Attachment 5 – Evaluation Guidance

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# tender EVALUATION procedure

## This document sets out how we will evaluate tender responses in order to ensure an open, fair and transparent assessment of tenders. It outlines the evaluation criteria and respective weightings, as well as the evaluation methodology to be applied.

## The evaluation procedure is divided into the following key stages, which may run concurrently or in any order:

* Compliance/Validation Stage
* Selection Stage
* Award Stage

## An Evaluation Panel consisting of suitably experienced members from Department of Health - Healthy Start Vitamins, NHS Business Services Authority (Contract Management), and Department of Health Procurement Services will carry out the evaluation. A consensus manager will act as moderator during the Selection and Award stages of the evaluation.

## We reserve the right (as we are entitled to) to amend the evaluation criteria and the weightings. We will only do so upon prior written notification being given to participating Potential Providers.

# Compliance/validation stage

## We will check your Tender to ensure it is compliant with the requirements of this Procurement and to ensure that your responses are valid. This includes satisfying all the participation requirements listed in ‘Attachment 2 – Terms of Participation’.

## We may exclude Potential Providers that do not provide full and accurate information.

# Selection Stage and the Selection Questionnaire (“SQ”)

## The purpose of the selection stage is to assess your suitability and capability to perform the contract. You must complete the Selection Questionnaire provided in ‘Attachment 6 – Participation Requirements and Selection Questionnaire’. It is based on the template that all Government departments must use following [Procurement policy note 8/16](https://www.gov.uk/government/publications/procurement-policy-note-816-standard-selection-questionnaire-sq-template). Some questions ask for essential details about your organisation. Other questions seek to find out about your financial health and your technical and professional ability.

## We will assess your responses in accordance with the selection criteria, guidance and scoring matrix set out in the Selection Questionnaire Assessment section below. We will exclude Potential Providers that do not meet the selection criteria.

Selection Questionnaire Assessment

|  |  |  |
| --- | --- | --- |
| **SELECTION CRITERIA** | | |
| **PART 1: POTENTIAL PROVIDER INFORMATION** | | |
| **Section** | **Assessment Criteria** | **Weighting** |
| Section 1: Potential Provider information | You are required to provide full and accurate information about who you are and what is your approach to this Procurement.  You are required to answer Yes to confirm your acceptance of the participation requirements set out in question 1.3. If you do not answer Yes to these questions you will not be permitted to participate in this Procurement.  We may exclude Potential Providers that do not provide full and accurate information. | N/A |
| **PART 2: EXCLUSION GROUNDS** | | |
| Section 2: Grounds for mandatory exclusion | If you answer Yes to any of the questions in this section, you are required to provide evidence of ‘self-cleaning’ (see Regulation 57 (13) of the Regulations) against the relevant conviction.  If you cannot provide evidence of ‘self-cleaning’ which is acceptable to us, you will be excluded from further participation in this Procurement. | Pass or Fail |
| Section 3: Grounds for discretionary exclusion | If you answer Yes to any of the questions in this section you are required to upload evidence of ‘self-cleaning’ (see Regulation 57 (13) of the Regulations) against the relevant conviction.  If you cannot provide evidence of ‘self-cleaning’ which is acceptable to us, you may be excluded by us from further participation in this Procurement. | Pass or Fail |
| **PART 3: SELECTION QUESTIONS** | | |
| Section 4: Economic and Financial Standing | We will exclude Potential Providers where there is a high risk of:   * Insolvency over the lifetime of the contract * Inability to cope with the contract size * Insufficient financial capacity to deliver the services effectively   You will be awarded a pass in this section if you meet these requirements:   * Your turnover for each of the last two years must be greater than or equal to 225,000 (twice the estimated contract value) * You must have a current ratio (current assets/current liabilities as referenced in the last audited accounts) greater than or equal to 1 * Your D&B Failure score is equal to or greater than either 40 or the Industry Average figure (whichever is the lower)   Where these requirements are not met (or where information is not available), we may seek further information including unaudited accounts, management accounts, cash-flow statements and any other appropriate documentation.  An assessment will be made using all available information, including financial accounts submitted, established indicators of risk and financial strength through D&B (or equivalent), financial value and nature of the project.  We may (at our sole discretion) award a pass mark where Potential Providers can provide a guarantee of performance and financial standing through a parent company guarantee from the ultimate asset-owning parent and/or a performance bond.    Only in the event material concerns may not be rectified will Potential Providers receive a Fail. | Pass or Fail |
| Section 5: Wider Groups / Parent Company | If the bidder has indicated in the ‘Attachment 6 - Participation Requirements and Selection Questionnaire’ (question 1.2 - Bidding Model) that they are part of a wider group, then the bidder must be able to provide:   * Name of organisation and relationship to the supplier completing these questions; * A copy of the parent company accounts (if requested at a later stage); * If available, would the parent company be willing to provide a guarantee (if necessary); * If not available, would the bidder be able to obtain a guarantee elsewhere (i.e. a bank?) | Pass or Fail |
| Section 6: Technical and Professional Ability | You must demonstrate you have the necessary technical and professional resources and experience to perform the Contract to the required standard. Potential Providers (Lead Contact for a Group of Economic Operators) must provide:   * Three comparable contract examples; and * Evidence within these contracts examples to demonstrate that you have the necessary technical and professional ability.   Contract Examples must:   * Have been performed over and at the most within the last three years prior to the publication of the OJEU Notice to be valid and can be from the public or private sector; and * Confirm that where customer contacts are provided, customer contacts have been made aware that they may be contacted by us to verify the accuracy of the information provided at any time. We may exclude Potential Providers that do not provide full and accurate information. Customer contacts must not be employed by your organisation or be from within your associated group of companies.   Examples of call-off contracts awarded under framework agreements will be considered valid, but citing a framework agreement that you have been awarded will NOT be considered valid Contract Example.  We will use the information you provide in this section to evaluate whether your organisation and/or members within the Group of Economic Operators and/or named Sub-Contractors have the relevant professional and technical ability to perform the requirement for this Procurement.  Bids submitted by a potential supplier proposing to use sub-contractors should provide a relevant example where one or more of the essential sub-contractors have delivered similar requirements as part of a single, composite response (separate examples are not required from each sub-contractor). (N.B. the second paragraph of Annex A – Standard Selection Questionnaire requires that are relied upon to meet the selection criteria must provide a completed Part 1 and Part 2  You must inform us of any changes to the bidding model or consortium arrangements and provide us with a self-declaration of the exclusion grounds (Part 1 and Part 2 of the standard Selection Questionnaire) for any new organisation. We will carry out a further assessment using the standard selection questions and any specific selection criteria. We may deselect a potential supplier or a group prior to any award of contract, based on an assessment of the updated information. | Pass or Fail |
| Section 7: Modern Slavery Act 2015 | Since 1 October 2015, commercial organisations that carry on a business or part of business in the UK, supply goods or services and have an annual turnover of £36 million or more ("relevant commercial organisations") have been required under Section 54 of the Act to prepare a slavery and human trafficking statement as defined by section 54 of the Act.  You will fail this question if you fall under the definition of “relevant commercial organisation” and are not compliant with the requirement to publish a slavery and human trafficking statement. | Pass or Fail |
| Section 8.1: Insurance | Bidders should be able to confirm that they already have, or can commit to obtain prior to the contract commencing the levels of insurance cover indicated ‘Attachment 4 - Contract for the Provision of Services’ (section 9.1) and ‘Attachment 6 - Participation Requirements and Selection Questionnaire’ (question 8.1)  Minimum insurance requirements:   |  |  | | --- | --- | | Type of Insurance | Minimum Cover | | Employer’s Liability | £5 million | | Public Liability | £5 million | | Professional Indemnity | £5 million | |  |  | | Pass or Fail |
| Section 8.2: Skills and Apprentices | Not Applicable | Not Used |
| Section 8.3: Steel | Not Applicable | Not Used |
| Section 8.4: Suppliers’ Past Performance | Not Applicable | Not Used |

* 1. If you score a "fail" for any question, your bid will be non-compliant and will not be considered further

Outcome of Selection Stage

## We will evaluate your responses using the selection criteria, guidance and scoring matrix set out in the next section (Selection Questionnaire Assessment). Your questionnaire will be evaluated with a Pass or Fail score.

# Award Stage and the award questionnaire (“AQ”)

## The Award Stage evaluation consists of an evaluation of your response to ‘Attachment 7 – Award Questionnaire’and an evaluation of the prices tendered in response to ‘Attachment 8 – Pricing Schedule’.

## Award of this contract will be on the basis of “Most Economically Advantageous Tenderer” (MEAT). This will consist of a quality / price ratio to determine the outcome of the evaluation where quality and price are weighted and scored individually before being combined.

## The maximum possible consolidated score is 100 points which is broken down as follows:

| **SERVICE PROVISION** | **MAXIMUM QUALITY SCORE** | **MAXIMUM PRICE SCORE** | **MAXIMUM CONSOLIDATED SCORE** |
| --- | --- | --- | --- |
| Qualified Persons for Pharmacovigilance Services | 60 | 40 | 100 |

## The Authority will assess your response to ‘Attachment 7 – Award Questionnaire’ in accordance with the criteria, guidance and scoring matrix set out below.

Award Questionnaire Assessment

| **Number** | **Subject** | **Question** | **Response Guidance** | **Weighting** | **Word Count** |
| --- | --- | --- | --- | --- | --- |
| **AQ1** | Overview of service provision | Potential Providers must provide a concise summary highlighting the key aspects of the proposal | This response is not evaluated and is used to contextualise the Potential Provider’s response.) | Not Scored | 400 |
| **AQ2** | Qualified Person services | Tenderers must provide information regarding the provision of QP services on a 24hrs, 7 day week, year round basis. | The Authority seeks to establish how the Tenderer intends to meet the requirements of the legislation for the MAH to have access to QP services on a 24/7 basis, with these services provided by appropriately qualified personnel,  The tenderer’s response should show that it:   * Understands the legislative requirements as to the provision of QP services; * Has access to appropriately qualified personnel to provide QP services, and the response gives details of personnel, their qualifications and experience; * Have systems in place to ensure that QP services can be provided on a 24hrs year round basis. | 15 | 400 |
| **AQ3** | Reporting systems and procedures | Tenderers must provide details on how they would handle reports of adverse reactions and/or incidents. | The Authority seeks to establish that the Tenderer has processes in place to handle adverse reactions and/or incidents.  The Tenderer’s response shows that it has:   * A credible and robust electronic system for recording adverse reactions and incidents; * Has processes for investigating adverse reactions and/or incidents; * Has processes for reporting adverse reactions and/or incidents to the relevant Regulatory Authorities within the timescales set out in the legislation, and to the Authority; * Has a process in place to undertake any follow up action which may be required. | 10 | 400 |
| **AQ4** | Signal Detection | The Tenderer must provide information on signal detection activity | * Seeks to establish that the Tenderer has the necessary processes in place to undertake signal detection activity and to respond to the results of this activity * The Tenderer’s response should give details of:   + the frequency of the signal detection activity it proposes to carry out   + the frequency of detection activity, and the sources of information it will use for this activity   + how information from signal detection activity will be recorded, analysed and used to prepare the extended signal detection report, | 10 | 400 |
| **AQ5** | Regulatory Authority Interaction | The Tenderer must provide an outline report on how they would respond to any enquiries from the Regulatory Authorities. | The Authority seeks to establish that the Tenderer is able to respond to any queries about the product for the Regulatory Authorities.  The Tenderer’s response shows that it:  Has a process in place to receive, to analyse and to respond to any queries from the Regulatory Authorities within the timescales set out in the legislation? | 10 | 400 |
| **AQ6** | Pharmacovigilance System Master File (PSMF) maintenance | The Tenderer must provide information on how they intend to ensure that the Pharmacovigilance System Master File (PSMF) is kept up to date in accordance with the legislation. | The Authority seeks to establish that the Tenderer has governance procedures in place that ensures the PSMF is kept up to date.  The Tenderer’s response show that it:   * Has a system on which the PSMF can be held; * Has a documented governance procedure in place that ensures that the PSMF is kept up to date in line with the requirements of legislation. | 10 | 400 |
| **AQ7** | Maintenance procedures of Summary of Product Characteristics (SPC’s), Patient Information Leaflets (PIL’s) and other information | The Tenderer must provide information on how they would update the Summary of Product Characteristics (SPC’s), Patient Information Leaflets (PIL’s) and labelling including the provision of summary documents to support variation applications to MHRA as necessary. | The Authority seeks to establish that the Tenderer has the necessary internal processes to successfully deliver the specifications.  The Tenderer’s response shows that it:   * Have processes in place to conduct any necessary updating of the SPC’s, PIL’s and labelling including the provision of summary documents to support variation applications to MHRA. | 10 | 400 |
| **AQ8** | Collaboration with Authority and its representatives | The Tenderer must outline how they intend to work together with the Authority, the Authority’s Contract Manager, and the product manufacturer in an effective and collaborative manner. | The Authority seeks to establish that the Tenderer has the capability to build effective working relationships with key stakeholders to ensure that a high quality and compliant vitamin product is provided to Healthy Start beneficiaries.  The Tenderer’s response shows that it:   * Is able to build an effective working relationship with the Authority and the Authority’s Contract Manager; * Is able to work with the product manufacturer, providing input on QP and other quality issues as necessary. | 10 | 400 |
| **AQ9** | Exit Strategy | The Authority requests that the bidder submits a suitable Exit Strategy | The Authority seeks to establish that the Tenderer has a creditable Exit Strategy which will support the Authority’s re-procurement of the QP service at the end of the current contract.  The Tenderer’s response shows that it:   * Has a developed and creditable Exit Strategy which will allow the Authority to successfully re-procure the QP service at the end of this contract. | 10 | 400 |
| **AQ10** | Submission of Business Continuity and Disaster Recovery Plans | The Tenderer is to outline their Business Continuity and Disaster Recovery Plan (BCDR) that also covers IT provisions | The Authority seeks to establish that the Tenderer has the necessary BCDR arrangements in place, to ensure successful delivery of the specification.  The Tenderer’s response shows that it:   * Has a robust BCDR process in place to ensure continuity of services to the Authority as required by legislation. | 10 | 400 |
| **AQ11** | Authority Responsibilities | Tenderers are requested to identify any areas of responsibility that the Authority has NOT already detailed or identified within the specification. | The Authority seeks to ensure that the Tenderer is not seeking to transfer unreasonable, material, additional costs or increased risk back to the Authority.  The Tenderer’s response show that it:   * The submission does not impose additional material and adverse risk, responsibility or cost on to the Authority | 5 | 400 |

Scoring Descriptors

## The aim of the scoring during the Award Stage Evaluation is to place emphasis on the degree of confidence that the proposals are deliverable, as opposed to them being merely a reassuring and can-do form of words. A higher degree of confidence is gained where there is a deep discussion and provision of example that reduce an evaluator’s perception of performance risk. In addition, where applicable, the greater the effort made to make the proposals sufficiently certain and detailed so that they can be relied on from a contractual point of view (vague words are difficult to enforce as an obligation), the higher the score.

## Scored questions will be allocated a score out of 4 using the following marking scheme:

|  |  |
| --- | --- |
| **SCORE** | **JUDGEMENT** |
| 0 | Failure to understand and/or failure to substantial failure to provide and/or provides no confidence that the requirements will be delivered. |
| 1 | Some misunderstandings and a generally low level of information and detail provided. Fails to meet the requirements in many ways and/or materially in one or more ways, and provides insufficient confidence of ability to meet and deliver the requirements. |
| 2 | Generally understands the issues and addresses them appropriately with sufficient information but some areas demonstrate a misunderstanding, a low level of detail, and/or provides more of a “model answer” than a true commitment, and so only provides some confidence that they will be able to deliver in line with the requirements. |
| 3 | Good understanding of the issues, good level of detail, and demonstrated that proposals are feasible so that there is a good level of confidence that they will deliver the requirements. |
| 4 | High degree of confidence that the Potential Provider’s proposal will meet the requirements, demonstrated through a very good understanding of the issues and what is being asked for. Proposals set out how and what will be delivered. |

Consensus Marking

## Tenders that are scored and require evaluation will be evaluated in accordance with the procedure described in this paragraph (at both Selection and Award Stage)

## The Consensus Marking Procedure is a two-step process consisting of independent evaluation followed by group consensus marking.

## During the independent evaluation process each evaluator will independently apply the criteria applicable to the question as set out in the evaluation guidance to determine the overall quality of each answer. Each evaluator will then allocate a mark for the answer in accordance with the Marking Scheme applicable to that question. Each evaluator will also provide a justification for the mark he/she attributed to an answer.

## When the independent evaluation exercise has been completed by all of the evaluators, a consensus manager will arrange for the evaluators to meet and discuss the marks they have allocated to responses provided in the Tender. The consensus manager will facilitate discussion among the evaluators regarding the marks awarded and the related justifications until the evaluators reach a consensus regarding the mark that should attributed to each Potential Provider’s answer to the question. The process above will be repeated until all applicable answers in the Tender have been consensus marked by evaluators. The consensus manager will record the consensus mark.

Determining the Quality Score

## The Award Questionnaire contains 11 questions. Question AQ1 is not evaluated. The remaining 10 of these questions are evaluated using the Scoring Descriptors above.

## The maximum score available for each question is 4. Each award question is weighted and the total weightings amount to 100. The maximum number of points across all questions is therefore 400. Your score for each question will be multiplied by the weighting for each question to arrive at a score out of 400.

## The quality/price ratio for this exercise is 60:40. Your score will be divided by the maximum of 400 and multiplied by the Maximum Quality Score of 60. The Quality score will be rounded to two decimal places.

Minimum Quality Threshold

## An agreed consensus score of zero (0) in any of the evaluated Award stage questions shall constitute a failure to evidence satisfactory delivery of the Procurement and will automatically disqualify the Potential Provider.

## Potential Providers must also meet an overall minimum Quality Score of 30, consisting of 50% of the Maximum Quality Score of 60.

# Tender Clarification Meeting

## Following the assessment of the tender proposals, we may invite you to a clarification meeting. If required this will take place between receipt of tenders and announcement of successful tender. It is anticipated you will be provided with at least two days’ notice if a meeting is to be required.

## If we decide to hold a clarification meeting the number of Potential Providers to be invited will be determined by us (at our sole discretion).

## At clarification meetings, Tenderers will be invited to give a short presentation on their proposals. Key personnel in the delivery should attend and be involved in all aspects of the meeting.

## The purpose of the meeting is to gain a greater understanding of proposals and you will generally be asked to deliver a short presentation followed by a question and answer session.

## Although not scored on a separate basis, the session will be used to confirm the quality score assessments of the tender evaluation.

# Clarification

## We may need to clarify aspects of the tender, particularly where there are aspects that are unclear or appear to contain minor errors. In this case, we may request further information from you through the e-Sourcing portal. The evaluators may adjust the scores given in any section following clarification.

## We are required to seek an explanation from Potential Providers where a price appears to be abnormally low in relation to the supplies and services being offered. We may reject any tender where the explanations given and any evidence supplied do not satisfactorily account for the low level of price concerned.

# Price Evaluation Process

There are a total of 40 available marks split between the two cost elements. The Routine (Expected) Average Monthly Cost shall be scored out of 37 available marks whilst the Service Delivery Costs shall be scored out of 3 available marks.

**Routine (Expected) Average Monthly Costs**

## The following pricing element shall be scored from a maximum of 37 available marks.

## You are required to submit a price as described in ‘Attachment 8 – Pricing Schedule’ - Table 1. The ‘Forecast Cost per Month’ column shall be totalled to give an overall monthly charge.

## The Potential Provider with the lowest price will be awarded the Maximum Score Available. The remaining Potential Providers will be awarded a percentage of the Maximum Score Available relative to the lowest price submitted using the following formula:

|  |
| --- |
| **lowest price tendered** |
| **Tender price** |

## **Price Score = 37 (Maximum Price Score)**

## The Price Score will be rounded to two decimal places.

## For example:

|  | **Total Forecast Cost per Month** | **Calculation** | **Price Score** |
| --- | --- | --- | --- |
| Bidder A | £1,000 (lowest price tendered) | £1,000/£1,000 x 37= | 37 |
| Bidder B | £2,000 | £1,000/£2,000 x 37= | 18.5 |
| Bidder C | £2,500 | £1,000/£2,500 x 37= | 14.8 |

**Service Delivery Costs (based on a blended rate card)**

(These hourly rates would only apply to any ad-hoc or unexpected work required to ensure legal compliance or if instructed by the Department)

## The following pricing element shall be scored from a maximum of 3 available marks.

## You are required to submit an hourly rate as described in ‘Attachment 8 – Pricing Schedule’ - Table 2. The marks will be awarded based on a Blended Rate Card of the hourly rates.

## The blended rate card consists of the following:

(Technical rate x 60%) + (Advisor rate x 25%) + (Administrator rate x 15%) = Total Blended Rate.

## Once the Total Blended Rate is calculated a price score shall be calculated as detailed below.

## 7.9 The Potential Provider with the lowest price will be awarded the Maximum Score Available. The remaining Potential Providers will be awarded a percentage of the Maximum Score Available relative to the lowest price submitted using the following formula:

|  |
| --- |
| **lowest price tendered** |
| **Tender price** |

## **Price Score = 3 (Maximum Price Score)**

## The Price Score will be rounded to two decimal places.

Consolidated Score

## The Quality Score will be added to the Price Score to determine the final score for each Potential Provider (“Consolidated Score”).

# CONTRACT AWARD

## The Potential Provider that achieves the highest Consolidated Score will be awarded the Contract provided that they have achieved any minimum score required.

## If two or more Potential Providers obtain an equal Consolidated Score, the Potential Provider with the highest score for the Award Question **AQ2** will be deemed the winner and awarded the Contract.

## If the Authority receives only one Tender in relation to this Procurement, the Potential Provider will be awarded the Contract provided that they meet the Minimum Quality Score and the Price is deemed affordable.