

Dear Sir/Madam

**REFERENCE: CT-CONS-105**

**INVITATION TO TENDER FOR A STEERING BOARD EFFECTIVENESS REVIEW**

You are invited, on behalf of the Secretary of State for the Department for Business, Energy and Industrial Strategy (BEIS) operating through the Chief Executive of the Intellectual Property Office, to submit a proposal for the provision of the services detailed in the Invitation to Tender (ITT) document below.

Please acknowledge receipt of these documents and confirm (by email to robert.mould@ipo.gov.uk) if you intend to bid, quoting reference **CT-CONS-105** in your correspondence.

If you consider that your company can meet the requirements, please provide all the information requested in this ITT **by 12:00pm Tuesday 1<sup>st</sup> August 2017**. You should submit your proposal by e-mail as per the instructions contained in Section 6 and marked for my attention. Please quote reference number **CT-CONS-105** clearly in the subject heading of the email.

Should you have any questions regarding this requirement you should communicate these to me no later than **12:00pm on Monday 31<sup>st</sup> July 2017**. Questions must be submitted by email to [REDACTED]

By issuing this invitation, the IPO is not bound in any way and does not have to accept the lowest or any tender, and shall have no liability for any costs or expenses which you may incur in preparing your tender whether or not your tender is successful.

Yours faithfully

[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]



Intellectual  
Property  
Office

# INVITATION TO TENDER FOR A STEERING BOARD EFFECTIVENESS REVIEW

## CT-CONS-105

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## 1. INTRODUCTION

### 1.1. Intellectual Property Office (IPO)

- 1.1.1. IPO (an operating name of the Patent Office) is an Executive Agency of the Department for Business, Energy and Industrial Strategy (BEIS). It aims to stimulate innovation and enhance the international competitiveness of British industry and commerce. It offers customers an accessible, high quality, value for money system both nationally and internationally, for granting intellectual property rights.
- 1.1.2. The IPO is a highly successful organisation which, over its history, has adapted its approach and services to meet changing demands. Its core business and products deliver high quality, cost effective Intellectual Property (IP) rights to customers and its success in these core areas is tied to a much wider range of activities, such as awareness-raising and enforcement. Its customers operate within both the UK and global economies. Further information about the IPO can be found on its website at: <https://www.gov.uk/government/organisations/intellectual-property-office>
- 1.1.3. The number of people currently employed by the IPO is approximately 1000. It is based at three sites: Newport, South Wales; Abbey Orchard Street, London and a file repository at Nine Mile Point, Cwmfelinfach, South Wales.

### 1.2. Concept House

- 1.2.1. The headquarters of the IPO is located at Concept House, Cardiff Road, Newport, South Wales, NP10 8QQ. The office is approximately 3 km south-west of the city centre.

## 2. INSTRUCTIONS ON BIDDING PROCEDURES

### 2.1. Procurement Information

- 2.1.1. These instructions are designed to ensure that all bidders are given equal and fair consideration. It is important therefore that you provide all the information requested in the format and order specified.
- 2.1.2. All queries regarding this requirement must be submitted via e-mail to:  

- 2.1.3. Under no circumstances must queries be directed to any other member of IPO staff.

### 2.2. Deadline for receipt of bids

- 2.2.1. The deadline for receipt of bids is **12:00pm Tuesday 1<sup>st</sup> August 2017**. IPO reserve the right not to accept bids received after this deadline.

### 2.3. Incomplete bid

- 2.3.1. IPO may reject your bid if it does not provide the information requested.
- 2.3.2. IPO may reject your bid if it does not provide the information in the exact format requested.

### 2.4. Acceptance of bid

- 2.4.1. IPO does not bind itself to accept any bid and reserves the right not to accept a bid for part or all of the requirements.

### 2.5. Communications

- 2.5.1. Nothing herein or in any communications made on behalf of IPO shall be taken as constituting a contract, offer or representation between IPO and any party (save for a formal award of contract made in writing by or on behalf of IPO), nor shall they be taken as constituting a contract, offer or representation that a contract shall be offered in accordance herewith or at all.

### **3. OVERVIEW OF THIS PROCUREMENT**

#### **3.1. About the IPO:**

- 3.1.1. The Intellectual Property Office (IPO) is the official government body responsible for Intellectual Property (IP) rights in the United Kingdom. These rights are:
- i. Patents
  - ii. Designs
  - iii. Trade marks
  - iv. Copyright
- 3.1.2. The IPO is an Executive Agency of the Department for Business, Energy and Industrial Strategy (BEIS). It is a self-funding agency, with income flowing from fees for patent, designs and trade mark registration and renewal.
- 3.1.3. The IPO is responsible for: UK IP policy; granting UK patents, registering trade marks and design rights; supporting effective IP enforcement, and IP awareness and education. We have a strong international reputation for the quality of the services we deliver and the contribution we make to international thinking on IP policy challenges.
- 3.1.4. The IPO promotes growth and innovation by providing a clear, accessible and widely understood IP system, which enables the economy and society to benefit from knowledge and ideas.
- 3.1.5. The use of patents and trade marks is associated with better creation, transfer and use of knowledge and higher firm productivity. By targeting efforts so they are more closely aligned with the growth agenda, the IPO can make sure the benefits of the IP system are maximised and shared more widely, supporting economic growth and enriching society.

#### **3.2. Strategic Goals:**

- 3.2.1. The IPO five year corporate strategy was agreed in 2016 and overarches the goals it is seeking to achieve. These goals lead to the priorities and targets set for the year.
- i. Promoting UK growth through IP policy
  - ii. Delivering high quality rights granting services
  - iii. Ensuring IP rights are respected and appropriately enforced
  - iv. Educating and enabling business to understand, manage and protect their IP

- v. Improving the skills and capability of our people
- vi. Increasing efficiency and delivering value for money

### 3.3. Governance Structure:

- 3.3.1. The IPO is headed by the Chief Executive, who is Accounting Officer, and is supported by a team of executive directors. The Chief Executive has executive responsibility for the day to day operations and administration of the IPO.
- 3.3.2. As an Executive Agency of BEIS, the IPO is directed and controlled by corporate governance rules to ensure that it supplies public services of the highest quality, shares good ideas, controls costs and above all delivers what it is supposed to.
- 3.3.3. To ensure the IPO acts within these rules, Ministers appoint independent members to sit on a Steering Board. This Steering Board has no executive functions; its role is to advise Ministers, through the Director General, on the strategies that the IPO must adopt. They provide support and challenge to the IPO Executive as part of BEIS governance. An Audit and Risk Committee supports the Steering Board in delivery of its functions.

### 3.4. The IPO's Steering Board:

- 3.4.1. The Steering Board is made up of a mix of Executive and Non-Executive Members:

#### Non-Executive Members

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

#### Executive Members

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

## **4. SCOPE OF REQUIREMENT**

### **4.1. The Requirement:**

- 4.1.1. The Cabinet Office/ HMT document Corporate Governance in Central Government Departments Code of Good Practice advises that a formal (independent) review of the effectiveness of Steering Boards should be completed every three years.
- 4.1.2. We last completed this review in 2014. We are now required to complete a review in line with the guidance.
- 4.1.3. The review will include one to one meetings with Non-Executive and Executive Board Members, Secretariat and possibly other interested parties.
- 4.1.4. It may include completion of an effectiveness questionnaire.
- 4.1.5. The provider will be required to review the feedback received and produce a report detailing their findings and recommendations, which will then be discussed by the Steering Board with the provider.
- 4.1.6. This feedback reporting is likely to form part of an IPO Steering Board meeting on 30 November, therefore the provider would be expected to be available on this date. Tenderers should confirm this as part of their proposal.
- 4.1.7. Tenderers should detail how they will address these requirements as part of their proposal.

### **4.2. Skills and experience required**

- 4.2.1. Tenderers must provide details of their experience and expertise in providing similar services as part of their proposal.
- 4.2.2. Tenderers must provide details of the experience and expertise of the team members who will be undertaking this work as part of their proposal.

### **4.3. Subcontracting**

- 4.3.1. As part of their proposal Tenderers must identify any third party sub-contracting arrangements which they intend to use. For the purposes of this agreement Sub-Contractors will be defined as any 3rd party that will be responsible for performing or delivering a significant element of the contract.
- 4.3.2. If the Tenderer does intend to use any Sub-Contracting arrangements they must provide the following details:
  - i. The full name and address of the sub-contractor;

- ii. The element of the contract they will perform;
  - iii. The capabilities the sub-contractor possesses to enable to meet the element of the contract it will perform;
  - iv. How the Sub-Contractor will be managed by the successful Tenderer;
  - v. The agreements and/or Service Level Agreements in place to ensure quality of service from the sub-contractor.
- 4.3.3. Tenderers should note that the IPO does not anticipate that it will be required to directly engage with any Sub-Contractors who are to be utilised under any subsequent contract.
- 4.3.4. Management of the Sub-Contractor and resolution of any issues that arise will be the sole responsibility of the successful Tenderer in their role as Prime Contractor.

## **5. CHARGES**

### **5.1. Composition**

- 5.1.1. Tenderers should itemise the project element costs wherever possible.
- 5.1.2. To avoid doubt, all costs not listed within your bid will be deemed to have been waived.
- 5.1.3. Any improvements you propose that are additional to our stated requirements, and any additional service options being offered, must be separately costed if applicable.
- 5.1.4. You must confirm that all charges submitted are exclusive of VAT.
- 5.1.5. You must confirm that all charges submitted will be held firm for a period of 30 days commencing from the tender return date.

## **6. RESPONSE TO THE INVITATION TO TENDER**

### **6.1. Function and Format of Proposals**

6.1.1. You must e-mail an electronic version of your bid (in Microsoft Word or .pdf format) to [REDACTED]

### **6.2. Structure Of Proposals**

6.2.1. TENDERERS must structure their proposal as follows:

- i. Section 1: Summary – Provide a resume of the proposal.
- ii. Section 2: Understanding of Requirements – Confirm your understanding of the key requirements and scope of the services to be provided.
- iii. Section 3: Requirements – this section must contain the Tenderers responses to the requests for information throughout the ITT.
- iv. Section 4: Charges – It is imperative that we are able to form a clear view of the charges in your proposal for the provision of the services. Therefore all charges must be included or summarised in this section of your response.
- v. Section 5: Any other information – that you wish to add further to that already requested, that you feel may further demonstrate your ability to meet the evaluation criteria listed below.

### **6.3. Incorrect Format of Proposals**

6.3.1. The above format for proposals is intended to allow the evaluation panel to more easily evaluate proposals on a like for like basis, and ensure each proposal is given fair and proper consideration.

6.3.2. Failure to supply the proposals in the above format may result in the proposal receiving lower scores at the evaluation stage, or the proposal being rejected.

### **6.4. Evaluation Approach / Selection Criteria**

6.4.1. The IPO is required under government purchasing initiatives to obtain best value for money on all its purchases. This does not always mean accepting the lowest price and an assessment will be made of the quality of the services offered to determine the most attractive proposal.

6.4.2. The contract will be awarded on the basis of the most economically advantageous tender. That is to say, when considering all the factors, the proposal that enables the IPO to achieve best value for money.

6.4.3. Responses will be evaluated against the list of criteria defined in the following table. These will be weighted but you should be aware that all are considered to be important.

Criteria
Proposed Approach/Quality – Methodology to ensure best/optimum solution in accordance with IPO requirements – 60%
Experience – Detailed past experience in similar requirements – 25%
Whole Life Costs – 15%

### 6.5. Procurement Timetable

ACTION	DATE
Issue of this Invitation to Tender	Monday 17 <sup>th</sup> July 2017
Deadline for Receipt of Tender Clarification Questions	12:00pm Monday 31 <sup>st</sup> July
Deadline for return of incoming tender responses / bids	12:00pm Tuesday 1 <sup>st</sup> August
Award Contract	4 <sup>th</sup> August
Receipt of Findings and Recommendations	20 <sup>th</sup> September
Steering Board Meeting	30 <sup>th</sup> November

### 6.6. Clarification Questions

6.6.1. Clarification questions will be answered up to 12.00pm on Monday 31<sup>st</sup> July 2017. Questions should be sent by email to [REDACTED]

## **7. TERMS AND CONDITIONS**

### **7.1. Contractual Approach**

- 7.1.1. Any contract subsequently awarded will operate in accordance with IPO's standard terms and conditions of contract for services, which have been separately provided.
- 7.1.2. No other Terms and Conditions will apply. Tenderers must confirm their acceptance of this as part of their proposal.

## 8. ACHIEVING TRANSPARENCY OF PUBLIC SECTOR PROCUREMENT

### 8.1. Requirement To Publish Contractual Information

- 8.1.1. Government has set out the need for greater transparency across its operations to enable the public to hold public bodies and politicians to account. This includes commitments relating to public expenditure, intended to help achieve better value for money.
- 8.1.2. As part of the transparency agenda, Government has made the following commitments with regard to procurement and contracting:
- i. All new central government ICT contracts over the value of £10,000 to be published in full online from July 2010;
  - ii. All new central government tender documents for contracts over £10,000 to be published on a single website from September 2010, with this information to be made available to the public free of charge;
  - iii. New items of central government spending over £25,000 to be published online from November 2010;
  - iv. All new central government contracts to be published in full from January 2011.
- 8.1.3. Suppliers and those organisations looking to bid for public sector contracts should be aware that if they are awarded a new government contract, the resulting contract between the supplier and government will be published. In some circumstances, limited redactions will be made to some contracts before they are published in order to comply with existing law and for the protection of national security.
- 8.1.4. With the above in mind Tenderers must confirm that, except for any information which is exempt from disclosure in accordance with the provisions of the Freedom of Information Act (FOIA), the content of any subsequent Contract is not Confidential Information.
- 8.1.5. The IPO shall be responsible for determining in its absolute discretion whether any of the content of the Contract is exempt from disclosure in accordance with the provisions of the FOIA. Notwithstanding any other term of the Contract, the Tenderer hereby gives consent for the IPO to publish the Contract in its entirety, (but with any information which is exempt from disclosure in accordance with the provisions of the FOIA redacted) including from time to time agreed changes to the contract, to the general public.
- 8.1.6. The IPO may consult with the successful Tenderer to inform its decision regarding any exemptions but the IPO shall have the final decision in its absolute discretion.
- 8.1.7. The successful Tenderer shall assist and cooperate with the IPO to enable the IPO to publish this Agreement.

- 8.1.8. Tenderers must confirm their acceptance of the above or their bid may not be considered further.