregates data and produces reports on the potentially unlicensed HMOs.
2. **Public tool on the London.gov.uk website** – allows the public to check whether their rental property needs/has a licence.
3. **Borough data** – extraction of the private borough data to feed into the HMO identifier model, working closely with London boroughs to source this data.

You must complete a submission for each lot applied for.

Your proposal should include the following:

* 1. Form of Tender
  2. Disclaimer
  3. CVs of the proposed consultants and any other additional resources that will be assigned to fulfil this project, highlighting details of their relevant experience.
  4. Details of your proposed approach to meeting the GLA’s requirements included in the [Local Gov Digital Service Standard](https://localgov.digital/service-standard). The GLA has signed the MHCLG Local Digital Declaration so is committed to ensure that all of our services are delivered using that criteria contained in the standard.
* Describe how the supplier will approach the commission.
* Confirm that they can use the proposed development and live infrastructure. The GLA works with suppliers in an agile manner – meaning strong user engagement, a collaborative team, frequent testing and iterations.
* The supplier should describe their approach to development taking into account the GLA’s preferences.
* Demonstrate in a credible manner how you will meet the GLA requirements and effectively deliver the outputs described in Section B
* Explain what additional value you will add to the project – innovative capacity, design, capacity to flag issues which may benefit the project etc.
* Provide details of:
  + The type of resources you think are required to deliver this project.
  + Number of resource days of each type you are committing to the project (provide an indication against each of the functions set out in Section B as well as a total, and also make reference to outputs listed in Section B3 if required).
  + Indicate whether the resources will be deployed onsite or offsite (or flexibly).
  + How the resources will be managed within an agile framework.
* Describe how you propose to engage with the GLA team, through proof of concepts to demonstrate design options and deliverables.
* Your approach to documentation and hand-over. You must deliver a full documentation of all components and code libraries you have used/ developed.
* What you see as the key security challenges and how you will address them.
  1. The supplier should provide two detailed case studies within the past three years through which they can demonstrate their experience to similarly meet the functions referred to in Section B and outputs required in Section B. This should include the following information:
* An overview of the project, and similarities/relevant parallels to Section B
* Description against each the functions listed in Section B
* Clients
* Monetary value of the work
* Links and or screenshots
* Start and End date of the commission
  1. Project Plan (Gantt) - Please ensure that the proposed solution matches GLA’s key milestone dates (see Section B4).
  2. Detailed Activity and Resource Schedule.
  3. Pricing Schedule showing fixed cost of the proposed solution with detailed breakdown of the deliverables and days rates for the proposed resources.
  4. Proposed Milestone Payment scheme (based around fixed deliverable and/or milestones.)
  5. Separate Assumptions and Caveats section
  6. Confirmation of agreement to Contract Terms and Conditions.

Bidders should note that this RFP and their response may be incorporated in whole or in part into the final contract entered into.

Bidders should note that proposal submissions which are poorly organised or poorly written, such that evaluation and comparison with other submissions is notably difficult, may exclude the bidder from further consideration.

Tenders must be submitted in English.

TfL/GLA shall have the right to photocopy the tender for the purposes of tender evaluation; submission of a tender shall be deemed as confirmation of TfL’s right to photocopy it.

TfL/GLA shall have the right to distribute electronically the tender for the purposes of tender evaluation; submission of a tender shall be deemed as confirmation of TfL’s right to electronically distribute it.

Tenders must comply in every respect with the requirements of this RFP. Failure to comply fully with the instructions to bidders may result in the tender not being considered.

TfL/GLA reserves the right to award the contract for which tenders are being invited in whole, or in part or not at all.

**Tenders must be submitted via email to the following address:** [**VikramGudra@TfL.gov.uk**](mailto:VikramGudra@TfL.gov.uk)**.**

## Contract Award Criteria

The contract, if awarded, will be awarded to the bidder submitting the ‘most economically advantageous tender’.

As described in detail in Section B, the procurement is split up into three lots. Criteria relevant to each lot is shown in the assessment criteria table below:

**Lot 1: HMO identifier model**

|  |  |
| --- | --- |
| **Criteria** | **Weighting** |
| **Technical Specification** | **70%** |
| Model specification | 20% |
| Relevant modelling experience of the supplier | 10% |
| Flexibility of the model for incorporating feedback | 10% |
| Ability to create bespoke models for the different boroughs | 10% |
| Data sourcing | 10% |
| Reporting | 10% |
| **Commercial** | **30%** |
| Fixed price contract | 30% |

**Lot 2: Public tool on London.gov.uk website**

|  |  |
| --- | --- |
| **Criteria** | **Weighting** |
| **Technical Specification** | **60%** |
| Address search | 25% |
| User journeys | 25% |
| Reporting | 10% |
| **Commercial** | **40%** |
| Fixed price contract | 40% |

**Lot 3: Borough data**

|  |  |
| --- | --- |
| **Criteria** | **Weighting** |
| **Technical Specification** | **60%** |
| Data sourcing and quality | 20% |
| Borough liaison | 30% |
| Reporting | 10% |
| **Commercial** | **40%** |
| Fixed price contract | 40% |

The scoring scale that will be used is as follows:

|  |  |  |
| --- | --- | --- |
| **Descriptor** | **5 Point Geared Scale** | **Detail** |
| Unacceptable | 0 | The response **does** **not** **meet** the requirement. **Does** **not** **comply** and / or **insufficient** **information** supplied. |
| L**ittle or no evidence** to support the response. |
| Poor | 4 | Some **minor reservations** |
| **Little or no evidence** to support the response. |
| Meets requirements | 9 | **Demonstration** by the Tenderer of the relevant ability, understanding, experience, skills, resource & quality measures required to provide the supplies / services, with **evidence** to support the response. |
| Good | 16 | **Above average demonstration** by the Tenderer of the relevant ability, understanding, experience, skills, resource & quality measures required to provide the supplies / services. Response identifies factors that will offer **potential added value** with **evidence** to support the response. |
| Outstanding | 25 | **Exceptional demonstration** by the Tenderer of the relevant ability, understanding, experience, skills, resource & quality measures required to provide the supplies / services. Response identifies factors that will offer **potential added value** and **continuous improvement**, with **evidence** to support the response. |

## Overview

The GLA has endeavoured to provide a document that covers the below objectives that are in the interests of both the bidder and GLA:

* to provide a structured format for the response so that:
  + the complexity of comparing responses is reduced
  + GLA can ensure that no information is missed in its review of the responses
  + the response can, if required, be easily transferred into the contract schedules so as to minimise the work for both parties during negotiations

Throughout this RFP, bidders are asked to comply with certain aspects, such as the provision of certain information, and the manner in which the information should be shown. The sole purpose of such compliance is to assist GLA in achieving the above. Any change, (unless it is previously approved by the GLA prior to the submission of a tender), may exclude the bidder from further consideration, or prejudice the evaluation of their tender.

#### 6.1 General Project Management

The GLA would be willing to consider collaborative tenders if deemed beneficial to the effective delivery of this project. Tenders should demonstrate a clear project management structure.

## Return of Tender

The bidder should provide their response by **Midday 10th April 2019.**

## Essential Documents

As a part of the tendering process bidders shall use the following documentation

* **The Form of Tender -** The Signed Form of Tender must accompany the RFP response by the bidder.
* **The Disclaimer -** The Signed Disclaimer must accompany the RFP response by the bidder

## Tender Queries

All tender queries are to be submitted no later than Midday **27 March**

Please note that all responses will be circulated to all interested parties unless, deemed to be commercially sensitive. **Please send any queries via the ProContract portal.**

## Virus Free Warranty

By replying to the RFP, the bidder shall be deemed to warrant that any electronic media provided as part of their bid submission will be free from all viruses and other contaminants, including but not limited to, any codes or instructions that may or will be used to access, modify, delete or damage any data file or other computer programs used by TfL and the GLA and that for this purpose, the bidder warrants that it has, prior to delivery of the electronic media, used the most comprehensive and up-to-date virus checker to check against contamination of such media.

## Pricing

The bidder is required to submit prices in sterling GBP and the prices should be entered in the Pricing Schedule (*Section B:9*) and The Form of Tender (*Essential Documents: 1*) in the manner called for. United Kingdom VAT charges (and any other applicable tax, excise or other charges) should be separately calculated and identified for the purposes of the tender. The bidder must include in the price, all costs incurred.

## Validity

Tenders must remain open for acceptance by TFL for a minimum period of 90 days from the date of their submission.

## Procurement Policy

The GLA reserves the right not to contract with the lowest bidder or to accept part of any bid, and the GLA shall have no liability (in contract, tort or otherwise) to consider any tender. TFL shall not be liable for any costs incurred by the bidders in responding to this RFP.

# **Section B: Instructions to Bidders**

## Specification

#### About the project

The GLA is procuring a data analytics tool to help to support the identification of HMOs (Houses in Multiple Occupation) in London which are required to have a license in order to be let, but which have not obtained a licence and are therefore being let illegally. It will combine data from a number of sources, including publicly available data and also data London boroughs may agree to voluntarily contribute, and will have two tiers – one for boroughs and one for the public (with more limited information).

There are three types of private rented sector property licensing schemes:

* **Mandatory** licensing - a HMO is any property (house of flat) occupied by three or more people comprising two or more households who share facilities (kitchen, bathroom and/or toilet) and occupy the property as their only or main residence, even if they are all friends and occupy the property on a single tenancy.
* **Additional** licensing - applies to certain Houses in Multiple Occupation (HMOs) that fall outside the scope of mandatory licensing.
* **Selective** licensing – councils have the power to implement a selective licensing scheme covering some or all private rented properties within a defined geographical area, not just HMO properties.

Without the proposed tool, many boroughs are likely to struggle to effectively enforce the extension of mandatory HMO licencing which came into force in October 2018 – continuing, as they do now, to rely heavily on complaints from renters and the local community to detect unlicensed or non-complaint properties. Another issue that many councils with selective licensing encounter is HMO landlords who fraudulently claim their property is a single-family dwelling and apply for a selective license, which is generally cheaper than other types of license. This also allows such landlords to avoid the more stringent safety and management regulations that apply to HMOs. The tool would help councils identify such bogus selective license applications, as well as detecting HMO properties which are operating completely unlicensed ‘under the radar’.

The identifier will help boroughs to speed up the process of identifying non-compliance and to target their PRS enforcement resources effectively to help vulnerable tenants. Trading Standards officers will be able to identify agents who consistently advertise unlicensed properties across London.

Renters will benefit from knowing what regulation their property is subject to, and whether their landlord or agent is complying. They will also be able to immediately report unlicensed or non-compliant properties to their council through the Mayor’s existing ‘report a rogue landlord’ tool, helping generate further intelligence for boroughs.

The HMO identifier will complement the existing Mayor’s Rogue Landlord and Agent Checker. The public tier of the tool will sit alongside the Rogue Landlord and Agent Checker and reporting tool already available on the website. On the same web pages, they will be able to check if their landlord or property is associated with any bad practice and enforcement activity, and also whether their rental home is properly licensed. The successful supplier(s) will also be expected to work closely with London boroughs in the design and delivery, and in ensuring borough data can be included within the tool. The GLA will help to facilitate these relationships.

The GLA is keen to work collaboratively with the successful supplier(s) in the design and delivery of this tool.

#### HMO Identifier tool

The HMO identifier will have a private (borough only) tier and a public tier:

* **Private:** borough users will be able to view a list of potentially unlicensed properties in their borough. The borough PRS teams can then proactively investigate these properties.
* **Public:** a form on the GLA website where Londoners can input address details and some information about the property in order to find out whether their property should have a license or not, and if so, whether or not it has one.
  1. **Contract Lots 1-3**

The specification has been split into three lots. Suppliers can bid for all or any number of lots:

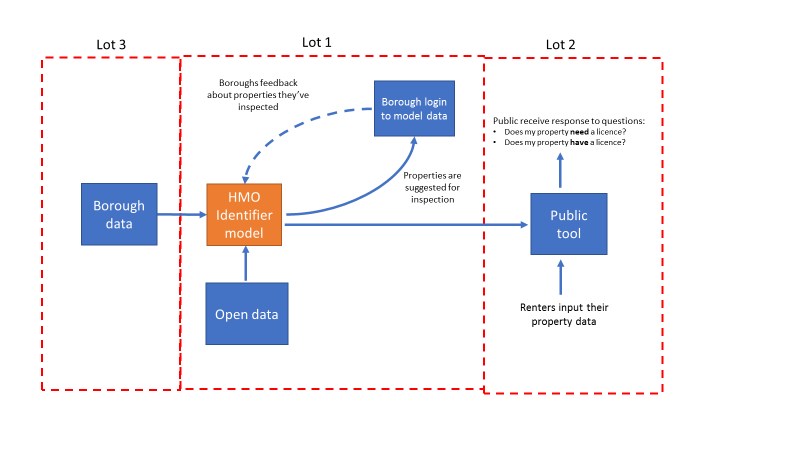
1. **HMO identifier model** – creation of the model that aggregates open and private data and produces reports on the potentially unlicensed HMOs.
2. **Public tool on London.gov.uk website** – allows the public to check whether their rental property needs/has a licence.
3. **Borough data** – extraction of the private borough data to feed into the HMO identifier model, working closely with London boroughs to source this data.

If multiple suppliers are successful, they will be required to work closely with each other. Joint applications from suppliers are also welcome.

The table below displays the deliverables that are essential to each lot.

|  |  |  |
| --- | --- | --- |
| Lot 1 | Lot 2 | Lot 3 |
| **HMO identifier model** | **Public tool on London.gov. website** | **Borough private data extraction** |
| Creation of a model that determines the likelihood that a property is an HMO. Data sources include:   * Open data * Data from boroughs (private) | Lead on the development of a set of user journeys (working with GLA staff and other stakeholders) | Work closely with boroughs to source relevant, good quality data to be used in the model to improve its accuracy. |
| Refinement and iteration of the model (including the possibility of splitting out parts of the model to reflect locally available data). | Public search engine on London.gov.  Answering the following questions:   * Does my property have a licence? * Does my property need a licence? | Ensure boroughs provide the relevant datasets in the appropriate format to feed into the HMO model (Lot 1) e.g. through the GLA’s Datastore. |
| Local authority users login to view reports listing potential unlicensed HMOs by borough, in a secure/private space. This could be the GLA’s Datastore or another secure website which is ‘skinned’ so as to appear part of the GLA website, with a london.gov url. | Make available information received via the public searches to enable the GLA to monitor the use of the public tool. | Approach five boroughs who have not yet taken steps to make use of this type of data – GLA to help identify these boroughs. |
| Sources public open data, borough HMO licence registers and HMO eligibility criteria |  | Approach all identified boroughs who have already aggregated this data to gauge willingness to integrate into this tool. |
| The supplier will need to facilitate a partnership between rental property portals and the GLA to secure data access. |  |  |

The diagram below sets out how the three lots and data sources relate to one another:

****

1. **Detailed Components by Lot** 
   1. **Lot 1 HMO identifier model**
      1. **Lot 1 - Technical specification**

A model is needed that takes into account the definition of a HMO and how this relates to features in the data to determine the likelihood that a particular property is an unregistered HMO. The differences between registered and unregistered HMOs and the relative rareness of them within London housing stock means that conventional data science approaches to categorising data may not be successful.

​The minimum requirement is that borough users will login to the HMO identifier tool and be able to view a list of potential unlicensed properties in their borough and the reason why each one has been flagged as potentially unlicensed. This interface should include the functionality to generate a report to download, such as a spreadsheet of potential properties of interest.

The model must combine the data sources in section 2.1.2, but also be capable of aggregating additional datasets from boroughs, if they are made available. The tool must be capable of aggregating councils’ data if they are willing to supply it, but also able to work without it. The types and formats of data boroughs can supply is likely to vary. The extraction of these additional datasets will be undertaken by the supplier of Lot 3. The suppliers of Lots 1 and 3 must work together to ensure the data can be incorporated into the model.

As the tool becomes mature, and boroughs start to use it to inform enforcement activity, their feedback on whether properties they investigate were or were not HMOs should help the model start to learn what an unregistered HMO looks like. The functionality for boroughs to feed back is not essential for this first iteration of this tool, but ideally the tool should be designed so that this functionality can be added or activated as and when it becomes desirable/necessary.

The GLA needs a supplier than has a provable track record of producing bespoke models for similar complex situations. The model must be open and transparent, to enable future development.

It is also important to be aware that individual boroughs are likely to be at different stages in collecting and linking data and it may be necessary to have different models to reflect these local variations. (NOTE: limited to a maximum of five for the purposes of this contract).

* + 1. **Lot 1 - Data Sources**

The following data are essential, and the minimum expected:

|  |  |  |
| --- | --- | --- |
| **Data required** | **Source of data** | **Updates (minimum)** |
| The types of licensing schemes operate in each borough eg. mandatory/selective/additional and then the associated eligibility criteria for each type of scheme (eg geographic area covered for selective and additional schemes) | Borough websites | Tool to make daily sweeps to check for licencing updates |
| Borough registers of licenced HMOs | Online boroughHMO licence registers | Update according to borough schedule of register updates |
| Data from rental property portals on shared housing to let and other open data sources. | Rental property portals eg spareroom.com | Real time |
| Borough data (when sourced from Lot 3) e.g. council tax | Borough | Update according to borough updates |

The supplier must be able to track all new licensing schemes and consultations and update the database with all the London borough HMO licence registers monthly, at a minimum. Each borough’s HMO licence register is different, so the quality of data and missing data could be an issue in the short-term. The GLA will aim to facilitate improving this by working closely with the PRS Partnership to encourage a consistent data capturing process in the long-term.

* + 1. **Lot 1 - Reporting**

The minimal requirement is that borough users can view data reports listing potential unlicensed HMO properties in their borough; they should also be able to generate reports to download, such as a spreadsheet of potential properties of interest. The council’s PRS teams can then proactively investigate these properties.

The GLA will also need to produce aggregate anonymised reports using any of the variables held in the database (for example, to see the number of suspected unlicensed properties identified by borough and how these change over time). This information will be used to report back to the PRS Partnership.

* 1. **Lot 2 - Public tool on London.gov.uk website**
     1. **Lot 2 – Technical specification**

This element would allow Londoners to find out whether their current or potential rental property sits in a licenced area, fits the criteria for licensing, and whether it does in fact have a license. The minimum requirement we need is for the database to enable members of the public to find out the answers to the following questions:

* Does my property **need** a licence? (Y/N)
* Does my property **have** a licence? (Y/N)

Members of the public will be able to immediately report unlicensed properties to their borough through the Mayor’s existing ‘report a rogue landlord’ tool, helping generate further intelligence for boroughs. The existing reporting tool can be found at: <https://www.london.gov.uk/what-we-do/housing-and-land/renting/report-rogue-landlord-or-agent>

Members of the public would input information about the property, using a form on a page of the GLA’s website. This would include information such as:

* Address and postcode
* Number of rooms
* Number of occupants
* Number of households[[1]](#footnote-2)
* Do you share facilities with other households within the property (eg kitchen or bathroom or toilet)

The tool would be able check this information against the database to find out whether the property is subject to licencing and if so, whether it currently has a licence.

* + 1. **Lot 2 - User Journeys**

A member of the public (tenant or letting agent) – browsing and reporting:

**Option 1**

* Has my property got a license? Yes
* Does my property need a license? Yes

**Option 2**

* Has my property got a license? No
* Does my property need a license? Yes

**Option 3**

* Has my property got a license? No
* Does my property need a license? No
  + 1. **Reporting**

The GLA would like to be able to collate and aggregate information inputted via the public search tool in order to monitor usage.

* 1. **Lot 3 - Borough data**

It is highly desirable to include as much council-owned data as possible, in addition to the publicly available HMO registers, in order to improve the HMO identifier tool’s accuracy. The supplier of Lot 3 will be expected to foster close working relationships with the boroughs in order to ensure as much borough-owned data as possible is included within the tool. The GLA will help to facilitate these relationships.

Council-owned data could include items such as the following, however this is not an exhaustive list:

* Council tax payment records, without personal details
* Numbers of housing benefit claims, without personal details
* Requests for extra rubbish bins
* Requests for extra parking permits
* Electoral information (number of voters registered at property, but not names)

It should not include names or personal details i.e. no data that is classed as sensitive under GDPR regulations.

The supplier would be expected to work with five boroughs who have not yet taken steps to make use of this type of data. The GLA will work with the supplier to help identify these boroughs.

A number of boroughs are already known to have modelled this data. The supplier would be expected to approach all identified boroughs who have done so to gauge willingness to integrate their data into this tool.

We welcome suggestions of further data sources from bidders to improve the accuracy of the tool.

The supplier will be required to work closely with boroughs and the supplier of Lot 1 to work out how to include their data within the tool.

## 3. Activities and Key Outputs

#### The key deliverable for this project is the development of a pan-London HMO identifier tool for the public and London boroughs to use. The objectives will be to:

* Reduce resources spent identifying unlicensed HMOs, using improved data intelligence, so that more enforcement action can be undertaken.
* Increase the number of licensed properties per borough, helping generate income for councils.
* More baseline data about rogue activity in the PRS, and improved data-sharing between London councils and cross-borough working to tackle rogue landlords operating across multiple boroughs.
* Reduced complaints about unlicensed HMOs and surrounding public realm.
* Improved public knowledge of PRS property licensing, and subsequent reporting of rogue landlords; increased transparency for renters, supporting informed decision-making.

## Timescales

**4.1 Project Planning**

#### We want to proceed with this project immediately with a view to ensuring the contract start date is prior to 6 May 2019.

**4.2 Post Award Timetable**

Milestones will be agreed prior to commencement of work.

**Lot 1 – HMO identifier model**

|  |  |
| --- | --- |
| **Date** | **Action / deliverable** |
| 5 July 2019 | First version of HMO identifier model |
| 5 July 2019 | User and model testing |
| Beginning of September 2019 | Tool goes live |
| 2 September 2019 | Engagement ends, project delivered |

**Lot 2 – Public tool on london.gov.uk**

|  |  |
| --- | --- |
| **Date** | **Action / deliverable** |
| 5 July 2019 | First version of public tool finalised |
| 5 July 2019 | User testing |
| Beginning of September 2019 | Tool goes live |
| 2 September 2019 | Engagement ends, project delivered |

**Lot 3 – Borough data**

|  |  |
| --- | --- |
| **Date** | **Action / deliverable** |
| 5 June 2019 | Five boroughs identified to work with to secure data for model |
| 5 July 2019 | All boroughs who have already aggregated suitable data approached regarding integration |
| 2 September 2019 | Private data from boroughs being fed into the model |

#### 4.3 Integration with the main GLA website (London.gov.uk)

The public element of the HMO identifier tool will need to be integrated into the London.gov.uk website.

#### 4.4 Intellectual Property Rights

The GLA is looking for a developer to deliver the HMO identifier tool which will be handed over to the GLA who will own the portal and the Intellectual Property Rights associated with coding, copyright, documentation and all data collected during the course of the project. A confidentiality agreement will be entered into by the successful supplier.

All Intellectual Property and Copyright of all documents and all data collected during the course of the project will remain the property of the GLA.

## Commercial

The GLA is seeking a solution which represents best value. Bidders must present well documented evidence of the principles behind the calculation of their costs. Where applicable, each line in the tables should be broken down into its component parts and justification provided on the construction of each item.

The GLA is seeking a proposed milestone payment structure.

The GLA reserves the right to challenge the validity of any costs.

## Assumptions and Caveats

Bidders must ensure that a full list of assumptions and caveats is provided in support of the pricing tables. Any assumptions which are not included will not be considered at a later stage.

TfL reserves the right to challenge the validity of any assumptions or caveats.

## Variation Procedure

*2.*

Using the defined charges as a foundation, the bidder should describe the method by which it will show flexibility in being able to accommodate the GLA’s requirements for any variations in business requirements.

The bidder should also describe specific activities that it will undertake which may be of financial benefit to the GLA, and by way of an incentive, how it proposes to share in that financial benefit (for example, the benefits arising from economies of scale, process excellence and technology improvements).

## Assessing the Best Value

The GLA wishes to ensure that it receives best value throughout the period of the project (recognising the bidder’s right to a fair return on capital employed in the delivery of services to the GLA). The bidder should describe how it will prove best value throughout the duration of the project.

## Pricing

The bidder is requested to submit a cost for all services on a Fixed price basis – Please provide a breakdown of man days & day rates in the table below;

TfL is seeking a proposed milestone payment structure. Please provide your proposed milestone structure in the table below;

|  |  |
| --- | --- |
| **Deliverable** | **Milestone Payment** |
|  |  |
|  |  |
|  |  |
|  |  |
| **Tota**l | **£** |

Note: The cost of services should be entered on the Form of Tender

## Contractual

Terms and Conditions

Any contract awarded as a result of this RfP shall be placed in accordance with the terms and conditions of TfL



# **Section C: Guidance to Tenderers on TfL’s Policy for access to information**

## Background

1.1 The Freedom of Information Act 2000 (**FOIA**) gives the public a legal right of access to information held by public authorities. The public now have a right to know about our work and it is our duty to operate with openness and transparency.

1.2 A person making a FOIA request is entitled to two things, unless an exemption applies. These are:

1. to be informed whether we hold information of the description requested; and
2. if so, to have that information communicated to him or her.

## How does this affect you?

2.1 **All** information held by TfL[[2]](#footnote-3) and the GLA is caught by the FOIA. The rules about disclosure apply

regardless of where the information originated. This means that all the following types of information **may** be subject to disclosure:

1. information in any tender submitted to us;
2. information in any contract to which we are a party (including information generated under a contract or in the course of its performance);
3. information about costs, including invoices submitted to us;
4. correspondence and other papers generated in any dealing with the private sector whether before or after contract award.

2.2 This means TfL and the GLA will be obliged by law to disclose such information unless an exemption applies.

2.3 The legal obligation to respond to requests from the public under the FOIA rests with TfL and the GLA. TfL must therefore respond to requests as we see fit in our sole discretion. This Guidance explains our policy on the disclosure to the public of information about our private sector suppliers.

## General rules on Disclosure

3.1 In the absence of special circumstances:

1. all Requests for Proposals published by GLA will be available to the public on request;
2. responses to tenders will be held in confidence until contract award;
3. information about the total value of bids will be made available to the public on request, but only in response to requests made after contract award.

3.2 Any person tendering for or contracting with the GLA must notify the GLA during the tendering or negotiating process of information which they consider to be eligible for exemption from disclosure under the FOIA. Such notification must be made in the form of the Appendix to this Guidance Note. Such information must be referred to as **reserved information**.

* 1. Information not identified as reserved information in the way described above is likely to be made available by TfL and the GLA on request.
  2. Successful supplier(s) must comply with [GDPR legislation 2018](https://www.gov.uk/government/publications/guide-to-the-general-data-protection-regulation)

## Reserved Information

4.1 Information which you wish to put forward as reserved information must clearly describe, with supporting detail:

1. the information itself, or the class(es) of information; and
2. why, in your opinion, that information is exempt from disclosure. Grounds for exemption may be one or more of the following:
   1. the information is a trade secret;
   2. the disclosure of the information would prejudice the commercial interests of any person or organisation (see 4.2);
   3. the information will be disclosed by you to TfL, *and* the nature of the information, or the circumstances of its disclosure, or other circumstances, justify the acceptance by TfL of an obligation of confidence in relation to that information;
   4. the information is personal data or otherwise relates to the private life of an individual and is therefore appropriate for protection; or
   5. any other specific exemption under the FOIA.

4.2 All decisions about disclosure of information will be made at the sole discretion of TfL and the GLA. The exemption that applies to trade secrets and to information that would prejudice commercial interests if disclosed is a ‘qualified’ exemption under the FOIA. This means that TfL and the GLA is required to consider whether, in all the circumstances prevailing at the time a request is received, the public interest in disclosure outweighs the public interest in upholding the exemption.

4.3 Information which is submitted to TfL and the GLA as reserved information will be listed in a document that will also:

1. specify which exemption(s) may apply to each piece or class of information; and
2. indicate when it is likely information can be made available, or (if this is the case) that it is unlikely ever to be made available.

TfL and the GLA may disclose your justification for classifying information as reserved information.

4.4 Information which is exempt under the rules governing commercial matters will not normally be withheld for more than seven years after completion of the contract supply.

4.5 Information relating to the overall value, performance or completion of a contract will not be accepted as reserved information, although TfL and the GLA may choose to withhold such information in appropriate cases, at its sole discretion.

4.6 You may designate unit prices or more detailed pricing information as reserved information.

## Other Guidance

5.1 Although TfL and the GLA is not under any obligation to consult you in relation to requests for information made under the FOIA, we will endeavour to inform you of requests wherever it is reasonably practicable to do so.

5.2 Contracts with TfL and the GLA may require you to supply information to us, or provide other assistance, pursuant to any FOIA request received by TfL and the GLA.

* 1. You should be aware that TfL and the GLA’s decision on applying an exemption and, therefore, refusing a request for information by a member of the public may be challenged by way of appeal to the Information Commissioner. The Information Commissioner has the statutory power to direct that the information be disclosed.

## Freedom of Information appendix: Reserved Information

Contract/Tender/Document Reference Number: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

|  |  |  |
| --- | --- | --- |
| Information Class / Type available | Grounds for Exemption | Date can be made available |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |

# **Essential Documents**

## Form of Tender

To: **Mr Vikram Singh Gudra**

Dear Sir

**RE: ICT13176 HMO Identifier Tool**

Having examined the Request for Proposal we, the undersigned, hereby offer to provide the solution in accordance with the RfP and Conditions of Contract for the sum of:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (in words)

£\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ exclusive of VAT and any other applicable tax

**The Tender Sum should include the cost of services in section 2.4**

We certify that this is a bona fide tender that we have not communicated to any person other than Transport for London the amount or approximate amount of the tender price and that such price has not been fixed or adjusted by arrangement or in collusion with any third party. We also undertake that we will not make any such communication or enter into any collusive arrangement with any third party whether in relation to this tender or a tender submitted or to be submitted by such third party.

Unless and until a formal agreement is prepared and executed, this tender, together with your written acceptance thereof, shall not constitute a binding contract between us.

We understand that Transport for London reserves the right not to accept the lowest or any tender that may be received.

We agree to keep the contents of the Request for Proposal confidential.

The tender shall be open for acceptance for 90 days from the date of its submission.

Yours faithfully

Signed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Tel No\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

## Disclaimer

I the undersigned, on behalf of ……………..[*insert name of Bidder*], accept that:

* TFL has prepared this RFP in good faith. However, TFL, its agents and its servants do not warrant its accuracy, completeness or relevance, nor that it has been independently verified. To the extent that TFL is permitted by law, it excludes any liability (whether in contract, negligence or otherwise), for any incorrect or misleading information contained in this RFP, or any inadequacies, inaccuracies or incompleteness of the RFP, and makes no representations or warranty, express or implied, with respect to the information contained in the RFP documents or on which such documents are based or with respect to any written or oral information made or to be made available to an interested bidder or its professional advisors and any liability therefore is excluded. This RFP is a request for a proposal and not an offer document; answers to it must not be construed as acceptance of an offer or imply the existence of a contract between the parties.
* Any asset lists, current costs, staff numbers and other related information provided as part of the RFP documentation may not be totally representative of the current environment because of the complex nature of the current environment and ongoing information collection process. Any resulting caveats and assumptions should be clearly stated by bidders in their proposals.
* Nothing in the RFP documents or provided subsequently has been relied on as a promise or representation as to the future. TFL reserves the right, without prior notice, to supplement or amend any of the terms of this RFP or the draft Conditions of Contract attached in Section D, or any of the documents contained or referred to therein, or to terminate discussions and the delivery of information at any time during the tender process. Some of the provisions of the draft Conditions of contract have been left undrafted or drafted in outline only. Definitive drafting of most of these will follow in due course after discussions have been held with bidders.
* In no circumstance will TFL, their agents or servants be liable for any bid costs incurred by the bidder in responding to the RFP.

Signed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. Occupants are part of the same household if they are all members of the same family, whether married or not and including same-sex couples [↑](#footnote-ref-2)
2. Please note that references in this document to “TfL” include all its subsidiaries. [↑](#footnote-ref-3)