

REQUEST FOR QUOTATION

FOR

National Highways Consumables Contract 2023_24

NATIONAL HIGHWAYS REF: pro_16137

Return Date of RFQ: 17th March 2023 by 15:00pm

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1. OVERVIEW OF NATIONAL HIGHWAYS

We are the government company charged with operating, maintaining and improving England's motorways and major A roads.

Formerly the Highways Agency, we became a government company in April 2015.

1.1 Our responsibilities

Our road network totals around 4,300 miles. While this represents only 2 per cent of all roads in England by length, these roads carry a third of all traffic by mileage and two thirds of all heavy goods traffic.

We will deliver £15 billion of investment on our road network as described in the government's Road Investment strategy.

This includes £11 billion of capital funding committed between 2015 and 2020 – as set out in our Strategic Business Plan.

1.2 Our aims

Our ambition is to ensure our major roads are more dependable, durable and – most importantly – are safe. We work hard to make sure our road network is:

- free flowing – where routine delays are infrequent, and journeys are reliable
- safe and serviceable – where no one should be harmed when travelling or working
- accessible and integrated – so people are free to choose their mode of transport and can move safely across and alongside our roads

We further aim to:

- support economic growth with a modern and reliable road network that reduces delays, creates jobs, helps business and opens up new areas for development.
- ensure our activities result in a long-term and sustainable benefit to the environment.

2. SCOPE OF REQUIREMENTS / SPECIFICATION

- This Contract is for a single provider to source and deliver to several locations a wide array of consumable items and equipment to National Highways Operational staff.
- All goods required by the *Purchaser* under this contract arrangement, will also require the means in which to order all goods and ancillary services (i.e. the provision of an IT platform).

- The contract will commence on the 1 April 2023 for a period of 12 months, ending 31 March 2024.
- The key aim of this proposal is for the *Supplier* to maintain the supply of all goods required under this contract arrangement, so that the *Purchaser* can deliver key public services.
- For a full description of goods and services, please access the scope document “*National Highways Consumables Contract 2023_24*” and associated annexes, which can be located via the National Highways e-Sourcing portal.

3. REQUEST FOR QUOTATION CONDITIONS

3.1 General

- These Instructions apply to the submission of the response for the National Highways Consumables Contract 2023_24.
- National Highways would like to identify a potential supplier that can deliver to **the requirements as detailed within this request for quotation document.** **This** will be a compliant, affordable bid which meets the criteria.
- Your response must be submitted in accordance with these Instructions. Any response not complying with these Instructions may be rejected by National Highways whose decision in the matter will be final. These Instructions will not form part of the proposed contract.
- For enquiries contact National Highways via the National Highways e-Sourcing portal <https://nationalhighways.ukp.app.jaggaer.com/> for the National Highways Consumables Contract 2023_24.
- The Procurement Officer for this request for quotation is **Redacted**
- Contact with the Procurement Officer must be made via the National Highways e-Sourcing portal only. Except where otherwise directed in these Instructions, the potential supplier must not contact any person in relation to this request for quotation other than the Procurement Officer or, if nominated, their designated deputy. The name of any designated deputy will be confirmed in writing.
- The request for quotation must be treated as private and confidential. The potential supplier should not release any information concerning the request for quotation documents.
- National Highways is not liable to reimburse any costs or losses incurred by the potential supplier in considering or submitting a quotation in response to this request for quotation or otherwise in connection with this competition.

3.2 Documents

- A list of documents relating to the request for quotation are contained in Annex A.
- A list of documents to be returned as a response to this request for quotation is specified in Annex B.
- Any specification, data, calculations, and analyses issued as part of this request for quotation remain the property of National Highways.
- All such information issued to the potential supplier may only be used for the purpose of quoting. Such information should not be disclosed to persons unconnected with the request for quotation.
- These provisions apply equally to any drawings and other information supplied for the purpose of the request for quotation.

3.3 Communication

- Any queries from the potential supplier regarding the request for quotation documents must be submitted to the Procurement Officer via the e-Sourcing portal <https://nationalhighways.ukp.app.jaggaer.com/> no later than three (3) days prior to the date of return of quotation.
- All queries will be answered by the Procurement Officer, with query responses issued daily to the potential supplier via the National Highways e-Sourcing portal.

3.4 Indicative Procurement Timetable

Table 1: Procurement Programme

Activity	Date
Request for Quotation Issued	6 March 2023
Deadline for submission of queries	14 March 2023
Deadline for submission of Quotation Response	17 March 2023
Quotation Evaluation	22 – 28 March 2023
Contract Awarded	31 March 2023
Contract Start	1 April 2023

3.5 Cancellation of Request for Quotation

National Highways intends to award a contract for this request for quotation. However, it reserves the right not to proceed with the response made to this request for quotation.

If National Highways decides

- to cancel the request for quotation or evaluation process at any stage;
- not to proceed with any proposal made in response to this request for quotation;
or
- not to accept a quotation for any reason

3.6 Submission of Quotations

- The Quotation and supporting documents must be written in English.
- The Quotation must be submitted in accordance with the request for quotation documents including any query responses.
- The Quotation must not be qualified or accompanied by statements or a covering letter that might be construed as rendering the quotation equivocal.
- Unauthorised alterations or additions must not be made to any component of the request for quotation documents. National Highway's decision as to whether or not a quotation complies with these instructions will be final.
- The Quotation which is not submitted via the National Highways e-Sourcing portal by the submission deadline may be excluded from further consideration.
- The Quotation should remain open for acceptance for 90 days calendar days from the submission deadline.
- The potential supplier must sign and return National Highway's
 - Fair Payment Charter (refer to Annex D)
 - Anti-Bribery Code of Conduct (refer to Annex E)
 - Anti-Fraud Code of Conduct (refer to Annex F)

before the quotation can be accepted.

4. QUALITY RESPONSE

- The tenderer is required to provide a response to several quality questions with their quotation via the National Highways e-Sourcing Portal.
- This comprises of 6 questions that require a 'Yes' or 'No' response to be answered directly within the Technical Envelope on the National Highways e-Sourcing portal.

- The supplier will essentially need to confirm that for each question, that they are able to provide their services, skills, capacity and experience to the desired standards as referenced within each question.
- Supporting evidence may be requested by the *Purchaser* at any time.
- The Quality Questions responses to be submitted within the National Highways e-Sourcing portal can be found in Table 2 below.

Table 2 – Quality Questions

No.	Compliance Question	Yes	No
1	Do you have the necessary experience, capacity and skills to deliver this contract as described within the Scope document?	Yes	
2	Can you confirm that you are able to provide the full range of goods, and at the indicative annualised volumes as required by the <i>Purchaser</i> as referenced within Scope Annex 10?	Yes	
3	Can you confirm that you are able to provide the complete range of supporting calibration services as required by the <i>Purchaser</i> as referenced within Scope?	Yes	
4	Are you able to provide the required insurance as specified within Scope Annex 03, and by the required contract start date which is 1 April 2023?	Yes	
5	Can you confirm that the IT ordering platform (to order all goods and services) conforms to cyber-essential requirements as specified within Scope Annex 14	Yes	
6	Can you confirm whether the information previously recorded and provided within the Selection Questionnaire is correct?	Yes	

5. PRICING RESPONSE

- The services to be priced are detailed in the document “Supply of Consumables & Equipment 2023_24 Commercial Workbook” template which can be found in the National Highways e-Sourcing portal.
- Prices should be submitted in line with the instructions provided on the tab called ‘completion notes.’
- The potential supplier is required to complete the Commercial Workbook by inserting their rates and percentages against each item or service as listed. The units and quantities within the Pricing Schedule are locked.
- No alterations, including adding additional tabs to the Pricing Schedule will be accepted and may result in a non-compliant quotation.

6. EVALUATION AND AWARD

6.1 Evaluation of Quotation

- Any quotation not compliant or completed in full as part of these instructions may be rejected.
- Based on the information provided by the potential supplier, the compliant submission will be evaluated based on the following criteria:
 - Pricing Schedule: an analysis of the submitted prices and / or cost breakdowns and highlighting variances which may need to be justified by the supplier.
 - Quality Questions: The Quality Questions responses for questions 1 - 5 will be evaluated on a Pass/Fail basis. Table 3 below outlines how the Quality Questions will be evaluated.
 - The response for question 6 (Selection Questionnaire) is for information only. If in the event that detail contained within the SQ requires updating, the tenderer will need to update the necessary information within the SQ, signing the declaration, and return via the e-Sourcing portal.

- Table 3 – Compliance Questions Evaluation

Evaluation Guidance	Response Guidance
Pass	YES: You have selected option Yes confirming that you can deliver in full all of the requirements
Fail	NO: You have selected option No confirming that you cannot deliver in full all the requirements.

6.2 Award

- If a quotation is accepted, the Procurement Officer will issue an award letter to the Preferred Supplier to undertake the requirements of this contract.
- Prior to the award of any contract the Preferred Supplier must provide evidence that any insurances required by the contract are in place.
- Details of the Contract Award will be published on Contracts Finder (<https://www.contractsfinder.service.gov.uk/Search>).

7. POTENTIAL SUPPLIER RETURN

- The potential supplier should ensure before submitting their response to this RFQ that all required response information has been completed and uploaded along with any supporting information, which you consider appropriate.
- Any supporting information should be provided separately to your main response and labelled to make it clear as to which part of your response it relates to with regards to the specification.
- Your response to the requirements and pricing will be incorporated into the Contract, as appropriate.
- It is the potential supplier's responsibility to contact the National Highways e-Sourcing portal solution helpdesk for support should they have any difficulties uploading or accessing the tender documents.

8. FINANCIAL STANDING

- Regulation 58(7) of the Public Contracts Regulations 2015 allows a contracting authority such as National Highways to impose requirements ensuring that economic operators bidding for an opportunity will, if successful, possess the necessary economic and financial standing to perform the contract to be awarded.
- The assessment process described below allows National Highways to take a proportionate, flexible, contract specific and not unduly risk adverse view of your economic and financial standing. It takes account of the principles contained in the Guidance Note for Assessing and Monitoring the Economic and Financial Standing of Bidders and Suppliers (revised November 2022) which forms part of the government's Outsourcing Playbook.
- The assessment methodology comprises potentially three (3) separate economic and financial standing tests (EFSTs):
 - Test 1 is an assessment using a Dun & Bradstreet (D&B) comprehensive report; and
 - Test 2 is an assessment using the turnover figure from your most recent financial statements compared to the projected annual value of the contract being procured.
 - Test 3 (if necessary – see below) is an assessment of four accounting ratios using information from your last two years' financial statements.
- Each of these three tests will result in you being rated as High or Low risk. In this context "risk" means the risk of you not being able to perform the contract for its full duration were you to be successful in the procurement.

- Your overall risk rating will be determined as follows. If you receive a Low risk rating for both Tests 1 and 2 then your overall risk rating is Low, and Test 3 is not performed.
- If you receive a High-risk rating for either Test 1 or Test 2 then Test 3 is performed. If you receive a High-risk rating for two or more of the four elements in Test 3 then your overall risk rating is assessed as High.
- The information that National Highways will use to conduct Test 2 is taken from your most recent set of audited financial statements and for Test 3 is taken from your last two years audited financial statements. If no such audited financial statements are available, then unaudited financial statements will be used instead.
- If you are assessed as High risk the Authority will engage in dialogue with you. This will identify the Authority's concerns and ask if you can provide any mitigation, e.g., more recent unpublished or management accounts showing an improvement in your financial position or details of an agreed but unannounced re-capitalisation, merger or takeover.
- If you can provide mitigation, then unless this is sufficient to downgrade your risk assessment to Low your participation in the process will be made conditional upon you providing a written commitment to obtain either a parent company guarantee, or other form of financial security should you be successful in the procurement.

9. TERMS AND CONDITIONS RELATING TO AWARD

- The awarding of this contract will be based on a NEC4 Supply Short Contract (SSC).
- The contract documents, which are available in the National Highways e-Sourcing portal as part of the Request for Quotation, are listed in Annex A.
- Please note that the award of the contract may be delayed if a claim is issued against National Highways prior to the execution and completion of the contract.
- No contract will exist until the contract has been executed and completed.

ANNEX A - LIST OF DOCUMENTS:

1. Request for Quotation (This Document)

2. Scope/Specification

National Highways Consumables Contract 2023_24 Scope

3. Commercial/Price Schedule.

Supply of Consumables & Equipment 2023_24 Comm Wkbk.

4. Selection Questionnaire (SQ)

5. NEC4 SSC Contract documents:

- Contract Data.
- Form of Agreement.
- Scope Annex 01 - Defined Terms.
- Scope Annex 02 - Reference Docs.
- Scope Annex 03 - Insurance.
- Scope Annex 04 - Security and identification of people.
- Scope Annex 06 - Data Protection.
- Scope Annex 07 - Form of Novation (Purchaser to new Purchaser).
- Scope Annex 08 - Form of Novation (Supplier to new Supplier).
- Scope Annex 09 - Form of Parent Company Guarantee (Standalone).
- Scope Annex 10 - Full List of goods and specification.
- Scope Annex 11 - Goods Technical Specifications.
- Scope Annex 12 - *Purchasers* delivery locations.
- Scope Annex 13 - Vehicle Kit.
- Scope Annex 14 – Cyber Essentials Scheme

ANNEX B – LIST OF DOCUMENTS TO BE RETURNED

1. Quality Responses (Yes/No) to each question as listed in para 4, Table 2.
2. Completion of the commercial workbook - Supply of Consumables & Equipment 2023_24 Comm Wkbk
3. Signed Certificate of Compliance (Annex C)
4. Selection Questionnaire (SQ) – amended / updated where required and duly signed and dated.
5. NEC4 SSC Contract documents:
 - Contract Data.
6. Full accounts of your company to include the profit & loss account for the following years, ending.
 - March 2021
 - March 2022

ANNEX C - CERTIFICATE OF COMPLIANCE WITH NATIONAL HIGHWAYS POLICIES

Please sign below and return the document in the Qualification Envelope to certify that by submitting a quotation for this procurement you agree, if your quotation is successful, to comply with the following National Highways policies set out below.

- Fair Payment Charter
- Anti-bribery Code of Conduct
- Anti-fraud Code of Conduct
- The Armed Forces Covenant (optional)

Redacted



(signed)

General Manager

(position)

Redacted



(print name)

31.03.2023

(date)

ANNEX D - FAIR PAYMENT CHARTER

This charter aims to align with the principles outlined by the Office of Government Commerce in its “Guide to Best Fair Payment Practice”. It is not intended to be a legally binding document and will not be used in construing any contractual commitment.

Suppliers who have not already signed up to their commitment to work towards delivering the requirements of this charter will be expected to do so prior to award of any National Highways contract.

It is recognised that Suppliers to National Highways may require an introductory period to modify their business systems and procedures in line with the charter commitments.

Fair and transparent payment practices are essential to achieving successful integrated working on all contracts. National Highways, working with its suppliers in good faith and in a spirit of mutual trust and respect, is committed to meeting the principles of fair payment.

As a supplier to National Highways, we agree that we will strive to meet the Fair Payment commitments set out below. We will additionally seek to embed the principles throughout our supply chain.

Companies have the right to receive correct full payment as and when due. Deliberate late payment or unjustifiable withholding of payment is ethically not acceptable.

‘Fair Payment’ will apply equally between the client and lead contractor and throughout the supply chain.

The process will be transparent, and members of the supply chain will have certainty of how much and when they will be paid.

Companies will consider, where appropriate, operating relevant contracts on an open book basis.

The correct payment will represent the work properly carried out, or products supplied, in accordance with the contract. Any withholding of payment due to defects or non-delivery will be proportionate and demonstrably justified in line with arrangements made at the time of contract.

To ensure effective and equitable cash flow for all those involved, all contracts will provide for regular payments and have payment periods not exceeding 30 days, from receipt of invoice.

In order to avoid payment delays, the client and all supply chain members will agree payment procedures at the outset of their contracts.

Payment will be through electronic BACS transfer and will apply throughout the supply chain

Monitoring compliance with the Charter principles will be built into the National Highways “Collaborative Performance Framework “for performance measurement” (or any other performance measurement tool used).

ANNEX E - ANTI-BRIBERY CODE OF CONDUCT

National Highways, working with its suppliers in good faith and in a spirit of mutual trust and respect, is committed to meeting the principles of anti-bribery, as enacted in the Bribery Act 2010 and Ministry of Justice guidance.

The Commitment

As a supplier to National Highways, we confirm that we will meet the commitments set out below and will embed the principles throughout our supply chain.

1. We are committed to ensuring that our business operates with the utmost integrity.

2. We, and those employed by us will not:

- Offer, promise, pay or provide bribes* to any person
- Request, agree to accept or receive bribes
- Offer hospitality to National Highways' staff that would breach the requirements of Annex D
- Commit any act of bribery that would cause National Highways to be in breach of any anti bribery laws.

3. We are committed to having robust procedures and controls in place within our business to minimize the risk of bribery with the aim of preventing bribery and confirm that we:

- Have a zero-tolerance of bribery offences throughout our organisation;
- Conduct risk assessments to identify and monitor potential bribery risks;
- Adopt due diligence measures to vet and approve third parties performing services on our behalf;
- Have clear, practical and accessible policies and procedures to address potential risks of bribery, and to prevent bribery;
- Provide education and awareness to all our employees on anti-bribery;
- Have a mechanism in place to allow employees to report potential bribery issues in confidence and have a process to deal with reports protecting the reporting individual;
- Deal effectively with any occurrences of bribery; and
- Act at all times in good faith, impartially and in accordance with a position of trust.

4. We agree to:

- keep accurate and up to date records showing all payments made and received and all other advantages given and received and permit National Highways to inspect those records as required; and
- Immediately notify National Highways of any breach of paragraph 2 above.

A bribe for the purpose of this policy is the provision of any financial or other advantage to encourage or induce that person to perform their functions or activities improperly or to reward that person for having already done so. Bribes can include money, gifts, hospitality, entertaining, commissions, expenses, reciprocal favours, political or charitable contributions, or any direct or indirect benefit or consideration.

Offer no -

- Gifts other than low-value items such as diaries or calendars (up to £10 in value). Calendars, diaries or other small items of office equipment may be offered and accepted but the gift must bear the company's name or insignia and can legitimately be regarded as being in the nature of advertising material
- Benefits and/or hospitality and / or entertainment such as cocktail parties, meals, receptions, presentations and conferences; and also, invitations to social, cultural and sporting events
- overnight accommodation and travel to and from a venue at which an event is being held

ANNEX F - ANTI-FRAUD CODE OF CONDUCT

National Highways, working with its suppliers in good faith and in a spirit of mutual trust and respect, is committed to working fairly, honestly and with integrity and transparency. National Highways does not tolerate any form of fraud.

Fraud is a dishonest act, through false representation, failure to disclose information or abuse of position, with the intent of causing a gain for self, or loss to another.

Fraud does not necessarily result in direct or immediate financial benefit for the individual(s) committing fraud but may cause a loss and/or a negative reputational impact to another.

The Commitment:

As a supplier to National Highways, we confirm that we will meet the commitments set out below and will embed the principles throughout our supply chain.

1. We are committed to ensuring that our business operates with the utmost integrity.

2. We, and those employed by us, will not commit any fraudulent acts or carry out any of the following acts which could amount to fraud including, but not limited to:

- Submission of false or inflated claims or invoices for payment or reimbursement;
- Intentional distortion of financial statements or other records;
- False or fraudulent financial reporting or making false or fictitious entries concerning accounts, equipment or supplies;
- Forgery or alteration of any documents such as cheque, bank draft or any other financial documents including destruction or removal of records;
- Impropriety in the handling or reporting of money or financial transactions;
- Theft or misappropriation of assets or funds;
- Disclosure of confidential information to third parties without authority for personal gain; and
- The payment of excessive prices or fees where they are not justified.

3. We agree to:

- Keep accurate and up to date records showing all payments made and received and all other advantages given and received and permit National Highways to inspect those records as required; and
- Immediately notify National Highways of any breach of this Code.
- the armed forces community should not face disadvantages when compared to other citizens in the provision of public and commercial services;

- special consideration is appropriate in some cases, especially for those who have given most such as the injured and the bereaved.

ANNEX G - THE ARMED FORCES COVENANT

The Armed Forces Covenant is a public-sector pledge from Government, businesses, charities and organisations to demonstrate their support for the armed forces community. The Covenant was brought in under the Armed Forces Act 2011 to recognise that the whole nation has a moral obligation to redress the disadvantages the armed forces community face in comparison to other citizens, and recognise sacrifices made.

The Covenant's two principles are that:

- National Highways encourages all Tenderers, and their suppliers, to sign the Corporate Covenant, declaring their support for the Armed Forces community by displaying the values and behaviours set out therein.
- Guidance on the various ways you can demonstrate your support through the Corporate Covenant is at The Corporate Covenant.

If you wish to register your support you can provide a point of contact for your company on this issue to the Armed Forces Covenant Team at the address below, so that the MOD can alert you to any events or initiatives in which you may wish to participate. The Covenant Team can also provide any information you require in addition to that included on the website.

Email address: Redacted

Address: Armed Forces Covenant Team

Zone D, 6th Floor, Ministry of Defence,

Main Building, Whitehall, London, SW1A 2HB

The above is not a condition of working with National Highways now or in the future, nor will this issue form any part of the quotation evaluation, contract award procedure or any resulting contract. However, National Highways very much hopes you will want to provide your support.