# Invitation to Tender (ITT) and Statement of Requirement

# Passenger complaints handling Satisfaction Survey

07 February 2025

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Purpose of the document

The purpose of this document is to invite proposals for **Passenger complaints handling satisfaction survey** for the Office of Rail and Road (ORR).

This document contains the following sections:

* + - 1. Introduction to the Office of Rail and Road
			2. Statement of Requirement
			3. Tender Proposal & Evaluation Criteria
			4. Procurement Procedures

## Introduction to the Office of Rail and Road

The Office of Rail and Road is the independent safety and economic regulator of Britain’s railways who also hold National Highways to account for its day-to-day efficiency and performance, running the strategic road network, and for delivering the five year road investment strategy set by the Department for Transport (DfT).

ORR currently employs approximately 360 personnel and operates from 6 locations nationwide. The majority of personnel are located at ORR’s headquarters, 25 Cabot Square, London.

### Our strategic objectives

#### 1. A safer railway:

Enforce the law and ensure that the industry delivers continuous improvement in the health and safety of passengers, the workforce and public, by achieving excellence in health and safety culture, management and risk control.

#### 2. Better rail customer service:

Improve the rail passenger experience in the consumer areas for which we have regulatory responsibility and take prompt and effective action to improve the service that passengers receive where it is required.

#### 3. Value for money from the railway:

Support the delivery of an efficient, high-performing rail service that provides value for money for passengers, freight customers, governments, and taxpayers.

#### 4. Better Highways:

National Highways operates the strategic road network, managing motorways and major roads in England. Our role is to monitor and hold it to account for its performance and delivery, so that its customers enjoy predictable journeys on England’s roads.

### Supplying ORR

The ORR procurement unit is responsible for purchasing the goods and services necessary for ORR to achieve its role as the economic and health & safety regulator of the rail industry.

The ORR Procurement unit subscribes to the following values:

* + - * + to provide a modern, efficient, transparent and responsible procurement service;
				+ to achieve value for money by balancing quality and cost;
				+ to ensure contracts are managed effectively and outputs are delivered;
				+ to ensure that processes have regard for equality and diversity; and
				+ to ensure that procurement is undertaken with regard to Law and best practice.

For further information on ORR please visit our website: [www.orr.gov.uk](https://www.orr.gov.uk/).

Small and Medium Enterprises

1. ORR considers that this contract may be suitable for economic operators that are small or medium enterprises (SMEs) and voluntary organisations. However, any selection of tenderers will be based on the criteria set out for the procurement, and the contract will be awarded on the basis of the most economically advantageous tender.

Small and Medium Enterprises and Voluntary Organisations:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Enterprise Category | Headcount | Turnover  | Or | Balance Sheet Total |
| Micro | <10 | ≤ € 2 million |  | ≤ € 2 million |
| Small | <50 | ≤ € 10 million |  | ≤ € 10 million |
| Medium | <250 | ≤ € 50 million |  | ≤ € 43 million |
| Large | >251 | > € 50 million |  | > € 43 million |

Please ensure that you indicate how your organisation is categorised on the Form of Tender document which should be submitted along with your proposal.

## Statement of Requirement

### 2.1 Background of the project

Office of Rail and Road (ORR) consumer team undertake a range of work to improve the passenger experience in areas such as compensation, retailing of train tickets, provision of information and accessible travel. An important part of this work is ensuring train operating companies (TOCs) can learn from mistakes and make improvements based on passenger feedback. Customer complaints form a key aspect of this.

Since 2016, ORR have been working with TOCs to conduct an ongoing, large-scale complaints handling satisfaction survey. The aims of the surveys are to evaluate how effectively train operators handle and respond to passenger complaints, assess how well train operators comply with the ORR complaints handling requirements and ensure that TOC’s procedures are effectively working for passengers.

The survey is managed and administered by a professional research agency on our behalf. It is an online survey and typically generates around 30,000 responses per year across all participating TOCs. Currently 23 TOCs participate in the survey.

This research is vital in enabling us to track train operating companies’ compliance with complaint handling regulatory requirements over time.

The large sample size ensures that we can report in a robust way at an individual TOC level. This also means the survey data helps train operating companies to continually benchmark their performance against other companies which fosters a positive culture of continuous improvement in complaint handling across the industry.

In terms of sample generation, when a passenger complaint is closed, the TOC compiles a sample file (an Excel template with specified fields) of those complainants who provided an email address and did not opt out of having their data shared with a third party. The sample file also contains other useful information such as when the complaint was closed and the topic of the complaint using ORR specified complaint categories. **It should be noted that the successful bidder will be required to establish data sharing arrangements with all participating TOCs directly. ORR can help facilitate this.**

Outputs from the survey are utilised as part of our on-going compliance monitoring and data reporting. ORR compile and publish data tables and factsheets on our Data Portal using the survey results from the research agency. Examples of these are available here: [2023-24 ORR’s Passenger satisfaction with complaints handling factsheet](https://dataportal.orr.gov.uk/statistics/passenger-experience/passenger-satisfaction-complaints-handling/) and [Data Table](https://dataportal.orr.gov.uk/statistics/passenger-experience/passenger-satisfaction-complaints-handling/table-4170-passenger-satisfaction-with-complaints-handling/).

Fieldwork is undertaken and recorded for individual rail periods (4-weekly). ORR receive the results each period and TOCs receive the survey outputs on a quarterly basis as standard. However, if required, the successful bidder should be able to produce results on a periodic basis for any number of TOCs.

Given this is an online survey the successful bidder will have to demonstrate how they will make it accessible to those with accessibility requirements by showing compliance with WCAG standards.

### 2.2 Project Objectives and Scope

The overall aim of the passenger complaints satisfaction survey is to gain insight into passengers’ experiences with the complaints handling procedures of TOCs including compliance with key aspects of the [ORR Complaints Code of Practice](https://www.orr.gov.uk/sites/default/files/2023-02/final-complaints-code-of-practice-clean.pdf).

This should involve:

* Engaging a large number of passengers who have complained to a TOC about a recent journey
* Evaluating passenger experiences of how their complaint was handled, including but not limited to:

Overall satisfaction with complaint handling and outcome

Satisfaction with several key aspects of complaint handling

Quality of complaint handling

Whether provisions were made for disabled passengers to access the complaints process

* Establishing data transfer processes with the TOCs as they will provide the sample (e.g., a data sharing agreement that ensures customer data, including email addresses will be handled in compliance with GDPR).
* Developing a robust and secure methodology for gathering the passenger contacts, compiling them, sending the survey invites and sending reminders to non-respondents.
* Reviewing the survey content. The successful bidder will design an online survey, for which the questions will be broadly similar to those currently used. The full list of current questions is available in section 2.3. Retaining the core questions enable us to maintain timeseries data and make comparisons on train companies’ performance over time. However, we may want to make some minor changes and are open to suggestions for improvements.
* Designing and hosting the online survey platform.
* Ensuring the survey is accessible to those with accessibility needs, is compliant with web accessibility requirements (WCAG standards) and can be used on multiple platforms.
* Setting up the process to send the survey invites via email, ensuring this is done as close to the end of the relevant rail periods as possible to maximise respondent recall.
* Carry out fieldwork ensuring response volumes for each TOC are maximised.
* Regular analysis and reporting of findings to be shared with ORR project team on a periodic basis (every 4 weeks) and individual TOCs every quarter.
* Analysis of verbatim comments to draw out common themes and drivers of satisfaction / dissatisfaction. The aim being to provide valuable insight into good and bad practices that could be discussed with operators to drive improvements. We would welcome innovative proposals on how this can be achieved.
* Re-weighting the survey outputs back to TOC complaint closure volumes (provided by ORR).
* Creation and maintenance of a dashboard for the ORR project team to view and interrogate.

Passengers are given the opportunity to opt out of being contacted regarding the ORR survey. The sample will be provided by individual TOCs to the successful bidder on a rolling four-weekly basis, and no more than 5 working days after each four-weekly rail period. Only complainants that have received a first substantive response from the TOC will be included in the sample. There will be a 6-month exclusion period for each individual that completes the survey. The research agency is to maintain a database of passenger opt outs to ensure that passengers who have requested to not be contacted are not invited to participate in the survey.

**Duration of project**

Two years with the possibility of extension for two further years (1+1).

Field work will cover April 2025 to March 2026 and April 2026 to March 2027.

**Data security**

The successful bidder must have a secure database to receive the sample and provide guidance to TOCs on how to supply and transfer data each rail period. Confidentiality and data agreements will need to be established between the successful bidder and individual TOCs.

### 2.3 Project Outputs, Deliverables and Contract Management

**Outputs & Deliverables**

* Continuous and consistent data resulting from the customer surveys in each rail period for TOCs and ORR project team.
* Survey design and regular statistical analysis.
* Dashboard creation and maintenance.
* Excellent stakeholder engagement and communication with all the operators taking part in the survey.
* The supplier should prepare a detailed project plan and present it with the proposal. This should include key activities, milestones and the agency staff (including their level of seniority) who will be responsible. If a contract is awarded to the supplier, the plan should be kept up to date throughout the lifespan of the project.
* Monthly updates on progress and reflection on previous month’s work
* Delivery of an Excel file (or equivalent) with survey results at the end of each period & quarter at industry level (All TOCs) and for each individual TOC to the ORR project team – to include data tables and raw data
* Delivery of an Excel file (or equivalent) with survey results at the end of each quarter sent directly to each TOC – in the form of data tables only (no raw data). Table templates can be provided by ORR.
* Analysis of verbatim comments at a frequency agreed with ORR.

**Current Survey Questions**

Q1. Ignoring for the moment [the TOC’s] handling of the issue, how satisfied or dissatisfied were you with the outcome of your particular complaint?

Q2. Why do you say that you were satisfied / dissatisfied with the outcome?

Q3. Putting to one side the outcome of your complaint, we would like you to think about the process you went through. So overall, how satisfied or dissatisfied were you with the way your complaint was handled?

Q4. Did [TOC] explain how it decided the outcome of your complaint?

Q5. Did  [TOC] address the points you raised in your complaint?

Q6. To the best of your knowledge, how long did it take [TOC]  to respond with the outcome of your complaint?

Q7. Was [TOC] 's response to your complaint clear / easy to understand?

Q8. Were [TOC]'s staff knowledgeable about the subject matter of your complaint?

Q9. How satisfied or dissatisfied were you with each of the following aspects of the complaint handling process?

1. The ease with which you were able to make the complaint
2. The time taken to deal with your complaint
3. Your complaint was taken seriously
4. Your complaint was fully addressed by [TOC]
5. [TOC] seemed keen to reach an agreeable outcome
6. [TOC] was polite
7. [TOC] was helpful/ knowledgeable
8. Being kept informed appropriately about the progress of your complaint
9. The clarity of information provided by [TOC] about your complaint
10. [TOC] provided you with any information that they promised to send

Q10. What age are you?

Q11. What was the main purpose of the journey?

Q12. How did you make your complaint?

Q13. And finally, is there anything else you would like to say about your experience with this particular complaint?

Q14. Do you have any physical or mental health conditions or illnesses lasting or expected to last 12 months or more?

Q14a. Did your condition or illness affect your ability to engage in [TOC X’s] complaints handling process?

Q14b  During the complaints process, was the operator aware of your condition?

Q14c  Did the operator make any provision to assist you with the complaints process?

Q14d.  If you wish, please provide some more detail on any barriers that prevented you from fully engaging in the complaints handling process.

#### Contract Management Requirements

* + Monthly progress meetings
	+ Monthly fieldwork updates – including maintaining a log of the volume of contacts received from each TOC, the volume of invites issued and the volume of responses per rail period.
	+ Ad-hoc contact with the ORR project team by Teams / emails as needed

### 2.4 Project Timescales

* + Start-up meeting and commencement 24 Mar 2025
	+ Fieldwork to commence 19 May 2025
	+ Data files covering each rail period prepared and provided once a quarter
	+ Each of the rail periods when surveys should be undertaken are below:

|  |  |  |  |
| --- | --- | --- | --- |
| **Rail year**  | **Rail period**  | **Start date**  | **End date**  |
| Apr 2025 to Mar 2026   | 1  | 1 April 2025  | 26 April 2025  |
| 2  | 27 April 2025  | 24 May 2025  |
| 3  | 25 May 2025  | 21 June 2025  |
| 4  | 22 June 2025  | 19 July 2025  |
| 5  | 20 July 2025  | 16 August 2025  |
| 6  | 17 August 2025  | 13 September 2025  |
| 7  | 14 September 2025  | 11 October 2025  |
| 8  | 12 October 2025  | 8 November 2025  |
| 9  | 9 November 2025  | 6 December 2025  |
| 10  | 7 December 2025  | 3 January 2026  |
| 11  | 4 January 2026  | 31 January 2026  |
| 12  | 1 February 2026  | 28 February 2026  |
| 13  | 1 March 2026  | 31 March 2026  |
| Apr 2026 to Mar 2027 | 1  | 01 April 2026 | 02 May 2026 |
| 2  | 03 May 2026 | 30 May 2026 |
| 3  | 31 May 2026 | 27 June 2026 |
| 4  | 28 June 2026 | 25 July 2026 |
| 5  | 26 July 2026 | 22 August 2026 |
| 6  | 23 August 2026 | 19 September 2026 |
| 7  | 20 September 2026 | 17 October 2026 |
| 8  | 18 October 2026 | 14 November 2026 |
| 9  | 15 November 2026 | 12 December 2026 |
| 10  | 13 December 2026 | 09 January 2027 |
| 11  | 10 January 2027 | 06 February 2027 |
| 12  | 07 February 2027 | 06 March 2027 |
| 13  | 07 March 2027 | 31 March 2027 |

### 2.5 Budget and Payment Schedule

The maximum budget for this piece of work is £30,000 (inc. of expenses, exc. of VAT) per annum.

**Payment Schedule**

40% on set up, acceptance of dashboards and delivery and acceptance of data files (tables and raw data results) for rail periods 1-3.

60% on delivery and acceptance of data files (tables and raw data) for rail periods 4-13

This schedule will be replicated for subsequent years.

### 2.6 Further project related information for bidders

#### Intellectual Property Rights

ORR will own the Intellectual Property Rights for all project related documentation and artefacts.

#### Transparency requirements

Please note ORR is required to ensure that any new procurement opportunity above £10,000 (excluding VAT) is published on Contracts Finder, unless the ORR is satisfied it is lawful not to. Once a contract has been awarded as a result of a procurement process, ORR is required to publish details of who won the contract, the contract value and indicate whether the winning supplier is a SME or voluntary sector organisation.

#### Confidentiality

All consultants working on the project may be required to sign a confidentiality agreement and abide by the Cabinet Office’s protective marking guidelines, which ORR uses to protectively mark a proportion of its information. In addition, the consultant may be required to sign additional confidentiality agreements as required by external stakeholders.

#### Sub-Contractors

Contractors may use sub-contractors subject to the following:

* + - * + That the Contractor assumes unconditional responsibility for the overall work and its quality;
				+ That individual sub-contractors are clearly identified, with fee rates and grades made explicit to the same level of detail as for the members of the lead consulting team.

Internal relationships between the Contractor and its sub-contractors shall be the entire responsibility of the Contractor. Failure to meet deadlines or to deliver work packages by a subcontractor will be attributed by ORR entirely to the Contractor.

#### Conflict of Interest

At the date of submitting the tender and prior to entering into any contract, the tenderer warrants that no conflict of interest exists or is likely to arise in the performance of its obligations under this contract; or

Where any potential, actual or perceived conflicts of interest in respect of this contract exist, tenderers need to outline what mitigation/safeguards would be put in place to mitigate the risk of actual or perceived conflicts arising during the delivery of these services.

The ORR will review the mitigation/safeguards in line with the perceived conflict of interest, to determine what level of risk this poses to them. Therefore, if tenderers cannot or are unwilling to suitably demonstrate that they have suitable safeguards to mitigate any risk then their tender will be deemed non-compliant and may be rejected.

## Tender Response and Evaluation Criteria

### 3.1 The Tender Response

The proposals for this project should include an outline of how bidders will meet the requirement outlined in section (ii) “Statement of Requirement”. The following information should be included**.**

* 1. **Understanding of customer's requirements**

Demonstrate an understanding of the requirement and overall aims of the project.

* 1. **Approach to customer's requirements**

Provide an explanation of the proposed approach and any methodologies bidders will work to;

Details of your assumptions and/or constraints/dependencies made in relation to the project

A project plan to show how outputs and deliverables will be produced within the required timescales, detailing the resources that will be allocated;

An understanding of the risks, and explain how they would be mitigated to ensure delivery

What support bidders will require from ORR;

* 1. **Proposed delivery team**

Key personnel including details of how their key skills, experience and qualifications align to the delivery of the project; and

Project roles and responsibilities

Confirmation that you have carried out the necessary employment checks (e.g. right to work in the UK)

Some relevant examples of previous work that bidders have carried out (e.g. case studies)

* 1. **Pricing**

A fixed fee for the project inclusive of all expense. This should include a breakdown of the personnel who will be involved with the project, along with associated charge rates and anticipated time inputs that can be reconciled to the fixed fee.

* 1. **Conflicts of Interest**

Confirm whether you have any potential, actual or perceived conflicts of interest that may by relevant to this requirement and outline what safeguards would be put in place to mitigate the risk of actual or perceived conflicts arising during the delivery of these services.

### 3.2 Evaluation Criteria

Tenders will be assessed for compliance with procurement and contractual requirements which will include:

* + - * + Completeness of the tender information
				+ Completed Declaration Form of Tender and Disclaimer
				+ Tender submitted in accordance with the conditions and instructions for tendering
				+ Tender submitted by the closing date and time
				+ Compliance with contractual arrangements
				+ Submission of Cyber Essentials

Tenders that are not compliant may be disqualified from the process. We reserve the right to clarify any issues regarding a Bidder’s compliance. It will be at ORR's sole discretion whether to include the relevant Bidder’s response in the next stage of the process.

The contract will be awarded to the Bidder(s) submitting the **‘most economically advantageous tender’**. Tenders will be evaluated according to weighted criteria as follows:

#### Methodology (25%)

The proposal should set out the methodology by which the project requirement will be initiated, delivered and concluded. In particular, it must:

* 1. Explain the methodology and delivery mechanisms to ensure that the requirements of this specification are met in terms of quality;
	2. Explain how your organisation will work in partnership with ORR’s project manager to ensure that the requirement is met
	3. Explain how your organisation will engage with external stakeholders;
	4. Outline how the proposed approach utilises innovative consultation methodologies to develop a diverse and comprehensive evidence-base

#### Delivery (25%)

The proposal should set out how and when the project requirement will be delivered. In particular, it must:

* 1. Explain how this work will be delivered to timescale and how milestones will be met, detailing the resources that will be allocated to each stage;
	2. Demonstrate an understanding of the risks, and project dependencies and explain how they would be mitigated to ensure project delivery;
	3. Explain the resources that will be allocated to delivering the required outcomes/output, and what other resources can be called upon if required.

#### Experience (25%)

The proposal should set out any experience relevant to the project requirement. In particular, it must:

* 1. Provide CVs of the consultants who will be delivering the project;
	2. Highlight the organisation’s relevant experience for this project, submitting examples of similar projects.

#### Cost / Value for money (25%)

A **fixed fee** for delivery of the project requirement (inclusive of all expenses), including a **full price breakdown for each stage of the project** and details of the **day rates** that will apply for the lifetime of this project.

| Name of consultant | Grade | Role  | Day rate | Number of days | Total cost (ex VAT) |
| --- | --- | --- | --- | --- | --- |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |

Please note that consultancy grades should align with the following definitions:

| Grade | Requirement |
| --- | --- |
| Junior consultant | Demonstrable experience in a wide range of projects in their specialist field. Evidence of client facing experience and support services to wider consultancy projects. |
| Consultant | Notable experience and in-depth knowledge of their specialist field. Evidence of a wide range of consultancy projects and client facing experience. Support work in process and organisational design and leading workshops and events. |
| Senior Consultant | Substantial experience in their specialist field and in a consultancy/training role. Previous experience in project management and working in a wide range of high quality and relevant projects. Familiarity of the issues/problems facing public sector organisations. |
| Principal Consultant | Substantial experience in their specialist field and in a consultancy/training role. Sound knowledge of the public sector and current policy and political issues affecting it. Previous experience in project management on at least three major projects, preferably in the public sector and using the PRINCE2 or equivalent method. |
| Managing Consultant | Substantial experience in their specialist field and in a consultancy role. In depth knowledge of the public sector and of current policy and political issues affecting it. Previous experience in project management on at least 5 major projects, preferably in the public sector and using PRINCE2 or equivalent methods. |
| Director / Partner | Extensive experience in their specialist field, in which they are nationally or internationally renowned as an expert. Extensive experience of leading or directing major, complex and business critical projects; bringing genuine strategic insight. In depth knowledge of the public sector and of current policy and political issues affecting it. |

#### Marking scheme

For the Methodology, Delivery and Experience shall be scored using the following:

|  |
| --- |
| **Table of Evaluation Methodology and Marking Scheme for Quality Criteria** |
| **Score** | **Category** | **Definition (Explanation)**  |
| 0 | Unacceptable | Unanswered or totally inadequate response to the requirement. Complete failure to understand/reflect the core issues. Fails to demonstrate an ability to meet the requirement. |
| 1 | Poor | Minimal or poor response to meeting the requirement, with little or no relevance. Limited understanding misses some aspects.The response addresses few elements of the requirement and contains insufficient/limited detail or explanation to demonstrate how the requirement will be fulfilled. |
| 2 | Fair | Response is mostly relevant, but elements of the response are poor. The response addresses most elements of the requirement but contains limited detail or explanation to demonstrate how some of the requirement will be fulfilled. |
| 3 | Acceptable | Response is relevant and acceptable. The response addresses a broad understanding of the requirement but lacks details on how the requirement will be fulfilled in certain areas. |
| 4 | Good | Response is relevant and good. The response is sufficiently comprehensive to assure and demonstrate a good understanding, also providing much detail on how the requirements will be fulfilled. |
| 5 | Excellent | Excellent response fully addressing the requirement and providing significant additional evidence of how the criterion has been met and how value would be addedThe response is comprehensive, unambiguous and demonstrates a thorough understanding of the requirement and provides details of how the requirement will be met in full. |

For the Price evaluation the following shall apply:

* + - * + Fixed fee
				+ The lowest fixed fee will be awarded the maximum price score of 100.
				+ All other bidders will get a price score relative to the lowest fee tendered.
				+ The calculation we will use to calculate your score is as follows:

Price Score = Lowest Total Fee x 100

 Bidder’s Total Fee

Your score will then be multiplied by the weighting we have applied to this aspect of the price evaluation to provide a weighted score for the fee.

## Procurement Procedures

### Tendering Timetable

The timescales for the procurement process are as follows:

| Element | Timescale |
| --- | --- |
| Invitation to tender issued | 07/02/2025 |
| Deadline for the submission of clarification questions | 18/02/2025 12:00 |
| Deadline for submission of proposals | 21/02/2025 12:00 |
| Award contract | 14/03/2025 |
| Project Inception Meeting | 24/03/2025 |

### Tendering Instructions and Guidance

#### Amendments to ITT document

Any advice of a modification to the Invitation to Tender will be issued as soon as possible before the Tender submission date and shall be issued as an addendum to, and shall be deemed to constitute part of, the Invitation to Tender. If necessary, ORR shall revise the Tender Date in order to comply with this requirement.

#### Clarifications & Queries

Please note that, for audit purposes, any query in connection with the tender should be submitted via the ORR eTendering portal. The response, as well as the nature of the query, will be notified to all suppliers without disclosing the name of the Supplier who initiated the query.

**Submission Process**

Tenders must be uploaded to the ORR eTendering portal no later than the submission date and time shown above. Tenders uploaded after the closing date and time may not be accepted. Bidders have the facility to upload later versions of tenders until the closing date/time.

The tender shall consist of two envelopes and bidders must submit the correct documents to the correct envelope as set out below:

#### Technical Envelope: Quality response (Methodology, Delivery, Experience), Disclaimer and Cyber Essentials or ISO27000 certification (or equivalent)

#### Commercial Envelope: Price and Form of Tender

#### If you are already registered on our eTendering portal but have forgotten your login details, please contact the portal administrator.

#### An evaluation team will evaluate all tenders correctly submitted against the stated evaluation criteria.

#### By issuing this Invitation to Tender ORR does not undertake to accept the lowest tender, or part or all of any tender. No part of the tender submitted will be returned to the supplier

#### Cost & Pricing Information

Tender costs remain the responsibility of those tendering. This includes any costs or expenses incurred by the supplier in connection with the preparation or delivery or in the evaluation of the tender. All details of the tender, including prices and rates, are to remain valid for acceptance for a period of 90 days from the tender closing date.

Tender prices must be in Sterling.

Once the contract has been awarded, any additional costs incurred which are not reflected in the tender submission will not be accepted for payment.

#### References

References provided as part of the tender may be approached during the tender stage

#### Accessibility Guidelines

As a public body we are legally required to comply with accessibility guidelines. Please ensure any commissioned report is in a format that meets web accessibility regulations: [Guidelines for writing accessible reports for ORR - Guidance for external suppliers | Office of Rail and Road.](https://www.orr.gov.uk/media/23638)

#### Contractual Information

Following the evaluation of submitted tenders, in accordance with the evaluation criteria stated in this document, a contractor may be selected to perform the services and subsequently issued with an order.

Any contract awarded, as a result of this procurement will be placed with a prime contractor who will take full contractual responsibility for the performance of all obligations under the contract. Any sub-contractors you intend to use to fulfil any aspect of the services must be identified in the tender along with details of their relationship, responsibilities and proposed management arrangements.

The proposal should be submitted in the form of an unconditional offer that is capable of being accepted by the ORR without the need for further negotiation. Any contract arising from this procurement will be based upon ORR’s standard Terms & Conditions (see Form of Agreement attached). You should state in your proposal that you are willing to accept these Terms & Conditions.

ORR does not expect to negotiate individual terms and expects to contract on the basis of those terms alone. If you do not agree to the Conditions of Contract then your tender may be deselected on that basis alone and not considered further.

**ORR may be prepared to consider non-fundamental changes to the standard terms and conditions in exceptional circumstances. If there are any areas where you feel you are not able to comply with the standard ORR terms and conditions, then details should be submitted as a separate annex to the proposal using the following format:**

| Clause Number | Existing Wording | Proposed Wording | Rational for amendment |
| --- | --- | --- | --- |
|  |  |  |  |
|  |  |  |  |

Any services arising from this ITT will be carried out pursuant to the contract which comprises of:

* + - * + ORR Terms & Conditions;
				+ Service Schedules;
				+ this Invite to Tender & Statement of Requirement document; and
				+ the chosen supplier’s successful tender.

ORR’s Transparency Obligations and the Freedom of Information Act 2000 (the Act)

The ORR is a central Government department and as such complies with the Government’s transparency agenda. As a result, there is a presumption that contract documentation will be made available to the public via electronic means. The ORR will work with the chosen supplier to establish if any information within the contract should be withheld and the reasons for withholding it from publication.

Typically the following information will be published:

* + - * + contract price and any incentivisation mechanisms
				+ performance metrics and management of them
				+ plans for management of underperformance and its financial impact
				+ governance arrangements including through supply chains where significant contract value rests with subcontractors
				+ resource plans
				+ service improvement plans

Where appropriate to do so information will be updated as required during the life of the contract so it remains current;

In addition, as a public authority, ORR is subject to the provisions of the Freedom of Information Act 2000. All information submitted to a public authority may need to be disclosed by the public authority in response to a request under the Act. ORR may also decide to include certain information in the publication scheme which it maintains under the Act. If a bidder considers that any of the information included in its proposal is commercially sensitive, it should identify it and explain (in broad terms) what harm may result from disclosure if a request is received and the time period applicable to that sensitivity. Bidders should be aware that even where they have indicated that information is commercially sensitive ORR may be required to disclose it under the Act if a request is received. Bidders should also note that the receipt of any material marked “confidential” or equivalent by the public authority should not be taken to mean that the public authority accepts any duty of confidence by virtue of that marking. If a request is received ORR may also be required to disclose details of unsuccessful bids

Please use the following matrix: to list such information:

| Para. No. | Description | Applicable exemption under FOIA 2000 |
| --- | --- | --- |
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