



Highways England Company Limited

**Skid Resistance Measurement Surveys
2020-2025**

Instructions for Tenderers

(October 2019)

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1 EXECUTIVE SUMMARY

1.1 Context and Highways England's aims for the Skid Resistance Measurement Surveys 2020-2025

The aim of the Skid Resistance Measurement Surveys project is to procure specialist technical support to provide routine annual skid resistance surveys. Sideways-force coefficient routine investigation machine surveys are Highways England's method of assessing and monitoring skid resistance in accordance with the [Skid Policy Standard](#) (HD28/CS22). The network is split into four lots based on locality, with a fifth lot of Benchmark Sites.

1.1.1 Skid Resistance Measurement Survey Objectives 2020-2025

1.1.2 Key objectives include:

- The collection of skid resistance Raw Condition Data (RCD) and Base Condition Data (BCD) for use in pavement condition assessment,
- RCD collected in accordance with the Scope, pre-processed using software provided by Highways England to become BCD,
- BCD loaded into the Employer's management systems, and delivered copies via a secure File Transfer Protocol (FTP) site or on a durable electronic medium (e.g. USB hard drive),
- Surveys to be carried out as per the Scope, with Health and Safety, Quality Management and integrity of the data also being key deliverables in the provision of the service.

1.1.3 Contract features:

- The term of the contract will be 3 years with the option to extend for a further two years and
- The Contract will be an NEC 4 Terms and Services Short Form Contract (TSSC).

2 INTRODUCTION

2.1 Instructions for Tenderers

- 2.1.1 These Instructions for Tenderers (IfT) are issued further to the Official Journal of the European Union (OJEU) Contract Notice. The Skid Resistance Measurement Surveys contract is being procured in accordance with the open procedure under the Public Contracts Regulations 2015 (as amended) (the “Regulations”).
- 2.1.2 The purpose of this document is to provide Tenderers with information about the process, the timetable and Conditions of Tendering. It also sets out the Award Criteria and how it will be applied to identify the Most Economically Advantageous Tender (MEAT) for each Lot.
- 2.1.3 The Procurement Officer for this procurement is Nadia Bounhar. The contact details are: - nadia.bounhar@highwaysengland.co.uk. The Procurement Officer must only be contacted if the Tenderer is unable to access and submit messages through the eSourcing Portal.

2.2 Definitions and Interpretation

- 2.2.1 Words and phrases with an initial capital letter used in this document shall have the meanings set out in Table 1.

Term	Definition
Ambition	A statement related to each Quality Question in Appendix D that sets out Highways England’s expectations for delivery under the contract.
Commercial Envelope	The area on the eSourcing Portal in which Tenderers should submit their Commercial Submission.
Commercial Assessment Panel	Describes the group of assessors that assess the Commercial Submission.
Commercial Submission	The submission from Tenderers described in section 6.5.7 of these Instructions.
Conditions of Tendering	The section in these Instructions (section 4) setting out the general processes, procedures and rules to follow when producing and submitting a tender.
eSourcing Portal	The web-based system used to conduct and manage the procurement process from Tender invitation, including all communications, provision of data and information and submissions. The eSourcing Portal for this Tender is Bravo Solution. https://highways.bravosolution.co.uk/web/login.shtml
Final Quality Score	The Interim Quality Score as adjusted (if at all) by the Sustainability process.
Instructions	The contents of this Instructions for Tenderers (IfT) document.

Interim Quality Score	A quality score after the Assessment and Consensus processes but before any adjustment arising from the Sustainability processes and before the Final Quality score.
Most Economically Advantageous Tender	The Tender (or Tenderers, where more than one are to be appointed) who best meet the criteria for award as explained in section 7.1.1.
Minimum Quality Thresholds	The quality assessment thresholds set out in section 7.7.7.
Policy Compliance Submission	See section 6.5.4 for further information.
Qualification Envelope	The area on the eSourcing Portal in which Tenderers should submit their Selection Questionnaire and Policy Statements.
Quality Assessment Panel	Describes the group of assessors that assess the Quality Submission.
Quality Question	Questions listed in Appendix D, used to assess a Tenderer's proposal for delivering the requirements of the contract.
Quality Statement	The IfT Questions set out in Appendix D to this IfT to be answered by Tenderers as part of a Tender response.
Quality Submission	The submission from Tenderers described in section 6.5.5 of these Instructions.
Regulations	The Public Contracts Regulations 2015 (as amended).
Road Investment Strategy (RIS)	Road Investment Strategy is the Department of Transport's (DfT) strategy document which sets out where it will prioritise its investment in the strategic road network. RIS 1 covers the period from April 2015 to March 2020. RIS 2 will cover the period from April 2020 to March 2025.
Selection Questionnaire (SQ)	The Selection Questionnaire is a self-declaration form completed by the Tenderer confirming that it does not contravene any of the grounds for exclusion from the tender.
SMART	Specific, Measurable, Achievable, Relevant, Time-Bound.
Technical ability panel	Describes the group of assessors that assess questions in section 8.5 of the Selection Questionnaire.
Technical Envelope	The area on the eSourcing Portal in which Tenderers should submit their Quality Submission.
Tender	An offer by a Tenderer in response to the IfT, which includes all supporting tender response documents, rates, prices and proposals.
Tender Panel	The panel formed at Stage 5 – Sustainability Assessment.
Tenderer	The Consultant, Consortium or all Joint Venture members submitting a Tender in accordance with these Instructions.

Total Score	The Total Score is the Tenderer's Quality Score combined with the Finance Score.
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Table 1 - IfT Table of Definitions

3 PROCUREMENT STRATEGY

3.1 Lot Strategy

3.1.1 In accordance with the OJEU Contract Notice, the contracts are to be let across 5 'Lots' in total, as outlined below and in Table 2;

3.1.2

- a) Lots 1 - 4: These lots have been categorised by region.
- b) Lot 5: 43 Benchmark Sites are specified within the Scope and have different requirements for surveying and for the delivery of data.

Lots	Area/DBFO	Main Carriageways (Lane/Km)	Slip Roads (Lane/Km)	Roundabouts (Lane/Km)	Dynamic Hard Shoulders (Lane/Km)	All Lane Running (Lane/Km)	Total Area Length (Lane/Km)
Lot 1	South West	1643.5	228.4	13.0	20.8	0.0	1905.8
	Area 3	1022.6	257.2	7.0	0.0	42.9	1329.7
	Second Severn Crossing	26.0	2.2	0.0	0.0	0.0	28.2
Lot 2	Area 4	898.6	162.7	13.5	0.0	51.2	1126.0
	Area 6	1128.9	197.2	14.5	0.0	0.0	1340.6
	Area 8	684.8	149.7	6.5	48.0	0.0	889.0
	M25 DBFO	756.4	260.3	14.0	0.0	81.1	1111.7
Lot 3	Area 7	1409.2	269.6	22.0	0.0	123.2	1824.0
	Area 9	1536.6	234.1	30.9	102.4	91.5	1995.4
	A1DD	99.9	24.1	0.5	0.0	0.0	124.5
Lot 4	Area 10	984.6	334.7	10.6	0.0	99.7	1429.6
	Area 12	988.1	232.3	14.3	48.0	49.4	1332.1
	Area 13	752.5	67.6	9.5	0.0	0.0	829.5
	Area 14	606.5	97.9	11.5	0.0	0.0	716.0

Table 2 – Lot Structure (Lots 1-4)

3.1.3 Tenderers are only permitted to bid within one Consortium or Joint Venture (JV) entity.

3.1.4 Tenderers cannot bid in the same Lot as both a Consortium or JV and a single entity.

3.1.5 Subject to paragraphs 3.1.3 a) and 3.1.2 b), a Tenderer can bid for one or more Lots.

3.1.6 Highways England does not tolerate actual, potential or perceived conflicts of interest that cannot be mitigated to its satisfaction.

3.1.7 Highways England expects Tenderers to take steps to eliminate any conflict of interest should it arise.

3.1.8 Tenderers should be aware that conflicts of interest will be tested prior to the award of any Contract.

3.2 Timetable – key events and dates

3.2.1 Key dates and deadlines for the procurement process are set out in Table 3 below. Tenderers should note that these dates are to be kept under review by Highways England and it reserves the right to change them. Highways England shall notify all Tenderers as soon as practicable of any changes that may be made to the indicative programme and/or the Tender process:

Item	Activity	Date
1	Dispatch Contract Notice to OJEU	04 October 2019
2	Issue Tender documents	09 October 2019
3	Last date for Tender queries	23 October 2019, 13:00
4	Last date for response to Tender queries	01 November 2019, 13:00
5	Tender submission deadline	08 November 2019, 13:00
6	Tender Assessment	08 - 26 November 2019
7	Price verification and sustainability meetings	26 November – 1 December 2019
8	Provision of Selection Questionnaire supporting evidence	02 December 2019
9	Standstill letters issued	06 December 2019
10	Standstill period	06 – 17 December 2019
11	Issue Award letter	18 December 2019

Table 3 – Indicative Tender Programme

4 CONDITIONS OF TENDERING

4.1 General

- 4.1.1 All Tenders must be submitted in accordance with these Instructions. Highways England reserves the right to exclude any Tenderer from the competition which does not comply with these Instructions.
- 4.1.2 Where these Instructions state that Highways England reserves a right to exclude a Tenderer (e.g. for non-compliance with any requirement of these Instructions or a “fail” under any specific criteria) then Highways England is at liberty to exercise such discretion it sees fit in order to balance fair and equal treatment of all Tenderers with a proportionate response to the relevant failure.
- 4.1.3 The contents of these Instructions and of any other documentation sent to Tenderers in respect of the Tender process remain the property of Highways England and must be treated as private and confidential at all times.
- 4.1.4 Tenderers are required to conduct themselves in good faith in all dealings in relation to the Tender process.
- 4.1.5 All contact with Highways England during the Tender period must be made through the Highways England eSourcing Portal.
- 4.1.6 No contact other than through the eSourcing Portal should be made by Tenderers direct with Highways England or its advisers, consultants or contractors in relation to this Tender unless this is expressly agreed in advance by Highways England or expressly permitted by these Instructions. Highways England reserves the right to disqualify a Tenderer if the protocols in paragraphs 4.1.4 and 4.1.5 are not followed.
- 4.1.7 Highways England reserves the right to allow any Tenderer to correct an error in its Tender or clarify elements of its Tender to Highways England’s satisfaction rather than exclude such a Tenderer where Highways England is satisfied such action would be proportionate to the relevant issue and would not result in discrimination to other Tenderers or amount to unfair treatment.
- 4.1.8 The Tender process is conducted in accordance with the open procedure under the Regulations and seeks to identify the Most Economically Advantageous Tenders (MEAT) to Highways England for each Lot.

4.2 Disclosure Requests and transparency

- 4.2.1 Under the Freedom of Information (FOI) Act 2000, the Environmental Information Regulations (EIR) 2004 and the Regulations, Highways England reserves the right at its discretion (subject to the application of any relevant

exemptions and, where applicable, the public interest test) to disclose information relating to the Tender process including any Tenders received. Information that Tenderers consider to be commercially sensitive must be marked as such.

- 4.2.2 Under the UK Government's Procurement Policy Note 02/17 (update to Transparency Principles dated February 2017, or any later revision):

<https://www.gov.uk/government/publications/procurement-policy-note-0217-promoting-greater-transparency>

Highways England is obliged to publish the responses to this Tender and the provisions of any contract let pursuant to it, excluding only information which is exempt from disclosure pursuant to the Freedom of Information Act 2000. Highways England's initial view is that the only materials likely to be excluded from publication on this basis are as follows:

- a) Information relating to specific people, i.e. CVs, and
- b) Commercial workbooks.

- 4.2.3 Tenderers should be aware that Highways England could receive requests for any information relating to this Tender. While Highways England reserves its discretion in responding to any such information request, Tenderers are invited to request that certain information is not disclosed or published if to do so would prejudice their legitimate commercial interests or is otherwise exempt from disclosure under the Freedom of Information Act 2000. Requests for non-disclosure under the Freedom of Information Act 2000 must accompany the Tender and include:

- a) Clear and substantive justification; and
- b) A time limit when any confidential information could be disclosed.

- 4.2.4 The terms of any confidentiality agreement would, if requested, be available for disclosure. Any request by the Tenderer under this paragraph is for information only and is not considered in the Tender assessment process, nor does it form part of any contract between Highways England and the Tenderer.

- 4.2.5 All central Government departments, executive agencies and non-departmental public bodies are subject to control and reporting within Government. In particular, they report to the Cabinet Office and HM Treasury for all expenditure. Further, the Cabinet Office has a cross-Government role delivering overall Government policy on public procurement - including ensuring value for money and related aspects of good procurement practice.

4.2.6 For these purposes, Highways England reserves the right at its discretion to disclose within Government any of the Tenderer's documents and information (including any that the Tenderer considers to be confidential and/ or commercially sensitive, such as specific Tender information) submitted by the Tenderer to Highways England during this Tender process. The information will not be disclosed outside Government. Tenderers taking part in this competition are deemed to consent to these terms as part of the Tender process.

4.3 Non-collusion

4.3.1 As part of the Form of Tender, Tenderers are required to certify their adherence to the principles of anti-collusion contained in the document.

4.3.2 Where collusion between Tenderers (or any relevant parties with an interest in the procurement which may prejudice the outcome of the procurement) has been found to occur, Highways England, at its discretion, reserves the right to disqualify any potential Tenderer (without prejudice to any other civil remedies available to Highways England and without prejudice to any criminal liability which such conduct by a Tenderer may attract).

4.4 Publicity and marketing

4.4.1 All publicity activity, with any section of the media, in relation to any contract is prohibited except with the prior written agreement of Highways England.

4.4.2 Tenderers must notify Highways England via the eSourcing Portal, prior to any form of response, of any enquiries received from the media regarding this competition.

4.5 Change of Status or Consortium

4.5.1 Tenderers must immediately advise Highways England if:

- a) Its tendering Consortium (including proposed JV Partners or their parent company, or key subcontractors) changes; or
- b) Its ownership or the ownership of any member of its tendering consortium (including proposed JV Partners or their parent company, or key subcontractors) changes, or
- c) Any organisation involved in the preparation of any Tender documents (including those of other Tenderers) is acquired by it or by any member of its consortium (or an associated company), or
- d) Its organisation (or an associated company) completes the takeover of, or merges with, another Tenderer (or an associated company) that is tendering for any Lot.

- 4.5.2 If it is considered that a change in ownership or Consortium under section 4.6 would result in a conflict or more than one opportunity to Tender within the same organisation, Highways England reserves the right to disqualify the relevant corporate group of companies from the competition.
- 4.5.3 Highways England reserves the right to disqualify any Tenderer that fails to inform or advise Highways England in accordance with paragraphs 4.5.1 and 4.5.2 and/or where a Tenderer otherwise contravenes the Tender rules regarding a Tenderer's change in circumstances.
- 4.5.4 Highways England reserves the right to disqualify any Tenderer from the process where there is any change in the financial or economic standing meaning a Tenderer would no longer meet the minimum financial requirements set out in the Selection Questionnaire.

4.6 Conflicts of Interest

- 4.6.1 All Tenderers are required to comply with Highways England's conflict of interest policy described in Appendix G Selection Questionnaire 2.6.8 to 2.6.10, and are to identify to Highways England any potential conflicts of interest at the earliest opportunity.
- 4.6.2 A "conflict" or "potential conflict" is any circumstance which creates a conflict of interest for a Tenderer or which could have an impact on the fair, transparent and non-discriminatory nature of this procurement process.
- 4.6.3 In the interests of avoiding conflicts of interest, Tenderers must immediately declare any prior involvement of any member of its Tender team in the procurement. Highways England may at its discretion:
- a) ask the Tenderer to withdraw; or
 - b) accept the Tenderer's proposal to implement means of mitigating the conflict to the satisfaction of Highways England; or
 - c) ask for a conflicted person to be removed from the bid team; or
 - d) in the event that 'b' or 'c' does not mitigate the conflict to the satisfaction of Highways England, reject the Tenderer from further participation in the competition.

4.7 Tender Warranties

- 4.7.1 These Instructions and associated documentation are provided in good faith. No warranty is given as to the accuracy or completeness of information contained in them. Any liability for inaccuracy or incompleteness is expressly disclaimed by Highways England. Tenderers are to satisfy themselves they

understand all requirements of the Tender process and all associated documents before submitting a Tender.

- 4.7.2 These Instructions do not constitute an offer or any agreement whether express or implied.
- 4.7.3 Highways England reserves the right to cancel, amend or vary the Tender process at any point prior to the award of the contract (in whole or in part) and with no liability on its part.
- 4.7.4 Highways England reserves the right not to accept any Tender for any reason.
- 4.7.5 Highways England is not liable for any costs resulting from any amendment or cancellation of this tendering process nor any other costs, charges, fees, expenses, claims or disbursements (howsoever arising and including third party costs) incurred by those tendering. Tenderers submit a Tender at their own risk and expense.
- 4.7.6 Tenders will remain open for acceptance by Highways England for a period of 90 days from the closing date for the submission of Tenders after which period such Tenders validity period will be subject to confirmation by the Tenderer.
- 4.7.7 Highways England reserve the right not to appoint any Tenderers to the contract in “exceptional circumstances” defined as where a minimum number of Tenderers do not meet the Minimum Quality Thresholds or insufficient compliant Tenders were received.

4.8 Tender Documents

- 4.8.1 The documents provided to Tenderers are listed in Appendix A – IfT Document Register.
- 4.8.2 If Tenderers experience any difficulty in locating or opening documents listed in Appendix A – IfT Document Register or within any of the referenced documents, then a Tender query should be raised via a message on the eSourcing Portal.
- 4.8.3 Any designs, drawings, prints, specifications, data, calculations and analyses issued to Tenderers in connection with this Tender remain the property of Highways England. All such information issued to Tenderers may only be used for the purpose of tendering. Such information should not be disclosed to persons unconnected with the Tender and should be returned to Highways England on completion of the Tender procedures.

5 TENDER COMMUNICATIONS

5.1 Tenderers written requests for clarifications

- 5.1.1 These requests only refer to Tender queries via the eSourcing Portal. If Tenderers have any queries or require any clarification concerning any aspect of this document, then they should submit questions to Highways England through the eSourcing Portal.
- 5.1.2 It is the responsibility of the Tenderer to ensure that their written requests for clarification are complete, consistent and not vague.
- 5.1.3 Questions will only be permitted until the Tender query submission deadline. This deadline is designed to permit Highways England to consider and respond to all questions and/or requests for clarification within sufficient time to enable Tenderers to take account of Highways England response ahead of the Tender return date.
- 5.1.4 Highways England reserves the right not to provide a response to any question or request for clarification raised by a Tenderer received after the Tender query submission deadline and this includes any issues that emanate from the Tender briefing event.
- 5.1.5 All clarification questions and responses will be published openly to all Tenderers unless it is a confidential matter specifically marked “Commercially Sensitive” by the Tenderer at the time of submission. The handling of such matters is explained in 5.1.5.1 and 5.1.5.2 below.
 - 5.1.5.1 Tenderers may submit confidential queries in relation to the unique aspects of their Tender. Such questions must be clearly marked as “Commercially Sensitive” and Tenderers must explain why they consider that the query is confidential. These questions will, subject to paragraph 5.1.5.2, be responded to in writing and not be circulated to other Tenderers.
 - 5.1.5.2 If a Tenderer states that a question or request for clarification is in their opinion confidential, but Highways England does not consider that a Tenderer’s request for clarification or question should be treated as confidential, Highways England reserves the right to notify the Tenderer of its decision and reserves the right to offer the Tenderer an opportunity to withdraw the relevant question or request for clarification. If the Tenderer does not elect to withdraw the relevant question or clarification within the specified timeframe or within three working days (whichever is the later), the relevant question or request for clarification and response is circulated to all Tenderers.

- 5.1.6 Where a clarification request from a Tenderer seeks further information regarding something contained in the Tender or Highways England identifies further information that is relevant to the Tender then, subject to compliance with the Regulations, such information will be made available to all Tenderers. Any such information will become part of the invitation to tender from the date of its publication.
- 5.1.7 It shall be Highways England's decision regarding the disclosure of further information arising from Tenderers' written clarifications. Highways England accepts no liability arising from the provision of further information or a decision not to provide further information.
- 5.1.8 Tender amendments are changes to the tender documents that are made in writing by the Procurement Officer and issued to all Tenderers via the eSourcing Portal. Only in exceptional circumstances will Tender amendments be issued after the closing date for submission of tenders in the form of a post Tender amendment. In such circumstances, the Procurement Officer will notify all Tenderers of the required action.
- 5.1.9 Highways England officers or consultants do not have the authority to make any change to the tender documents except through a Tender amendment issued by the Procurement Officer. If a statement is made at any meeting that a Tenderer considers is not in accordance with the tender documents, then the Tenderer must refer the matter to the Procurement Officer as a Tender query.

6 TENDER SUBMISSION REQUIREMENTS

6.1 General

- 6.1.1 Tenders not received by Highways England by the Tender return date and time (as stated in Table 3) may be rejected. In the event that a Tender is submitted after this deadline the Tenderer may be asked to explain and/or evidence any system or material issue that prevented it from submitting its Tender by the deadline.
- 6.1.2 Tenders shall only be considered if complete and submitted in accordance with the Tender documents including any Tender amendments.
- 6.1.3 Tenders shall not be qualified or accompanied by statements or a covering letter that might be construed as rendering the Tender equivocal. Unauthorised alterations or additions must not be made to any component of these Tender documents.
- 6.1.4 Before a Tender can be accepted, the Tenderer must answer all the confirmation statements within the Highways England Bravo Solution eSourcing Portal.

6.2 Document Control

- 6.2.1 Tenders must be submitted using the Highways England eSourcing Portal in accordance with these Instructions.
- 6.2.2 A checklist of documents is to be returned with the Tender as set out in Appendix B. Each Tender must be presented in three online envelopes as follows:
- **Qualification Envelope (Volume 0):** Selection Questionnaire and Policy Compliance Submission
 - **Technical Envelope (Volume 1):** Quality Submission, with Questions 1-36 answered dependent on which Lots are being bid for (confirmed in Appendix D)
 - **Commercial Envelope (Volume 2):** Commercial Submission (Price List) and Contract Data Part 2.
- 6.2.3 It is the responsibility of each Tenderer to ensure that it has all the information it needs to prepare its Tender in accordance with these Instructions.
- 6.2.4 Tenders must comply with the following document restrictions:
- a) Tenders and supporting documents must be written in English and priced in Pounds Sterling;

- b) Page limits as identified in Appendix D, including title pages, drawings, diagrams, flow charts and annexes;
- c) The pages of any document with a page limit must be numbered. Page numbers and other header or footer information may be included in the margin space;
- d) Tenders may use A3 paper in lieu of A4, but each side of A3 paper will be counted as two sides of A4 paper;
- e) Text must be presented in “Arial” font and be no smaller than 11 point, single-spaced with the margins set at 2.5cm. Text no smaller than 10 point can be used for drawings, diagrams and flow chart; and
- f) CVs are limited to one sheet of A4 (two sides).

6.2.5 Organograms and any supporting plans requested fall outside of the stated page limits for the Quality Question responses.

6.2.6 If the submitted Quality Submission or any part of it exceeds the page limits, the content of the pages after the limit is reached will be disregarded and not distributed to the assessment team for assessment. If the Tenderer is nevertheless successful, Highways England reserves the right to include the additional text (or part thereof) in any final contract.

6.2.7 Documents are to be clearly referenced, sequenced and in Microsoft Office 2016 for Word and Excel or PDF formats (with the exception of templates forming part of these documents requiring completion by the Tenderer which shall retain their original format). Where a Tenderer wishes to use a different file format this must be raised as a Tender query.

6.2.8 When uploading Tender submissions, Tenderers must upload the electronic files separately in response to the relevant question. Where a question requires multiple files to be uploaded these can be combined in a single zip file. No single file is to be larger than 20 Megabytes. Each file should be labelled using the following naming convention:

- a) Tendering company initials
- b) Lot number
- c) Name of document given in Appendix A.

Example Format - “MCA_Lot_1 _ Quality questions.”

6.3 Confirmation of Tender team

6.3.1 Within two weeks of the issue date of the invitation to tender, Tenderers will provide the names of all members of its Tender team stating the main and reserve main points of contact.

6.3.1.1 Contact details must be provided for the main and reserve main points of contact. The Procurement Officer will only make contact using these details in exceptional circumstances, where contact is unable to be established using the eSourcing Portal.

6.3.2 Tenderers are to provide an update as and when any new team members join the bid team.

6.3.3 Tenderers must comply with the requirements of paragraph 4.6.3 in respect of their Tender team.

6.4 Variants

6.4.1 Highways England will not evaluate any variants to this invitation.

6.5 Tender Submission

6.5.1 Tenderers are required to submit five key submissions as part of the Tender:

- Form of Tender
- Selection Questionnaire Submission
- Policy Submission
- Quality Submission
- Commercial Submission

6.5.2 Form of Tender

6.5.2.1 The Form of Tender will confirm the Tenderer's acceptance of the agreement as detailed.

6.5.3 Selection Questionnaire Submission

6.5.3.1 Tenderers are required to return a Selection Questionnaire Submission in line with the guidance in Annex A Selection Questionnaire.

6.5.3.2 The submission includes the following:

- a) PART 1: Potential supplier information
- b) PART 2: Exclusion grounds
- c) PART 3: Selection questions

6.5.4 Policy Compliance Submission

6.5.4.1 Tenderers are required to return a Policy Compliance Submission, composed of 10 separate completed statements confirming that they will adhere to Highways England's relevant policies in the event that they are successful in this procurement.

Policy	Mandatory requirement?	Refer to	Response Required via
Parent Company Guarantee statement	If necessary	Description in Appendix C	Within eSourcing Portal ITT question set
Name of lawyer required for Legal Opinion for companies registered outside of England and Wales	If necessary	Description in Appendix C	Within eSourcing Portal ITT question set
Confirmation of alternative form of guarantee	If necessary	Description in Appendix C	Within eSourcing Portal ITT question set
SME Statement	If necessary	Description in Appendix C	Within eSourcing Portal ITT question set
Information Assurance	Yes	Description in Appendix C and document within Volume 0	Within eSourcing Portal ITT question set
Data Protection	Yes	Description in Appendix C	Within eSourcing Portal ITT question set
Fair Payment Charter	Yes	Document within Volume 0	Within eSourcing Portal ITT question set
Anti-bribery Code of Conduct	Yes	Document within Volume 0	Within eSourcing Portal ITT question set
Anti-fraud Code of Conduct	Yes	Document within Volume 0	Within eSourcing Portal ITT question set
Armed Forces Covenant	Yes	Document within Volume 0	Within eSourcing Portal ITT question set

Table 4 - Policy Compliance Documents Requirements

6.5.4.2 All statements and submissions detailed in

6.5.4.3 Policy	Mandatory requirement?	Refer to	Response Required via
Parent Company Guarantee statement	If necessary	Description in Appendix C	Within eSourcing Portal ITT question set

6.5.4.3 Policy	Mandatory requirement?	Refer to	Response Required via
Name of lawyer required for Legal Opinion for companies registered outside of England and Wales	If necessary	Description in Appendix C	Within eSourcing Portal ITT question set
Confirmation of alternative form of guarantee	If necessary	Description in Appendix C	Within eSourcing Portal ITT question set
SME Statement	If necessary	Description in Appendix C	Within eSourcing Portal ITT question set
Information Assurance	Yes	Description in Appendix C and document within Volume 0	Within eSourcing Portal ITT question set
Data Protection	Yes	Description in Appendix C	Within eSourcing Portal ITT question set
Fair Payment Charter	Yes	Document within Volume 0	Within eSourcing Portal ITT question set
Anti-bribery Code of Conduct	Yes	Document within Volume 0	Within eSourcing Portal ITT question set
Anti-fraud Code of Conduct	Yes	Document within Volume 0	Within eSourcing Portal ITT question set
Armed Forces Covenant	Yes	Document within Volume 0	Within eSourcing Portal ITT question set

6.5.4.4 Table 4 must be submitted as part of the Tender. Highways England reserves the right to exclude a Tenderer that fails to provide compliance statements.

6.5.4.5 The Tenderer must review the relevant mandatory requirements, and;

- a) Answer “Yes” to the corresponding question in eSourcing Portal; and
- b) Provide the requested documentation as part of its Tender.

6.5.4.6 Tenderers should refer to Appendix C - Policy Compliance Requirements for further details regarding each policy requirement.

6.5.5 **Quality Submission Instructions**

6.5.5.1 The Quality Submission sets 7 Quality Criteria for each Lot as set out in Appendix D – Quality Questions Scoring Assessment Matrices and Quality Statement.

6.5.5.2 Tenderers must answer all questions for the Lot where they are submitting a Tender, see Appendix D for list of questions for each Lot.

6.5.5.3 Each criterion contained within Appendix D sets out the following:

- **Ambition** – the outcome Highways England is seeking to be achieved;
- **Quality Question** – the question that Tenderers must respond to; and
- **Requirements** – the minimum requirements Highway England considers essential to deliver the Ambition.

6.5.5.4 The Quality Questions are designed to test how Tenderers meet the criteria.

6.5.5.5 Tenderer's response to each Quality Question must therefore include the following components:

- **Methodology** – detailing how the Tenderer will achieve these requirements; and
 - **Evidence** – providing confidence in the methodology as it has been previously tested or piloted.
- b) combining requirement, methodology and evidence will provide Highways England with a level of confidence in how the Ambition will be achieved as described in section 6.5.6.

6.5.6 **Tender requirements**

6.5.6.1 The requirements noted in Appendix D - Quality Questions Assessment Matrices and Quality Statement lists the areas Highways England believes are essential to enable the Ambition to be achieved. Each requirement must be clearly addressed.

6.5.6.2 The response must detail the specific methodology that will deliver the requirements.

6.5.6.3 Tenderers must provide evidence to support their methodology. Tenderers must demonstrate they have successfully delivered the methodology previously or third parties within their offered supply chain have successfully delivered.

6.5.6.4 Alternatively, if the methodology is untested, evidence of trials i.e. pilot schemes, research and development models or similar, can be used to demonstrate that the methodology will meet the requirements and ultimately the Ambition will succeed.

6.5.6.5 The methodology should specifically relate to how the Ambition will be achieved.

6.5.7 **Commercial Submission Instructions**

6.5.7.1 Tenderers are required to submit the completed Pricing List for each lot being tendered, based on all sections and volumes of these Instructions.

6.5.7.2 The Tenderer will recover its costs in accordance with the contract terms and conditions and as set out in the Pricing Lists. These documents provide an indication of the costs Highways England would expect to be recovered by the Tenderer.

Commercial Submission Rules

6.5.7.3 Tenderers must price all Lots that are being tendered.

6.5.7.4 Tenderers must price:

- a) all percentages and values;
- b) all percentages and values to two decimal places; and
- c) all percentages and values separately.

6.5.7.5 Tenderers are not permitted to:

- a) price any percentage or value within another percentage or value,
- b) cross subsidise any percentage or value within any other percentage or value,
- c) make any assumptions regarding the use or relevance of any percentage or value,
- d) duplicate any price.

6.5.7.6 Tenderers who price on any other basis and/or make any such assumptions may be rejected.

7 TENDER ASSESSMENT PROCEDURE

7.1 Tender Assessment Process

- 7.1.1 The Assessment identifies the Most Economically Advantageous Tender (MEAT) by first applying any applicable pass/fail tests or the achievement of mandatory tender requirements (as set out in these Instructions), then combining the Quality Scores and Commercial Scores in the ratio of 70% (Quality) and 30% (Commercial) at Stages 6 and 8 and finally by applying the pass/fail tests and mandatory Selection Questionnaire requirements at Stage 9.
- 7.1.2 The assessment procedure is described in Figure 1.

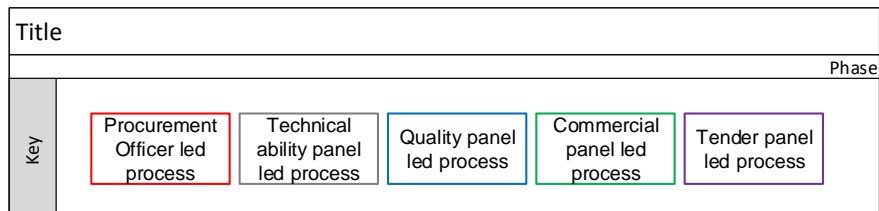
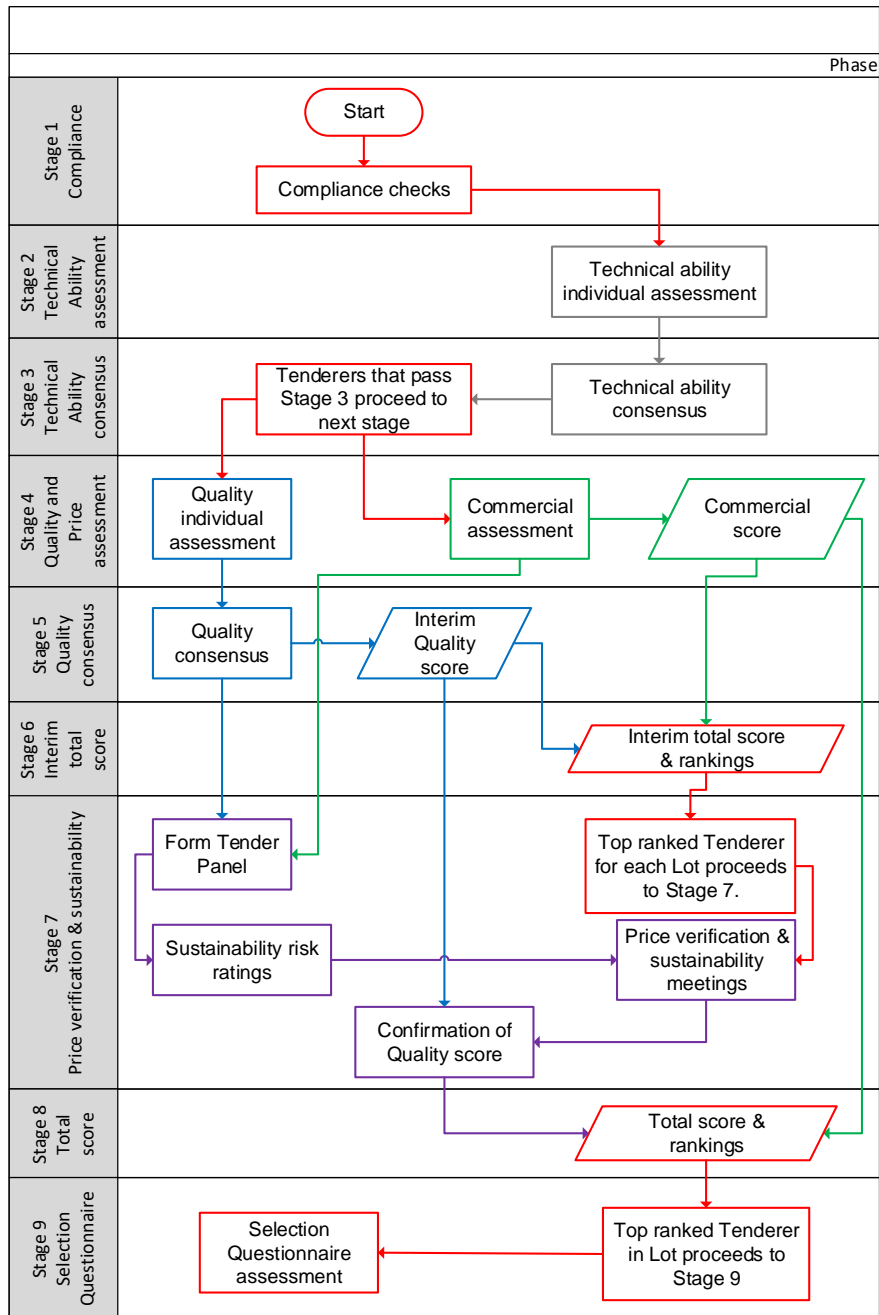


Figure 1 – Tender Assessment Procedure

7.1.3 The assessment of Tenders will be carried out in the following nine stages:



Figure 2 – Tender Assessment Stages

7.2 Stage 1 – Tender Compliance

7.2.1 In this stage, Tenders are reviewed to establish compliance with these Instructions. Highways England undertakes an initial check for Tender completeness and compliance, including checking that:

- a) a full and complete set of correct documents and submissions has been provided in accordance with all requirements; and
- b) the submitted documents are without qualification; and
- c) no further documents were submitted beyond those required (in which case they will be disregarded);

- d) the Selection Questionnaire tests have been self-certified as a pass;
and
- e) the mandatory documents and any applicable optional documents provided for the Policy Compliance Submission, have been completed correctly.

7.2.2 Where a Tenderer has not provided a response to a question, and this is not related to an identified system or eSourcing Portal system error, the question will be automatically scored as “0” and the Quality assessment panel will be informed.

7.2.3 Highways England may reject a Tender that does not meet the conditions in paragraph 7.2.1.

7.2.4 It is the responsibility of Tenderers to ensure their Tenders are free of errors and comply with these Instructions.

7.2.5 Where Highways England asks a Tenderer to clarify any part of a Tender no new information can be submitted for clarification. All clarifications must only explain the original statement.

7.3 Stage 2 – Technical ability assessment

7.3.1 Section 8.5 of the Selection Questionnaire will be assessed before all other parts of the Selection Questionnaire that are assessed at Stage 9.

7.3.2 Assessment of section 8.5 of the Selection Questionnaire will be undertaken by technical ability assessors who will evaluate and score in accordance with the assessment methodology, as set out in Annex A of the Selection Questionnaire.

7.3.3 Technical ability assessors award scores to each technical ability question in section 8.5 based on the Tenderer’s response to section 8.5 of the Selection Questionnaire, and any associated clarifications in accordance with the procedures specified in these Instructions.

7.3.4 Each technical ability assessor, working independently, awards a score using the scoring methodology and criteria set out in the detailed scoring guidance in Annex A of the Selection Questionnaire.

7.3.5 Each technical ability assessor records their individual scores and rationale for each technical ability question.

7.3.6 Following the recording of each individual assessor’s scores, a consensus meeting will be held in accordance with section 7.4.

7.4 Stage 3 – Technical ability consensus

- 7.4.1 Following Stage 2, a consensus meeting will be held between the technical ability assessors to agree the technical ability score and rationale for each question assessed.
- 7.4.2 Each of the technical ability assessors will present their rationale and scoring and then the session will be independently facilitated by Highways England's Procurement team to reach an agreed consensus score and rationale for each technical ability question assessed at Stage 2, or a list of clarification questions to be raised with the Tenderer where it has not been possible to agree consensus scores.
- 7.4.3 The technical ability consensus meetings may identify further aspects of the response to section 8.5 of the Selection Questionnaire, which need to be tested through written clarifications.
- 7.4.4 Following receipt of any final clarifications, the consensus meeting reconvenes, and the technical ability scores and rationales are reviewed and confirmed.

7.5 Minimum technical ability threshold

- 7.5.1 A score of one or two for any question in section 8.5 of the Selection Questionnaire will result in a fail and the Tenderer will be rejected from further participation in the procurement of the Lot where that question was asked.

7.6 Stage 4 – Assessment

7.6.1 Quality Assessment

- 7.6.1.1 Quality Questions 2-36 must be answered for each Lot that is being tendered. The Quality Questions are described in Appendix D - Quality Questions Scoring Matrices and Quality Statement and are aligned to Highways England's imperatives of Safety, Customer Service and Delivery of the Road Investment Strategy. The weighting of each question is shown at Table 7.
- 7.6.1.2 Quality Question 1 is a pass/fail assessment of a Tenderer's ability to provide the service as outlined in the Scope.
- 7.6.1.3 Assessment of the Quality Submission will be undertaken by the same Quality Assessment Panel for each Lot. The Quality Assessment Panels are completely independent of the Commercial Assessment Panel and no commercial documents or information is shared between the Assessment Panels.

- 7.6.1.4 The Quality Assessment Panels are composed of quality assessors, who will evaluate and score in accordance with the assessment methodology, as set out in Appendix D - Quality Questions Scoring Assessment Matrices and Quality Statement.
- 7.6.1.5 Quality assessors award scores to each Quality Question based wholly on the contents of the written Quality Submissions, and any associated clarifications in accordance with the procedures specified in these Instructions.
- 7.6.1.6 Each quality assessor, working independently, will award a score for each Quality Question using the scoring methodology and criteria set out in the detailed scoring guidance in Appendix D - Quality Questions Scoring Assessment Matrices and Quality Statement.
- 7.6.1.7 Each quality assessors records his or her individual scores and rationale for each Quality Question.
- 7.6.1.8 Following the recording of an individual assessor's scores, a quality consensus meeting will be held in accordance with section 7.7.
- 7.6.2 **Commercial Assessment**
- 7.6.2.1 The Commercial Assessment Panel will assess the Price List provided by the Tenderer. The commercial score is weighted as detailed in Table 5.

Element	Weighting	Weighting of Total Score where quality and commercial are in a ratio of 70:30
Total price for Lot	100%	30%
Total		30%

Table 5 – Commercial Criteria and Weightings

- 7.6.2.2 The Commercial Assessment Panel will evaluate all the price elements included in the Price List using the following two stage process:

Step	Purpose
Step One: Commercial Compliance	The Commercial Assessment Panel will ensure each Tenderer's Price List is compliant and may reject any tenders failing to meet conditions of these Instructions.
Step Two: Commercial Assessment	All Tenders will be assessed and scored relative to the Lowest Price.

Table 6 – Commercial Assessment process

7.6.3 Step One: Commercial Compliance

7.6.3.1 The Commercial Assessment Panel will confirm that Tenderers have submitted the Price List in accordance with these Instructions and guidance notes.

7.6.3.2 For potential non-compliance, Highways England may require clarificatory information considered relevant to be provided.

7.6.3.3 If, following clarification, the Price List continues to not correspond with conditions stated within these Instructions or the Price List template, the Tender may be rejected for non-compliance.

7.6.3.4 Examination of the Price List may detect mathematical errors. If so Highways England will highlight these errors to Tenderers, so they can be corrected. Paragraph 4.1.7 of these Instructions regarding the correction of errors applies to the Commercial Submission (as well as the Quality Submission).

7.6.4 Step Two Commercial Assessment

7.6.4.1 The Commercial Assessment Panel is completely independent of the Quality Assessment Panel, and no quality documents or information is shared between the Assessment Panels.

7.6.4.2 Any uncertainty over the meaning of the Commercial Submission will be removed via clarifications and responses before the Commercial Assessment Panel completes scoring.

7.6.4.3 The Tenderer with the lowest total price for a Lot is awarded a commercial score of 100. The commercial scores of other Tenderers are calculated by deducting from 100 the percentage variance by which their price is above the lowest price. There will be no negative scoring and the minimum lowest price score is capped at zero.

7.6.4.4 The commercial score will be determined by using the following calculation:

<p>If 'Tenderer's total price for the Lot'</p> $\leq 2 \times \text{'lowest total price for the Lot' then:}$ <p>'Tenderer's commercial score'</p> $= 100 \times \left(1 - \frac{(\text{'Tenderer's total price for the Lot'} - \text{'lowest total price for the Lot'})}{(\text{'lowest total price for the Lot'})} \right)$ <p>If 'Tenderer's total price for the Lot'</p> $> 2 \times \text{'lowest total price for the Lot' then:}$ <p>'Tenderer's commercial score' = 0</p>
--

7.6.4.5 If the Tenderer with the lowest total price on a Lot is excluded from the competition on that Lot at any stage, in accordance with these Instructions, then the second lowest priced Tender on that Lot will be adjusted to score 100 and the commercial score for all other non-excluded Tenders will be re-calculated in accordance with paragraph 7.6.4.3.

7.7 Stage 5 – Quality Consensus

7.7.1 Following the Quality Assessment stage, a consensus meeting will be held between members of the Quality Assessment Panel for each Lot to agree the Interim Quality Score and rationale for each Quality Question assessed.

7.7.2 The quality consensus meetings will be organised by Lot. Each of the quality assessors will present their rationale and scoring and then the session will be independently facilitated by Highways England's Procurement team to reach an agreed consensus score and rationale for each Quality Question, or a list of clarification questions to be raised with the Tenderer where it has not been possible to agree consensus scores.

7.7.3 The quality consensus meetings may identify further areas of the Quality Submission which need to be tested through written clarifications.

7.7.4 Following receipt of any final clarifications, the quality consensus meetings reconvene, and consensus scores and rationales are reviewed and confirmed for each Quality Question. These scores then become the Interim Quality Scores and the weighting is applied in accordance with Table 7 (for each Lot tendered).

Question No	Quality Criteria	Interim Quality Score (/10)	Weighting (%)	Weighted Interim Quality Score (/100)
1	Health, Safety and Wellbeing		20	
2	Customer service		10	
3	Delivery: Project/Programme Management		10	
4	Delivery: Financial Management		10	
5	Delivery: Survey Delivery		30	
6	Delivery: Data management		15	

7	Delivery: Supply Chain Management		5	
Total			100%	

Table 7 – Interim Quality Scores for Lots 1-5

- 7.7.5 The weighted interim quality score for each of the questions will be determined by the following calculation;

$$\text{Weighted Interim Quality Score} = \left(\frac{\text{Interim Quality Score} \times \text{Weighting}}{10} \right)$$

Enabling a total weighted Interim Quality Score out of 100 to be calculated.

- 7.7.6 The Minimum Quality Threshold will be applied to the total weighted Interim Quality Score for each Tenderer for each Lot in accordance with section 7.7.7.

7.7.7 Minimum Quality Threshold

- 7.7.7.1 A Tender with a total weighted Interim Quality Score for any Lot of less than 60% will be rejected from further participation in the competition for that Lot.

- 7.7.7.2 Following the Price Verification and Sustainability Assessment process described in section 7.9, the Minimum Quality Threshold test described in paragraph 7.7.7.1 will be reapplied and a Tender scoring below 60% on any Lot will be excluded from further participation in the competition for that Lot.

7.8 Stage 6 – Interim Total Score

- 7.8.1 The Tenderer's Interim Total Score will be derived using Table 8 below. A worked example is provided in Appendix F.

- 7.8.2 The Interim Total Score will be used to rank Tenderers for each Lot. The following rules apply to the ranking process:

- Tenderers that have failed to reach the Minimum Quality Threshold described in section 7.7.7 or have otherwise been rejected for another reason allowed by these instructions will not be included in the ranking.
- Tenderers will be ranked in each Lot from highest to lowest using the Interim Total Score.

- c) If Tenderers are tied on the same Interim Total Score, then they will be given the same ranking.
- d) Ranking based on the Interim Total Score will be used to determine the top Tenderer for each Lot.

Tenderer	Total Weighted Interim Quality Score (i) (/100)	Commercial Score (ii) (/100)	70% Total Weighted Interim Quality Score (iii) (i)*0.7	30% Commercial Score (iv) (ii)*0.3	Interim Total Score (v) (/100) (iii)+(iv)
A					
B					

Table 8 – Interim total score calculation

7.9 Stage 7 – Price Verification and Sustainability

- 7.9.1 A price verification and sustainability assessment will be undertaken on the Tenders taken forward from Stage 6.
- 7.9.2 The price verification process is to allow the Tenderer to demonstrate, using supporting financial data, that the offered Prices have been calculated correctly in accordance with these Instructions and the guidance contained within the Price List template.
- 7.9.3 The sustainability assessment considers the risk in Highways England's opinion of a Tenderer not being able to deliver its quality solution for the duration of the contract at the Prices submitted with its Tender.
- 7.9.4 At the Price Verification and Sustainability stage the Tender Panel is formed from representatives of the Quality Assessment Panels and Commercial Assessment Panel.
- 7.9.5 The Tender Panel will undertake a Sustainability assessment with respect to Quality Questions comparing the Quality Submission of a Tenderer with the Commercial Submission from that same Tenderer. The Panel will identify sustainability risks (if any) for each of those Quality Questions for each Tenderer.

7.9.6 The Tender Panel will determine an initial sustainability risk rating for each delivery question (Quality Questions 3 to 7) based on the sustainability risks it has identified and in accordance with the definitions in Table 9 below.

7.9.7 Risk rating for each Quality Question being examined will be determined by the Tender Panel taking into account:

- Quality Question response; and
- Commercial response.

Risk Level	Definition
Low Risk	The Tender Panel considers that the Tenderer's response to the Quality Question can be delivered for the price(s) submitted in the Commercial Submission over the duration of the contract.
Medium Risk	The Tender Panel considers that the Tenderer's response to the Quality Question cannot be delivered for the price(s) submitted in the Commercial Submission over the duration of the contract and this is likely to have a negative impact on the performance of the contract.
High Risk	The Tender Panel considers that more than half of the Tenderer's response to the Quality Question relating to that question cannot be delivered for the price(s) submitted in the Commercial Submission over the duration of the contract and this is highly likely to have a significant negative impact on the performance of the contract.

Table 9 – Sustainability –sustainability risk rating

7.9.8 If the initial assessment is low risk, a price verification meeting will be requested so that tenderer can demonstrate their prices have been calculated in accordance with the competition rules.

7.9.9 If the initial assessment is medium or high, a sustainability meeting will be requested. The meeting will also consider price verification at the same time.

7.9.10 The initial sustainability risk assessment will be communicated to each Tenderer in advance of a sustainability meeting.

7.9.11 The price verification and sustainability meeting will allow Highways England to clarify and further understand that the Tenderer's prices have been calculated in accordance with these instructions and the Price List and confirm the level of the risk rating.

7.9.12 The price verification and sustainability meeting may identify additional areas where aspects of the Tenderer's price calculation cannot be suitably supported by financial data.

7.9.13 Following the price verification and sustainability meeting the Tender Panel will produce a sustainability report. This will consider the initial risk assessment and the price verification and sustainability meeting findings, to determine a separate final sustainability risk rating (low, medium or high) for each of Quality Questions 2-36 (as relevant) for Lots 1- 5 of the Tender, in accordance with Table 9. This will not include assessment of the first two Questions for each Lot relating to HS&W and Customer Service.

7.9.14 The final sustainability risk assessment will be used by the Tender Panel to determine if a sustainability adjustment to the Interim Quality Score for any of applicable Questions on any Lot tendered is necessary in accordance with Table 10.

Risk Level	Sustainability Adjustment
Low Risk	No quality score adjustment to be applied
Medium Risk	The Interim Quality Score for the Quality Question where the risk is detected is reduced by 1 mark.
High Risk	The Interim Quality Score for the Quality Question where the risk is detected is reduced by 2 marks.

Table 10 – Sustainability – Interim Quality Score reductions

7.9.15 The Final Quality Score is determined by applying any sustainability adjustments to the Interim Quality Score (Quality Questions 1 to 7) as shown in Table 11. The weighted final quality score for each of the questions will be determined by the following calculation;

$$\text{Weighted Final Quality Score} = 100 \times \left(\frac{\text{Final Quality Score} \times \text{Weighting}}{10} \right)$$

This enables a weighted final quality score out of 100 to be calculated.

Question No	Quality Criteria	Interim Quality Score (/10)	Sustainability Adjustment	Final Quality Score (/10)	Weighting %	Weighted Final Quality Score
1	Health, Safety and Wellbeing				20	
2	Customer service				10	

Question No	Quality Criteria	Interim Quality Score (/10)	Sustainability Adjustment	Final Quality Score (/10)	Weighting %	Weighted Final Quality Score
3	Delivery: Project/Programme Management				10	
4	Delivery: Financial Management				10	
5	Delivery: Survey Delivery				30	
6	Delivery: Data management				15	
7	Delivery: Supply Chain Management				5	
Total		/70		/70	100%	/100

Table 11 – Final Quality Score for Lot 1

7.9.16 **Minimum Quality Threshold.** Where any Interim Quality Score has been reduced as a result of the sustainability adjustment, the Minimum Quality Threshold test in section 7.7.7 will be repeated to the scores in Table 11. A Tender with a total weighted final quality score of less than 60% following the application of that adjustment will be rejected.

7.9.17 The total weighted final quality score is combined with the commercial score to derive a Total Score for each Tender in accordance with section 7.10.

7.10 Stage 8 - Total Score

7.10.1 The Tenderer's Total Score will be derived using Table 12 below. A worked example is provided in Appendix F

7.10.2 The Total Score will be used to rank Tenderers in each Lot. The following rules apply to the ranking process:

- a) Tenderers that have failed to reach the Minimum Quality Threshold or have otherwise been rejected for another reason allowed by these instructions will not be included in the ranking.
- b) Tenderers will be ranked in each Lot from highest to lowest based on their Total Score.

- c) If Tenderers are tied on the same score then the tenderer with the highest total weighted final quality score, derived using Table 11, will take precedence in the ranking. If Tenderers are still tied then the Tenderer with the highest scores for Health, Safety & Wellbeing Questions 1 in Appendix D will take precedence in the ranking.
- d) Ranking based on the Total Score will be used to determine the Tenderers to be taken forward to Stage 9 - Selection Questionnaire.

7.10.3 The highest-ranking tenderer for each Lot, following the application of the rules in paragraph 7.10.2 will be taken forward to Stage 9 - Selection Questionnaire.

7.10.3.1 Except, where a Tenderer to be taken forward has not previously passed through Stage 7 – Price Verification and Sustainability, they will return to Stage 7 for the score to be confirmed or recalculated. Where a score is recalculated, the rankings in this Stage 8 will be recalculated also.

Tenderer	Total Weighted Final Quality Score (i) (/100)	Commercial Score (ii) (/100)	70% Total Weighted Final Quality Score (iii) (i)*0.7	30% Commercial Score (iv) (ii)*0.3	Total Score (v) (/100) (iii)+(iv)
A					
B					

Table 12 – Final score calculation

7.11 Abnormally Low Tender

7.11.1 If Highways England considers that a Tender appears to be abnormally low, it will investigate in accordance with Regulation 69 of the Regulations. Highways England reserves the right to undertake such an investigation at any stage during the tender process.

7.11.2 Highways England may reject a tender where the evidence supplied as part of the abnormally low tender investigation does not satisfactorily account for the low level of price or costs proposed.

7.12 Stage 9 – Selection Questionnaire

7.12.1 Those Tenderers who are ranked first for each Lot, may be required to submit evidence to support declarations in the Selection Questionnaire within the time stated by the Procurement Officer. Highways England will check the evidence which supports the answers given to the Selection Questionnaire before

awarding any contracts. If the required evidence is not provided, within the time stated in the instruction, or the evidence does not support the statements made in the Selection Questionnaire, the Tender may be rejected.

- 7.12.2 In accordance with sections 7.3 to 7.5 Highways England will have completed the technical ability assessment of the Questions in Part 3, section 8.5 of the Selection Questionnaire at Stage 2.
- 7.12.3 Highways England will assess the responses to the remaining questions in Part 3 of the Selection Questionnaire; assessment information is included in Annex A. The assessment of the Part 3 responses will be completed on a pass/fail basis. In the event of a Tender being given a “fail” against any of the criteria, the Tender will be rejected.
- 7.12.4 Highways England will contact the Tenderer ranked first for each Lot if a parent company guarantee (or other guarantee agreed in accordance with these Instructions) is required before Tender acceptance, specifying the required guarantor.
- 7.12.5 If a Tenderer ranked from first on any Lot passes the SQ assessment as set out in paragraph 7.12.3 and complies with any request made in paragraph 7.12.1, subject to section 8 – Tender Award Procedure, it is awarded the tender.
- 7.12.6 If any Tenderer ranked first on any Lot fails the SQ assessment as set out in paragraph 7.12.3 or fails to comply with any request made in paragraph 7.12.1, the Tenderer who is the next highest ranked in that Lot following Stage 8 – Total Score has its Selection Questionnaire evaluated in accordance with the process in paragraphs 7.12.1 and 7.12.3. If that Tenderer passes the SQ assessment as set out in paragraph 7.12.3 and complies with any request made in paragraph 7.12.1, subject to section 8 – Tender Award Procedure it is awarded the tender.

8 Tender Award Procedure

- 8.1.1 Highways England reserves the right not to proceed with any proposal made in response to this Invitation.
- 8.1.2 Following assessment of the Total Scores and Selection Questionnaires, approval will be sought to recommend the Tenderers ranked first for each Lot.
- 8.1.3 Highways England reserves the right at its absolute discretion to proceed separately with the award of places on individual Lots within this competition in the event, either:
 - a) that one Lot doesn't proceed to an award of contract; or
 - b) that there remain issues to resolve in one Lot, but the other Lot can proceed to an award of contract whilst those matters are resolved.

8.2 Tender Award and Standstill period

- 8.2.1 Highways England will inform successful and unsuccessful Tenderers of its decision to award places on each Lot in accordance with Regulation 86 of the Regulations.
- 8.2.2 A Standstill letter confirming the Tender outcome will be issued providing the reasons for the decision, including the characteristics and relative advantages of the successful tenders.
- 8.2.3 Tenderers recommended for award will be issued with a form of agreement for execution.

Appendix A IfT Document Register

A.1 List of Documents with these Instructions

The following documents are included with this ITT

A.1.1 Volume 0 – Instructions for Tenderers and Qualification Envelope

- Instructions for Tenderers (IfT)
- TSSC Scope of work
- Volume 0 – Form of Tender
- Volume 0 – Appendix G Selection Questionnaire
- Volume 0 – Appendix G Selection Questionnaire response template for section 8.5
- Volume 0 –Policy Compliance Submission
- Volume 0- Appendix K – Network Management Map

A.1.2 Volume 1 –Technical Envelope

- Volume 1 – Quality Submission

A.1.3 Volume 2 – Commercial Envelope

- Volume 4 – Price Lists (Lot 1-5)
- Volume 4 – Contract Data Part 2

Appendix B List of Documents to be returned with Tender:

B.1.1 General: Qualification Envelope (Volume 0)

Document to be returned	No required	Where to upload
Completed Form of Tender	1 per Lot Tendered	
Selection Questionnaire (including all parts and supporting documents)	1	
Insurance Compliance statement	1 per Lot Tendered	
Parent Company Guarantee statement	1 per Lot Tendered (if applicable)	
Name of lawyer required Legal Opinion for non-UK Registered Companies	If applicable (1 per Lot Tendered)	
Confirmation of alternative form of guarantee	If applicable (1 per Lot Tendered)	
SME Statement	1 per Lot Tendered (if applicable)	
Information Assurance	1	
Data Protection statement (GDPR)	1	
Statement of Tenderer's execution process	1	
Freedom of Information withholding statement	Optional (maximum of 1)	

In addition, tenderers should be aware that they must confirm acceptance of the following statement within the eSourcing Portal:

- Anti-Collusion
- Fair Payment
- Anti-Bribery
- Anti-Fraud
- Armed Forces Covenant

B.1.2 Qualification Envelope Lots 1- 5

Document	No required
Quality Statement Q1 – 36 dependent on which Lots are being tendered (see Appendix D).	1
CVs for Project management Team	Do not submit the same CV twice. Please note which Lot they are applicable to.

Appendix C Policy Statement Requirements

The Tenderer is required to provide a statement of compliance against the 6 requirements below:

C.1 Parent Company Guarantee

C.1.1 As a pre-condition of any Award, if a Parent Company Guarantee (or an acceptable alternative form of guarantee) is requested by Highways England it must be submitted by the Tenderer.

C.1.2 Where a Parent Company Guarantee is required, the Tenderer must submit from the stated Guarantor either:

- a) A certified copy of a Board minute of the Guarantor clearly and unambiguously confirming that it will enter into the Parent Company Guarantee when requested, or
- b) If the Guarantor is:
 - i. Registered in the United Kingdom under the Companies Act 2006, a letter signed by the company secretary and a director (or two directors) of the Guarantor clearly and unambiguously confirming that it will enter into the Parent Company Guarantee when requested, or
 - ii. Not registered in the United Kingdom under the Companies Act 2006
 - a letter signed by the equivalent under the law applicable to the Guarantor of the company secretary and a director (or two directors) of the Guarantor clearly and unambiguously confirming that it will enter into the Parent Company Guarantee when requested and
 - a legal opinion from a lawyer or law firm acceptable to Highways England) which is qualified and registered to practise in the jurisdiction in which the Guarantor is incorporated, confirming the validity of the Guarantor's commitment under applicable local law; the legal opinion must be addressed to Highways England on a full reliance basis and the liability of the lawyer or law firm giving the opinion must not be subject to any financial limitation unless otherwise agreed by Highways England.

If the Tenderer does not submit the relevant documents specified in paragraphs a) or b) above, the Tender is disqualified.

C.2 Legal Opinion for companies not registered in England and Wales

C.2.1 If the Tenderer, or a consortium member of the Tenderer, or a proposed Guarantor is not a company incorporated in and subject to the laws of England and Wales (a “Foreign Entity”), then the Tenderer provides a legal opinion from a lawyer or law firm which is;

- a) Qualified and registered to practise in the jurisdiction in which the Foreign Entity is incorporated and,
- b) Accepted by Highways England (the Tenderer must discuss this with the Procurement Officer prior to Tender return).

The legal opinion must be addressed to Highways England on a full reliance basis and the liability of the lawyers or law firm giving the opinion is not to be subject to any to financial limitation unless otherwise agreed by Highways England in writing (the Tenderer must discuss this with the Procurement Officer prior to Tender return).

C.2.2 The legal opinion must also:

- a) Confirm that:
 - i. the Foreign Entity is validly existing and in good standing under the laws of the jurisdiction in which it is incorporated;
 - ii. the Foreign Entity has full power to execute, deliver, enter into and perform its obligations under the Agreement/Guarantee;
 - iii. all necessary corporate, shareholder and other action required to authorize the execution and delivery by the Foreign Entity of the Agreement/Guarantee and the performance by it of its obligations under it have been duly taken;
 - iv. confirmation of the proposed signatories/method of execution and that this will constitute valid execution by the Foreign Entity;
 - v. the execution and delivery by the Foreign Entity of the Agreement/Guarantee and the performance of the obligations does not conflict with or violate:
 - the constitutional documents of the Foreign Entity;
 - any provision of the laws of the jurisdiction in which it is incorporated;

- any order of any judicial or other authority in the jurisdiction in which it is incorporated; or
 - any mortgage, Contract or other undertaking which is binding on the Foreign Entity or its assets; and
- vi. (assuming that the Agreement/Guarantee is binding under English law), the agreement constitutes legal, valid and binding obligations of the Foreign Entity enforceable in accordance with its terms;
- b) Notification of any other formalities to be complied with under local law which may be necessary to enforce the Agreement/Guarantee in the Foreign Entity's place of incorporation, including for example notarisation, legalisation or registration of the Agreement/Guarantee;
- c) Notification of whether withholding is required to be made by the Foreign Entity in relation to any monies payable to Highways England under the Agreement/Guarantee;
- d) Confirmation that Highways England is not be deemed to be resident or domiciled in the foreign jurisdiction by reason of its entry into the Agreement or the Guarantor's entry into the Guarantee; and
- e) Confirmation that the Foreign Entity and its assets are not entitled to immunity from suit, pre-judgment attachment or restraint or enforcement of a judgment on grounds of sovereignty or otherwise in the courts of England and Wales in respect of proceedings against it in relation to the Agreement/Guarantee.

C.2.3 Highways England reserves the right to disqualify a Tenderer if a legal opinion

- a) Does not confirm all the matters listed in paragraph C.2.2 above;
- b) Does not include the notification required by paragraph C.2.2 above;
- c) Indicates that withholding is required to be made under paragraph C.2.2 above or
- d) Does not provide the confirmations required by paragraphs C.2.2 above and C.2.2 above.

C.3 Confirmation of alternative form of guarantee

- C.3.1 As a pre-condition of any Award, Tenderers that agree an alternative form of guarantee to a Parent Company Guarantee must provide the offered guarantee on request.
- C.4 Statement regarding Small and Medium Sized Enterprises (SME)**
- C.4.1 Highways England is committed to removing barriers to SMEs' participation in its contracts including subcontracting opportunities. Tenderers proposing to subcontract part of this contract, should provide assurance of considering how SMEs could play a part. This shall include details of the measures put in place to encourage and enable participation as subcontractors. If awarded a Lot on the Skid Resistance survey contract, Tenderers will be asked for regular information about spend with SMEs under the contract and Highways England may publicise good practice on its websites and report such expenditure to other Government Departments.
- C.4.2 A SME subcontracting statement is not required if the Tenderer has classified itself as a SME.
- C.5 Statement regarding Information Assurance**
- C.5.1 Every Government Department is required to take suitable precautions to safeguard its information. Information Assurance is the confidence that information and communications systems protect the information handled, and functions as and when needed under the control of legitimate users
- C.5.2 Tenderers shall provide a description of proposals for handling information. Suitability of proposed Information Assurance solutions will be assessed. Proposals must be compatible with the Highways England data handling procedures provided in the Tender documents in Volume 3, Work Order Scope.
- C.6 Statement regarding The General Data Protection Regulation (GDPR)**
- C.6.1 Tenderers shall provide a statement, signed by their Chief Information Officer or equivalent, confirming the methods and additional procedures to comply with GDPR obligations under English law and Highways England's data protection provision.

Appendix D Quality Questions Scoring Matrices and Quality Statement

D.1 The Quality Statement (Questions 2 – 36) submissions are scored using the assessment standards set out below on Lot 1 - 5:

Banding	score	Description
No response	0	Failure to provide an answer to a question will result in a score of zero and it will be considered a non-compliant tender.
Unsatisfactory	1	<p>An unsatisfactory score will be applied if:</p> <ul style="list-style-type: none"> a) The response does not answer the question, or fails to address one or more of the requirements; or b) The methodology lacks basic explanatory detail or there is little, or no supporting evidence provided; or c) The response lacks defined outputs or fail to describe how they will contribute to the achievement of the ambition <p>Overall the response provides Highways England with unsatisfactory confidence that the ambition will be achieved</p>
Weak	3	<p>A weak score will be applied if:</p> <ul style="list-style-type: none"> a) The response answers the question and addresses all of the requirements; and b) The response is supported by methodology linked to the ambition, which includes defined procedures, resources and systems, which is supported by evidence; and c) The response contains outputs based on the methodologies <p>However,</p> <ul style="list-style-type: none"> • The methodology does not directly support the delivery of the ambition, or • The methodology and evidence are lacking in relevant detail, or • The response is either not time based or does not describe how they will support the achievement of the ambition <p>Overall the response provides Highways England with weak confidence that the ambition will be achieved.</p>

Banding	score	Description
Acceptable	6	<p>An acceptable good score will be applied if:</p> <ul style="list-style-type: none"> a) The response answers the question and addresses all of the requirements; and b) The response is supported by methodology directly supporting the delivery of the ambition, which includes defined procedures, resources and systems, and is supported by evidence The methodology and evidence may be lacking in detail but in minor areas only; and c) The response is specific, measurable, achievable, relevant to the methodology and timebound. <p>Overall, the response provides Highways England with an acceptable confidence that the ambition will be achieved.</p>
Good	8	<p>A good score will be applied if:</p> <ul style="list-style-type: none"> a) The response meets the standard for good; and b) Both methodology and evidence are fully detailed; and c) The evidence demonstrates a very good likelihood of successful implementation; and d) The response collectively support the delivery of the contract and capture the methodology, with defined time-based outputs; and e) Processes for identifying, testing and adopting continuous improvement and innovation are clearly articulated, realistic and measurable. <p>Overall the response provides Highways England with good confidence that the ambition will be achieved.</p>

Banding	score	Description
Excellent	9	<p>An excellent score will be applied if:</p> <ul style="list-style-type: none"> a) The response meets the standard for very good; and b) The response contains outputs that are planned at times to optimise delivery of the contract requirements; and c) The response identifies at least one specific item of continuous improvement or innovation (relevant to the question) to be developed and implemented in either year 1 or year 3 of the contract. <p>Overall the response provides Highways England with excellent confidence that the ambition will be achieved.</p>
Outstanding	10	<p>An outstanding score will be applied if the response:</p> <ul style="list-style-type: none"> a) meets the standard for excellent; and b) Demonstrates they will take on a leading role in developing, adopting and sharing industry leading practice to improve current and future delivery; and c) The response identifies at least two specific items of continuous improvement or innovation (relevant to the question) to be developed and implemented in year 1 and year 3 of the contract. <p>Overall the response provides Highways England with outstanding confidence that the ambition will be achieved or exceeded.</p>

D.2 The CVs (Question 8) are scored using the assessment standards set out below:

Banding	score	Description	Result
No response	0	<p>Failure to provide a CV for one or more Highways England Role relevant to the Lot being tendered will result in a score of zero and it will be considered a non-compliant tender.</p>	Fail

Banding	score	Description	Result
Fail	1	<p>A Fail score will be applied if:</p> <ul style="list-style-type: none"> a) One or more CVs fail to demonstrate the required skills/knowledge/experience; or b) One or more CVs fail to demonstrate the required qualifications; or c) One or more CVs fail to demonstrate the required memberships. <p>Overall the response provides Highways England with an unsatisfactory level of confidence that the tenderer can provide resource for the Highways England Roles</p>	Fail
Pass	2	<p>A Pass score will be applied if:</p> <ul style="list-style-type: none"> a) All CVs demonstrate the required skills/knowledge/experience; and b) All CVs demonstrate the required qualifications; and c) All CVs demonstrate the required memberships. <p>Overall the response provides Highways England with a satisfactory level of confidence that the tenderer can provide resource for the Highways England Roles</p>	Pass

D.3 Quality Statement Questions

Lot number 1-5	Ambition	Question	Requirements	Page Limit
Question 1 (Every tenderer must answer once for each Lot).	Personnel Tenderers should demonstrate that they have access to personnel that can deliver the service, (e.g. Project/ Programme Managers).	Can you provide evidence of sufficient resources to manage the service across each Lot being tendered?	Provide at least one CV per Lot being tendered and state briefly and clearly the proposed involvement of each person. Do not attach the same CV more than once per tenderer, please ensure you state clearly if one CV is applicable across more than one Lot. CVs must demonstrate the required information below: <ol style="list-style-type: none"> 1. Skills/knowledge/experience applicable to the role. 2. Qualifications applicable to the role. 3. Memberships applicable to the role. 	2 sides of A4 paper per CV
Lot number 1	Ambition	Question	Requirements	Page Limit
Question 2	Health, Safety and wellbeing (HS&W). Highways England's Ambition is that when performing the duties under the Skid Resistance contract, no-one should be harmed, and everyone affected by the performance of or outputs from the contract should be able to return home, safe and well each day.	How will you ensure the services you provide under the successful bid of any lot of this contract are delivered safely and that the outputs will contribute towards delivering Highways England's Ambition?	The response must consider; <ol style="list-style-type: none"> 1. How you will show leadership in ensuring the Health, Safety and Wellbeing of everyone affected by the performance of or the outputs from any Lots won. 2. How you will ensure your staff and supply chain involved in the delivery of the service under this contract are adequately trained and skilled, with regards to HS&W. 3. How safety standards are maintained or improved in delivering the requirements of this contract while achieving efficiencies (Note: safety is the first imperative and takes precedence over efficiency). 4. How you will measure and deliver continuous improvement across HS&W matters. 	Questions 2 - 7 for Lot 1 are limited to a combined 10 sides of A4 paper. Tenderers may divide the available pages between questions at their discretion.

Question 3	<p>Customer and Stakeholders.</p> <p>Highways England is committed to putting customers at the heart of everything we do. We want to ensure those impacted by our activities under this contract are fully engaged at the appropriate times and have positive and continuously improving customer experiences and satisfaction at every stage of interaction with Highways England and our network.</p>	<p>How will you minimise negative impacts for Highways England Customers and ensure the services you provide under this contract will ultimately benefit and maximise satisfaction for customers, communities and businesses?</p> <p>Note: Tenderers are reminded that in the context of this question, a customer is any of Highways England's customers. The client (Highways England) is not the customer.</p>	<p>The response must consider;</p> <ol style="list-style-type: none"> 1. How you will build strong and effective relationships with customers, communities and businesses affected by this contract. 2. How you will develop and use the insight gained from engagement with customers, communities and businesses in the delivery of future work under this contract. 3. How you will ensure advice, research and feedback helps to minimise potential negative impacts on customers, communities and businesses and contributes to operating to the greatest benefit or least harm. 4. How customer service standards are maintained or improved in delivering the requirements of this contract whilst delivering to the Scope. (Note: customer service is the second imperative and takes precedence over efficiency). 5. How you will measure and deliver continuous improvement and innovation. 	
Question 4	<p>Project/Programme management:</p> <p>Successful Tenderers will be capable of managing all tasks associated with this contract, as outlined in the Scope, ensuring that services are delivered effectively to the required standard and timescales.</p>	<p>How will you deliver the requirements of this contract effectively and manage risks?</p>	<p>The response must consider:</p> <ol style="list-style-type: none"> 1. Processes for meeting the objectives of the contract. 2. Project controls/processes for managing the workload and ensuring promised levels of quality are maintained or improved. 3. How efficiencies will be identified and implemented. 4. How you will measure and deliver continuous improvement and innovation. 5. The response must identify a minimum of two potential risks in delivering the service and how these will be mitigated effectively. 	

Question 5	Financial Management: Highways England aims to ensure work is to be completed within budget.	How will you ensure delivery of service requirements to budget and capture required financial information?	The response must consider; <ol style="list-style-type: none"> 1. How finances and the budget will be managed throughout the contract. 2. Processes for managing subcontractor cost and payment. 3. Financial processes (including fraud and bribery controls). 	
Question 6	Survey Delivery It is a priority for Highway's England to ensure that the Surveys are carried out as per the Scope.	How will you ensure that the Skid Resistance survey data supplied to Highways England is valid and in line with the stated accuracy thresholds outlined in the Scope.	This response must consider; <ol style="list-style-type: none"> 1. How will you ensure that the knowledge and experience of the survey team is sufficient to carry out surveys accurately and in line with the Scope of work. 2. How will you limit or manage the potential impact of factors such as driver error, weather conditions, road space availability, roadworks and road traffic accidents which may affect your ability to carry out surveys as planned. 3. How you will minimise or rectify invalid or missing data capture relating to errors, system failures, loss of data or inaccurate measurements. 4. How will you plan and carry out repeat surveys, where data was rendered invalid, and how will you manage associated costs. 	
Question 7	Data Management Highways England aims to improve reliability of data produced through the skid resistance surveys.	How will you ensure administrative processes are carried out effectively and data is handled securely and delivered as per the defined method and timescales.	The response must consider; <ol style="list-style-type: none"> 1. How you will manage administrative processes and the delivery of data to Highways' England. 2. How you will ensure that the data is accurate, and any errors are identified and corrected? 3. How you will ensure the secure handling of data throughout the contract. 	

Question 8	Supply chain management Tenderers will select suitably skilled supply chain partners and manage them effectively to ensure delivery of Highways England's requirements under the Skid resistance survey contract to the required standard and timescales.	How will you select and manage your supply chain to ensure access to suitable resource to deliver the requirements this contract?	The response must consider; <ol style="list-style-type: none"> 1. How you will identify and assess the capabilities of potential supply chain partners to support you in delivering the contract requirements. 2. If applicable, how you will engage and manage subcontractors, including SMEs, to ensure compliance with required standards. 3. How you will oversee and manage work to ensure work is delivered effectively to the required standard and timescales. 	
Lot number 2	Ambition	Question	Requirements	Page Limit
Question 9	Health, Safety and wellbeing (HS&W). Highways England's Ambition is that when performing the duties under the Skid Resistance contract, no-one should be harmed, and everyone affected by the performance of or outputs from the contract should be able to return home, safe and well each day.	How will you ensure the services you provide under the successful bid of any lot of this contract are delivered safely and that the outputs will contribute towards delivering Highways England's Ambition?	The response must consider; <ol style="list-style-type: none"> 1. How you will show leadership in ensuring the Health, Safety and Wellbeing of everyone affected by the performance of or the outputs from any Lots won. 2. How you will ensure your staff and supply chain involved in the delivery of the service under this contract are adequately trained and skilled, with regards to HS&W. 3. How safety standards are maintained or improved in delivering the requirements of this contract while achieving efficiencies (Note: safety is the first imperative and takes precedence over efficiency). 4. How you will measure and deliver continuous improvement across HS&W matters. 	Questions 9 - 15 for Lot 2 are limited to a combined 10 sides of A4 paper. Tenderers may divide the available pages between questions at their discretion.

Question 10	<p>Customer and Stakeholders.</p> <p>Highways England is committed to putting customers at the heart of everything we do. We want to ensure those impacted by our activities under this contract are fully engaged at the appropriate times and have positive and continuously improving customer experiences and satisfaction at every stage of interaction with Highways England and our network.</p>	<p>How will you minimise negative impacts for Highways England Customers and ensure the services you provide under this contract will ultimately benefit and maximise satisfaction for customers, communities and businesses?</p> <p>Note: Tenderers are reminded that in the context of this question, a customer is any of Highways England's customers. The client (Highways England) is not the customer.</p>	<p>The response must consider;</p> <ol style="list-style-type: none"> 1. How you will build strong and effective relationships with customers, communities and businesses affected by this contract. 2. How you will develop and use the insight gained from engagement with customers, communities and businesses in the delivery of future work under this contract. 3. How you will ensure advice, research and feedback helps to minimise potential negative impacts on customers, communities and businesses and contributes to operating to the greatest benefit or least harm. 6. How customer service standards are maintained or improved in delivering the requirements of this contract whilst delivering to the Scope. (Note: customer service is the second imperative and takes precedence over efficiency). 7. How you will measure and deliver continuous improvement and innovation. 	
Question 11	<p>Project/Programme management:</p> <p>Successful Tenderers will be capable of managing all tasks associated with this contract, as outlined in the Scope, ensuring that services are delivered effectively to the required standard and timescales.</p>	<p>How will you deliver the requirements of this contract effectively and manage risks?</p>	<p>The response must consider:</p> <ol style="list-style-type: none"> 1. Processes for meeting the objectives of the contract. 2. Project controls/processes for managing the workload and ensuring promised levels of quality are maintained or improved. 3. How efficiencies will be identified and implemented. 4. How you will measure and deliver continuous improvement and innovation. 5. The response must identify a minimum of two potential risks in delivering the service and how these will be mitigated effectively. 	

Question 12	Financial Management: Highways England aims to ensure work is to be completed within budget.	How will you ensure delivery of service requirements to budget and capture required financial information?	The response must consider; 1. How finances and the budget will be managed throughout the contract. 2. Processes for managing subcontractor cost and payment. 3. Financial processes (including fraud and bribery controls).	
Question 13	Survey Delivery It is a priority for Highway's England to ensure that the Surveys are carried out as per the Scope.	How will you ensure that the Skid Resistance survey data supplied to Highways England is valid and in line with the stated accuracy thresholds outlined in the Scope.	This response must consider; 1. How will you ensure that the knowledge and experience of the survey team is sufficient to carry out surveys accurately and in line with the Scope of work. 2. How will you limit or manage the potential impact of factors such as driver error, weather conditions, road space availability, roadworks and road traffic accidents which may affect your ability to carry out surveys as planned. 3. How you will minimise or rectify invalid or missing data capture relating to errors, system failures, loss of data or inaccurate measurements. 4. How will you plan and carry out repeat surveys, where data was rendered invalid, and how will you manage associated costs.	
Question 14	Data Management Highways England aims to improve reliability of data produced through the skid resistance surveys.	How will you ensure administrative processes are carried out effectively and data is handled securely and delivered as per the defined method and timescales.	The response must consider; 1. How you will manage administrative processes and the delivery of data to Highways' England. 2. How you will ensure that the data is accurate, and any errors are identified and corrected? 3. How you will ensure the secure handling of data throughout the contract.	

Question 15	Supply chain management Tenderers will select suitably skilled supply chain partners and manage them effectively to ensure delivery of Highways England's requirements under the Skid resistance survey contract to the required standard and timescales.	How will you select and manage your supply chain to ensure access to suitable resource to deliver the requirements this contract?	The response must consider; <ol style="list-style-type: none"> 1. How you will identify and assess the capabilities of potential supply chain partners to support you in delivering the contract requirements. 2. If applicable, how you will engage and manage subcontractors, including SMEs, to ensure compliance with required standards. 3. How you will oversee and manage work to ensure work is delivered effectively to the required standard and timescales. 	
Lot number 3	Ambition	Question	Requirements	Page Limit
Question 16	Health, Safety and wellbeing (HS&W). Highways England's Ambition is that when performing the duties under the Skid Resistance contract, no-one should be harmed, and everyone affected by the performance of or outputs from the contract should be able to return home, safe and well each day.	How will you ensure the services you provide under the successful bid of any lot of this contract are delivered safely and that the outputs will contribute towards delivering Highways England's Ambition?	The response must consider; <ol style="list-style-type: none"> 1. How you will show leadership in ensuring the Health, Safety and Wellbeing of everyone affected by the performance of or the outputs from any Lots won. 2. How you will ensure your staff and supply chain involved in the delivery of the service under this contract are adequately trained and skilled, with regards to HS&W. 3. How safety standards are maintained or improved in delivering the requirements of this contract while achieving efficiencies (Note: safety is the first imperative and takes precedence over efficiency). 4. How you will measure and deliver continuous improvement across HS&W matters. 	Questions 16 - 22 for Lot 3 are limited to a combined 10 sides of A4 paper. Tenderers may divide the available pages between questions at their discretion.

Question 17	<p>Customer and Stakeholders.</p> <p>Highways England is committed to putting customers at the heart of everything we do. We want to ensure those impacted by our activities under this contract are fully engaged at the appropriate times and have positive and continuously improving customer experiences and satisfaction at every stage of interaction with Highways England and our network.</p>	<p>How will you minimise negative impacts for Highways England Customers and ensure the services you provide under this contract will ultimately benefit and maximise satisfaction for customers, communities and businesses?</p> <p>Note: Tenderers are reminded that in the context of this question, a customer is any of Highways England's customers. The client (Highways England) is not the customer.</p>	<p>The response must consider;</p> <ol style="list-style-type: none"> 1. How you will build strong and effective relationships with customers, communities and businesses affected by this contract. 2. How you will develop and use the insight gained from engagement with customers, communities and businesses in the delivery of future work under this contract. 3. How you will ensure advice, research and feedback helps to minimise potential negative impacts on customers, communities and businesses and contributes to operating to the greatest benefit or least harm. 4. How customer service standards are maintained or improved in delivering the requirements of this contract whilst delivering to the Scope. (Note: customer service is the second imperative and takes precedence over efficiency). 5. How you will measure and deliver continuous improvement and innovation. 	
Question 18	<p>Project/Programme Management:</p> <p>Successful Tenderers will be capable of managing all tasks associated with this contract, as outlined in the Scope, ensuring that services are delivered effectively to the required standard and timescales.</p>	<p>How will you deliver the requirements of this contract effectively and manage risks?</p>	<p>The response must consider:</p> <ol style="list-style-type: none"> 1. Processes for meeting the objectives of the contract. 2. Project controls/processes for managing the workload and ensuring promised levels of quality are maintained or improved. 3. How efficiencies will be identified and implemented. 4. How you will measure and deliver continuous improvement and innovation. 5. The response must identify a minimum of two potential risks in delivering the service and how these will be mitigated effectively. 	

Question 19	Financial Management: Highways England aims to ensure work is to be completed within budget.	How will you ensure delivery of service requirements to budget and capture required financial information?	The response must consider; 1. How finances and the budget will be managed throughout the contract. 2. Processes for managing subcontractor cost and payment. 3. Financial processes (including fraud and bribery controls).	
Question 20	Survey Delivery It is a priority for Highway's England to ensure that the Surveys are carried out as per the Scope.	How will you ensure that the Skid Resistance survey data supplied to Highways England is valid and in line with the stated accuracy thresholds outlined in the Scope.	This response must consider; 1. How will you ensure that the knowledge and experience of the survey team is sufficient to carry out surveys accurately and in line with the Scope of work. 2. How will you limit or manage the potential impact of factors such as driver error, weather conditions, road space availability, roadworks and road traffic accidents which may affect your ability to carry out surveys as planned. 3. How you will minimise or rectify invalid or missing data capture relating to errors, system failures, loss of data or inaccurate measurements. 4. How will you plan and carry out repeat surveys, where data was rendered invalid, and how will you manage associated costs.	
Question 21	Data Management Highways England aims to improve reliability of data produced through the skid resistance surveys.	How will you ensure administrative processes are carried out effectively and data is handled securely and delivered as per the defined method and timescales.	The response must consider; 1. How you will manage administrative processes and the delivery of data to Highways' England. 2. How you will ensure that the data is accurate, and any errors are identified and corrected? 3. How you will ensure the secure handling of data throughout the contract.	

Question 22	Supply chain management Tenderers will select suitably skilled supply chain partners and manage them effectively to ensure delivery of Highways England's requirements under the Skid resistance survey contract to the required standard and timescales.	How will you select and manage your supply chain to ensure access to suitable resource to deliver the requirements this contract?	The response must consider; <ol style="list-style-type: none"> 1. How you will identify and assess the capabilities of potential supply chain partners to support you in delivering the contract requirements. 2. If applicable, how you will engage and manage subcontractors, including SMEs, to ensure compliance with required standards. 3. How you will oversee and manage work to ensure work is delivered effectively to the required standard and timescales. 	
Lot number 4	Ambition	Question	Requirements	Page Limit
Question 23	Health, Safety and wellbeing (HS&W). Highways England's Ambition is that when performing the duties under the Skid Resistance contract, no-one should be harmed, and everyone affected by the performance of or outputs from the contract should be able to return home, safe and well each day.	How will you ensure the services you provide under the successful bid of any lot of this contract are delivered safely and that the outputs will contribute towards delivering Highways England's Ambition?	The response must consider; <ol style="list-style-type: none"> 1. How you will show leadership in ensuring the Health, Safety and Wellbeing of everyone affected by the performance of or the outputs from any Lots won. 2. How you will ensure your staff and supply chain involved in the delivery of the service under this contract are adequately trained and skilled, with regards to HS&W. 3. How safety standards are maintained or improved in delivering the requirements of this contract while achieving efficiencies (Note: safety is the first imperative and takes precedence over efficiency). 4. How you will measure and deliver continuous improvement across HS&W matters. 	Questions 23 - 29 for Lot 4 are limited to a combined 10 sides of A4 paper. Tenderers may divide the available pages between questions at their discretion.

Question 24	<p>Customer and Stakeholders.</p> <p>Highways England is committed to putting customers at the heart of everything we do. We want to ensure those impacted by our activities under this contract are fully engaged at the appropriate times and have positive and continuously improving customer experiences and satisfaction at every stage of interaction with Highways England and our network.</p>	<p>How will you minimise negative impacts for Highways England Customers and ensure the services you provide under this contract will ultimately benefit and maximise satisfaction for customers, communities and businesses?</p> <p>Note: Tenderers are reminded that in the context of this question, a customer is any of Highways England's customers. The client (Highways England) is not the customer.</p>	<p>The response must consider;</p> <ol style="list-style-type: none"> 1. How you will build strong and effective relationships with customers, communities and businesses affected by this contract. 2. How you will develop and use the insight gained from engagement with customers, communities and businesses in the delivery of future work under this contract. 3. How you will ensure advice, research and feedback helps to minimise potential negative impacts on customers, communities and businesses and contributes to operating to the greatest benefit or least harm. 4. How customer service standards are maintained or improved in delivering the requirements of this contract whilst delivering to the Scope. (Note: customer service is the second imperative and takes precedence over efficiency). 5. How you will measure and deliver continuous improvement and innovation. 	
Question 25	<p>Project/Programme management:</p> <p>Successful Tenderers will be capable of managing all tasks associated with this contract, as outlined in the Scope, ensuring that services are delivered effectively to the required standard and timescales.</p>	<p>How will you deliver the requirements of this contract effectively and manage risks?</p>	<p>The response must consider:</p> <ol style="list-style-type: none"> 1. Processes for meeting the objectives of the contract. 2. Project controls/processes for managing the workload and ensuring promised levels of quality are maintained or improved. 3. How efficiencies will be identified and implemented. 4. How you will measure and deliver continuous improvement and innovation. 5. The response must identify a minimum of two potential risks in delivering the service and how these will be mitigated effectively. 	

Question 26	Financial Management: Highways England aims to ensure work is to be completed within budget.	How will you ensure delivery of service requirements to budget and capture required financial information?	The response must consider; 1. How finances and the budget will be managed throughout the contract. 2. Processes for managing subcontractor cost and payment. 3. Financial processes (including fraud and bribery controls).	
Question 27	Survey Delivery It is a priority for Highway's England to ensure that the Surveys are carried out as per the Scope.	How will you ensure that the Skid Resistance survey data supplied to Highways England is valid and in line with the stated accuracy thresholds outlined in the Scope.	This response must consider; 1. How will you ensure that the knowledge and experience of the survey team is sufficient to carry out surveys accurately and in line with the Scope of work. 2. How will you limit or manage the potential impact of factors such as driver error, weather conditions, road space availability, roadworks and road traffic accidents which may affect your ability to carry out surveys as planned. 3. How you will minimise or rectify invalid or missing data capture relating to errors, system failures, loss of data or inaccurate measurements. 4. How will you plan and carry out repeat surveys, where data was rendered invalid, and how will you manage associated costs.	
Question 28	Data Management Highways England aims to improve reliability of data produced through the skid resistance surveys.	How will you ensure administrative processes are carried out effectively and data is handled securely and delivered as per the defined method and timescales.	The response must consider; 1. How you will manage administrative processes and the delivery of data to Highways' England. 2. How you will ensure that the data is accurate, and any errors are identified and corrected? 3. How you will ensure the secure handling of data throughout the contract.	

Question 29	Supply chain management Tenderers will select suitably skilled supply chain partners and manage them effectively to ensure delivery of Highways England's requirements under the Skid resistance survey contract to the required standard and timescales.	How will you select and manage your supply chain to ensure access to suitable resource to deliver the requirements this contract?	The response must consider; <ol style="list-style-type: none"> 1. How you will identify and assess the capabilities of potential supply chain partners to support you in delivering the contract requirements. 2. If applicable, how you will engage and manage subcontractors, including SMEs, to ensure compliance with required standards. 3. How you will oversee and manage work to ensure work is delivered effectively to the required standard and timescales. 	
Lot number 5	Ambition	Question	Requirements	Page Limit
Question 30	Health, Safety and wellbeing (HS&W). Highways England's Ambition is that when performing the duties under the Skid Resistance contract, no-one should be harmed, and everyone affected by the performance of or outputs from the contract should be able to return home, safe and well each day.	How will you ensure the services you provide under the successful bid of any lot of this contract are delivered safely and that the outputs will contribute towards delivering Highways England's Ambition?	The response must consider; <ol style="list-style-type: none"> 1. How you will show leadership in ensuring the Health, Safety and Wellbeing of everyone affected by the performance of or the outputs from any Lots won. 2. How you will ensure your staff and supply chain involved in the delivery of the service under this contract are adequately trained and skilled, with regards to HS&W. 3. How safety standards are maintained or improved in delivering the requirements of this contract while achieving efficiencies (Note: safety is the first imperative and takes precedence over efficiency). 4. How you will measure and deliver continuous improvement across HS&W matters. 	Questions 30 - 36 for Lot 5 are limited to a combined 10 sides of A4 paper. Tenderers may divide the available pages between questions at their discretion.

Question 31	<p>Customer and Stakeholders.</p> <p>Highways England is committed to putting customers at the heart of everything we do. We want to ensure those impacted by our activities under this contract are fully engaged at the appropriate times and have positive and continuously improving customer experiences and satisfaction at every stage of interaction with Highways England and our network.</p>	<p>How will you minimise negative impacts for Highways England Customers and ensure the services you provide under this contract will ultimately benefit and maximise satisfaction for customers, communities and businesses?</p> <p>Note: Tenderers are reminded that in the context of this question, a customer is any of Highways England's customers. The client (Highways England) is not the customer.</p>	<p>The response must consider;</p> <ol style="list-style-type: none"> 1. How you will build strong and effective relationships with customers, communities and businesses affected by this contract. 2. How you will develop and use the insight gained from engagement with customers, communities and businesses in the delivery of future work under this contract. 3. How you will ensure advice, research and feedback helps to minimise potential negative impacts on customers, communities and businesses and contributes to operating to the greatest benefit or least harm. 4. How customer service standards are maintained or improved in delivering the requirements of this contract whilst delivering to the Scope. (Note: customer service is the second imperative and takes precedence over efficiency). 5. How you will measure and deliver continuous improvement and innovation. 	
Question 32	<p>Project/Programme management:</p> <p>Successful Tenderers will be capable of managing all tasks associated with this contract, as outlined in the Scope, ensuring that services are delivered effectively to the required standard and timescales.</p>	<p>How will you deliver the requirements of this contract effectively and manage risks?</p>	<p>The response must consider:</p> <ol style="list-style-type: none"> 1. Processes for meeting the objectives of the contract. 2. Project controls/processes for managing the workload and ensuring promised levels of quality are maintained or improved. 3. How efficiencies will be identified and implemented. 4. How you will measure and deliver continuous improvement and innovation. 5. The response must identify a minimum of two potential risks in delivering the service and how these will be mitigated effectively. 	

Question 33	Financial Management: Highways England aims to ensure work is to be completed within budget.	How will you ensure delivery of service requirements to budget and capture required financial information?	The response must consider; 1. How finances and the budget will be managed throughout the contract. 2. Processes for managing subcontractor cost and payment. 3. Financial processes (including fraud and bribery controls).	
Question 34	Survey Delivery It is a priority for Highway's England to ensure that the Surveys are carried out as per the Scope.	How will you ensure that the Skid Resistance survey data supplied to Highways England is valid and in line with the stated accuracy thresholds outlined in the Scope.	This response must consider; 1. How will you ensure that the knowledge and experience of the survey team is sufficient to carry out surveys accurately and in line with the Scope of work. 2. How will you limit or manage the potential impact of factors such as driver error, weather conditions, road space availability, roadworks and road traffic accidents which may affect your ability to carry out surveys as planned. 3. How you will minimise or rectify invalid or missing data capture relating to errors, system failures, loss of data or inaccurate measurements. 4. How will you plan and carry out repeat surveys, where data was rendered invalid, and how will you manage associated costs.	
Question 35	Data Management Highways England aims to improve reliability of data produced through the skid resistance surveys.	How will you ensure administrative processes are carried out effectively and data is handled securely and delivered as per the defined method and timescales.	The response must consider; 1. How you will manage administrative processes and the delivery of data to Highways' England. 2. How you will ensure that the data is accurate, and any errors are identified and corrected? 3. How you will ensure the secure handling of data throughout the contract.	

<p>Question 36</p>	<p>Supply chain management</p> <p>Tenderers will select suitably skilled supply chain partners and manage them effectively to ensure delivery of Highways England's requirements under the Skid resistance survey contract to the required standard and timescales.</p>	<p>How will you select and manage your supply chain to ensure access to suitable resource to deliver the requirements this contract?</p>	<p>The response must consider;</p> <ol style="list-style-type: none"> 1. How you will identify and assess the capabilities of potential supply chain partners to support you in delivering the contract requirements. 2. If applicable, how you will engage and manage subcontractors, including SMEs, to ensure compliance with required standards. 3. How you will oversee and manage work to ensure work is delivered effectively to the required standard and timescales. 	
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Appendix E Commercial Scoring

E.1 Commercial Scoring Example

The table below illustrates the application of the values contained within the sample Price List to determine a Commercial Score. The Option E pricing option will be used to determine the tender assessment value. Tenderers are to note that all rates in the below example are indicative only.

Price List - Lot X						
Name	Skid Resistance Surveys 2020-23					
Tenderer Name	EXAMPLE					
Price List is for work described in the Scope requiring the issue of no Task Orders						
Area	Item No.	Item Description	Unit	Quantity	Rate	Price
Survey Area 1	1	Undertake a skid resistance survey of the XXXXXX in accordance with the requirements set out in the Scope document.	lane km	1700.0	£1.00	£1,700.00
	2	Undertake a skid resistance survey of the XXXXXX in accordance with the requirements set out in the Scope document.	lane km	300.0	£1.00	£300.00
	3	Undertake a skid resistance survey of the XXXXXX in accordance with the requirements set out in the Scope document.	lane km	50.0	£1.00	£50.00
	4	Undertake a skid resistance survey of the XXXXXX in accordance with the requirements set out in the Scope document.	lane km	200.0	£1.00	£200.00
					Total	£2,250.00
Survey Area 2	1	Undertake a skid resistance survey of the XXXXXX in accordance with the requirements set out in the Scope document.	lane km	1600.0	£1.00	£1,600.00
	2	Undertake a skid resistance survey of the XXXXXX in accordance with the requirements set out in the Scope document.	lane km	300.0	£1.00	£300.00
	3	Undertake a skid resistance survey of the XXXXXX in accordance with the requirements set out in the Scope document.	lane km	50.0	£1.00	£50.00
	4	Undertake a skid resistance survey of the XXXXXX in accordance with the requirements set out in the Scope document.	lane km	50.0	£1.00	£50.00
					Total	£2,000.00
		TOTAL OF THE PRICES				£4,250.00

Figure 3: An example of a completed price list

Tenderer	Total price	Rank	Variance from Lowest	Commercial Score

Table 13 - illustrates the assessment of Tendered Prices, calculated by totalling the scheme prices

Appendix F Example Tender Assessment Scores

F.1 Quality Assessment Scoring - Worked Example

F.1.1 Example scoring of a Quality Statement has been outlined in Table 14.

F.1.2 .

Question No	Quality Criteria	Interim Quality Score (/10)	Weighting (%)	Weighted Interim Quality Score (/100)
1	Health, Safety and Wellbeing	8	20	16
2	Customer service	7	10	7
3	Delivery: Project/Programme Management	7	10	7
4	Delivery: Financial Management	6	10	6
5	Delivery: Survey Delivery	7	30	21
5	Delivery: Data management	8	15	12
6	Delivery: Supply Chain Management	6	5	3
Total		49	100%	72

Table 14 – Quality Score Example

F.2 Commercial Score Example

F.2.1 Tender assessment value from *Price List* has been outlined in Table 15.

F.2.2 Tenderers are to note that the figures provided in the example are for illustrative purposes only and do not reflect any expectation of the actual prices included in the submission. Note that the figures will be compared per Lot as opposed to total overall cost.

Tenderer	Total price	Rank	Variance from Lowest	Commercial Score
A	£8,314,880	2	11.75%	88.25
B	£10,380,500	4	39.52%	60.48
C	£9,278,950	3	24.71%	75.29
D	£7,440,395	1	0.00%	100.00

Table 15 – Commercial Score Example

F.3 Sustainability adjustment of Quality Scores - Worked Example

F.3.1 Example scoring of a Quality Statement has been outlined in

F.3.2 .

Question No	Quality Criteria	Interim Quality Score (/10)	Sustainability Adjustment	Final Quality Score (/10)	Weighting %	Weighted Final Quality Score
1	Health, safety and wellbeing	8		8	20	16
2	Customer service	7		7	10	7
3	Delivery: Project/Programme management	7	-1	6	10	6
4	Delivery: Financial management	6	0	6	10	6
5	Delivery: Survey Delivery	7	0	7	30	21
6	Delivery: Knowledge transfer	8	0	8	15	12
7	Delivery: Supply chain management	6	-2	4	5	2
Total	/70	49	/70	100%	/100	70

Table 16 – Sustainability adjustment of Quality Score Example

F.4 Total Score Calculation

F.4.1 Combined total weighted Final Quality Scores and Commercial Scores has been outlined in [Table 17](#).

F.4.2 The Total Score for each Tenderer is derived from the addition of 70% of the total weighted Final Quality Score and 30% of the Commercial Score.

Tenderer	Total Weighted Final Quality Score (i)	Commercial Score (ii)	70% Total Weighted Final Quality Score (iii) ((i)*0.7)	30% Commercial Score (iv) ((ii)*0.3)	Total Score (v) ((iii)+(iv))
A	70	88.25	49	26.48	75.48
B	65	60.48	45.5	18.14	63.64
C	80	75.29	56	22.59	78.59
D	78	100.00	54.6	30.00	84.60

Table 17 – Total Score Example