

Invitation to Tender

Attachment 2 – How to Bid

**RM6360**

**Legal Panel for Government**

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# How to Make your Bid

* 1. Your bid must be made by the organisation that will be responsible for providing the services if your bid is successful.
  2. You may bid for one or more of the Lots, ensure you read section 3 of Attachment 1 - About the Framework.
  3. Your bid must be entered into the eSourcing tool. We can only accept bids that we receive through the eSourcing tool.
  4. If you are bidding as a consortium, please submit your bid in the name of the lead member and follow the instructions when completing the Qualification Envelope, including providing the name of the consortium in section 1.12.2.
  5. If you are bidding as a single entity on a Lot and as a consortium on another Lot, you will need to set up an additional account in the eSourcing tool. Please submit your bids as follows:
* For your bid as a single entity, please submit your bid in the eSourcing tool in the name of your organisation.
* For your bid as a consortium, please create an additional account in the eSourcing tool in the name of your consortium

In both cases, when submitting your bid(s) please continue to follow the instructions when completing the Qualification Envelope section 1.12 Group or Consortium Details.

* 1. If you are bidding as a consortium, each consortium member (other than the consortium member responding to the electronic Selection Questionnaire within the eSourcing tool) will be required to complete an Attachment 4a – Information & Declarations\_Consortium. In this attachment, consortium members will respond to part 1 and 2 Selection Questionnaire declarations and some part 3 selection questions in their own right. It is clearly indicated within the electronic Selection Questionnaire (a copy of which can be found at Attachment 2a Selection Questionnaire) when the consortium member completing the electronic Selection Questionnaire should respond on behalf of ALL consortium members for part 3 selection questions.
  2. Upload ONLY those attachments we have asked for. Do not upload any attachments we haven’t asked for.
  3. Make sure you answer every question.
  4. You must submit your bid before the bid submission deadline, in section 5 “Timelines for the competition” in Attachment 1 - About the Framework.
  5. You must regularly check for messages in the eSourcing tool throughout the competition. You must log on to the eSourcing tool and access your message inbox for this competition to check for messages.
  6. If anything is unclear, or you are unsure how to complete your bid submission, you can raise a question before the clarification question deadline, via the eSourcing tool. Read section 6 “When and how to ask questions” in Attachment 1 - About the Framework.
  7. We may require you to clarify aspects of your bid in writing and/or provide additional information. Failure to respond within the time required, or to provide an adequate response will result in the rejection of your bid and your exclusion from this competition.

# Overview of the Competition Stages

* 1. This section provides a high level summary of the competition stages. Please read this entire Attachment 2 - How to bid, which sets out a detailed description of the competition stages.
  2. **Selection stage**

At the selection stage, we will evaluate Bidders’ technical, professional and financial capabilities to deliver the Deliverables.

If you have successfully passed the selection stage, you will proceed to Award stage 1.

* 1. **Award stage 1**

Please note, Award stage 1 is the only award stage applicable to Lot 1 and Lot 4a - i.e. there is no Award stage 2 for Lot 1 and Lot 4a.

In Award stage 1, we will evaluate each Bidders’ responses to the quality questionnaire (Award stage 1 Quality Evaluation) and the prices submitted by each Bidder as part of their bid (Award stage 1 Price Evaluation).

In Lot 1 and Lot 4a the competition, following the completion of Award stage 1, Bidders will be ranked to determine the outcome of the competition.

In Lots 2, 3, 4b, 4c and 5, following the completion of Award stage 1, Bidders will be ranked to determine which Bidders shall progress to Award stage 2. Bidders that do not progress to Award stage 2 will be removed from the competition. In each Lot, the following number of highest ranked Bidders shall be invited to participate in Award stage 2:

|  |  |
| --- | --- |
| **Lot** | **Number of Bidders invited to participate in Award stage 2:** |
| Lot 2 | 12 |
| Lot 3 | 9 |
| Lot 4b | 10 |
| Lot 4c | 12 |
| Lot 5 | 12 |

* 1. Award Stage 2 (applicable to Lots 2, 3, 4b, 4c and 5 only)

In Award stage 2, we will evaluate the responses provided by the Bidder’s representatives at the Interview Presentation (Award stage 2 Quality Evaluation) and we will evaluate each Bidder’s best and final offer prices submitted as part of Award stage 2 (Award stage 2 Price Evaluation).

In Lots 2, 3, 4b, 4c, and 5, following the completion of Award stage 2, Bidders will be ranked to determine the outcome of the competition.

CCS reserves the right to not undertake Award stage 2 for any Lots where the maximum number of Bidders successful in Award stage 1 is below (or is equal to) the number of places available for progression to Award stage 2 (as set out in the table above). In any Lot where this arises, we reserve the right to progress to the final decision to award in the applicable Lot(s).

# Selection Stage

* 1. At the selection stage, we evaluate Bidders’ technical, professional and financial capabilities. We will ask a range of questions appropriate to the procurement. It is important that you answer these questions accurately.

If you have successfully passed the selection stage, you will proceed to Award stage 1.

* 1. When responding to part 1 and part 2 Selection Questionnaire declarations, you must respond on behalf of all relevant persons in your organisation as per PCR 2015, regulation 57(2), i.e., members of the administrative, management or supervisory body of your organisation including those with powers of representation, decision or control.
  2. If you are relying on any Key Subcontractors to meet the selection criteria within Part 3 of the Selection Questionnaire, you must tell us. If a Key Subcontractor is being relied on to meet Part 3 selection criteria, you must clearly tell us within Attachment 7 – Key Subcontractor Details which criteria you are relying on them for and you must ensure that each of these applicable Key Subcontractors completes Attachment 4b – Information and Declarations\_Key Subcontractor\_Guarantor and this is submitted via the applicable question within the electronic Selection Questionnaire.
  3. If, following financial assessment, we require you to nominate a guarantor, we will contact you and tell you. You are not permitted to nominate a guarantor for Part 3 – Financial Risk Viability Assessment (FVRA) at the point of tender submission. You must undergo the financial assessment within your own right initially. Should we deem it appropriate to offer you the opportunity to nominate a guarantor post-tender submission, we will also require the nominated guarantor to complete Attachment 4b – Information and Declarations\_Key Subcontractor\_Guarantor.

# Selection Process

* 1. After the bid submission deadline, we will check all bids to make sure we have received everything we have asked for.
  2. We may ask you to clarify information you provide, if that is necessary. Don’t forget to check for messages in the eSourcing tool throughout the competition on a daily basis. You must log on to the eSourcing tool and access your message inbox for this competition to check for messages.
  3. If your bid is not compliant we will reject your bid and you will be excluded from the competition. We will tell you why your bid is not compliant.
  4. Not all selection questions need guidance as the questions are self-evident. However other questions such as the financial question, require a process to be undertaken before we can assess your response. In those instances, we have told you what we will do in the **evaluation guidance**.

# Selection Criteria

* 1. We may exclude you from the competition at the selection stage if:
* You, or a member of your consortium, receive a ‘fail’ for any of the evaluated selection questions.
* you, or a member of your consortium, do not pass the economic and financial standing assessment to the satisfaction of CCS.
* your bid is deemed non-compliant.
* any of the information you have provided proves to be false or misleading.
* you have broken any of the competition rules in Attachment 1 About the Framework, or not followed the instructions given in this ITT pack.
* you fail to respond within the time required, or to provide an adequate response should we need to clarify aspects of your bid in writing and/or provide additional information.
  1. If we exclude you from the competition we will tell you and explain why.

# Selection Questionnaire

* 1. Please refer to Attachment 2a - Selection Questionnaire. Remember you must complete the questionnaire online in the eSourcing tool (Qualification Envelope).

# Award Stage 1

* 1. If you have successfully passed the selection stage, you will proceed to Award stage 1.
  2. We have tried to make our Award stage 1 as simple as possible, whilst achieving the best possible commercial outcomes.
  3. Your bid must deliver what our Buyers need, at the best possible price you can give.
  4. When completing your bid you must:
* Read through the entire ITT pack, including Attachment 1a - Framework Schedule 1 (Specification)carefully, and read more than once.
* Read each question, the response guidance, marking scheme, evaluation criteria, and the instructions on response parameters and required format.
* Read the contract terms set out at Attachment 9 - Framework Contract Documents.
* If you are unsure, ask questions before the clarification questions deadline, see section 5 ‘Timelines for the competition’ and section 6 ‘When and how to ask questions’ in Attachment 1 - About the Framework document
* Allow plenty of time to complete your responses; it always takes longer than you think to submit your bid via the eSourcing tool and to ensure any completion errors are rectified before the bid submission deadline.
* Your prices should be in line with the service level you offer in response to the quality questions in Award stage 1.

# Award Stage 1 Criteria

* 1. Award stage 1 consists of a quality evaluation (see section 10 of this document) and a price evaluation (see section 12 of this document).
  2. The award of this framework will be on the basis of the ‘Most Economically Advantageous Tender’ (MEAT).
  3. In this competition, the weightings for the evaluation of each Lot are as follows:

|  |  |  |  |
| --- | --- | --- | --- |
| Lot | Quality weighting | | Price weighting |
| Social Value | Quality |
| Lot 1 | 10% | 60% | 30% |
| Lot 2 | 10% | 70% | 20% |
| Lot 3 | 10% | 80% | 10% |
| Lot 2L Lot 4a | 10% | 70% | 20% |
| Lot 4b | 10% | 70% | 20% |
| Lot 4c | 10% | 70% | 20% |
| Lot 5 | 10% | 70% | 20% |

# Award Stage 1 Process

* 1. What YOU need to do
* Answer the quality questions in sections A and B of the quality questionnaire in the eSourcing tool in the Technical Envelope.
* Answer the quality questions in sections C, D, E, F, G, H and J (as applicable to the Lot(s) you are bidding for.
* For each Lot you are bidding for, complete the applicable price matrix (Attachment 3a, 3b, 3c, 3d, 3e, 3f, 3g).
* Upload each completed price matrix into the eSourcing tool in the Commercial Envelope to question:

PQ1 for Lot 1

PQ2 for Lot 2

PQ3 for Lot 3

PQ4 for Lot 4a

PQ5 for Lot 4b

PQ6 for Lot 4c

PQ7 for Lot 5

* 1. What **WE** will do at Award stage 1:

|  |  |
| --- | --- |
| 1. | **Compliance Check**  First, we will do a check to make sure that you completed the questionnaires and pricing matrix in line with our instructions. |
| 2. | **Quality Evaluation**  We will give your responses to our evaluation panel. Each evaluator will independently assess your responses to the quality questions using the response guidance and the evaluation criteria. Each evaluator will give a mark and a reason for their mark for each question they are assessing. Each evaluator will enter their marks and reasons into the eSourcing tool. |
| 3. | **Consensus**  Once the evaluators have independently assessed your answers to the questions we will arrange for the evaluators to meet and we will facilitate the discussion. At this consensus meeting, the evaluators will discuss the quality of your answers and discuss their marks and reasons for that mark. The discussion will continue until they reach a consensus regarding the mark, and a reason for that mark, for each question. These final marks will be used to calculate your Award stage 1 Quality Score for each Lot you have bid for. |
| 4. | **Moderation**  ​Once the consensus meetings have taken place, the consensus manager(s) will review the consensus marks and reasons for the marks agreed with evaluators for any errors or discrepancies. If any errors or discrepancies are identified, marks may be changed as a result of this moderation exercise. The reasons for revisiting the marks and the outcome of revisiting the marks will be fully recorded. |
| 5. | **Quality Threshold**  In Award stage 1, if you have not met a minimum quality score of 50 for any of the Lot-specific quality questions (i.e. the quality questions in sections C-J), we will reject your bid and you will be excluded from the competition. We will tell you that your bid has been excluded from the competition and why.  Refer to tables at section 10.14 for an example of how your Award stage 1 **Quality Score** for each Lot will be calculated. |
| 6. | **Evaluate Pricing**  We will give your pricing to the price evaluation panel, who are different evaluators from those who assess your quality responses.  They will calculate your Award stage 1 Price Score in accordance with the process and evaluation criteria set out at section 12 - Award Stage 1 Price Evaluation. |
| 7. | **Final Score (Lot 1 and Lot 4a)**  In Lot 1 and Lot 4a, your Award stage 1 Quality Score will be added to your Award stage 1 Price Score, to create your Final Score (out of 100). Please see section 21 Final Decision to Award.  **Award Stage 1 Total Score (Lots 2, 3, 4b, 4c and 5)**  Your Award stage 1 Quality Score will be added to your Award stage 1 Price Score, to create your Award stage 1 Total Score (out of 100). |
| 8. | **Award (Lot 1 and Lot 4a)**  Awards will be made to the successful Bidders for Lot 1 and Lot 4a following the standstill period, subject to contract. |
| 9. | **Award Stage 2 (Lots 2, 3, 4b, 4c and 5)**  Bidders will be ranked by their Total Score for Award stage 1. We will invite the number of highest ranking Bidders as set out in the table at section 2.3 of this document to Award stage 2.  Bidders that do not progress to Award stage 2 will be removed from the competition. |

# Award Stage 1 Quality Evaluation

* 1. Questions in section A of the quality questionnaire are mandatory questions and will be evaluated PASS / FAIL. If you answer no to one or more of the questions, we will reject your bid and you will be excluded from the competition. We will tell you that your bid has been excluded and why.
  2. Questions B1 and B2 in section B of the quality questionnaire are applicable to all Lots.
  3. Questions C1 and C2 in section C of the quality questionnaire are applicable to Lot 1 only.
  4. Questions D1 and D2 in section D of the quality questionnaire are applicable to Lot 2 only.
  5. Questions E1, E2 and E3 in section E of the quality questionnaire are applicable to Lot 3 only.
  6. Questions F1 and F2 in section F of the quality questionnaire are applicable to Lot 4a only.
  7. Questions G1, G2 and G3 in section G of the quality questionnaire are applicable to Lot 4b only.
  8. Questions H1, H2 and H3 in section H of the quality questionnaire are applicable to Lot 4c only.
  9. Questions J1, J2 and J3 in section J of the quality questionnaire are applicable to Lot 5 only.
  10. Each question must be answered in its own right. You must not answer any of the questions by cross referencing other questions or other materials for example reports or information located on your website.
  11. Each of the quality questions, in sections B, C, D, E, F, G, H and J of the quality questionnaire will be independently assessed by our evaluation panel.
  12. When the consensus meeting has taken place and the final mark for each question has been agreed by the evaluators, your final mark for each question will be multiplied by that question's weighting to calculate your weighted mark for that question.
  13. Each weighted mark for each question for each Lot you have submitted a bid for will then be added together to calculate your Award stage 1 Quality Score for each Lot.
  14. Please see tables A, B, C, D, E, F and G below for an example of how your Award stage 1 Quality Score will be calculated in each Lot.

Table A - Lot 1 - Core Legal Services

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Question and key areas** | | **Question Weighting** | **Maximum Mark Available** | **Your Final Mark** | **Your Weighted Mark** |
| **B1** | Social Value (All Lots) | 5% | 100 | 100 | 5.00 |
| **B2** | Social Value (All Lots) | 5% | 100 | 100 | 5.00 |
| **C1** | | | | | |
| 1 | Designing and Executing Strategies to achieve client aims | 10% | 100 | 50 | 5.00 |
| 2 | Commitment to Client and Client Engagement | 10% | 100 | 75 | 7.50 |
| 3 | Staffing Allocation and Continuity of Fee earners | 8% | 100 | 50 | 4.00 |
| **C2** | | | | | |
| 1 | Collaborative Working | 8% | 100 | 50 | 4.00 |
| 2 | Effective Delivery | 7% | 100 | 100 | 7.00 |
| 3 | Quality Assurance | 10% | 100 | 75 | 7.50 |
| 4 | Client Satisfaction | 7% | 100 | 50 | 3.50 |
| **Quality Score:** | | | | | **48.50** |

Table B - Lot 2 - Major Projects & Complex Advice

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Question and key areas** | | **Question Weighting** | **Maximum Mark Available** | **Your Final Mark** | **Your Weighted Mark** |
| **B1** | Social Value (All Lots) | 5% | 100 | 100 | 5.0 |
| **B2** | Social Value (All Lots) | 5% | 100 | 100 | 5.0 |
| **D1** | | | | | |
| 1 | Designing and Executing Strategies to achieve Client aims | 12% | 100 | 75 | 9.0 |
| 2 | Commitment to Client and Client Engagement | 10% | 100 | 50 | 5.0 |
| 3 | Staffing Allocation and Continuity of Fee Earners | 10% | 100 | 100 | 10 |
| **D2** | | | | | |
| 1 | Collaborative Working | 10% | 100 | 50 | 5.0 |
| 2 | Effective Delivery | 10% | 100 | 75 | 7.5 |
| 3 | Quality Assurance | 8% | 100 | 100 | 8.0 |
| 4 | Client Satisfaction | 10% | 100 | 50 | 5.0 |
| **Quality Score:** | | | | | **59.50** |

Table C – Lot 3 - Finance and High Risk / Innovation

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Question and key areas** | | **Question Weighting** | **Maximum Mark Available** | **Your Final Mark** | **Your Weighted Mark** |
| **B1** | Social Value (All Lots) | 5% | 100 | 100 | 5.0 |
| **B2** | Social Value (All Lots) | 5% | 100 | 100 | 5.0 |
| **E1** | | | | | |
| 1 | Quality of Legal Service | 8% | 100 | 75 | 6.0 |
| 2 | Strategic and Innovative Input | 6% | 100 | 100 | 6.0 |
| 3 | Mobilisation and Team Management | 3% | 100 | 50 | 1.5 |
| 4 | Project and Stakeholder Management | 3% | 100 | 75 | 2.25 |
| **E2** | | | | | |
| 1 | Quality of Legal Service | 8% | 100 | 50 | 4.0 |
| 2 | Strategic and Innovative Input | 3% | 100 | 75 | 2.25 |
| 3 | Mobilisation and Team Management | 6% | 100 | 50 | 3.0 |
| 4 | Project and Stakeholder Management | 3% | 100 | 100 | 3.0 |
| **E3** | | | | | |
| 1 | Ministerial Briefing | 24% | 100 | 50 | 12 |
| 2 | Advice to National Wealth Fund | 10% | 100 | 100 | 10 |
| 3 | Stakeholder Collaboration, Project Management and Delivery | 6% | 100 | 75 | 4.5 |
| **Quality score** | | | | | **64.50** |

Table D – Lot 4a - Trade and Investment Negotiations

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Question and key areas** | | **Question Weighting** | **Maximum Mark Available** | **Your Final Mark** | **Your Weighted Mark** |
| **B1** | Social Value (All Lots) | 5% | 100 | 100 | 5.0 |
| **B2** | Social Value (All Lots) | 5% | 100 | 100 | 5.0 |
| **F1** | | | | | |
| 1 | Key Area 1 | 14% | 100 | 75 | 10.5 |
| 2 | Key Area 2 | 3.5% | 100 | 100 | 3.5 |
| 3 | Key Area 3 | 7% | 100 | 50 | 3.5 |
| 4 | Key Area 4 | 7% | 100 | 100 | 7 |
| 5 | Key Area 5 | 3.5% | 100 | 50 | 1.75 |
| **F2** | | | | | |
| 1 | Key Area 1 | 14% | 100 | 50 | 7.0 |
| 2 | Key Area 2 | 3.5% | 100 | 100 | 3.5 |
| 3 | Key Area 3 | 7% | 100 | 75 | 5.25 |
| 4 | Key Area 4 | 3.5% | 100 | 100 | 3.5 |
| 5 | Key Area 5 | 7% | 100 | 50 | 3.5 |
| **Quality score** | | | | | **59.00** |

Table E – Lot 4b - International Trade Disputes

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Question and key areas** | | **Question Weighting** | **Maximum Mark Available** | **Your Final Mark** | **Your Weighted Mark** |
| **B1** | Social Value (All Lots) | 5% | 100 | 100 | 5.0 |
| **B2** | Social Value (All Lots) | 5% | 100 | 100 | 5.0 |
| **G1** | | | | | |
| 1 | Key Area 1 | 10% | 100 | 50 | 5.0 |
| 2 | Key Area 2 | 10% | 100 | 75 | 7.5 |
| **G2** | | | | | |
| 1 | Key Area 1 | 7% | 100 | 75 | 5.25 |
| 2 | Key Area 2 | 7% | 100 | 100 | 7.0 |
| 3 | Key Area 3 | 6% | 100 | 50 | 3.0 |
| **G3** | | | | | |
| 1 | Key Area 1 | 20% | 100 | 75 | 15.0 |
| 2 | Key Area 2 | 5% | 100 | 50 | 2.50 |
| 3 | Key Area 3 | 5% | 100 | 100 | 5.0 |
| **Quality score** | | | | | **60.25** |

Table F – Lot 4c - International Investment Disputes

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Question and key areas** | | **Question Weighting** | **Maximum Mark Available** | **Your Final Mark** | **Your Weighted Mark** |
| **B1** | Social Value (All Lots) | 5% | 100 | 100 | 5.0 |
| **B2** | Social Value (All Lots) | 5% | 100 | 100 | 5.0 |
| **H1** | | | | | |
| 1 | Key Area 1 | 10% | 100 | 50 | 5.0 |
| 2 | Key Area 2 | 10% | 100 | 75 | 7.5 |
| 3 | Key Area 3 | 10% | 100 | 100 | 10.0 |
| **H2** | | | | | |
| 1 | Key Area 1 | 8% | 100 | 75 | 6.0 |
| 2 | Key Area 2 | 8% | 100 | 50 | 4.0 |
| 3 | Key Area 3 | 4% | 100 | 100 | 4.0 |
| **H3** | | | | | |
| 1 | Key Area 1 | 8% | 100 | 50 | 4.0 |
| 2 | Key Area 2 | 8% | 100 | 100 | 8.0 |
| 3 | Key Area 3 | 4% | 100 | 75 | 3.0 |
| **Quality score** | | | | | **61.50** |

Table G – Lot 5 - Rail Legal Services

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Question and key areas** | | **Question Weighting** | **Maximum Mark Available** | **Your Final Mark** | **Your Weighted Mark** |
| **B1** | Social Value (All Lots) | 5% | 100 | 100 | 5.0 |
| **B2** | Social Value (All Lots) | 5% | 100 | 100 | 5.0 |
| **J1** | | | | | |
| 1 | Delivery of Legal Quality | 25% | 100 | 50 | 12.5 |
| **J2** | | | | | |
| 1 | Delivery of Strategic Legal Input | 25% | 100 | 75 | 18.75 |
| **J3** | | | | | |
| 1 | Issue Spotting | 10% | 100 | 100 | 10 |
| 2 | Risk Mitigation Strategy | 7% | 100 | 50 | 3.5 |
| 3 | Clarity and Accessibility | 3% | 100 | 75 | 2.25 |
| **Quality Score :** | | | | | **57.00** |

# Award Stage 1 Quality Questionnaire

* 1. The Award stage 1 quality questionnaire is split into 9 sections:
* Section A – mandatory questions applicable to all Lots.
* Section B – social value questions applicable to all Lots.
* Section C – scored questions applicable to Lot 1 only.
* Section D - scored questions applicable to Lot 2 only.
* Section E - scored questions applicable to Lot 3 only.
* Section F - scored questions applicable to Lot 4a only.
* Section G - scored questions applicable to Lot 4b only.
* Section H - scored questions applicable to Lot 4c only.
* Section J - scored questions applicable to Lot 5 only.
  1. A summary of all the questions in the Award stage 1 quality questionnaire, along with the marking scheme, and weightings for each question is set out below:

|  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Question** | | **Marking scheme** | **Weighting %** | | | | | | |
| **Lot 1** | **Lot 2** | **Lot 3** | **Lot 4a** | **Lot 4b** | **Lot 4c** | **Lot 5** |
| B1 | Social Value (All Lots) | 100 / 0  (Pass / Fail) | 5 | 5 | 5 | 5 | 5 | 5 | 5 |
| B2 | Social Value (All Lots) | 100 / 0  (Pass/Fail) | 5 | 5 | 5 | 5 | 5 | 5 | 5 |
| C1 | Lot 1 Only | 100/75/50/25/0 | 28 |  |  |  |  |  |  |
| C2 | Lot 1 Only | 100/75/50/25/0 | 32 |  |  |  |  |  |  |
| D1 | Lot 2 Only | 100/75/50/25/0 |  | 32 |  |  |  |  |  |
| D2 | Lot 2 Only | 100/75/50/25/0 |  | 38 |  |  |  |  |  |
| E1 | Lot 3 Only | 100/75/50/25/0 |  |  | 20 |  |  |  |  |
| E2 | Lot 3 Only | 100/75/50/25/0 |  |  | 20 |  |  |  |  |
| E3 | Lot 3 Only | 100/75/50/25/0 |  |  | 40 |  |  |  |  |
| F1 | Lot 4a Only | 100/75/50/25/0 |  |  |  | 35 |  |  |  |
| F2 | Lot 4a Only | 100/75/50/25/0 |  |  |  | 35 |  |  |  |
| G1 | Lot 4b Only | 100/75/50/25/0 |  |  |  |  | 20 |  |  |
| G2 | Lot 4b Only | 100/75/50/25/0 |  |  |  |  | 20 |  |  |
| G3 | Lot 4b Only | 100/75/50/25/0 |  |  |  |  | 30 |  |  |
| H1 | Lot 4c Only | 100/75/50/25/0 |  |  |  |  |  | 30 |  |
| H2 | Lot 4c Only | 100/75/50/25/0 |  |  |  |  |  | 20 |  |
| H3 | Lot 4c Only | 100/75/50/25/0 |  |  |  |  |  | 20 |  |
| J1 | Lot 5 Only | 100/75/50/25/0 |  |  |  |  |  |  | 25 |
| J2 | Lot 5 Only | 100/75/50/25/0 |  |  |  |  |  |  | 25 |
| J3 | Lot 5 Only | 100/75/50/25/0 |  |  |  |  |  |  | 20 |

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| **2.1 Section A - Mandatory Service Requirements** | |
| **2.1.1 Accept Competition Rules** | |
| Do you accept the competition rules, as described in the ITT pack Attachment 1 - About the framework, paragraph 9 Competition Rules?  Please answer ‘Yes’ or ‘No’  **Yes** - You accept the competition rules, as described in the ITT pack Attachment 1 - About the framework, paragraph 9 Competition Rules.  **No** - You do not accept the competition rules, as described in the ITT pack Attachment 1 - About the framework, paragraph 9 Competition Rules. | |
| **2.1.1 Response Guidance**  This is a Pass/Fail question.  If you cannot or are unwilling to select ‘Yes’ to this question, you will be disqualified from further participating in this competition.  You are required to select either option YES or NO from the drop down list.  Providing a ‘Yes’ response means you accept the competition rules, as described in the ITT pack Attachment 1 - About the framework, paragraph 9 Competition Rules.  If you select ‘No’ to indicate that you do not accept the competition rules, as described in the ITT pack Attachment 1 - About the framework, paragraph 9 Competition Rules, you will be excluded from further participation in this competition. | |
| **Marking Scheme** | **Evaluation Guidance** |
| Pass | You have selected option ‘Yes’ confirming that you accept the competition rules, as described in the ITT pack Attachment 1 - About the framework, paragraph 9 Competition Rules. |
| Fail | You have selected option ‘No’ confirming that you do not accept the competition rules, as described in the ITT pack Attachment 1 - About the framework, paragraph 9 Competition Rules. |

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| **2.1.2 Accept Contract Terms** | |
| Do you accept the contract terms as incorporated in the Framework Award Form?  Please answer ‘Yes’ or ‘No’  **Yes -** You accept the contract terms as incorporated in the Framework Award Form.  **No** **-** You do not accept the contract terms as incorporated in the Framework Award Form. | |
| **2.1.2 Response Guidance**  This is a Pass/Fail question.  If you cannot or are unwilling to select ‘Yes’ to this question, you will be disqualified from further participation in this competition.  You are required to select either option YES or NO from the drop down list.  Providing a ‘Yes’ response means you accept the contract terms as incorporated in the Framework Award Form.    If you select ‘No’ to indicate that you do not accept the contract terms as incorporated in the Framework Award Form, you will be excluded from further participation in this competition. | |
| **Marking Scheme** | **Evaluation Guidance** |
| Pass | You have selected option ‘Yes’ confirming that you accept the contract terms as incorporated in the Framework Award Form. |
| Fail | You have selected ‘No’ confirming that you do not accept the contract terms as incorporated in the Framework Award Form. |

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| **2.1.3 Compliance with Attachment 1a - Framework Schedule 1 (Specification)** | |
| If you are awarded a Framework Contract, will you unreservedly deliver in full, all of the mandatory service requirements as set out in Attachment 1a - Framework Schedule 1 (Specification) for the Lot(s) you are bidding for.  Please answer ‘Yes’ or ‘No’.  **Yes -** You will unreservedly deliver in full all of the mandatory service requirements as set out in Attachment 1a - Framework Schedule 1 (Specification) for the Lot(s) you are bidding for.  No **-** You will not, or cannot, deliver in full all of the mandatory service requirements as set out in Attachment 1a - Framework Schedule 1 (Specification) for the Lot(s) you are bidding for. | |
| **2.1.3 Response Guidance**  This is a Pass/Fail question.  If you cannot or are unwilling to select ‘Yes’ to this question, you will be disqualified from further participation in this competition.  You are required to select either option YES, NO from the drop down list.  Providing a ‘Yes’ response means you will unreservedly deliver in full all of the mandatory service requirements as set out in Attachment 1a - Framework Schedule 1 (Specification) for the Lot(s) you are bidding for.  If you select ‘No’ (or do not answer the question) to indicate that you will not, or cannot, deliver in full all of the mandatory service requirements as set out in Attachment 1a - Framework Schedule 1 (Specification) for the Lot(s) you are bidding for, you will be excluded from further participation in this competition. | |
| **Marking Scheme** | **Evaluation Guidance** |
| Pass | You have selected option ‘Yes’ confirming that you will unreservedly deliver in full all of the mandatory service requirements as set out in Attachment 1a - Framework Schedule 1 (Specification) for the Lot(s) you are bidding for. |
| Fail | You have selected ‘No’ confirming that you will not, or cannot, deliver in full all of the mandatory service requirements as set out in Attachment 1a - Framework Schedule 1 (Specification) for the Lot(s) you are bidding for.  OR  You have not selected either Yes or No. |

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| **2.2 Section B1 - (Social Value) All Lots** | |
| **B1 Requirement: Social Value Priority Theme 4**  CCS requires you to address Social Value Priority Theme 4: Equal Opportunity,  and demonstrate how you will deliver the following Policy Outcomes:   * reduce the disability employment gap * tackle workforce inequality.   You are required to demonstrate how you will increase the representation of  disabled people and tackle inequality with regards to women and Under-  Represented groups within the Contract Workforce, in accordance with the  mandatory service requirements of Attachment 1a - Framework Schedule 1  (Specification).  Contract Workforce means all grades of Supplier Staff who will work under this  Framework Contract if the Bidder is successful in the competition.  Remember defined terms can be found in Attachment 1a - Framework Schedule 1  (Specification) and Joint Schedule 1 (Definitions) of Attachment 9 Framework  contract documents. | |
| **B1 Response Guidance**  All Bidders must answer this question.  You must insert your response into the text fields in the eSourcing Suite.  In order to satisfy the requirement, your response must address the component parts set out at a – c below. You must include timings for the delivery of the activities (as set out in your response) that you commit to undertake to increase the representation of disabled people and tackle inequality with regards to women and Under-Represented groups within the Contract Workforce.   1. Demonstrate how you will increase the representation of disabled people in the contract workforce, including an outline of your existing and planned activities that demonstrate and describe your ~~existing or planned~~: 2. understanding of the issues affecting the representation of disabled people in the legal services workforce, industry or sector relevant to the Framework Contract and in your own organisation. 3. measures to reduce barriers to securing more jobs and opportunities for disabled people in the Contract Workforce. 4. Demonstrate how you will identify and tackle inequality in employment, skills and pay in the Contract Workforce with regards to women and Under-Represented groups, including an outline of your existing and planned activities that demonstrate and describe your ~~existing and planned~~: 5. understanding of the issues affecting inequality for women and Under-Represented groups in employment, skills and pay in the legal services workforce, industry or sector relevant to the Framework Contract and in your own organisation. 6. measures to tackle inequality in employment, skills and pay in the Contract Workforce with regards to women and Under- Represented groups. 7. Demonstrate how you will support in-work progression to help people,   including those from disadvantaged or minority groups, to move into higher paid work by developing new skills relevant to the contract, to include an outline of your existing and planned activities that demonstrate and describe your ~~existing or planned~~:   1. understanding of in-work progression issues affecting the legal services ~~market, industry or~~ sector relevant to the Framework Contract, and in your own organisation 2. measures to support in-work progression to help people in the contract workforce, to move into higher paid work by developing new skills relevant to the contract   Your response should be limited to, and focused on, the requirements of component parts a – c of the response guidance. You must not make generalised statements or give irrelevant information.  Please attend to layout, spelling, punctuation and grammar. Address each of the component parts in the order they are listed in this response guidance. State which part you are responding to.  Maximum character count – **8,000 characters** including spaces and punctuation.  You must not exceed the character count within the eSourcing Suite. Responses must include spaces between words. No attachments or hyperlinks to external content are permitted; any additional documents or hyperlinks submitted will be ignored in the evaluation of this question.    You are required to insert your response to this question in the technical envelope in boxes 2.2.1, 2.2.2, 2.2.3 and 2.2.4 each box has a character count of 2,000 characters. | |
| **Marking Scheme** | **Evaluation Guidance** |
| **100** | The response meets/broadly meets what is required in component parts a – c of the response guidance and sets out timings for the delivery of the activities you commit to undertake in your response. There are no significant areas of concern, although there may be limited minor issues.  The response therefore shows:   * An understanding of the requirements as set out in component parts a - c. * Sufficient competence demonstrated through relevant evidence. * Some insight demonstrated into the relevant issues.   The response addresses all/most of the social value policy outcome and also shows general market experience. |
| **0** | The response does not broadly meet what is required in component parts a – c of the response guidance and /or does not include timings for the delivery of the activities you commit to undertake in your response. There are significant areas of concern. |

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| **2.3 Section B1.1 to B1.6 - (Social Value) All Lots** |
| The responses to questions B1.1 to B1.6 are for information only and will not be scored. However failure to provide this information may result in your bid being deemed non-compliant and excluded from the competition.  If you are bidding as a consortium, the response must represent all members of the consortium collectively.  The information provided in these questions will be used to populate the following definitions in Attachment 1a - Framework Schedule 1 (Specification):   * Under-Represented Groups Threshold * Gender Threshold * Disabled Persons Threshold * Under-Represented Groups Improvements * Gender Improvements * Disabled Persons Improvements |

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| 2.3.1 B1.1  Please provide a percentage representing the proportion of Qualifying Services (calculated by hours billed) in the twelve (12) Months prior to the date of the Framework Tender Response which were provided by Under-Represented Groups (to exclude women) (this will be the Under-Represented Groups Threshold). |
| 2.3.2 B1.2  Please provide a percentage representing the proportion of Qualifying Services (calculated by hours billed) in the twelve (12) Months prior to the date of the Framework Tender Response which were provided by Disabled Persons (this will be the Disabled Persons Threshold). |
| 2.3.3 B1.3  Please provide a percentage representing the proportion of Qualifying Services (calculated by hours billed) in the twelve (12) Months prior to the date of the Framework Tender Response which were provided by women (this will be the Gender Threshold). |
| 2.3.4 B1.4  Please provide a percentage improvement commitment for Contract Year 3, based on your Under Represented Groups Threshold as provided in B1.1. Please also include a commitment for Contract Year 4, should the extension option be utilised (this will be the Under-Represented Groups Improvements). |
| 2.3.5 B1.5  Please provide a percentage improvement commitment for Contract Year 3, based on your Disabled Persons Threshold as provided in B1.2. Please also include a commitment for Contract Year 4, should the extension option be utilised (this will be the Disabled Persons Improvements). |
| 2.3.6 B1.6  Please provide a percentage improvement commitment for Contract Year 3, based on your Gender Threshold as provided in B1.3. Please also include a commitment for Contract Year 4, should the extension option be utilised (this will be the Gender Improvements). |

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| **2.4 Section B2 - (Social Value) All Lots** | |
| **B2 Requirement: Social Value Priority Theme 5**  CCS requires you to address Social Value Priority Theme 5: Wellbeing, and demonstrate how you will deliver the following Policy Outcome:     * Improve health and wellbeing     You are required to demonstrate how you will ensure that opportunities under the Framework Contract deliver the Policy Outcome to improve the physical and mental health and wellbeing of the contract workforce, in accordance with the mandatory service requirements of Attachment 1a - Framework Schedule 1 (Specification). | |
| **B2 Response Guidance**  **All Bidders must answer this question.**  **You must insert your response into the text fields in the eSourcing Suite.**  In order to satisfy the requirement, and the question associated with the requirement, you must address the following Award Criteria and its relevant Sub-Criteria:  In order to satisfy the requirement, your response must address component part (a) below. You must include timings for the delivery of the activities (as set out in your response) that you commit to undertake.     1. Demonstrate your actions to support health and wellbeing, including physical and mental health, in the Contract Workforce, to include an outline of your existing and planned activities that demonstrate and describe your ~~existing and planned~~:   i) understanding of the issues relating to health and wellbeing, including physical and mental health, in the legal services sector ~~Contract Workforce~~  ii) inclusive and accessible recruitment practices, development practices and retention-focussed activities  iii) actions to invest in the physical and mental health and wellbeing of the Contract Workforce  iv) methods to measure staff engagement over time and adapt to any changes in the results  v) processes for acting on issues identified  Your response should be limited to and focused on the Award Criteria and Sub- Criteria posed in (a). You must not make generalised statements or give irrelevant information.  Please attend to layout, spelling, punctuation and grammar. Address each of the component parts in the order they are listed in this response guidance. State which part you are responding to.  **Maximum character count – 8,000 characters** including spaces and punctuation**.** You must not exceed the character count within the eSourcing Suite. Responses must include spaces between words. No attachments or hyperlinks to external content are permitted; any additional documents or hyperlinks submitted will be ignored in the evaluation of this question.  You are required to insert your response to this question in the technical envelope in boxes 2.4.1, 2.4.2, 2.4.3 and 2.4.4 each box has a character count of 2,000 characters. | |
| **Marking Scheme** | **Evaluation Guidance** |
| **100** | The response meets/broadly meets what is required in component part (a) of the response guidance and sets out timings for the delivery of the activities you commit to undertake in your response. There are no significant areas of concern, although there may be limited minor issues.  The response therefore shows:   * An understanding of the requirements as set out in component part (a). * Sufficient competence demonstrated through relevant evidence. * Some insight demonstrated into the relevant issues.   The response addresses all/most of the social value policy outcome and also shows general market experience. |
| **0** | The response does not broadly meet what is required in component part (a) of the response guidance and /or does not include timings for the delivery of the activities you commit to undertake in your response. There are significant areas of concern. |

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| **2.5 Section C1 – Lot 1 Only** | | | |
| **C1 Requirement:**  CCS requires Bidders to demonstrate how you will deliver the following Key Areas and related component parts, using examples to demonstrate how you will deliver any future requirements under Lot 1.  The Key Areas are:   1. **Designing and executing strategies to achieve the client aims** 2. **Commitment to the client and client engagement** 3. **Staffing allocation and continuity of key fee earners**   As part of your response, you are required to reference examples which demonstrate your experience of delivering the key areas. Your examples must meet the following criteria: | | | |
| * Be relevant to either a central government client, a wider public sector client, or involve a public sector project for a private sector client and completed within the last three years. * You must state within your response that your examples are based within the UK and relate to matters that have a contract value or a value at risk of at least £15m. * Relate to the Lot 1 mandatory specialisms in accordance with 7.10 of Attachment 1a - Framework Schedule 1 (Specification). * Any examples used in response to this question may not be used in response to question C2. * Reusing a previously submitted COTPA for this Lot is allowed.   Please note that your examples will not be evaluated in their own right, but will provide context for the evaluation of the Key Areas and related component parts for this question C1, the strength and relevance of which will be taken into account in the overall evaluation of your response. | | | |
| **C1 Response Guidance:**  All Bidders submitting a bid for Lot 1 must answer this question. If you are not bidding for Lot 1, please enter "N/A" in the first applicable text box for this question.  You must insert your response into the text fields in the eSourcing tool.  In order to satisfy the requirement, you must demonstrate and provide examples in response to the following Key Areas, including component parts (a and b):   1. **Designing and executing strategies to achieve the client aims** 2. Using your example, demonstrate how you will:   i) Ensure a comprehensive understanding of your client’s instructions, strategic priorities, and risk appetite; and  ii) Incorporate this understanding into your legal advice and strategies to align with your client’s goals, including considerations of timing, tactics, and interconnected projects.   1. Using an example, demonstrate how you will account for broader strategic considerations in the delivery of public sector work, including compliance with regulations, alignment with policies, and integration of relevant HM Government initiatives and how you would engage with your client in situations where higher risk ratings are required under the Attorney General’s Guidance on Legal Risk. 2. **Commitment to the client and client engagement** 3. Using an example, demonstrate how you will ensure sufficient capacity and resources will be maintained, including how you will address peaks in demand through flexible resource planning and how these practices will be implemented to meet the requirements, deliver value for money and scalability. 4. Using an example, demonstrate how you will build a deep understanding of your client’s legal needs, and how you will apply these practices to ensure strategic alignment, knowledge sharing across the team, and provide tailored support. 5. **Staffing allocation and continuity of key fee earners** 6. Using an example, demonstrate how you will ensure an appropriate mix of grades is allocated to optimise the effective delivery of legal services and provide value for money. 7. Using an example, demonstrate how you will ensure continuity of key staff and matter understanding to maintain consistent quality throughout multi-year engagements.   Maximum character count -  **12,000 characters.**  Whilst there will be no marks given to layout, spelling, punctuation and grammar, maintaining attention to detail will assist evaluators.  You must not exceed the character count within the eSourcing Suite. Responses must include spaces between words. No attachments or hyperlinks to external content are permitted; any additional documents or hyperlinks submitted will be ignored in the evaluation of this question.    You are required to insert your response to this question in the technical envelope in boxes 2.5.1, 2.5.2, 2.5.3, 2.5.4, 2.5.5 and 2.5.6 each box has a character count of 2,000 characters. | | | |
| **Marking Weightings for Section C1** | | | |
| **Key Area** | **Question Weighting** | **Marking Scheme** | **Max Mark Available** |
| Designing and Executing Strategies to achieve client aims | 10% | 100/75/50/25/0 | 100 |
| Commitment to Client and Client Engagement | 10% | 100/75/50/25/0 | 100 |
| Staffing Allocation and Continuity of Fee Earners | 8% | 100/75/50/25/0 | 100 |

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| **Marking Scheme 100/75/50/25/0** | |
| **Marking scheme** | **Evaluation Guidance** |
| 100 | **A VERY GOOD ANSWER**  The response is relevant to the requirement and is comprehensive, unambiguous, and fully demonstrates your ability to meet the key area of the response guidance.  Full and relevant evidence has been provided to clearly demonstrate that the key areas have been satisfied.  The response provides a high level of confidence that the approach will meet the requirement for each key area and has a strong potential to exceed the requirement for the delivery of services. |
| 75 | **A GOOD ANSWER**  The response is relevant to the requirement and is sufficiently detailed to demonstrate your ability to meet each key area of the response guidance.  Sufficient evidence has been provided to demonstrate each key area of the response guidance.  The response provides a good level of confidence that the approach will meet the requirement for each key area for the delivery of services. |
| 50 | **A SATISFACTORY ANSWER**  The response is relevant to the requirement. Whilst the response addresses each key area, it is not sufficiently detailed and/or does not include sufficient explanation in some elements to fully demonstrate your ability to meet each key area of the response guidance.  Whilst some evidence has been provided it does not sufficiently demonstrate each key area of the response guidance.  The response provides an adequate level of confidence that the approach has the potential to meet the requirement for each key area for the delivery of services. |
| 25 | **A BELOW STANDARD ANSWER**  The response is not fully relevant to or only partially addresses the requirement and/or each key area of the response guidance.  The response addresses some of each key area but not all, and there is a significant lack of detail.  Whilst some evidence has been provided it does not sufficiently demonstrate each key area.  There is a lack of detail and/or lack of explanation and/or ambiguity in the response which provides a low level of confidence that the approach has the ability to meet the requirement for each key area for the delivery of services.  **If you receive a score of 25, we will reject your bid and you will be excluded from the competition.** |
| 0 | **A POOR ANSWER**  The response is not relevant to the requirement and/or the key areas and/or the response has not satisfied any of the requirements for each key area.  The response provides no confidence that the approach will meet the requirement for each key area for the delivery of services.  or  No response provided.  **If you receive a 0, we will reject your bid and you will be excluded from the competition.** |

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| **2.6 Section C2 – Lot 1 Only** |
| **C2 Requirement:**  CCS requires Bidders to demonstrate how you will deliver the following Key Areas and related component parts, using examples to demonstrate how you will deliver any future requirements under Lot 1.  The Key Areas are:   1. Collaborative Working 2. Effective Delivery 3. Quality Assurance 4. Client Satisfaction   As part of your response, you are required to reference examples which demonstrate your experience of delivering the key areas. Your examples must meet the following criteria:   * Be relevant to either a central government client, a wider public sector client, or involve a public sector project for a private sector client and completed within the last three years. * You must state within your response that your examples are based within the UK and relate to matters that have a contract value or a value at risk of at least £15m. * Relate to the Lot 1 mandatory specialisms in accordance with 7.10 of Attachment 1a - Framework Schedule 1 (Specification). * Any examples used in response to this question may not be used in response to question C1. * Duplicating a COTPA previously provided for this Lot is permitted.   Please note that your examples will not be evaluated in their own right, but will provide context for the evaluation of the Key Areas and related component parts for this question C2, the strength and relevance of which will be taken into account in the overall evaluation of your response. |
| **C2 Response Guidance:**    All Bidders submitting a bid for Lot 1 must answer this question. If you are not bidding for Lot 1, please enter "N/A" in the first applicable text box for this question.  You must insert your response into the text fields in the eSourcing tool.  In order to satisfy the requirement, your response must demonstrate and provide examples in response to the following Key Areas, including component parts (a and b):   1. **Collaborative Working**    1. Using your example, demonstrate how you will foster collaboration across multiple stakeholders, including internal legal teams, other suppliers, and project teams, to achieve the client’s objectives.    2. Using an example, demonstrate how you will address challenges in collaboration by managing conflicting priorities and integrating contributions from multiple teams, while maintaining seamless and cooperative working relationships. 2. **Effective Delivery**    1. Using an example, demonstrate how you will ensure timely and effective delivery of your clients’ needs and how these methods will be applied to meet the requirements, including reference to how you are able to ensure timely and effective delivery of high volume legal work.    2. Using an example, demonstrate how you will adapt to unforeseen circumstances, including but not limited to changes in scope and tight deadlines, to maintain high delivery standards while meeting project timelines. 3. **Quality Assurance**    1. Using an example, demonstrate how you will ensure the quality of Deliverables and how these practices will inform your quality assurance approach.    2. Using an example, demonstrate how you will identify and resolve quality issues during a commission and how you will ensure continuous improvement under this agreement. 4. **Client Satisfaction**    1. Using an example, demonstrate how you will measure and maintain client satisfaction by gathering feedback, addressing client concerns, and ensuring transparency in communication.    2. Using an example, demonstrate how you will use client feedback to drive continuous improvement in outcomes and deliverables.   Maximum character count - **12,000 characters,** including spaces and punctuation.  Whilst there will be no marks given to layout, spelling, punctuation and grammar, maintaining attention to detail will assist evaluators.  You must not exceed the character count within the eSourcing Suite. Responses must include spaces between words. No attachments or hyperlinks to external content are permitted; any additional documents or hyperlinks submitted will be ignored in the evaluation of this question.  You are required to insert your response to this question in the technical envelope in boxes 2.6.1, 2.6.2, 2.6.3, 2.6.4, 2.6.5 and 2.6.6 each box has a character count of 2,000 characters. |

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| **Key Area** | **Question Weighting** | **Marking Scheme** | **Max Mark Available** |
| Collaborative Working | 8% | 100/75/50/25/0 | 100 |
| Effective Delivery | 7% | 100/75/50/25/0 | 100 |
| Quality Assurance | 10% | 100/75/50/25/0 | 100 |
| Client Satisfaction | 7% | 100/75/50/25/0 | 100 |

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| **Marking Scheme 100/75/50/25/0** | |
| **Marking scheme** | **Evaluation Guidance** |
| 100 | **A VERY GOOD ANSWER**  The response is relevant to the requirement and is comprehensive, unambiguous, and fully demonstrates your ability to meet the key area of the response guidance.  Full and relevant evidence has been provided to clearly demonstrate that the key areas have been satisfied.  The response provides a high level of confidence that the approach will meet the requirement for each key area and has a strong potential to exceed the requirement for the delivery of services. |
| 75 | **A GOOD ANSWER**  The response is relevant to the requirement and is sufficiently detailed to demonstrate your ability to meet each key area of the response guidance.  Sufficient evidence has been provided to demonstrate each key area of the response guidance.  The response provides a good level of confidence that the approach will meet the requirement for each key area for the delivery of services. |
| 50 | **A SATISFACTORY ANSWER**  The response is relevant to the requirement. Whilst the response addresses each key area, it is not sufficiently detailed and/or does not include sufficient explanation in some elements to fully demonstrate your ability to meet each key area of the response guidance.  Whilst some evidence has been provided it does not sufficiently demonstrate each key area of the response guidance.  The response provides an adequate level of confidence that the approach has the potential to meet the requirement for each key area for the delivery of services. |
| 25 | **A BELOW STANDARD ANSWER**  The response is not fully relevant to or only partially addresses the requirement and/or each key area of the response guidance.  The response addresses some of each key area but not all, and there is a significant lack of detail.  Whilst some evidence has been provided it does not sufficiently demonstrate each key area.  There is a lack of detail and/or lack of explanation and/or ambiguity in the response which provides a low level of confidence that the approach has the ability to meet the requirement for each key area for the delivery of services.  **If you receive a score of 25, we will reject your bid and you will be excluded from the competition.** |
| 0 | **A POOR ANSWER**  The response is not relevant to the requirement and/or the key areas and/or the response has not satisfied any of the requirements for each key area.  The response provides no confidence that the approach will meet the requirement for each key area for the delivery of services.  or  No response provided.  **If you receive a zero, we will reject your bid and you will be excluded from the competition.** |

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| **2.7 Section D1 – Lot 2 Only** |
| **D1 Requirement:**  CCS requires Bidders to demonstrate how you will deliver the following Key Areas and related component parts, using an example to demonstrate how you will deliver any future requirements under Lot 2.  The Key Areas are:   1. **Designing and executing strategies to achieve the client aims** 2. **Commitment to the client and client engagement** 3. **Staffing allocation and continuity of key fee earners**   As part of your response, you are required to reference **one** example which demonstrates your experience of delivering the Key Areas and their component parts. The example must have been completed within the last three years, ensuring that it includes:   * Two mandatory specialisms from Group A, or * One mandatory specialism from Group B, or * Two mandatory specialisms from Group C, or * Two mandatory specialisms from Group D   The groups of specialisms are as follows:  **Group A:** If using an example from this group it **must** have been delivered and completed for a private sector or public sector client.   * Corporate Finance * Finance and Investment * Financial Services, Market and Competition Regulation * Merger & Acquisition Activity * Rescue, Restructuring and Insolvency * Tax Law   For **Group B**, **Group C**, and **Group D**, the example **must** demonstrate delivery and completion under one of the following scenarios:   * For a central government client or a wider public sector client; * In connection with a public sector project or a matter where you advised a private sector counterparty in a public sector project; * In a case where the public sector acted as a claimant or defendant in private law matters; or * In a case where the public sector was a defendant in public law matters on behalf of a private sector client.   **Group B:**   * Public Law * Public Law Litigation and Dispute Resolution   **Group C:**   * Assimilated Law (previously known as Retained EU Law) * Commercial Litigation and Dispute Resolution * Competition Law * Contracts * Corporate Law * Outsourcing * Public Procurement Law   **Group D:**   * Construction Law * Planning Law * Projects/PFI/PPP * Real Estate and Real Estate Finance   Your example must also meet the following:   * Must have involved legal fees charged of £2 million or more. * The example must be based within the UK. * The example used in response to this question may not be used in response to question D2. * Must use specialisms from a different Group to that used to answer question D2. * May include an example that refers to a COPTA that has been submitted for this Lot.   You are required to provide a summary of your example which **must not exceed 4,000 characters** including spaces and punctuation. No attachments or hyperlinks to external content are permitted; any additional documents or hyperlinks submitted will be disregarded in the evaluation of this question.  Please note the summary of your example is not evaluated in its own right, but will provide context for the evaluation of the D1 Key Areas and related component parts, the strength and relevance of which will be taken into account in the overall evaluation of your response.  If you do not clearly provide the information required above in the summary of your example, this will affect the mark awarded. |
| **D1 Response Guidance:**  All Bidders submitting a bid for Lot 2 must answer this question. If you are not bidding for Lot 2, please enter "N/A" in the first applicable text box for this question.  You must insert your response into the text fields in the eSourcing tool.  In order to satisfy the requirement, your response must demonstrate and reference your example in response to the following Key Areas, including component parts (a and b):   1. **Designing and executing strategies to achieve the client aims**    1. Using your example, demonstrate how you will:       1. Understand and validate your client’s instructions to provide tailored advice on large complex matters as described in Paragraph 8.5 of Attachment 1a - Framework Schedule 1 (Specification);       2. Assess the feasibility of your client’s strategic priorities, manage their expectations, and evaluate their attitude towards risk to integrate this understanding into your strategic advice.    2. Using your example, demonstrate how you will:       1. manage your client’s evolving requirements and external dependencies to develop strategic designs; and       2. provide advice that aligns with the requirements and standards applicable to a central government authority. 2. **Commitment to the client and client engagement**    1. Using your example, demonstrate how you will manage competing demands by outlining your strategies to dynamically flex resource in large complex matters to ensure:       1. Sufficient capacity and specialist expertise are available to meet fluctuating and urgent client demands; and       2. Changing scope, scale, and complexity are effectively managed, particularly when dealing with competing instructions from other clients including other government departments; and       3. Value for money is achieved    2. Using your example, demonstrate how you will continuously engage with client departments, the wider project delivery team, and third parties to:       1. deepen your understanding of your client’s needs; and       2. ensure your advice aligns with your client’s strategic objectives. 3. **Staffing allocation and continuity of key fee earners**    1. Using your example, demonstrate how you will manage an appropriate mix of grades, including but not limited to senior experts for strategic oversight and mid-level professionals for supportive advice and tasks, to meet the demands of large complex matters while ensuring value for money.    2. Using your example, demonstrate how your staffing strategies, including knowledge transfer, role duplication, and team resilience, will sustain continuity and uphold consistent, high-quality service delivery in long-term, complex engagements, as well as when managing multiple concurrent instructions.   Maximum character count - **10,000 characters**, including spaces and punctuation. Additionally, your summary of the **example must be no more than 4,000 characters.** This summary is separate from the main response, meaning the **total character limit for your submission is 14,000 characters.**  Bidders should use the first two text boxes for your example which should not exceed 4,000 characters, the additional text boxes should be used for your main response.   Any characters over the allotted 10,000 for your main response will be disregarded.  Your response must comprehensively answer the relevant question, referencing the chosen example to clearly demonstrate how your approach would be transferable to the delivery of future requirements under Lot 2 as set out in Attachment 1a - Framework Schedule 1 (Specification).  Whilst there will be no marks given to layout, spelling, punctuation and grammar, maintaining attention to detail will assist evaluators.  You must not exceed the character count within the eSourcing Suite. Responses must include spaces between words. No attachments or hyperlinks to external content are permitted; any additional documents or hyperlinks submitted will be ignored in the evaluation of this question.  You are required to insert your response to this question in the technical envelope in boxes 2.7.1, 2.7.2, 2.7.3, 2.7.4, 2.7.5, 2.7.6 and 2.7.7 each box has a character count of 2,000 characters. |

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| **Marking Weightings for Section D1** | | | |
| **Key Area** | **Question Weighting** | **Marking Scheme** | **Max Mark Available** |
| Designing and Executing Strategies to achieve client aims | 12% | 100/75/50/25/0 | 100 |
| Commitment to Client and Client Engagement | 10% | 100/75/50/25/0 | 100 |
| Staffing Allocation and Continuity of Fee Earners | 10% | 100/75/50/25/0 | 100 |

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| **Marking Scheme 100/75/50/25/0** | |
| **Marking scheme** | **Evaluation Guidance** |
| 100 | **A VERY GOOD ANSWER**  The response is relevant to the requirement and is comprehensive, unambiguous, and fully demonstrates your ability to meet the key area of the response guidance.  Full and relevant evidence has been provided to clearly demonstrate that the key areas have been satisfied.  The response provides a high level of confidence that the approach will meet the requirement for each key area and has a strong potential to exceed the requirement for the delivery of services. |
| 75 | **A GOOD ANSWER**  The response is relevant to the requirement and is sufficiently detailed to demonstrate your ability to meet each key area of the response guidance.  Sufficient evidence has been provided to demonstrate each key area of the response guidance.  The response provides a good level of confidence that the approach will meet the requirement for each key area for the delivery of services. |
| 50 | **A SATISFACTORY ANSWER**  The response is relevant to the requirement. Whilst the response addresses each key area, it is not sufficiently detailed and/or does not include sufficient explanation in some elements to fully demonstrate your ability to meet each key area of the response guidance.  Whilst some evidence has been provided it does not sufficiently demonstrate each key area of the response guidance.  The response provides an adequate level of confidence that the approach has the potential to meet the requirement for each key area for the delivery of services. |
| 25 | **A BELOW STANDARD ANSWER**  The response is not fully relevant to or only partially addresses the requirement and/or each key area of the response guidance.  The response addresses some of each key area but not all, and there is a significant lack of detail.  Whilst some evidence has been provided it does not sufficiently demonstrate each key area.  There is a lack of detail and/or lack of explanation and/or ambiguity in the response which provides a low level of confidence that the approach has the ability to meet the requirement for each key area for the delivery of services.  **If you receive a score of 25, we will reject your bid and you will be excluded from the competition.** |
| 0 | **A POOR ANSWER**  The response is not relevant to the requirement and/or the key areas and/or the response has not satisfied any of the requirements for each key area.  The response provides no confidence that the approach will meet the requirement for each key area for the delivery of services.  or  No response provided.  **If you receive a 0, we will reject your bid and you will be excluded from the competition.** |

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| **2.8 Section D2 – Lot 2 Only** |
| **D2 Requirement:**  CCS requires Bidders to demonstrate how you will deliver the following Key Areas and related component parts, using an example to demonstrate how you will deliver any future requirements under Lot 2.  The Key Areas are:   1. **Collaborative Working** 2. **Effective Delivery** 3. **Quality Assurance** 4. **Customer Satisfaction**   As part of your response, you are required to reference **one** example which demonstrates your experience of delivering the Key Areas and their component parts. The example must have been completed within the last three years, ensuring that it includes:   * Two mandatory specialisms from Group A, or * One mandatory specialism from Group B, or * Two mandatory specialisms from Group C, or * Two mandatory specialisms from Group D   The groups of specialisms are as follows:  **Group A:** If using an example from this group it **must** have been delivered and completed for a private sector or public sector client.   * Corporate Finance * Finance and Investment * Financial Services, Market and Competition Regulation * Merger & Acquisition Activity * Rescue, Restructuring and Insolvency * Tax Law   For **Group B**, **Group C**, and **Group D**, the example **must** demonstrate delivery and completion under one of the following scenarios:   * For a central government client or a wider public sector client; * In connection with a public sector project or or a matter where you advised a private sector counterparty in a public sector project; * In a case where the public sector acted as a claimant or defendant in private law matters; or * In a case where the public sector was a defendant in public law matters on behalf of a private sector client.   **Group B:**   * Public Law * Public Law Litigation and Dispute Resolution   **Group C:**   * Assimilated Law (previously known as Retained EU Law) * Commercial Litigation and Dispute Resolution * Competition Law * Contracts * Corporate Law * Outsourcing * Public Procurement Law   **Group D:**   * Construction Law * Planning Law * Projects/PFI/PPP * Real Estate and Real Estate Finance   Your example must also meet the following:   * Must have involved legal fees charged of £500,000 or more. * The example must be based within the UK. * The example used in response to this question may not be used in response to question D1. * Must use specialisms from a different Group to that used to answer question D1. * May include an example that refers to a COPTA that has been submitted for this Lot.   You are required to provide a summary of your example which **must not exceed 4,000 characters** including spaces and punctuation. No attachments or hyperlinks to external content are permitted; any additional documents or hyperlinks submitted will be disregarded in the evaluation of this question.  Please note the summary of your example is not evaluated in its own right, but will provide context for the evaluation of the D2 key areas and related component parts the strength and relevance of which will be taken into account in the overall evaluation of your response.  In addition, if you do not clearly provide the information required above in the summary of your example, this will affect the mark awarded. |
| **D2 Response Guidance:**  All Bidders submitting a bid for Lot 2 must answer this question. If you are not bidding for Lot 2, please enter "N/A" in the first applicable text box for this question.  You must insert your response into the text fields in the eSourcing tool.  In order to satisfy the requirement, your response must demonstrate and reference your example in response to the following Key Areas, including component parts (a and b):   1. **Collaborative Working**    1. Using your example, demonstrate how you will effectively communicate and manage senior clients and third-party stakeholders with competing priorities to ensure your advice remains aligned with the client’s strategic objectives.    2. Using your example, demonstrate how you will ensure all your interactions add value without being duplicative or surplus to requirements. 2. **Effective Delivery**    1. Using your example, demonstrate what tools and techniques you will implement to enhance the effective delivery of large complex projects ensuring successful outcomes over multi-year time periods.    2. Using your example, demonstrate how you will promote and facilitate the transfer of skills and knowledge to ensure the client fully understands the basis of the advice provided in large complex projects. 3. **Quality Assurance**    1. Using your example, demonstrate how you will ensure the quality of deliverables and advice in alignment with public sector standards.    2. Using your example, demonstrate how you will apply quality assurance processes over the duration of a large complex matter to identify and resolve quality issues and enhance quality controls and mitigate future risks 4. **Customer Satisfaction**    1. Using your example, ~~D~~demonstrate how you capture customer feedback to accurately measure satisfaction and identify areas for improvement.    2. Using your example, ~~D~~demonstrate how you will use client feedback to refine your services, align deliverables in large complex projects or matters, and drive continuous improvement.   Maximum character count - **10,000 characters**, including spaces and punctuation. Additionally, your summary of the **example must be no more than 4,000 characters.** This summary is separate from the main response, meaning the **total character limit for your submission is 14,000 characters**.  Bidders should use the first two text boxes for your example which should not exceed 4,000 characters, the additional text boxes should be used for your main response.   Any characters over the allotted 10,000 for your main response will be disregarded.  Your response must comprehensively answer the relevant question, referencing the chosen example to clearly demonstrate how your approach would be transferable to the delivery of future requirements under Lot 2 as set out in Attachment 1a - Framework Schedule 1 (Specification).  Whilst there will be no marks given to layout, spelling, punctuation and grammar, maintaining attention to detail will assist evaluators.  You must not exceed the character count within the eSourcing Suite. Responses must include spaces between words. No attachments or hyperlinks to external content are permitted; any additional documents or hyperlinks submitted will be ignored in the evaluation of this question.  You are required to insert your response to this question in the technical envelope in boxes 2.8.1, 2.8.2, 2.8.3, 2.8.4, 2.8.5, 2.8.6 and 2.8.7 each box has a character count of 2,000 characters. |

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| **Key Area** | **Question Weighting** | **Marking Scheme** | **Max Mark Available** |
| Collaborative Working | ~~8%~~ 10% | 100/75/50/25/0 | 100 |
| Effective Delivery | ~~7%~~ 10% | 100/75/50/25/0 | 100 |
| Quality Assurance | ~~10%~~ 8% | 100/75/50/25/0 | 100 |
| Client Satisfaction | ~~7%~~ 10% | 100/75/50/25/0 | 100 |

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| **Marking Scheme 100/75/50/25/0** | |
| **Marking scheme** | **Evaluation guidance** |
| 100 | **A VERY GOOD ANSWER**  The response is relevant to the requirement and is comprehensive, unambiguous, and fully demonstrates your ability to meet the key area of the response guidance.  Full and relevant evidence has been provided to clearly demonstrate that the key areas have been satisfied.  The response provides a high level of confidence that the approach will meet the requirement for each key area and has a strong potential to exceed the requirement for the delivery of services. |
| 75 | **A GOOD ANSWER**  The response is relevant to the requirement and is sufficiently detailed to demonstrate your ability to meet each key area of the response guidance.  Sufficient evidence has been provided to demonstrate each key area of the response guidance.  The response provides a good level of confidence that the approach will meet the requirement for each key area for the delivery of services. |
| 50 | **A SATISFACTORY ANSWER**  The response is relevant to the requirement. Whilst the response addresses each key area, it is not sufficiently detailed and/or does not include sufficient explanation in some elements to fully demonstrate your ability to meet each key area of the response guidance.  Whilst some evidence has been provided it does not sufficiently demonstrate each key area of the response guidance.  The response provides an adequate level of confidence that the approach has the potential to meet the requirement for each key area for the delivery of services. |
| 25 | **A BELOW STANDARD ANSWER**  The response is not fully relevant to or only partially addresses the requirement and/or each key area of the response guidance.  The response addresses some of each key area but not all, and there is a significant lack of detail.  Whilst some evidence has been provided it does not sufficiently demonstrate each key area.  There is a lack of detail and/or lack of explanation and/or ambiguity in the response which provides a low level of confidence that the approach has the ability to meet the requirement for each key area for the delivery of services.  **If you receive a score of 25, we will reject your bid and you will be excluded from the competition.** |
| 0 | **A POOR ANSWER**  The response is not relevant to the requirement and/or the key areas and/or the response has not satisfied any of the requirements for each key area.  The response provides no confidence that the approach will meet the requirement for each key area for the delivery of services.  or  No response provided.  **If you receive a zero, we will reject your bid and you will be excluded from the competition.** |

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| **2.9 Section E1 – Lot 3 Only** |
| **E1 Requirement:**  CCS requires Bidders to demonstrate how you will deliver the following Key Areas and related component parts, using an example to demonstrate how you will deliver any future requirements under Lot 3.  The Key Areas are:   1. **Quality of Legal Service** 2. **Strategic & Innovative Input** 3. **Mobilisation & Team Management** 4. **Project & Stakeholder Management**   As part of your response, you are required to reference **one** example which demonstrates your experience of delivering the Key Areas and their component parts.  Your example used must demonstrate your ability to deliver legal services and support on a very high risk, exceptionally complex or ‘first of a kind’ client transaction, project, case or matter that involves multiple stakeholders or multiple legal work streams and has the potential for significant impact on one or more markets or geographical areas (a “Highly Complex Project”).  The example must have been completed within the last five years and must include two out of the following five groups of specialisms.  **Group 1:**   * Finance (project and ~~finance,~~ asset finance, investment and asset management ~~finance~~ or investment and commercial banking)   **Group 2:**   * Corporate (corporate law, corporate finance or ~~high value/complex~~ merger and acquisition activity) * Projects and transactions   **Group 3:**   * Capital markets (equity capital markets or debt capital markets)   **Group 4:**   * Financial services, market and competition regulation   **Group 5:**   * Restructuring and insolvency (financial institutions rescue, restructuring and ~~or~~ insolvency, restructuring/insolvency, sovereign debt restructuring)   Your example must also meet the following:   * The example can be based either within or outside the UK. * The example used in response to this question may not be used in response to question E2. * Reusing a previously submitted COTPA for this Lot is allowed.   You are required to provide a summary of your example which **must not exceed 4,000 characters** including spaces and punctuation. No attachments or hyperlinks to external content are permitted; any additional documents or hyperlinks submitted will be disregarded in the evaluation of this question.  Your summary should explain why the example was a Highly Complex Project, as defined. For example, the project might have been exceptionally complex because it involved substantive local law advice being provided by your firm or partner firms in multiple overseas jurisdictions or it required at least 25 legally-qualified staff (excluding paralegals, legal executives, apprentices and trainees) from your firm. The project might have been very high risk because it had a very high underlying financial value or value at risk, such as £400m or more, or it carried very high legal, political or reputational risks.  Please note the summary of your example is not evaluated in its own right, but will provide context for the evaluation of the E1 Key Areas and related component parts, the strength and relevance of which will be taken into account in the overall evaluation of your response.  If you do not clearly provide the information required above in the summary of your example, this will affect the mark awarded. |
| **E1 Response Guidance:**  All Bidders submitting a bid for Lot 3 must answer this question. If you are not bidding for Lot 3, please enter "N/A" in the first applicable text box for this question.  You must insert your response into the text fields in the eSourcing tool.  In order to satisfy the requirement, your response must demonstrate and reference your example in response to the following Key Areas, including component parts (a and b):   1. **Quality of Legal Service**    1. Using your example, demonstrate how you will apply your market-leading practices to deliver legal services on a Highly Complex Project, including how you will:       1. identify the specific legal services required to meet client needs, including multi-disciplinary challenges.       2. adapt your legal services as issues evolve and new risks arise.       3. ensure all advice is pragmatic, precise, and tailored to the client’s strategic objectives.    2. Using your example, demonstrate how you will assist the client by identifying and providing advice on immediate and longer-term risks on a Highly Complex Project, such as novel legal, regulatory, or political challenges, and the mitigation of those risks.      1. **Strategic & Innovative Input**     1. Using your example, demonstrate how you will align your legal services with the client’s overarching strategic goals on Highly Complex Projects.    2. Using your example, demonstrate how you will use innovative solutions to address the unique challenges of a Highly Complex Project, highlighting the tools you would use to deliver added value. 2. **Mobilisation & Team Management**     1. Using your example, demonstrate how you will structure and mobilise a legal team to address the unique demands of a Highly Complex Project, including:       1. team structure and roles to provide support in relation to diverse legal specialisms.       2. coordination, reporting mechanisms and quality assurance processes.    2. Using your example, demonstrate how you will deliver consistent, high-quality legal services while balancing cost efficiency on a Highly Complex Project, including:       1. the strategies you will use to manage costs without compromising the quality of legal services.       2. how you will monitor and evaluate the balance between quality and cost throughout the project. 3. **Project & Stakeholder Management**     1. Using your example, demonstrate how you will organise and manage input from multiple stakeholders, within or outside of government, including your strategies for effective communication and decision-making.    2. Using your example, demonstrate how you will manage differences in opinion and competing demands from stakeholderson a Highly Complex Project, including your strategies for resolving differences and aligning priorities to ensure successful project delivery.   Maximum character count - **12,000 characters**, including spaces and punctuation. Additionally, your summary of the **example must be no more than 4,000 characters.** This summary is separate from the main response, meaning the **total character limit for your submission is 16,000 characters.**  Bidders should use the first two text boxes for your example which should not exceed 4,000 characters, the additional text boxes should be used for your main response.   Any characters over the allotted 12,000 for your main response will be disregarded.  Your response must comprehensively answer the relevant question, referencing the chosen example to clearly demonstrate how your approach would be transferable to the delivery of future requirements under Lot 3 as set out in Attachment 1a - Framework Schedule 1 (Specification).  Whilst there will be no marks given to layout, spelling, punctuation and grammar, maintaining attention to detail will assist evaluators.  You must not exceed the character count within the eSourcing Suite. Responses must include spaces between words. No attachments or hyperlinks to external content are permitted; any additional documents or hyperlinks submitted will be ignored in the evaluation of this question.  You are required to insert your response to this question in the technical envelope in boxes 2.9.1, 2.9.2, 2.9.3, 2.9.4, 2.9.5, 2.9.6, 2.9.7 and 2.9.8 each box has a character count of 2,000 characters. |

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| **Marking Weightings for Section E1** | | | |
| **Key Area** | **Weighting** | **Marking Scheme** | **Max Mark Available** |
| Quality of Legal Service | 8% | 100/75/50/25/0 | 100 |
| Strategic & Innovative Input | 6% | 100/75/50/25/0 | 100 |
| Mobilisation & Team Management | 3% | 100/75/50/25/0 | 100 |
| Project & Stakeholder Management | 3% | 100/75/50/25/0 | 100 |

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| **Marking Scheme 100/75/50/25/0** | |
| **Marking Scheme** | **Evaluation Guidance** |
| 100 | **A VERY GOOD ANSWER**  The response is relevant to the requirement and is comprehensive, unambiguous, and fully demonstrates your ability to meet the key area of the response guidance.  Full and relevant evidence has been provided to clearly demonstrate that the key areas have been satisfied.  The response provides a high level of confidence that the approach will meet the requirement for each key area and has a strong potential to exceed the requirement for the delivery of services. |
| 75 | **A GOOD ANSWER**  The response is relevant to the requirement and is sufficiently detailed to demonstrate your ability to meet each key area of the response guidance.  Sufficient evidence has been provided to demonstrate each key area of the response guidance.  The response provides a good level of confidence that the approach will meet the requirement for each key area for the delivery of services. |
| 50 | **A SATISFACTORY ANSWER**  The response is relevant to the requirement. Whilst the response addresses each key area, it is not sufficiently detailed and/or does not include sufficient explanation in some elements to fully demonstrate your ability to meet each key area of the response guidance.  Whilst some evidence has been provided it does not sufficiently demonstrate each key area of the response guidance.  The response provides an adequate level of confidence that the approach has the potential to meet the requirement for each key area for the delivery of services. |
| 25 | **A BELOW STANDARD ANSWER**  The response is not fully relevant to or only partially addresses the requirement and/or each key area of the response guidance.  The response addresses some of each key area but not all, and there is a significant lack of detail.  Whilst some evidence has been provided it does not sufficiently demonstrate each key area.  There is a lack of detail and/or lack of explanation and/or ambiguity in the response which provides a low level of confidence that the approach has the ability to meet the requirement for each key area for the delivery of services.  **If you receive a score of 25, we will reject your bid and you will be excluded from the competition.** |
| 0 | **A POOR ANSWER**  The response is not relevant to the requirement and/or the key areas and/or the response has not satisfied any of the requirements for each key area.  The response provides no confidence that the approach will meet the requirement for each key area for the delivery of services.  or  No response provided.  **If you receive a 0, we will reject your bid and you will be excluded from the competition.** |

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| **2.10 Section E2 – Lot 3 Only** |
| **E2 Requirement:**  CCS requires Bidders to demonstrate how you will deliver the following Key Areas and related component parts, using an example to demonstrate how you will deliver any future requirements under Lot 3.  The Key Areas are:   1. **Quality of Legal Service** 2. **Strategic & Innovative Input** 3. **Mobilisation & Team Management** 4. **Project & Stakeholder Management**   As part of your response, you are required to reference **one** example which demonstrates your experience of delivering the Key Areas and their component parts.  Your example must demonstrate your ability to deliver legal services and support on a very high risk or complex client transaction, project, case or matter which is delivered with extreme urgency or involves substantial work delivered and resources mobilised at short notice or over very short timescales (an “Urgent Project”).  The example must have been completed within the last five years and must include two out of the following five groups of specialisms.  **Group 1:**   * Finance (project and ~~finance,~~ asset finance, investment and asset management ~~finance~~ or investment and commercial banking)   **Group 2:**   * Corporate (corporate law, corporate finance or ~~high value/complex~~ merger and acquisition activity) * Projects and transactions   **Group 3:**   * Capital markets (equity capital markets or debt capital markets)   **Group 4:**   * Financial services, market and competition regulation   **Group 5:**   * Restructuring and insolvency (financial institutions rescue, restructuring and ~~or~~ insolvency, restructuring/insolvency, sovereign debt restructuring)   Your example must also meet the following:   * The example can be based either within or outside the UK. * The example used in response to this question may not be used in response to question E1. * Reusing a previously submitted COTPA for this Lot is allowed.   You are required to provide a summary of your example which **must not exceed 4,000 characters** including spaces and punctuation. No attachments or hyperlinks to external content are permitted; any additional documents or hyperlinks submitted will be disregarded in the evaluation of this question.  Your summary should explain why the example was an Urgent Project, as defined. For example, the project might have been complex because it involved substantive local law advice being provided by your firm or partner firms in multiple overseas jurisdictions or it required at least 15 legally-qualified staff (excluding paralegals, legal executives, apprentices and trainees) from your firm. The project might have been high risk because it had a high underlying financial value or value at risk, such as £250m or more, or it carried high legal, political or reputational risks. The project might have been delivered with extreme urgency due to a crisis situation or your firm had to ramp up a large, multi-faceted team at short notice.  Please note the summary of your example is not evaluated in its own right, but will provide context for the evaluation of the E2 Key Areas and related component parts, the strength and relevance of which will be taken into account in the overall evaluation of your response.  If you do not clearly provide the information required above in the summary of your example, this will affect the mark awarded. |
| **E2 Response Guidance:**  All Bidders submitting a bid for Lot 3 must answer this question. If you are not bidding for Lot 3, please enter "N/A" in the first applicable text box for this question.  You must insert your response into the text fields in the eSourcing tool.  In order to satisfy the requirement, your response must demonstrate and reference your example in response to the following Key Areas, including component parts (a and b):   1. **Quality of Legal Service**    1. Using your example, demonstrate how you will apply market-leading practices to deliver legal services on an Urgent Project, including how you will:       1. rapidly identify the client’s legal needs in a time-sensitive context.       2. quickly adapt and update your advice or approach as new legal issues emerge.       3. maintain accuracy and alignment with the client’s priorities under tight deadlines.    2. Using your example, demonstrate how you will assist the client by identifying and providing advice on immediate and longer-term risks on an Urgent Project, and the mitigation of those risks. 2. **Strategic & Innovative Input**     1. Using your example, demonstrate how you will align your legal services with the client’s strategic objectives on Urgent Projects.    2. Using your example, demonstrate how you will leverage technological solutions which are innovative and add value to clients on Urgent Projects. 3. **Mobilisation & Team Management**     1. Using your example, demonstrate how you will rapidly mobilise and structure a legal team to meet the demands of an Urgent Project, including:       1. how you will avoid delays;       2. your communication and coordination strategies to ensure efficiency under tight timelines.    2. Using your example, demonstrate how you will deliver consistent, high-quality legal services while managing costs and meeting time-critical deadlines. 4. **Project & Stakeholder Management**     1. Using your example, demonstrate how you will rapidly organise and manage input from multiple stakeholders on an Urgent Project, including your strategies for effective communication, decision-making, and resolving differences of opinion and competing demands in time-sensitive situations.   Maximum character count - **12,000 characters,** including spaces and punctuation. Additionally, your summary of the **example must be no more than 4,000 characters.** This summary is separate from the main response, meaning the **total character limit for your submission is 16,000 characters.**  Bidders should use the first two text boxes for your example which should not exceed 4,000 characters, the additional text boxes should be used for your main response.   Any characters over the allotted 12,000 for your main response will be disregarded.  Your response must comprehensively answer the relevant question, referencing the chosen example to clearly demonstrate how your approach would be transferable to the delivery of future requirements under Lot 3 as set out in Attachment 1a - Framework Schedule 1 (Specification).  Whilst there will be no marks given to layout, spelling, punctuation and grammar, maintaining attention to detail will assist evaluators.  You must not exceed the character count within the eSourcing Suite. Responses must include spaces between words. No attachments or hyperlinks to external content are permitted; any additional documents or hyperlinks submitted will be ignored in the evaluation of this question.  You are required to insert your response to this question in the technical envelope in boxes 2.10.1, 2.10.2, 2.10.3, 2.10.4, 2.10.5, 2.10.6, 2.10.7 and 2.10.8 each box has a character count of 2,000 characters. |

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| **Marking Weightings for Section E2** | | | |
| **Key Area** | **Weighting** | **Marking Scheme** | **Max Mark Available** |
| Quality of Legal Service | 8% | 100/75/50/25/0 | 100 |
| Strategic & Innovative Input | 3% | 100/75/50/25/0 | 100 |
| Mobilisation & Team Management | 6% | 100/75/50/25/0 | 100 |
| Project & Stakeholder Management | 3% | 100/75/50/25/0 | 100 |

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| **Marking Scheme 100/75/50/25/0** | |
| **Marking Scheme** | **Evaluation Guidance** |
| 100 | **A VERY GOOD ANSWER**  The response is relevant to the requirement and is comprehensive, unambiguous, and fully demonstrates your ability to meet the key area of the response guidance.  Full and relevant evidence has been provided to clearly demonstrate that the key areas have been satisfied.  The response provides a high level of confidence that the approach will meet the requirement for each key area and has a strong potential to exceed the requirement for the delivery of services. |
| 75 | **A GOOD ANSWER**  The response is relevant to the requirement and is sufficiently detailed to demonstrate your ability to meet each key area of the response guidance.  Sufficient evidence has been provided to demonstrate each key area of the response guidance.  The response provides a good level of confidence that the approach will meet the requirement for each key area for the delivery of services. |
| 50 | **A SATISFACTORY ANSWER**  The response is relevant to the requirement. Whilst the response addresses each key area, it is not sufficiently detailed and/or does not include sufficient explanation in some elements to fully demonstrate your ability to meet each key area of the response guidance.  Whilst some evidence has been provided it does not sufficiently demonstrate each key area of the response guidance.  The response provides an adequate level of confidence that the approach has the potential to meet the requirement for each key area for the delivery of services. |
| 25 | **A BELOW STANDARD ANSWER**  The response is not fully relevant to or only partially addresses the requirement and/or each key area of the response guidance.  The response addresses some of each key area but not all, and there is a significant lack of detail.  Whilst some evidence has been provided it does not sufficiently demonstrate each key area.  There is a lack of detail and/or lack of explanation and/or ambiguity in the response which provides a low level of confidence that the approach has the ability to meet the requirement for each key area for the delivery of services.  **If you receive a score of 25, we will reject your bid and you will be excluded from the competition.** |
| 0 | **A POOR ANSWER**  The response is not relevant to the requirement and/or the key areas and/or the response has not satisfied any of the requirements for each key area.  The response provides no confidence that the approach will meet the requirement for each key area for the delivery of services.  or  No response provided.  **If you receive a 0, we will reject your bid and you will be excluded from the competition.** |

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| **2.11 Section E3 - Lot 3 Only** |
| **E3 - Scenario: Major Infrastructure Project** |
| **E3 Requirement:**  CCS requires the Bidder to submit a written response addressing each of the three Key Areas below, demonstrating your knowledge in the Lot 3 specialisms and issues arising from the Government’s policy for a first-of-a-kind major infrastructure project. The three Key Areas are based on the E3 Scenario detailed below.   * **Key Area 1: Ministerial Briefing** * **Key Area 2: Advice to National Wealth Fund** * **Key Area 3: Stakeholder Collaboration, Project Management and Delivery** |
| **E3 Scenario**  In this fictional scenario the power station and fuel source are hypothetical and can be assumed to be a new (but proven) low carbon technology. Your firm should not focus on planning or licensing legal issues related to this and can assume that 1) a development consent order has been granted and is in effect for the project and 2) the project will be licensed by OFGEM under a bespoke generation licence once constructed.  The Department for Energy Security and Net Zero (the “Department”) wants to accelerate net zero electricity generation to assist reaching the UK’s net zero target by 2050. There exists a project to develop a new low carbon power plant (the “Project”) run by Company A, which currently has shareholders in the USA and Europe. The Project has a development consent order granted and is just about to start construction. The current shareholders wish to exit the UK and the Project in order to focus on developing projects in their own countries. The Project is a key one for the UK as it will generate 3GW, and likely to power circa 6 million homes.  The Department wishes to consider options for the purchase of the Project. The Secretary of State for the Department has expressed a preference for the Project to be facilitated via a joint venture special purpose vehicle (“ProjectCo”) owned by the Department and a joint venture partner. So far, parties from the UK, Germany, Dubai and China have expressed an interest in becoming the Department’s joint venture partner. Policy analysis of options for the Project has also flagged that full nationalisation of the Project may also present good value for money for taxpayers and consumers long term, but it is unclear if full funds for this could be made available in the next UK budget/Spending Review. Market analysis has suggested that a full private sale is not attractive to the market due to uncertainty over long term energy prices and retail energy market reforms.  The policy team have identified internal workstreams to be:   * Researching and determining the best method of ownership and purchase of ProjectCo; * Determining financing and funding options for the Project; * Determining framework and governance structures for the Project; and * Ensuring profitability and long-term value for the tax payer and consumer.   Critical to the Project is a cutting-edge specialist technology which ProjectCo can only obtain by sourcing the technology from abroad. Only a very small number of companies in Europe have this technology and the Government may need to offer specific trade finance support to procure this technology from one of them.  Given the UK’s target to reach net zero by 2050, the Project will operate under tight timelines. There is significant press and public interest in the Project. A local residents’ group (which includes some high profile individuals) has already begun lobbying MPs against the Project on the basis of concerns about safety, value for money, pollution and adverse impact on nature and landscape, and disruption to transport infrastructure.  If the Project is to go ahead as a joint venture, it is intended that it would be financed by a mixture of:  Government equity funding (put in as shares and shareholder loans);  Private equity investment (also put in as shares and shareholder loans up to a max 50% shareholding); and  Debt financing (both from the Government and institutional lenders such as banks and infrastructure-focused investors) |
| **E3 Response Guidance:**  All Bidders submitting a bid for Lot 3 must answer this question. If you are not bidding for Lot 3, please enter "N/A" in the first applicable text box for this question.  You must insert your response into the text fields in the eSourcing tool.  In order to satisfy the requirement, your response must address all aspects for each Key Area.  **Key Area 1: Ministerial Briefing**  Your firm has been retained by the Department to provide legal advice on the Project. The Secretary of State has asked for a submission summarising the current status of plans for the Project.  Please draft a legal advice annex to be appended to a submission to the Department’s Ministers summarising the **top six areas** of strategic legal issues which might impact the success of the Project for the Department and your proposed approach to mitigate them.  The note should:   * Focus on strategic issues that could significantly affect the Project's success or public perception, and clearly identify key strategic legal issues related to the scenario that are likely to impact delivery. Each issue should be articulated clearly and remain relevant to a Government client. * Begin the note with an executive summary that includes clear recommendations. Ensure these recommendations are prioritised, justified, and aligned with Government objectives. * Ensure the document is clear, concise, highly actionable, and free from unnecessary legal jargon, catering to a non-legal audience responsible for strategic decision-making. * Provide legal assessments in accordance with the Attorney General’s Legal Risk Guidance, offering comprehensive and practical mitigation strategies that effectively deliver the client’s objectives, address strategic issues, and demonstrate a thorough understanding of the policy context outlined in the scenario.   **Key Area 2: Advice to National Wealth Fund**  The National Wealth Fund (NWF, formerly the UK Infrastructure Bank) has supported the financing of the Project by providing a loan guarantee to secure a portion of ProjectCo’s debt financing. The guarantee was issued to enhance ProjectCo’s creditworthiness and attract institutional lenders, allowing the Project to secure financing on more favourable terms.  During the construction phase of the Project, extreme flooding has caused unforeseen delays which have led to significant cost overruns. As a result, ProjectCo has failed to meet key financial milestones under the various loan agreements it has in place. The lenders have now indicated that they intend to call on the NWF guarantee.  Your firm has been retained by NWF to provide a brief note addressing the legal and financial implications of the loan guarantee being called upon and the options for mitigating NWF’s exposure.  You should assume that the guarantee provided by the NWF is a straightforward unconditional, irrevocable, loan guarantee issued by NWF. For the purpose of this task you do not need to consider NWF’s actual guarantee documentation that has been published or any backstop arrangements that HMT has with NWF in reality.  The note should:   * Ensure clarity and conciseness, avoiding unnecessary legal jargon, to cater to a non-legal yet commercially aware audience responsible for strategic decision-making. * Approach this task as a separate instruction to Key Area 1 i.e. without consideration of any prior instructions or potential conflicts of interest. * Effectively identify key issues, such as the implications of a cost overrun, demonstrating an understanding of the Government context, including the involvement of government arm's length bodies. * Develop practical and innovative solutions that are aligned with Government objectives for the Project. * Ensure the advice is clear, easily accessible, and highly actionable for a non-legal audience.   **Key Area 3: Stakeholder Collaboration, Project Management and Delivery**  Provide a high-level outline of how your firm would:   * Collaboratively engage with stakeholders to manage their input and the Project’s legal aspects across various phases, supported by a detailed and realistic collaboration plan that showcases proven strategies for effective teamwork. * Ensure the timely delivery of high-quality legal advice in alignment with project milestones, demonstrating your firm’s capability to handle this resource-intensive project through effective staffing allocation, project management tools, and quality assurance measures. * Develop a comprehensive and evidence-based resource management plan that efficiently allocates resources, manages deadlines, and assures quality throughout the Project.   Maximum character count - **12,000 characters**.  Whilst there will be no marks given to layout, spelling, punctuation and grammar, maintaining attention to detail will assist evaluators.  You must not exceed the character count within the eSourcing Suite. Responses must include spaces between words. No attachments or hyperlinks to external content are permitted; any additional documents or hyperlinks submitted will be ignored in the evaluation of this question.  You are required to insert your response to this question in the technical envelope in boxes 2.11.1, 2.11.2, 2.11.3, 2.11.4, 2.11.5 and 2.11.6 each box has a character count of 2,000 characters. |

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| **Marking Weightings for Section E3** | | | |
| **Key Area** | **Question Weighting** | **Marking Scheme** | **Max Mark Available** |
| Ministerial Briefing | 24% | 100/75/50/25/0 | 100 |
| Advice to National Wealth Fund | 10% | 100/75/50/25/0 | 100 |
| Stakeholder Collaboration, Project Management and Delivery | 6% | 100/75/50/25/0 | 100 |

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| **Marking Scheme 100/75/50/25/0** | |
| **Marking Scheme** | **Evaluation Guidance** |
| 100 | **A VERY GOOD ANSWER**  The response is relevant to the requirement and is comprehensive, unambiguous, and fully demonstrates your ability to meet the key area of the response guidance.  Full and relevant evidence has been provided to clearly demonstrate that the key areas have been satisfied.  The response provides a high level of confidence that the approach will meet the requirement for each key area and has a strong potential to exceed the requirement for the delivery of services. |
| 75 | **A GOOD ANSWER**  The response is relevant to the requirement and is sufficiently detailed to demonstrate your ability to meet each key area of the response guidance.  Sufficient evidence has been provided to demonstrate each key area of the response guidance.  The response provides a good level of confidence that the approach will meet the requirement for each key area for the delivery of services. |
| 50 | **A SATISFACTORY ANSWER**  The response is relevant to the requirement. Whilst the response addresses each key area, it is not sufficiently detailed and/or does not include sufficient explanation in some elements to fully demonstrate your ability to meet each key area of the response guidance.  Whilst some evidence has been provided it does not sufficiently demonstrate each key area of the response guidance.  The response provides an adequate level of confidence that the approach has the potential to meet the requirement for each key area for the delivery of services. |
| 25 | **A BELOW STANDARD ANSWER**  The response is not fully relevant to or only partially addresses the requirement and/or each key area of the response guidance.  The response addresses some of each key area but not all, and there is a significant lack of detail.  Whilst some evidence has been provided it does not sufficiently demonstrate each key area.  There is a lack of detail and/or lack of explanation and/or ambiguity in the response which provides a low level of confidence that the approach has the ability to meet the requirement for each key area for the delivery of services.  **If you receive a score of 25, we will reject your bid and you will be excluded from the competition.** |
| 0 | **A POOR ANSWER**  The response is not relevant to the requirement and/or the key areas and/or the response has not satisfied any of the requirements for each key area.  The response provides no confidence that the approach will meet the requirement for each key area for the delivery of services.  or  No response provided.  **If you receive a 0, we will reject your bid and you will be excluded from the competition.** |

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| **2.12 Section F1 - Lot 4a Only** |
| **F1 Scenario: Trade and Investment Negotiations** |
| **F1 Requirement:**  CCS requires you to demonstrate your ability to provide expert legal advice and support in the context of international trade and investment negotiations, specifically focusing on the UK’s services and investment schedules. Your response should address the following mandatory specialism and service elements being tested:   * **Key Area 1:** **Advice on domestic law of different jurisdictions in the context of international trade and/or negotiations** * **Key Area 2: Mobilisation and team management** * **Key Area 3: Management of sub-contractors given the wide range of jurisdictions** * **Key Area 4: Provision of quality legal solutions/advice** * **Key Area 5: Handling of confidential information**   The five (5) Key Areas are based on the F1 Scenario detailed below. |
| **Scenario Overview:**  A trade negotiation between the UK and eight other countries is underway. After agreement on the core policy areas in the services and investment chapters amongst the negotiating parties, the parties have agreed to exchange their schedules on services and investment in the coming months.  You have been asked by HMG policy teams to assist with the drafting of the UK’s services and investment schedules. This work is to be conducted in the following two stages:  (i) research the “water” in the other negotiating partners’ scheduling practice to assist in developing the UK’s opening offer; and  (ii) advise on the considerations relevant when drafting the UK’s services and investment schedules, including specific coverage for the Crown Dependencies and an Overseas Territory. |
| **F1 Response Guidance:**  All Bidders submitting a bid for Lot 4a must answer this question. If you are not bidding for Lot 4a, please enter "N/A" in the first applicable text box for this question.  You must insert your response into the text fields in the eSourcing tool.  In order to satisfy the requirement, your response must address all aspects for each Key Area.  **Key Area 1:** **Advice on domestic law of different jurisdictions in the context of international trade and/or negotiations**   * 1. Specify the key aspects and issues that you would examine in regard to the negotiating partners when undertaking the legal research on the “water” in the negotiating partners’ scheduling practice.   2. Outline the approach you would follow when advising HMG on the drafting of its schedules, including how you would identify and advise on the domestic legal matters that will need to be considered.   **Key Area 2: Mobilisation and team management**   * 1. Demonstrate how you would utilise in-house resources to deliver the advice sought in Key Area 1(a) and Key Area 1(b) above.   **Key Area 3: Management of sub-contractors given the wide range of jurisdictions**   * 1. Demonstrate how you would organise and work with subcontractors on advice relating to eight different countries and specific UK territories.   **Key Area 4: Provision of quality legal solutions/advice**   * 1. Outline how you would provide proportionate advice and support to enable the drafting of schedules that meet HMG interests, are deliverable and have a clear legal underpinning.   **Key Area 5: Handling of confidential information**   * 1. Demonstrate how you will safeguard HMG information and outline the security controls you will implement to ensure its protection at all times, including both physical and data security measures.   Maximum character count - **12,000 characters.**  Whilst there will be no marks given to layout, spelling, punctuation and grammar, maintaining attention to detail will assist evaluators.  You must not exceed the character count within the eSourcing Suite. Responses must include spaces between words. No attachments or hyperlinks to external content are permitted; any additional documents or hyperlinks submitted will be ignored in the evaluation of this question.  You are required to insert your response to this question in the technical envelope in boxes 2.12.1, 2.12.2, 2.12.3, 2.12.4, 2.12.5 and 2.12.6 each box has a character count of 2,000 characters. |

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| **Marking Weightings for Section F1** | | | |
| **Key Area** | **Question Weighting** | **Marking Scheme** | **Max Mark Available** |
| **Key Area 1** | **14%** | **100/75/50/25/0** | **100** |
| **Key Area 2** | **3.5%** | **100/75/50/25/0** | **100** |
| **Key Area 3** | **7%** | **100/75/50/25/0** | **100** |
| **Key Area 4** | **7%** | **100/75/50/25/0** | **100** |
| **Key Area 5** | **3.5%** | **100/75/50/25/0** | **100** |

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| **Marking Scheme 100/75/50/25/0** | |
| **Marking Scheme** | **Evaluation Guidance** |
| 100 | **A VERY GOOD ANSWER**  The response is relevant to the requirement and is comprehensive, unambiguous, and fully demonstrates your ability to meet the key area of the response guidance.  Full and relevant evidence has been provided to clearly demonstrate that the key areas have been satisfied.  The response provides a high level of confidence that the approach will meet the requirement for each key area and has a strong potential to exceed the requirement for the delivery of services. |
| 75 | **A GOOD ANSWER**  The response is relevant to the requirement and is sufficiently detailed to demonstrate your ability to meet each key area of the response guidance.  Sufficient evidence has been provided to demonstrate each key area of the response guidance.  The response provides a good level of confidence that the approach will meet the requirement for each key area for the delivery of services. |
| 50 | **A SATISFACTORY ANSWER**  The response is relevant to the requirement. Whilst the response addresses each key area, it is not sufficiently detailed and/or does not include sufficient explanation in some elements to fully demonstrate your ability to meet each key area of the response guidance.  Whilst some evidence has been provided it does not sufficiently demonstrate each key area of the response guidance.  The response provides an adequate level of confidence that the approach has the potential to meet the requirement for each key area for the delivery of services. |
| 25 | **A BELOW STANDARD ANSWER**  The response is not fully relevant to or only partially addresses the requirement and/or each key area of the response guidance.  The response addresses some of each key area but not all, and there is a significant lack of detail.  Whilst some evidence has been provided it does not sufficiently demonstrate each key area.  There is a lack of detail and/or lack of explanation and/or ambiguity in the response which provides a low level of confidence that the approach has the ability to meet the requirement for each key area for the delivery of services.  **If you receive a score of 25, we will reject your bid and you will be excluded from the competition.** |
| 0 | **A POOR ANSWER**  The response is not relevant to the requirement and/or the key areas and/or the response has not satisfied any of the requirements for each key area.  The response provides no confidence that the approach will meet the requirement for each key area for the delivery of services.  or  No response provided.  **If you receive a 0, we will reject your bid and you will be excluded from the competition.** |

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| **2.13 Section F2 - Lot 4a Only** |
| **F2 - Scenario: Trade and Investment Negotiations** |
| **F2 Requirement:**  CCS requires you to demonstrate your capability to provide comprehensive legal advice across the full spectrum of FTA chapters and deliver tailored support for trade and investment negotiations. Your response should address the following mandatory specialism and service elements being tested:   * **Key Area 1: Legal advice on the full range of FTA chapters** * **Key Area 2: Advice in relation to risk** * **Key Area 3: Strategic and innovative input** * **Key Area 4: Project management** * **Key Area 5: Transfer of knowledge**   The five (5) Key Areas are based on the F2 Scenario detailed below. |
| **Scenario Overview:**  HMG has taken the decision to launch a negotiation for a full coverage FTA with a country with which it currently has no specific trade and investment commitments, other than at the WTO. The negotiations will be for an FTA covering the policy areas in the list below. HMG is seeking legal advice on certain key issues that need to be considered before launching the negotiations. Thereafter HMG will be outsourcing the provision of legal advice and drafting of its opening textual offers for the negotiations, having regard to the UK’s international trade and investment commitments. HMG lawyers will subsequently take over as legal advisers for the negotiations.  In relation to advice being sought prior to launching the negotiations, the chief negotiator’s team has specifically identified needing to understand MFN implications and triggers based on obligations in UK’s existing trading relationships as being pivotal in settling the UK’s negotiation objectives for this negotiation. You are therefore asked to consider possible MFN implications across the spectrum of policy areas identified below and outline how they should be factored in.  In relation to the text development process, it is expected that first UK text proposals will be tabled in all the areas identified below. This will be in the first round of the negotiations where the text will be discussed and following the round, HMG lawyers will be taking over as legal advisers. For clarity, you will not be expected to provide legal support in the room for the negotiation round.  List of policy areas covered within scope of negotiation:   1. Trade in Goods 2. Rules of Origin and Origin Procedures 3. Customs Procedures and Trade Facilitation 4. Trade Remedies 5. Sanitary and Phytosanitary Measures 6. Animal Welfare and Antimicrobial Resistance 7. Technical Barriers to Trade 8. Cross Border Trade in Services 9. Financial Services 10. Domestic Regulation 11. Professional and Business Services 12. Entry and Temporary Stay 13. Investment 14. Telecommunications 15. Digital Trade 16. Intellectual Property 17. Government Procurement 18. Competition Policy and Consumer Protection 19. State-Owned Enterprises 20. Small and Medium-Sized Enterprises 21. Labour 22. Environment 23. Development 24. Trade and Gender Equality 25. Anti-corruption 26. Dispute Settlement 27. Legal and Institutional |
| **F2 Response Guidance:**  All Bidders submitting a bid for Lot 4a must answer this question. If you are not bidding for Lot 4a, please enter "N/A" in the first applicable text box for this question.  You must insert your response into the text fields in the eSourcing tool.  In order to satisfy the requirement, your response must address all aspects for each Key Area.  **Key Area 1: Legal advice on the full range of FTA chapters**   * 1. Explain how you will identify the relevant chapters and chapter groups that may have MFN implications.   2. Outline how you would approach the text development process across the full range of policy areas.   **Key Area 2: Advice in relation to risk**   * 1. Explain how you would assess any MFN implications and risks identified in Key Area 1(a) above.   **Key Area 3: Strategic and innovative input**   * 1. Identify the specific types of additional information you expect from HMG to provide appropriate support.   2. Demonstrate how you would incorporate broader strategic considerations and risk management when advising on the text development process for chapters and chapter groups with MFN implications.   **Key Area 4: Project management**   * 1. Demonstrate how you would manage and organise your team in delivering support on the full range of policy areas.   **Key Area 5: Transfer of knowledge**   * 1. Demonstrate how you would support handover to HMG lawyers   Maximum character count - **12,000 characters.**  Whilst there will be no marks given to layout, spelling, punctuation and grammar, maintaining attention to detail will assist evaluators.  You must not exceed the character count within the eSourcing Suite. Responses must include spaces between words. No attachments or hyperlinks to external content are permitted; any additional documents or hyperlinks submitted will be ignored in the evaluation of this question.  You are required to insert your response to this question in the technical envelope in boxes 2.13.1, 2.13.2, 2.13.3, 2.13.4, 2.13.5 and 2.13.6 each box has a character count of 2,000 characters. |

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| **Marking Weightings for Section F2** | | | |
| **Key Area** | **Question Weighting** | **Marking Scheme** | **Max Mark Available** |
| **Key Area 1** | **14%** | **100/75/50/25/0** | **100** |
| **Key Area 2** | **3.5%** | **100/75/50/25/0** | **100** |
| **Key Area 3** | **7%** | **100/75/50/25/0** | **100** |
| **Key Area 4** | **3.5%** | **100/75/50/25/0** | **100** |
| **Key Area 5** | **7%** | **100/75/50/25/0** | **100** |

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| **Marking Scheme 100/75/50/25/0** | |
| **Marking Scheme** | **Evaluation Guidance** |
| 100 | **A VERY GOOD ANSWER**  The response is relevant to the requirement and is comprehensive, unambiguous, and fully demonstrates your ability to meet the key area of the response guidance.  Full and relevant evidence has been provided to clearly demonstrate that the key areas have been satisfied.  The response provides a high level of confidence that the approach will meet the requirement for each key area and has a strong potential to exceed the requirement for the delivery of services. |
| 75 | **A GOOD ANSWER**  The response is relevant to the requirement and is sufficiently detailed to demonstrate your ability to meet each key area of the response guidance.  Sufficient evidence has been provided to demonstrate each key area of the response guidance.  The response provides a good level of confidence that the approach will meet the requirement for each key area for the delivery of services. |
| 50 | **A SATISFACTORY ANSWER**  The response is relevant to the requirement. Whilst the response addresses each key area, it is not sufficiently detailed and/or does not include sufficient explanation in some elements to fully demonstrate your ability to meet each key area of the response guidance.  Whilst some evidence has been provided it does not sufficiently demonstrate each key area of the response guidance.  The response provides an adequate level of confidence that the approach has the potential to meet the requirement for each key area for the delivery of services. |
| 25 | **A BELOW STANDARD ANSWER**  The response is not fully relevant to or only partially addresses the requirement and/or each key area of the response guidance.  The response addresses some of each key area but not all, and there is a significant lack of detail.  Whilst some evidence has been provided it does not sufficiently demonstrate each key area.  There is a lack of detail and/or lack of explanation and/or ambiguity in the response which provides a low level of confidence that the approach has the ability to meet the requirement for each key area for the delivery of services.  **If you receive a score of 25, we will reject your bid and you will be excluded from the competition.** |
| 0 | **A POOR ANSWER**  The response is not relevant to the requirement and/or the key areas and/or the response has not satisfied any of the requirements for each key area.  The response provides no confidence that the approach will meet the requirement for each key area for the delivery of services.  or  No response provided.  **If you receive a 0, we will reject your bid and you will be excluded from the competition.** |

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| **2.14 Section G1 – Lot 4b Only** |
| **G1 Requirement:**  CCS requires Bidders to demonstrate how you will deliver the following Key Areas and related component parts, using examples to demonstrate how you will deliver any future Deliverables under Lot 4b.  The Key Areas are:   1. **Providing legal advice on all stages of international trade disputes, including, but not limited to, advice on procedural rules developed through significant practice at the WTO** 2. **Ability to conduct written and oral advocacy in trade disputes on behalf of a sovereign state primary party**.   Your examples must demonstrate the breadth and depth of your expertise in handling trade disputes for a sovereign state, particularly your proficiency in advising on WTO procedural issues. They should also showcase your ability to deliver high-quality legal advice, advocacy, and strategic support to HMG while aligning with government priorities, such as cost-effectiveness and policy considerations.  To substantiate your expertise, you must provide examples from your prior experience detailing your role, the key legal and factual issues involved, and the status or outcome of each dispute. Whether offensive or defensive, these cases should illustrate your active involvement at all stages, demonstrating your ability to navigate WTO procedures and effectively advise a sovereign state throughout the dispute process. All examples must be from cases completed within the last ten years.  Please note that your example(s) will not be evaluated in its own right, but will provide context for the evaluation of the Key Areas and related component parts for this question G1, the strength and relevance of which will be taken into account in the overall evaluation of your response. |
| **G1 Response Guidance:**  All Bidders submitting a bid for Lot 4b must answer this question. If you are not bidding for Lot 4b, please enter "N/A" in the first applicable text box for this question.  You must insert your response into the text fields in the eSourcing tool.  In order to satisfy the requirement, your response must demonstrate and reference examples in response to the following Key Areas, including component parts (a and b).   1. **Providing legal advice on all stages of international trade disputes, including, but not limited to, advice on procedural rules developed through significant practice at the WTO** 2. Demonstrate how you will provide expert advice and support at all stages of international trade disputes, including how you will tailor your advice and support to the various phases of a dispute, and the dynamic needs of HMG. 3. Demonstrate how you will identify and assess legal and strategic risk relating to international trade disputes. Outline the steps you will take to advise on mitigating such risks while ensuring alignment with HMG’s wider interests and objectives. 4. **Ability to conduct written and oral advocacy in trade disputes on behalf of a sovereign state primary party.** 5. Demonstrate how you will develop and deliver effective written and oral advocacy in offensive/defensive international trade disputes, including how you will tailor your strategies to the specific needs of each dispute, while ensuring alignment with HMG’s wider interests and objectives. 6. Demonstrate how you will adapt your advocacy strategies to the unique procedural and substantive requirements of individual trade disputes, and the requirements of sovereign clients, including managing evolving dynamics as a dispute develops.   Maximum character count - **12,000 characters.**  Your response must comprehensively answer the relevant question, referencing the chosen example to clearly demonstrate how your approach would be transferable to the delivery of future requirements under Lot 4b as set out in Attachment 1a - Framework Schedule 1 (Specification).  Whilst there will be no marks given to layout, spelling, punctuation and grammar, maintaining attention to detail will assist evaluators.  You must not exceed the character count within the eSourcing Suite. Responses must include spaces between words. No attachments or hyperlinks to external content are permitted; any additional documents or hyperlinks submitted will be ignored in the evaluation of this question.  You are required to insert your response to this question in the technical envelope in boxes 2.14.1, 2.14.2, 2.14.3, 2.14.4, 2.14.5 and 2.14.6 each box has a character count of 2,000 characters. |

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| **Marking Weightings for Section G1** | | | |
| **Key Area** | **Weighting** | **Marking Scheme** | **Max Mark Available** |
| **Key Area 1** | **10%** | **100/75/50/25/0** | **100** |
| **Key Area 2** | **10%** | **100/75/50/25/0** | **100** |

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| **Marking Scheme 100/75/50/25/0** | |
| **Marking scheme** | **Evaluation Guidance** |
| **100** | **A VERY GOOD ANSWER**  The response is relevant to the requirement and is comprehensive, unambiguous, and fully demonstrates your ability to meet the key area of the response guidance.  Full and relevant evidence has been provided to clearly demonstrate that the key areas have been satisfied.  The response provides a high level of confidence that the approach will meet the requirement for each key area and has a strong potential to exceed the requirement for the delivery of services. |
| **75** | **A GOOD ANSWER**  The response is relevant to the requirement and is sufficiently detailed to demonstrate your ability to meet each key area of the response guidance.  Sufficient evidence has been provided to demonstrate each key area of the response guidance.  The response provides a good level of confidence that the approach will meet the requirement for each key area for the delivery of services. |
| **50** | **A SATISFACTORY ANSWER**  The response is relevant to the requirement. Whilst the response addresses each key area, it is not sufficiently detailed and/or does not include sufficient explanation in some elements to fully demonstrate your ability to meet each key area of the response guidance.  Whilst some evidence has been provided it does not sufficiently demonstrate each key area of the response guidance.  The response provides an adequate level of confidence that the approach has the potential to meet the requirement for each key area for the delivery of services. |
| **25** | **A BELOW STANDARD ANSWER**  The response is not fully relevant to or only partially addresses the requirement and/or each key area of the response guidance.  The response addresses some of each key area but not all, and there is a significant lack of detail.  Whilst some evidence has been provided it does not sufficiently demonstrate each key area.  There is a lack of detail and/or lack of explanation and/or ambiguity in the response which provides a low level of confidence that the approach has the ability to meet the requirement for each key area for the delivery of services.  **If you receive a score of 25, we will reject your bid and you will be excluded from the competition.** |
| **0** | **A POOR ANSWER**  The response is not relevant to the requirement and/or the key areas and/or the response has not satisfied any of the requirements for each key area.  The response provides no confidence that the approach will meet the requirement for each key area for the delivery of services.  or  No response provided.  **If you receive a 0, we will reject your bid and you will be excluded from the competition.** |

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| **2.15 Section G2 - Lot 4b Only** |
| **G2 - Scenario: Trade Remedies** |
| **G2 Requirement:**  CCS requires you to demonstrate your ability to provide expert legal advice and strategic guidance in the context of international trade, particularly regarding the UK Government’s policy on electric bicycles. Your response should address the following Key Areas:   1. **Domestic Action** 2. **Trade Remedies Measures** 3. **Trade Dispute Mitigation**   Your response must demonstrate a clear understanding of the complexities involved in balancing support for domestic industries with adherence to international trade commitments. Responses should include both strategic and technical elements, showcasing your ability to manage potential risks and provide high quality strategic and practical legal advice. |
| **Scenario Overview:**  It is November 2024. The UK Government wishes to develop a policy related to electric bicycles as it aims to meet its Net Zero targets. It is concerned that the UK domestic industry in electric bicycles may be outcompeted by other countries where production costs are lower. There are concerns about Pedaland (a WTO Member). There are reports from Pedaland of state subsidies being applied to develop its electric bicycle industry. The evidence is that Pedaland has preferential financing including: banks operating as public entities, inputs being provided at less than market rate, grants, tax exemptions and tax reduction policies, and land use. Some domestic producers have concerns that their UK-based production for electric bicycles is not being supported by the UK Government, and that other international companies will dominate the UK market. However, the domestic industry also has supply chains for its own electric bicycle industry based on Pedaland inputs. The UK Government also has reason to believe that other jurisdictions will be taking trade remedies measures on increasing numbers of electric bicycles from Pedaland.  Increasing numbers of electric bicycles are entering the UK from other jurisdictions. The UK Government wants to support domestic producers of electric bicycles and is considering options as to how to do this. However, it does not wish to have a dispute at the WTO or under the EU TCA. |
| **G2 Response Guidance:**  All Bidders submitting a bid for Lot 4b must answer this question. If you are not bidding for Lot 4b, please enter "N/A" in the first applicable text box for this question.  You are required to respond to the following Key Areas, which must include the following component parts (a and b):   1. **Domestic Action:**    1. Outline the domestic measures that could be taken to address the increasing imports of electric bicycles while supporting the UK’s domestic producers.    2. Highlight how these measures align with UK legal frameworks and trade commitments. 2. **Trade Remedies Measures:**    1. Detail the potential trade remedies measures that HMG could ~~be~~ consider~~ed~~ in response to Pedaland’s policies, including state subsidies and preferential financing    2. Explain how these measures would be designed and implemented within the UK’s obligations under international trade agreements. 3. **Trade Dispute Mitigation:**    1. Analyse the potential for trade disputes arising from the actions proposed in Key Area 1 and Key Area 2.    2. Provide strategies for mitigating these risks, including approaches to avoid disputes at the WTO or under the EU-UK Trade and Cooperation Agreement.   Maximum character count - **12,000 characters.**  Whilst there will be no marks given to layout, spelling, punctuation and grammar, maintaining attention to detail will assist evaluators.  You must not exceed the character count within the eSourcing Suite. Responses must include spaces between words. No attachments or hyperlinks to external content are permitted; any additional documents or hyperlinks submitted will be ignored in the evaluation of this question.  You are required to insert your response to this question in the technical envelope in boxes 2.15.1, 2.15.2, 2.15.3, 2.15.4, 2.15.5 and 2.15.6 each box has a character count of 2,000 characters. |

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| **Marking Weightings for Section G2** | | | |
| **Key Area** | **Weighting** | **Marking Scheme** | **Max Mark Available** |
| **Key Area 1** | **7%** | **100/75/50/25/0** | **100** |
| **Key Area 2** | **7%** | **100/75/50/25/0** | **100** |
| **Key Area 3** | **6%** | **100/75/50/25/0** | **100** |

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| **Marking Scheme 100/75/50/25/0** | |
| **Marking Scheme** | **Evaluation Guidance** |
| 100 | **A VERY GOOD ANSWER**  The response is relevant to the requirement and is comprehensive, unambiguous, and fully demonstrates your ability to meet the key area of the response guidance.  Full and relevant evidence has been provided to clearly demonstrate that the key areas have been satisfied.  The response provides a high level of confidence that the approach will meet the requirement for each key area and has a strong potential to exceed the requirement for the delivery of services. |
| 75 | **A GOOD ANSWER**  The response is relevant to the requirement and is sufficiently detailed to demonstrate your ability to meet each key area of the response guidance.  Sufficient evidence has been provided to demonstrate each key area of the response guidance.  The response provides a good level of confidence that the approach will meet the requirement for each key area for the delivery of services. |
| 50 | **A SATISFACTORY ANSWER**  The response is relevant to the requirement. Whilst the response addresses each key area, it is not sufficiently detailed and/or does not include sufficient explanation in some elements to fully demonstrate your ability to meet each key area of the response guidance.  Whilst some evidence has been provided it does not sufficiently demonstrate each key area of the response guidance.  The response provides an adequate level of confidence that the approach has the potential to meet the requirement for each key area for the delivery of services. |
| 25 | **A BELOW STANDARD ANSWER**  The response is not fully relevant to or only partially addresses the requirement and/or each key area of the response guidance.  The response addresses some of each key area but not all, and there is a significant lack of detail.  Whilst some evidence has been provided it does not sufficiently demonstrate each key area.  There is a lack of detail and/or lack of explanation and/or ambiguity in the response which provides a low level of confidence that the approach has the ability to meet the requirement for each key area for the delivery of services.  **If you receive a score of 25, we will reject your bid and you will be excluded from the competition.** |
| 0 | **A POOR ANSWER**  The response is not relevant to the requirement and/or the key areas and/or the response has not satisfied any of the requirements for each key area.  The response provides no confidence that the approach will meet the requirement for each key area for the delivery of services.  or  No response provided.  **If you receive a 0, we will reject your bid and you will be excluded from the competition.** |

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| **2.16 Section G3 - Lot 4b Only** |
| **G3 - Scenario: Trade Disputes** |
| **G3 Requirement:**  CCS requires you to demonstrate your expertise in providing advice on substantive international trade law issues, advising on and developing a WTO dispute strategy and assembling a capable legal team to advise the UK on international trade-related disputes. Your response should address the following Key Areas:   1. **Advising on international law relating to trade, including, but not limited to, compliance with the law of the WTO and of international trade agreements.** 2. **Advising on and development of litigation strategy at all stages of international trade disputes based on significant experience at Panel and/or appeal level at the WTO.** 3. **Proposed Team and Expertise**   Your response must demonstrate a clear understanding of the complexities of international trade disputes and the strategic considerations required to protect UK interests. It should also showcase your firm’s capacity to deliver high-quality legal advice while maintaining efficiency and cost-effectiveness. |
| **G3 Scenario Overview:**  Pedaland, a WTO Member and signatory to the Paris Agreement, is the world’s second largest economy and a global leader in steel manufacturing. Pedaland is also a party to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (“CPTPP”) and the UK also has a bilateral free trade agreement with Pedaland.  In December 2024 Pedaland adopted a flagship policy: *YouCycle*. The *YouCycle* scheme encourages the use of electric bicycles (“e-bikes”) and is intended to reduce car usage, as part of Pedaland’s commitment to reach Net Zero by 2030. This commitment is enshrined in Pedaland’s *Net Zero 2030 Regulations*, which requires the sitting Government to undertake its best efforts to reduce carbon emissions to zero by 2030; there are no penalties if this target is not met.  Under the *YouCycle* scheme, e-bike manufacturers are eligible to apply to join a scheme under which manufacturers are eligible to receive a tax rebate worth 20% of the price of every e-bike sold. To join the scheme, manufacturers must submit an application, which is scored by government officials across a number of criteria and receive a passing score (application scores are not published or disclosed to applicants). Official eligibility criteria for the rebate scheme published by Pedaland (in the local language, Pedalese, only) focus primarily on ensuring that the e-bikes and their batteries are safe; the criteria explicitly state that manufacturers of all types of e-bike are eligible to apply for the scheme.  United Kingdom industry has privately reported that, during the course of informal conversations about the scheme, Pedaland government officials have suggested that manufacturers producing e-bike frames from materials other than steel will have points deducted when their application is assessed, which are likely to be needed to receive the passing score to be approved for the rebate scheme. To date, 15 manufacturers have been approved for the scheme, all of which are producers who manufacture steel framed e-bikes from Pedaland steel.  In order to prevent bike-related injuries, Pedaland also offers e-bike purchasers a voucher that they can use to redeem a free bike helmet. The terms of the government-issued voucher state that it may only be redeemed against helmets made in Pedaland, or in its neighbouring countries, Brakonia and Germany.  The United Kingdom is a global leader in the manufacture of Flytanium, a new low-carbon alternative to steel. Flytanium is almost identical to steel, apart from a few notable differences: (1) the carbon emissions associated with its production are, on average, 95% lower as compared to steel; (2) Flytanium is 70% lighter than steel; and (3) Flytanium does not rust.  Amongst other things, producers in the United Kingdom use Flytanium to produce durable and light-weight e-bike frames in a variety of colours. E-bike manufacturing is currently a relatively small and nascent industry. However, it is fast-growing in the UK and globally. The rapid growth of the e-bike market also makes helmet production a lucrative industry.  In early 2024, several significant producers of e-bike frames had indicated an intention to invest in the development of Flytanium e-bike production facilities in the UK. If built, these facilities could increase the volume of UK e-bike products tenfold and would make the UK a leading exporter of e-bikes.  UK Ministers are concerned that Pedaland’s policy may have a detrimental impact on UK industry and have asked the Department for Business and Trade Legal Advisers to develop an offensive WTO dispute strategy in order to protect the UK’s interests. |
| **G3 Response Guidance:**  All Bidders submitting a bid for Lot 4b must answer this question. If you are not bidding for Lot 4b, please enter "N/A" in the first applicable text box for this question.  You are required to respond to the following Key Areas, which must include the following component parts. For the purposes of this question only, assume that any WTO panel report published following a UK dispute will be adopted by the WTO Dispute Settlement Body. ~~Your advice for all~~   1. **Advising on international law relating to trade, including, but not limited to, compliance with the law of the WTO and of international trade agreements**     1. You are required to provide a clear and concise executive summary in which you:       1. Advise on the potential claims open to the UK to pursue based on the scenario provided.       2. Assess the merits, impact and feasibility of each potential claim, referencing relevant WTO Agreements and case law. 2. **Advising on and development of litigation strategy at all stages of international trade disputes based on significant experience at Panel and/or appeal level at the WTO.**    1. You are required to provide a concise executive summary in which you provide clear recommendations on which claim(s) the UK should prioritise as a part of your proposed overall actionable litigation strategy that aligns with the UK’s objective to protect its industry and interests. 3. **Proposed Team and Expertise:**    1. You are required to provide a concise executive summary in which you:       1. Outline the proposed legal team that would be deployed to advise the UK, detailing the team’s experience working on international trade disputes.       2. Demonstrate how you will ensure key personnel at all levels, including junior staff, are appropriately deployed to provide value for money and resilience in case of unavailability.   Maximum character count - **12,000 characters.**  Whilst there will be no marks given to layout, spelling, punctuation and grammar, maintaining attention to detail will assist evaluators.  You must not exceed the character count within the eSourcing Suite. Responses must include spaces between words. No attachments or hyperlinks to external content are permitted; any additional documents or hyperlinks submitted will be ignored in the evaluation of this question.  You are required to insert your response to this question in the technical envelope in boxes 2.16.1, 2.16.2, 2.16.3, 2.16.4, 2.16.5 and 2.16.6 each box has a character count of 2,000 characters. |

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| **Marking Weightings for Section G3** | | | |
| **Key Area** | **Weighting** | **Marking Scheme** | **Max Mark Available** |
| **Key Area 1** | **20%** | **100/75/50/25/0** | **100** |
| **Key Area 2** | **5%** | **100/75/50/25/0** | **100** |
| **Key Area 3** | **5%** | **100/75/50/25/0** | **100** |

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| **Marking Scheme 100/75/50/25/0** | |
| **Marking Scheme** | **Evaluation Guidance** |
| 100 | **A VERY GOOD ANSWER**  The response is relevant to the requirement and is comprehensive, unambiguous, and fully demonstrates your ability to meet the key area of the response guidance.  Full and relevant evidence has been provided to clearly demonstrate that the key areas have been satisfied.  The response provides a high level of confidence that the approach will meet the requirement for each key area and has a strong potential to exceed the requirement for the delivery of services. |
| 75 | **A GOOD ANSWER**  The response is relevant to the requirement and is sufficiently detailed to demonstrate your ability to meet each key area of the response guidance.  Sufficient evidence has been provided to demonstrate each key area of the response guidance.  The response provides a good level of confidence that the approach will meet the requirement for each key area for the delivery of services. |
| 50 | **A SATISFACTORY ANSWER**  The response is relevant to the requirement. Whilst the response addresses each key area, it is not sufficiently detailed and/or does not include sufficient explanation in some elements to fully demonstrate your ability to meet each key area of the response guidance.  Whilst some evidence has been provided it does not sufficiently demonstrate each key area of the response guidance.  The response provides an adequate level of confidence that the approach has the potential to meet the requirement for each key area for the delivery of services. |
| 25 | **A BELOW STANDARD ANSWER**  The response is not fully relevant to or only partially addresses the requirement and/or each key area of the response guidance.  The response addresses some of each key area but not all, and there is a significant lack of detail.  Whilst some evidence has been provided it does not sufficiently demonstrate each key area.  There is a lack of detail and/or lack of explanation and/or ambiguity in the response which provides a low level of confidence that the approach has the ability to meet the requirement for each key area for the delivery of services.  **If you receive a score of 25, we will reject your bid and you will be excluded from the competition.** |
| 0 | **A POOR ANSWER**  The response is not relevant to the requirement and/or the key areas and/or the response has not satisfied any of the requirements for each key area.  The response provides no confidence that the approach will meet the requirement for each key area for the delivery of services.  or  No response provided.  **If you receive a 0, we will reject your bid and you will be excluded from the competition.** |

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| **2.17 Section H1 – Lot 4c Only** |
| **H1 Requirement:**  CCS requires Bidders to demonstrate how you will deliver the following Key Areas and related component parts, using examples to demonstrate how you will deliver any future requirements under Lot 4c.  The Key Areas are:   1. **Advice on and support for treaty-based international investment disputes** 2. **Advocacy in investor-state disputes** 3. **Facilitating advice on national law relevant to international investment disputes**   Your response must demonstrate the depth and breadth of your expertise in international investment law and dispute settlement, including a thorough understanding of the legal, procedural, and strategic dimensions, and showcase your ability to deliver high-quality legal advice, support, and advocacy while maintaining sensitivity to the needs of Government, including achieving value for money.  As part of your response, you are required to reference examples from your prior experience which illustrate your capability to deliver the Key Areas and their component parts. You may provide as many examples as is necessary, from any relevant context. The examples must have been completed within the past 10 years.  Please note that your examples will not be evaluated in their own right, but will provide context for the evaluation of the Key Areas and related component parts for this question H1, the strength and relevance of which will be taken into account in the overall evaluation of your response. |
| **H1 Response Guidance:**  All Bidders submitting a bid for Lot 4c must answer this question. If you are not bidding for Lot 4c, please enter "N/A" in the first applicable text box for this question.  You are required to demonstrate your capacity to deliver in all of the following Key Areas, including their component parts (a and b), with reference to relevant examples of prior experience:   1. **Advice on and support for treaty-based international investment disputes:**    1. Demonstrate your approach to providing legal support and strategic advice to the UK on investment law matters. Explain how you will ensure access to expertise in international investment law, dispute settlement, and broader public international law, as well as any other relevant areas. Detail how you will adapt your resources to the evolving needs of a dispute while maintaining value for money and ensuring the effective deployment of personnel at all levels.    2. Demonstrate how you will provide expert advice and support in active investment dispute settlement, including how you will tailor your advice and support at all major stages of a treaty-based international investment dispute, while ensuring flexibility to the dynamic needs of Government, and sensitivity to HMG’s wider interests and objectives. 2. **Advocacy in investor-state disputes:**    1. Demonstrate how you will develop and deliver effective advocacy in investor-State proceedings, while ensuring alignment with HMG’s wider interests and objectives.    2. Demonstrate how you will tailor your advocacy strategies to the specific needs of each dispute and manage evolving dynamics as a dispute develops. 3. **Facilitating advice on national law relevant to international investment law and disputes**    1. Demonstrate how you will ensure the provision of effective advice on points of relevant national law which may arise in connection with a treaty-based international investment dispute. This includes, but is not limited to, issues stemming from the UK domestic legal framework pertinent to a policy or measure, the law of the State of nationality of a disputing party, and/or the law of any third country (e.g. the seat of arbitration).    2. Demonstrate how you will ensure the delivery of advice on national law issues is accurate, consistent with HMG’s strategy and approach, efficient and sensitive to HMG’s wider interests and objectives.   Maximum character count - **12,000 characters**.  Your response must comprehensively answer the relevant question, referencing the chosen example to clearly demonstrate how your approach would be transferable to the delivery of future requirements under Lot 4c as set out in Attachment 1a - Framework Schedule 1 (Specification).  Whilst there will be no marks given to layout, spelling, punctuation and grammar, maintaining attention to detail will assist evaluators.  You must not exceed the character count within the eSourcing Suite. Responses must include spaces between words. No attachments or hyperlinks to external content are permitted; any additional documents or hyperlinks submitted will be ignored in the evaluation of this question.  You are required to insert your response to this question in the technical envelope in boxes 2.17.1, 2.17.2, 2.17.3, 2.17.4, 2.17.5 and 2.17.6 each box has a character count of 2,000 characters. |

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| **Marking Weightings for Section H1** | | | |
| **Key Area** | **Question Weighting** | **Marking Scheme** | **Max Mark Available** |
| Key Area 1 | ~~5%~~ 10% | 100/75/50/25/0 | 100 |
| Key Area 2 | ~~5%~~ 10% | 100/75/50/25/0 | 100 |
| Key Area 3 | ~~5%~~ 10% | 100/75/50/25/0 | 100 |

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| **Marking Scheme 100/75/50/25/0** | |
| **Marking scheme** | **Evaluation Guidance** |
| 100 | **A VERY GOOD ANSWER**  The response is relevant to the requirement and is comprehensive, unambiguous, and fully demonstrates your ability to meet the key area of the response guidance.  Full and relevant evidence has been provided to clearly demonstrate that the key areas have been satisfied.  The response provides a high level of confidence that the approach will meet the requirement for each key area and has a strong potential to exceed the requirement for the delivery of services. |
| 75 | **A GOOD ANSWER**  The response is relevant to the requirement and is sufficiently detailed to demonstrate your ability to meet each key area of the response guidance.  Sufficient evidence has been provided to demonstrate each key area of the response guidance.  The response provides a good level of confidence that the approach will meet the requirement for each key area for the delivery of services. |
| 50 | **A SATISFACTORY ANSWER**  The response is relevant to the requirement. Whilst the response addresses each key area, it is not sufficiently detailed and/or does not include sufficient explanation in some elements to fully demonstrate your ability to meet each key area of the response guidance.  Whilst some evidence has been provided it does not sufficiently demonstrate each key area of the response guidance.  The response provides an adequate level of confidence that the approach has the potential to meet the requirement for each key area for the delivery of services. |
| 25 | **A BELOW STANDARD ANSWER**  The response is not fully relevant to or only partially addresses the requirement and/or each key area of the response guidance.  The response addresses some of each key area but not all, and there is a significant lack of detail.  Whilst some evidence has been provided it does not sufficiently demonstrate each key area.  There is a lack of detail and/or lack of explanation and/or ambiguity in the response which provides a low level of confidence that the approach has the ability to meet the requirement for each key area for the delivery of services.  **If you receive a score of 25, we will reject your bid and you will be excluded from the competition.** |
| 0 | **A POOR ANSWER**  The response is not relevant to the requirement and/or the key areas and/or the response has not satisfied any of the requirements for each key area.  The response provides no confidence that the approach will meet the requirement for each key area for the delivery of services.  or  No response provided.  **If you receive a 0, we will reject your bid and you will be excluded from the competition.** |

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| **2.18 Section H2 - Lot 4c Only** |
| **H2 - Scenario: International Investment Disputes (Advisory)** |
| **H2 Requirement:**  CCS requires you to demonstrate your ability to provide expert legal advice and strategic support on international investment law and dispute risk in an advisory context, specifically in advising on mitigating and managing risk associated with fictional proposed policy measures. Your response must demonstrate your capability to deliver the following Key Areas and related component parts:   1. **Advice on international investment law and dispute risk arising from the proposed policies/measures** 2. **Advice on mitigating/managing international investment law and dispute risk arising from the proposed policies/measures** 3. **Effective written communication in an advisory context**   Your response must demonstrate a clear understanding of the complexities involved in balancing domestic policy priorities and international legal commitments relating to investment. Specifically, you should showcase your ability to assess legal risk and propose actionable strategies to mitigate such risk in policy design and implementation.  Your response should integrate both strategic and technical considerations, highlighting your expertise in managing risks and aligning legal advice with HMG’s wider interests and objectives. |
| **H2 Scenario**:  There is declining demand for critically important widgets that have a range of uses. Due to increased costs, several producers in the United Kingdom (“UK”) have had to shut down. His Majesty’s Government (“HMG”) wishes to promote local production to ensure security of supply. HMG is therefore considering providing financial assistance to Factory A, one of the UK’s biggest remaining widget producers. Factory A is owned by UK residents. HMG is considering a range of options to achieve its commercial policy objectives; one option involves linking support to the use of local inputs, at least when HMG is procuring the widgets.  Nearby factories, Factories B and C, have learned of the proposed assistance, and are concerned that the intended approach would give Factory A a competitive advantage, and harm their UK businesses. They are disappointed to learn that HMG might make assistance conditional, despite a public statement by the Minister of Widgets in November 2023 that “to ensure supply for the British economy, Government support will be offered to all struggling widget producers”. In January 2024, Factory B signed a 30-year contract with HMG to supply a guaranteed volume of widgets annually; it is concerned that without financial assistance, it will be unable to meet its contractual obligations. Factories B and C are at least partially owned by investors from Malaysia, Canada and New Zealand. |
| **H2 Response Guidance:**  All bidders submitting a bid for Lot 4c must answer this question. If you are not bidding for Lot 4c, please enter "N/A" in the first applicable text box for this question.  You are required to provide strategic advice to the project team, comprising officials and lawyers from the (fictional) Department for Widgets (DfW), in the form of an executive summary.  Assume you have been engaged before the enactment or implementation of the proposed measures. Your instructions are to:   1. **Advice on international investment law and dispute risk arising from the proposed policies/measures:**    1. Advise on the relevant international legal instruments and obligations implicated by the proposed policies/measures.    2. Assess the proposed measures and their factual context with reference to relevant international legal decisions and practice. Identify and quantify the risks related to international investment law and potential disputes arising from the proposed policies or measures. 2. **Advice on mitigating/managing international investment law and dispute risk arising from the proposed policies/measures:**    1. Advise on any solutions available to mitigate and manage investment law and dispute risk associated with the design and implementation of the proposed policies/measures.    2. Recommend practical and actionable mitigations with the potential to maintain HMG’s policy objectives, while demonstrating sensitivity to the UK’s international legal commitments and wider interests and objectives. 3. **Effective written communication in an advisory context:**    1. Provide your advice in the form of a concise and actionable executive summary for officials and lawyers from the (fictional) DfW. Demonstrate your capacity to tailor your advice appropriately to purpose and audience in an advisory context, including in a manner suitable for working-level and Ministerial-level review.    2. Highlight your ability to present complex legal and strategic advice succinctly and clearly. Demonstrate your capacity to communicate effectively on legal, policy, and strategic issues, in a manner sensitive to wider UK interests and objectives.   Maximum character count - **12,000 characters**.  Whilst there will be no marks given to layout, spelling, punctuation and grammar, maintaining attention to detail will assist evaluators.  You must not exceed the character count within the eSourcing Suite. Responses must include spaces between words. No attachments or hyperlinks to external content are permitted; any additional documents or hyperlinks submitted will be ignored in the evaluation of this question.  You are required to insert your response to this question in the technical envelope in boxes 2.18.1, 2.18.2, 2.18.3, 2.18.4, 2.18.5 and 2.18.6 each box has a character count of 2,000 characters. |

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| **Marking Weightings for Section H2** | | | |
| **Key Area** | **Weighting** | **Marking Scheme** | **Max Mark Available** |
| Key Area 1 | ~~4%~~ 8% | 100/75/50/25/0 | 100 |
| Key Area 2 | ~~4%~~ 8% | 100/75/50/25/0 | 100 |
| Key Area 3 | ~~2%~~ 4% | 100/75/50/25/0 | 100 |

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| **Marking Scheme 100/75/50/25/0** | |
| **Marking Scheme** | **Evaluation Guidance** |
| 100 | **A VERY GOOD ANSWER**  The response is relevant to the requirement and is comprehensive, unambiguous, and fully demonstrates your ability to meet the key area of the response guidance.  Full and relevant evidence has been provided to clearly demonstrate that the key areas have been satisfied.  The response provides a high level of confidence that the approach will meet the requirement for each key area and has a strong potential to exceed the requirement for the delivery of services. |
| 75 | **A GOOD ANSWER**  The response is relevant to the requirement and is sufficiently detailed to demonstrate your ability to meet each key area of the response guidance.  Sufficient evidence has been provided to demonstrate each key area of the response guidance.  The response provides a good level of confidence that the approach will meet the requirement for each key area for the delivery of services. |
| 50 | **A SATISFACTORY ANSWER**  The response is relevant to the requirement. Whilst the response addresses each key area, it is not sufficiently detailed and/or does not include sufficient explanation in some elements to fully demonstrate your ability to meet each key area of the response guidance.  Whilst some evidence has been provided it does not sufficiently demonstrate each key area of the response guidance.  The response provides an adequate level of confidence that the approach has the potential to meet the requirement for each key area for the delivery of services. |
| 25 | **A BELOW STANDARD ANSWER**  The response is not fully relevant to or only partially addresses the requirement and/or each key area of the response guidance.  The response addresses some of each key area but not all, and there is a significant lack of detail.  Whilst some evidence has been provided it does not sufficiently demonstrate each key area.  There is a lack of detail and/or lack of explanation and/or ambiguity in the response which provides a low level of confidence that the approach has the ability to meet the requirement for each key area for the delivery of services.  **If you receive a score of 25, we will reject your bid and you will be excluded from the competition.** |
| 0 | **A POOR ANSWER**  The response is not relevant to the requirement and/or the key areas and/or the response has not satisfied any of the requirements for each key area.  The response provides no confidence that the approach will meet the requirement for each key area for the delivery of services.  or  No response provided.  **If you receive a 0, we will reject your bid and you will be excluded from the competition.** |

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| **2.19 Section H3 - Lot 4c Only** |
| **H3 - Scenario: International Investment Disputes (Active dispute)** |
| **H3 Requirement:**  CCS requires you to demonstrate your ability to provide expert legal advice and strategic support on international investment law and handling international investment disputes, in an active dispute settlement context. Your response must demonstrate your capability to deliver the following Key Areas and related component parts:   1. **Advice on legal and procedural issues in an active dispute context** 2. **Strategic advice on handling an active investor-State dispute** 3. **Effective written communication in an active dispute context**   Your response must demonstrate clear expertise in advising on and handling international investment disputes. Specifically, you should showcase your expertise in and ability to analyse legal and procedural issues, provide strategic advice on managing disputes to minimise risks, and communicate clear, actionable recommendations on strategy and handling. Your response should integrate strategic, technical and practical considerations, highlighting your ability to assist HMG to navigate a defence of a complex multi-year investor-State claim, in a manner sensitive to HMG’s wider interests and objectives. |
| **H3 Scenario:**  **Part 1 - Background (taken from 2.1 Scenario)**  There is declining demand for critically important widgets that have a range of uses. Due to increased costs, several producers in the United Kingdom (“UK”) have had to shut down. His Majesty’s Government (“HMG”) wishes to promote local production to ensure security of supply. HMG is therefore considering providing financial assistance to Factory A, one of the UK’s biggest remaining widget producers. Factory A is owned by UK residents. HMG is considering a range of options to achieve its commercial policy objectives; one option involves linking support to the use of local inputs, at least when HMG is procuring the widgets.  Nearby factories, Factories B and C, have learned of the proposed assistance, and are concerned that the intended approach would give Factory A a competitive advantage, and harm their UK businesses. They are disappointed to learn that HMG might make assistance conditional, despite a public statement by the Minister of Widgets in November 2023 that “to ensure supply for the British economy, Government support will be offered to all struggling widget producers”. In January 2024, Factory B signed a 30-year contract with HMG to supply a guaranteed volume of widgets annually; it is concerned that without financial assistance, it will be unable to meet its contractual obligations. Factories B and C are at least partially owned by investors from Malaysia, Canada and New Zealand.  **Part 2 - Latest Information**  The Widgets Act 2025 (the “Act”) received Royal Assent on 1 April 2025. The Act grants the Minister of Widgets discretion to approve financial support for a widget producer if they are satisfied that 70% of the inputs, services, and labour used in production originate in the UK (the “70% Criterion”).  On 1 June 2025 the Department for Widgets (“DfW”) invited applications from producers, and on 1 November 2025 informed applicants of the outcome. While Factory A was considered eligible, Factory B’s application for financial support was refused on the basis that “it did not meet the 70% Criterion”. That day, HMG also terminated its 30-year contract with Factory B due to repeat failures to meet contractual delivery deadlines. At this time Factory B was embroiled in a public scandal regarding its overseas suppliers’ labour practices.  Mediation concerning HMG’s contract termination was abandoned. Factory B unsuccessfully pursued a statutory review in the High Court; an appeal on limited grounds remains pending. In a 15 November 2025 letter to DfW, Factory B stated that the refusal of its funding application was “inconsistent with the UK’s treaty obligations and contrary to the Government’s assurances”.  On 15 May 2029, HMG received a Notice of Arbitration from a Malaysian-registered company, D Holdings SDN BHD (“D”), pursuant to Article 9.19(1)(a) CPTPP, Article 7(1) UK-Malaysia BIT and the UNCITRAL Arbitration Rules 2021 (the Notice is silent on other procedural issues). D holds a 62% stake in a UK company, B Limited, which owns Factory B. D’s majority shareholder is a non-resident dual UK-Malaysian citizen.  The Notice alleges that Factory B was subject to targeted discrimination, which ultimately forced it to abandon its UK business, in violation of Articles 2 and 3 UK-Malaysia BIT and Articles 9.4 and 9.6 CPTPP. |
| **H3 Response Guidance:**  All bidders submitting a bid for Lot 4c must answer this question. If you are not bidding for Lot 4c, please enter "N/A" in the first applicable text box for this question.  You are required to provide strategic advice to the HMG case team, comprising officials and lawyers from the Department for Business and Trade and the (fictional) Department for Widgets (DfW), in the form of an executive summary.  Assume you have first been engaged on **1 June 2029.** Your instructions are to:   1. **Advice on legal and procedural issues in an active dispute context:**    1. Advise on the international legal instruments and obligations implicated by the policies/measures.    2. With reference to relevant international legal decisions and practice, evaluate the measures and factual context to identify arguments and strategies available to the claimant and the UK, and quantify the legal risks. 2. **Strategic advice on handling an active investor-State dispute:**    1. Provide actionable recommendations on how HMG should approach the Notice by identifying and evaluating options for defending the claims.    2. Advise on addressing legal, reputational, political, and financial risks, whilst taking account of HMG’s wider interests and objectives.    3. Advise on the practical steps required by HMG to participate in arbitral proceedings and to defend the claim. 3. **Effective written communication in an active dispute context**    1. Provide your advice in the form of a concise and actionable executive summary for officials and lawyers from the Department for Business and Trade and (fictional) DfW, comprising the HMG case team. Demonstrate your capacity to tailor your advice appropriately to purpose and audience in an active dispute settlement context, including in a manner suitable for working-level and Ministerial-level review.    2. Highlight your ability to present complex legal and strategic advice succinctly and clearly. Demonstrate your capacity to communicate effectively on legal, policy, and strategic issues, in a manner sensitive to wider UK interests and objectives.   Maximum character count - **12,000 characters**.  Whilst there will be no marks given to layout, spelling, punctuation and grammar, maintaining attention to detail will assist evaluators.  You must not exceed the character count within the eSourcing Suite. Responses must include spaces between words. No attachments or hyperlinks to external content are permitted; any additional documents or hyperlinks submitted will be ignored in the evaluation of this question.  You are required to insert your response to this question in the technical envelope in boxes 2.19.1, 2.19.2, 2.19.3, 2.19.4, 2.19.5 and 2.19.6 each box has a character count of 2,000 characters. |

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| **Marking Weightings for Section H3** | | | |
| **Key Area** | **Weighting** | **Marking Scheme** | **Max Mark Available** |
| Key Area 1 | ~~4%~~ 8% | 100/75/50/25/0 | 100 |
| Key Area 2 | ~~4%~~ 8% | 100/75/50/25/0 | 100 |
| Key Area 3 | ~~2%~~ 4% | 100/75/50/25/0 | 100 |

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| **Marking Scheme 100/75/50/25/0** | |
| **Marking Scheme** | **Evaluation Guidance** |
| 100 | **A VERY GOOD ANSWER**  The response is relevant to the requirement and is comprehensive, unambiguous, and fully demonstrates your ability to meet the key area of the response guidance.  Full and relevant evidence has been provided to clearly demonstrate that the key areas have been satisfied.  The response provides a high level of confidence that the approach will meet the requirement for each key area and has a strong potential to exceed the requirement for the delivery of services. |
| 75 | **A GOOD ANSWER**  The response is relevant to the requirement and is sufficiently detailed to demonstrate your ability to meet each key area of the response guidance.  Sufficient evidence has been provided to demonstrate each key area of the response guidance.  The response provides a good level of confidence that the approach will meet the requirement for each key area for the delivery of services. |
| 50 | **A SATISFACTORY ANSWER**  The response is relevant to the requirement. Whilst the response addresses each key area, it is not sufficiently detailed and/or does not include sufficient explanation in some elements to fully demonstrate your ability to meet each key area of the response guidance.  Whilst some evidence has been provided it does not sufficiently demonstrate each key area of the response guidance.  The response provides an adequate level of confidence that the approach has the potential to meet the requirement for each key area for the delivery of services. |
| 25 | **A BELOW STANDARD ANSWER**  The response is not fully relevant to or only partially addresses the requirement and/or each key area of the response guidance.  The response addresses some of each key area but not all, and there is a significant lack of detail.  Whilst some evidence has been provided it does not sufficiently demonstrate each key area.  There is a lack of detail and/or lack of explanation and/or ambiguity in the response which provides a low level of confidence that the approach has the ability to meet the requirement for each key area for the delivery of services.  **If you receive a score of 25, we will reject your bid and you will be excluded from the competition.** |
| 0 | **A POOR ANSWER**  The response is not relevant to the requirement and/or the key areas and/or the response has not satisfied any of the requirements for each key area.  The response provides no confidence that the approach will meet the requirement for each key area for the delivery of services.  or  No response provided.  **If you receive a 0, we will reject your bid and you will be excluded from the competition.** |

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| **2.20 Section J1 – Lot 5 Only** |
| **J1 Requirement:**  CCS requires Bidders to demonstrate how you will deliver the following Key Area and related component parts in **complex rail projects**, using an example to demonstrate how you will deliver any future requirements under Lot 5.  The Key Area is:   1. **Delivery of Legal Quality**   As part of your response, you are required to reference **one example** which demonstrates your experience of delivering the Key Area and the component parts.  Your example must meet the following criteria:   * Demonstrate your application and understanding of **Regulatory Law and** **two** of the following specialisms:   + Rail Commercial Law; or   + Public Procurement Law; or   + Subsidy Law; * Demonstrate your capability to deliver legal support to high value and complex rail projects in Great Britain (for example, high speed rail projects and projects related to the Channel Tunnel). * Relate to the railway as defined in Section 67(1) of the Transport and Works Act 1992 and for the avoidance of doubt this does not include a tramway. * Confirmation that the project has been delivered and completed within the last five (5) years or where a project is still on-going, confirm the stage reached and the one or more significant milestones met. * Confirm your project was delivered for a public sector client or is a project delivered for the public sector.   You are required to provide a summary of your example which must be no more than 4,000 characters, including spaces and punctuation. No attachments are permitted and any additional documents submitted will be ignored in the evaluation of this question.  Please note the summary of your example is not evaluated in its own right, but will provide context for the evaluation of the J1 Key Areas and related component parts, the strength and relevance of which will be taken into account in the overall evaluation of your response.  If you do not clearly provide the information required above in the summary of your example, this will affect the mark awarded. |
| **J1 Response Guidance:**    All Bidders submitting a bid for Lot 5 must answer this question. If you are not bidding for Lot 5, please enter "N/A" in the first applicable text box for this question.  You must insert your response into the text fields in the eSourcing tool.  In order to satisfy the requirement, your response must demonstrate and reference your example in response to the following Key Area, including component parts (a and b) within the requirements of Lot 5:   1. **Delivery of Legal Quality** 2. Using your example, demonstrate how you will deliver high-quality, cost effective legal advice and support that:    1. Aligns with and achieves the client’s objectives    2. Incorporates and responds to the policy priorities of the client and other relevant stakeholders    3. Considers broader issues and developments that are critical to the success of the project and delivery of the relevant objectives 3. Using your example, demonstrate how you will:    1. capture and respond to feedback throughout the project and will apply lessons learnt at the appropriate stage so as to drive continuous improvements to your service; and    2. address client dissatisfaction to ensure you deliver the best overall outcome for your client   Maximum character count - **8,000 characters**, including spaces and punctuation. Additionally, your summary of the example **must be no more than 4,000 characters.** This summary is separate from the main response, meaning the **total character limit for your submission is 12,000 characters.**  Bidders should use the first two text boxes for your example which should not exceed 4,000 characters, the additional text boxes should be used for your main response.   Any characters over the allotted 8,000 for your main response will be disregarded.  Your response must comprehensively answer the relevant question, referencing the chosen example to clearly demonstrate how your approach would be transferable to the delivery of future requirements under Lot 5 as set out in Attachment 1a - Framework Schedule 1 (Specification).  Whilst there will be no marks given to layout, spelling, punctuation and grammar, maintaining attention to detail will assist evaluators.  You must not exceed the character count within the eSourcing Suite. Responses must include spaces between words. No attachments or hyperlinks to external content are permitted; any additional documents or hyperlinks submitted will be ignored in the evaluation of this question.  You are required to insert your response to this question in the technical envelope in boxes 2.20.1, 2.20.2, 2.20.3, 2.20.4, 2.20.5 and 2.20.6 each box has a character count of 2,000 characters. |

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| **Marking Weightings for Section J1** | | | |
| **Key Area** | **Question Weighting** | **Marking Scheme** | **Max Mark Available** |
| Delivery of Legal Quality | 25% | 100/75/50/25/0 | 100 |

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| **Marking Scheme 100/75/50/25/0** | |
| **Marking scheme** | **Evaluation Guidance** |
| 100 | **A VERY GOOD ANSWER**  The response is relevant to the requirement and is comprehensive, unambiguous, and fully demonstrates your ability to meet the key area of the response guidance.  Full and relevant evidence has been provided to clearly demonstrate that the key area has been satisfied.  The response provides a high level of confidence that the approach will meet the requirement for this key area and has a strong potential to exceed the requirement for the delivery of services. |
| 75 | **A GOOD ANSWER**  The response is relevant to the requirement and is sufficiently detailed to demonstrate your ability to meet the key area of the response guidance.  Sufficient evidence has been provided to demonstrate the key area of the response guidance.  The response provides a good level of confidence that the approach will meet the requirement for this key area for the delivery of services. |
| 50 | **A SATISFACTORY ANSWER**  The response is relevant to the requirement. Whilst the response addresses the key area, it is not sufficiently detailed and/or does not include sufficient explanation in some elements to fully demonstrate your ability to meet the key area of the response guidance.  Whilst some evidence has been provided it does not sufficiently demonstrate the key area of the response guidance.  The response provides an adequate level of confidence that the approach has the potential to meet the requirement for this key area for the delivery of services. |
| 25 | **A BELOW STANDARD ANSWER**  The response is not fully relevant to or only partially addresses the requirement and/or the key area of the response guidance.  The response addresses some of the key area but not all, and there is a significant lack of detail.  Whilst some evidence has been provided it does not sufficiently demonstrate the key area.  There is a lack of detail and/or lack of explanation and/or ambiguity in the response which provides a low level of confidence that the approach has the ability to meet the requirement for this key area for the delivery of services.  **If you receive a score of 25, we will reject your bid and you will be excluded from the competition.** |
| 0 | **A POOR ANSWER**  The response is not relevant to the requirement and/or the key area and/or the response has not satisfied very few to none of the requirements for the key area.  The response provides no confidence that the approach will meet the requirement for this key area for the delivery of services.  or  No response provided.  **If you receive a 0, we will reject your bid and you will be excluded from the competition.** |

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| **2.21 Section J2 – Lot 5 Only** |
| **J2 Requirement:**  CCS requires Bidders to demonstrate how you will deliver the following Key Area and related component parts, using an example to demonstrate how you will deliver any future requirements under Lot 5.  The Key Area is:   1. **Delivery of Strategic Legal Input**   As part of your response, you are required to reference **one** example which demonstrates your experience of delivering the Key Area and the component parts.  Your example must meet the following criteria:   * Demonstrate your application and understanding of **Regulatory Law and** **two** of the following specialisms:   + Rail Commercial Law; or   + Public Procurement Law; or   + Subsidy Law; * Demonstrate your capability to deliver legal support to high value and complex rail projects in Great Britain (for example, high speed rail projects and projects related to the Channel Tunnel). * Relate to the railway as defined in Section 67(1) of the Transport and Works Act 1992 and for the avoidance of doubt this does not include a tramway. * Confirmation that the project has been delivered and completed within the last five (5) years or where a project is still on-going confirms the stage reached and the one or more significant milestones met. * Confirm your project was delivered for a public sector client or is a project delivered for the public sector   You are required to provide a summary of your example which must be **no more than 4,000 characters,** including spaces and punctuation. No attachments are permitted and any additional documents submitted will be ignored in the evaluation of this question.  Please note the summary of your example is not evaluated in its own right, but will provide context for the evaluation of the J2 Key Areas and related component parts, the strength and relevance of which will be taken into account in the overall evaluation of your response.  If you do not clearly provide the information required above in the summary of your example, this will affect the mark awarded. |
| **J2 Response Guidance:**  All Bidders submitting a bid for Lot 5 must answer this question. If you are not bidding for Lot 5, please enter "N/A" in the first applicable text box for this question.  You must insert your response into the text fields in the eSourcing tool.  In order to satisfy the requirement, your response must demonstrate and reference your example in response to the following Key Area, including component parts (a, b, c and d) within the requirements of Lot 5:   1. **Delivery of Strategic Legal Input** 2. Using your example, demonstrate how you will provide strategic legal input by understanding the client’s and other stakeholders objectives, policies and priorities and how your advice will take these into account. 3. Using your example, demonstrate how you will apply your in-depth knowledge of the rail industry and its regulatory environment to deliver strategic, targeted legal advice and support for complex rail projects. 4. Using your example, demonstrate how you will effectively collaborate with stakeholders, including clients, in-house legal teams, and external advisors, to deliver optimal strategic legal input for complex rail projects. 5. Using your example, demonstrate how you will manage complex legal issues by effectively identifying and assessing risks, developing appropriate handling strategies, and implementing mitigation measures where necessary.   Maximum character count - **8,000 characters,** including spaces and punctuation. Additionally, your summary of the example **must be no more than 4,000 characters**. This summary is separate from the main response, meaning the **total character limit for your submission is 12,000 characters.**  Bidders should use the first two text boxes for your example which should not exceed 4,000 characters, the additional text boxes should be used for your main response.   Any characters over the allotted 8,000 for your main response will be disregarded.  Your response must comprehensively answer the relevant question, referencing the chosen example to clearly demonstrate how your approach would be transferable to the delivery of future requirements under ~~Lot 3~~ Lot 5 as set out in Attachment 1a - Framework Schedule 1 (Specification).  Whilst there will be no marks given to layout, spelling, punctuation and grammar, maintaining attention to detail will assist evaluators.  You must not exceed the character count within the eSourcing Suite. Responses must include spaces between words. No attachments or hyperlinks to external content are permitted; any additional documents or hyperlinks submitted will be ignored in the evaluation of this question.  You are required to insert your response to this question in the technical envelope in boxes 2.21.1, 2.21.2, 2.21.3, 2.21.4, 2.21.5 and 2.21.6 each box has a character count of 2,000 characters. |

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| **Marking Weightings for Section J2** | | | |
| **Key Area** | **Question Weighting** | **Marking Scheme** | **Max Mark Available** |
| Delivery of Strategic Legal Input | 25% | 100/75/50/25/0 | 100 |

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| **Marking Scheme 100/75/50/25/0** | |
| **Marking scheme** | **Evaluation Guidance** |
| 100 | **A VERY GOOD ANSWER**  The response is relevant to the requirement and is comprehensive, unambiguous, and fully demonstrates your ability to meet the key area of the response guidance.  Full and relevant evidence has been provided to clearly demonstrate that the key area has been satisfied.  The response provides a high level of confidence that the approach will meet the requirement for this key area and has a strong potential to exceed the requirement for the delivery of services. |
| 75 | **A GOOD ANSWER**  The response is relevant to the requirement and is sufficiently detailed to demonstrate your ability to meet the key area of the response guidance.  Sufficient evidence has been provided to demonstrate the key area of the response guidance.  The response provides a good level of confidence that the approach will meet the requirement for this key area for the delivery of services. |
| 50 | **A SATISFACTORY ANSWER**  The response is relevant to the requirement. Whilst the response addresses the key area, it is not sufficiently detailed and/or does not include sufficient explanation in some elements to fully demonstrate your ability to meet the key area of the response guidance.  Whilst some evidence has been provided it does not sufficiently demonstrate the key area of the response guidance.  The response provides an adequate level of confidence that the approach has the potential to meet the requirement for this key area for the delivery of services. |
| 25 | **A BELOW STANDARD ANSWER**  The response is not fully relevant to or only partially addresses the requirement and/or the key area of the response guidance.  The response addresses some of the key area but not all, and there is a significant lack of detail.  Whilst some evidence has been provided it does not sufficiently demonstrate the key area.  There is a lack of detail and/or lack of explanation and/or ambiguity in the response which provides a low level of confidence that the approach has the ability to meet the requirement for this key area for the delivery of services.  **If you receive a score of 25, we will reject your bid and you will be excluded from the competition.** |
| 0 | **A POOR ANSWER**  The response is not relevant to the requirement and/or the key area and/or the response has not satisfied very few to none of the requirements for the key area.  The response provides no confidence that the approach will meet the requirement for this key area for the delivery of services.  or  No response provided.  **If you receive a 0, we will reject your bid and you will be excluded from the competition.** |

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| **2.22 Section J3 - Lot 5 Only** |
| **J3 - Scenario: ~~Trade and Investment Negotiations~~ Rolling Stock Procurement** |
| **J3 Requirement:**  CCS requires the Bidder to submit a written response addressing the task below, demonstrating your knowledge in the relevant Lot 5 Core Specialisms and issues arising from a fictional rolling stock procurement exercise.   * **Key Area 1: Issue Spotting** * **Key Area 2: Risk Mitigation Strategy** * **Key Area 3: Clarity and Accessibility**   The task is based on the J3 Scenario detailed below. |
| **J3 Scenario**  Your firm has been retained by the Department to provide legal advice on rolling stock related matters.  In this fictional scenario Train Operating Company (“TOC”) A is a private sector operator under a National Rail Contract with the Secretary of State who proposes to procure new build rolling stock. TOC B, a private sector operator, would like the option to call off rolling stock from TOC A if, at some point in the future, TOC B needs additional rolling stock. The Secretary of State considers that surplus TOC A rolling stock should be available to cascade to TOC C, a public sector operator, if required. Policy officials are therefore keen to consider both these options . It is possible that before TOC A’s rolling stock procurement exercise is concluded and all the rolling stock delivered into service by TOC A, that TOC A’s NRC will expire and that operations will transfer to the Secretary of State’s public sector operator.  Before TOC A embarks on a procurement exercise, the Secretary of State for Transport has asked to be briefed about the procurement. DfT Legal Advisers propose to use your legal advice note as the basis for a Legal Annex in a Submission to the Secretary of State. |
| **J3 Response Guidance:**  All Bidders submitting a bid for Lot 5 must answer this question. If you are not bidding for Lot 5, please enter "N/A" in the first applicable text box for this question.  You must insert your response into the text fields in the eSourcing tool.  In order to satisfy the requirement, your response must address all aspects of the Key Areas.  Please draft a legal advice note that DfT Legal Advisers can consider when preparing Legal Advice to be appended to a Submission to the Department’s Ministers. The Note should set out:   * **Issue Spotting:** A clear and accurate identification of key legal and strategic issues related to the scenario, including any additional information required to enable you to provide comprehensive advice. This should encompass issues that could significantly affect the success and public perception of the rolling stock procurement exercise. * **Risk Mitigation Strategy**: A comprehensive risk mitigation strategy that assesses the identified legal issues and risks. This should outline practical and effective mitigation actions aligned with the client's objectives, aimed at reducing the risk of legal challenges and demonstrating a thorough understanding of the policy context. * **Clarity and Accessibility**: An executive summary featuring clear recommendations. The advice should be tailored to the identified audience, ensuring it is concise, free from unnecessary legal jargon, and highly actionable. Any legal assessments should be provided in accordance with the Attorney General’s Legal Risk Guidance.   Maximum character count - **12,000 characters.**  Whilst there will be no marks given to layout, spelling, punctuation and grammar, maintaining attention to detail will assist evaluators.  You must not exceed the character count within the eSourcing Suite. Responses must include spaces between words. No attachments or hyperlinks to external content are permitted; any additional documents or hyperlinks submitted will be ignored in the evaluation of this question.  You are required to insert your response to this question in the technical envelope in boxes 2.22.1, 2.22.2, 2.22.3, 2.22.4, 2.22.5 and 2.22.6 each box has a character count of 2,000 characters. |

|  |  |  |  |
| --- | --- | --- | --- |
| **Marking Weightings for Section J3** | | | |
| **Key Area** | **Question Weighting** | **Marking Scheme** | **Max Mark Available** |
| Issue Spotting | 10% | 100/75/50/25/0 | 100 |
| Risk Mitigation Strategy | 7% | 100/75/50/25/0 | 100 |
| Clarity and Accessibility | 3% | 100/75/50/25/0 | 100 |

|  |  |
| --- | --- |
| **Marking Scheme 100/75/50/25/0** | |
| **Marking Scheme** | **Evaluation Guidance** |
| 100 | **A VERY GOOD ANSWER**  The response is relevant to the requirement and is comprehensive, unambiguous, and fully demonstrates your ability to meet the key area of the response guidance.  Full and relevant evidence has been provided to clearly demonstrate that the key areas have been satisfied.  The response provides a high level of confidence that the approach will meet the requirement for each key area and has a strong potential to exceed the requirement for the delivery of services. |
| 75 | **A GOOD ANSWER**  The response is relevant to the requirement and is sufficiently detailed to demonstrate your ability to meet each key area of the response guidance.  Sufficient evidence has been provided to demonstrate each key area of the response guidance.  The response provides a good level of confidence that the approach will meet the requirement for each key area for the delivery of services. |
| 50 | **A SATISFACTORY ANSWER**  The response is relevant to the requirement. Whilst the response addresses each key area, it is not sufficiently detailed and/or does not include sufficient explanation in some elements to fully demonstrate your ability to meet each key area of the response guidance.  Whilst some evidence has been provided it does not sufficiently demonstrate each key area of the response guidance.  The response provides an adequate level of confidence that the approach has the potential to meet the requirement for each key area for the delivery of services. |
| 25 | **A BELOW STANDARD ANSWER**  The response is not fully relevant to or only partially addresses the requirement and/or each key area of the response guidance.  The response addresses some of each key area but not all, and there is a significant lack of detail.  Whilst some evidence has been provided it does not sufficiently demonstrate each key area.  There is a lack of detail and/or lack of explanation and/or ambiguity in the response which provides a low level of confidence that the approach has the ability to meet the requirement for each key area for the delivery of services.  **If you receive a score of 25, we will reject your bid and you will be excluded from the competition.** |
| 0 | **A POOR ANSWER**  The response is not relevant to the requirement and/or the key areas and/or the response has not satisfied any of the requirements for each key area.  The response provides no confidence that the approach will meet the requirement for each key area for the delivery of services.  or  No response provided.  **If you receive a 0, we will reject your bid and you will be excluded from the competition.** |

# Award Stage 1 Price Evaluation

This section 12 contains information on how to complete the Pricing Matrices (Attachments 3a - 3g) and sets out the price evaluation process.

|  |  |  |
| --- | --- | --- |
| **Response Guidance**  You must complete Attachments 3a - 3g - Price Matrices for Lot 1, 2, 3, 4a, 4b, 4c and 5 (as applicable to the Lots you are bidding for) in line with the guidance in section 12 and the instructions contained within the applicable Pricing Matrix and upload each completed Pricing Matrix to the applicable question in the eSourcing tool (commercial envelope). | | |
| **Question Number** | **Question** | **Your Response** |
| PQ1 | Upload to this question your completed Attachment 3a - Pricing Matrix Lot 1  Please name the file [price\_insertyourcompanyname] |  |
| PQ2 | Upload to this question your completed Attachment 3b - Pricing Matrix Lot 2  Please name the file [price\_insertyourcompanyname] |  |
| PQ3 | Upload to this question your completed Attachment 3c - Pricing Matrix Lot 3  Please name the file [price\_insertyourcompanyname] |  |
| PQ4 | Upload to this question your completed Attachment 3d - Pricing Matrix Lot 4a  Please name the file [price\_insertyourcompanyname] |  |
| PQ5 | Upload to this question your completed Attachment 3e - Pricing Matrix Lot 4b  Please name the file [price\_insertyourcompanyname] |  |
| PQ6 | Upload to this question your completed Attachment 3f - Pricing Matrix Lot 4c  Please name the file [price\_insertyourcompanyname] |  |
| PQ7 | Upload to this question your completed Attachment 3g - Pricing Matrix Lot 5  Please name the file [price\_insertyourcompanyname] |  |

* 1. How to complete your pricing matrices:

You should read and understand the instructions in the Pricing Matrix, Framework Schedule 3 (Framework Prices), and in this paragraph, before submitting your Pricing Matrix (e.g. prices and percentage discounts), for each Lot which you are bidding for.

Your prices should compare with the quality of your offer.

Your prices must be sustainable and include your operating overhead costs and profit.

You should also take into account our management charge of 1.5% which shall be paid by you to us, as set out in the Framework Award form.

You should have read and understood the information on TUPE in section 8 of Attachment 1 – About the Framework. You are reminded that it is your responsibility to take your own advice and consider whether TUPE is likely to apply and to act accordingly. You are encouraged to carry out your own due diligence exercise on the application of TUPE when completing your pricing matrices.

Your price values must be sustainable in providing all of the mandatory requirements set out in Framework Schedule 1 (Specification) for each applicable Lot, and include the following:

All costs incurred by the Bidder must be calculated and charged through the price values submitted in your Pricing Matrix.

Your rates submitted must:

• exclude VAT;

• be in British pounds sterling; and

• be submitted up to two (2) decimal places and to the nearest £1

Zero or negative bids are not permitted.

We will investigate where we consider your bid to be abnormally low.

The prices submitted will be the maximum payable under this framework. Prices may be lowered at the call-off stage. Refer to Framework Schedule 3 – Framework Prices.

You must download and complete the Pricing Matrices (Attachments 3a - 3g) for the Lots you are submitting a bid for.

You must provide a price, where one has been requested, in the cells highlighted orange, blue or grey.

The rates submitted in the orange cells of Table 1 of the Rate Card tabs will be the maximum rates payable under this Framework and any Call-Off Contract.

The percentages submitted in oranges cells of Table 2 of the Rate Card tabs will be the Volume Discounts applicable under this Framework and any Call-Off Contract for each Lot, in accordance with Framework Schedule 3 (Framework Prices).

The prices set out in the blue cells of Table 3 of the Rate Card tabs will be the maximum rates payable under this Framework and any Call-Off Contract for each Lot, in accordance with Framework Schedule 3 (Framework Prices).

The information submitted in the blue and/or grey cells will not be evaluated or form part of the price evaluation. However, if you are successful in this competition the values submitted will be inserted into your Framework Contract and will be the maximum rates chargeable under this Framework.

You must not alter, amend or change the format or layout of the Pricing Matrix in any way. You must not insert or attach any notes or comments into any of the worksheets.

Any alteration, amendment, change or addition will be disregarded and your Pricing Matrix may be deemed non-compliant.

When you have completed your pricing matrix, you must upload this into the eSourcing tool at question PQ1 for Lot 1, PQ2 for Lot 2, PQ3 for Lot 3, PQ4 for Lot 4a, PQ5 for Lot 4b, PQ6 for Lot 4c and PQ7 for Lot 5 in the commercial envelope. If you do not upload your pricing matrix your bid may be rejected from this competition.

In the event that you are successful in this procurement the values inserted into the Pricing Matrix will be incorporated into Framework Schedule 3 (Framework Prices). Refer to Framework Schedule 3 (Framework Prices) and Framework Schedule 7 (Call-Off Award Procedure).

* 1. Price evaluation process

This is how we will evaluate your pricing:

We will check you have completed all the orange, blue and/or grey cells for each Lot you are bidding for.

Failure to insert an applicable price may result in your bid being deemed non-compliant and may be rejected from this competition.

Remember zero or negative prices will not be accepted.

The price evaluation will be undertaken separately to the quality evaluation process.

**All Lots**

The Pricing for each Lot you are bidding for will be evaluated on the basis of each of the Grades and the Volume Discount Threshold ranges listed in the Pricing Matrices (Attachments 3a - 3g).

**Hourly Rates**

A definition for each of the Grades can be found in the tab titled ‘Grade Structure’ in Pricing Matrices (Attachments 3a - 3g).

You must ensure that the value for each Grade is in descending order (i.e. the price for the next Grade is equal to or less than the price of the previous more senior Grade e.g. Grade 1 must be higher than or equal to Grade 2).

We will evaluate the price submitted for each Grade by comparing it against all prices submitted by other Bidders for the applicable Grade.

The Bidder who submits the lowest Hourly Rate for each Grade in the Pricing Matrix will receive 100% of the maximum score available for the applicable Grade, as detailed in the tables below.

The maximum number of marks available for each Grade in each Lot, are as follows:

**Lot 1 – Hourly Rates**

|  |  |  |
| --- | --- | --- |
| Grade | Weighting (%) | Maximum Marks  Available |
| Partner | 4.80% | 4.80 |
| Legal Director / Counsel (or equivalent) | 4.80% | 4.80 |
| ~~Senior Solicitor, Senior Associate~~  Senior Solicitor/Senior Associate/Senior Legal Executive | 4.80% | 4.80 |
| ~~Solicitor, Associate~~ Solicitor/Associate/Legal Executive | 3.60% | 3.60 |
| ~~NQ Solicitor/Associate, Junior~~  ~~Solicitor/Associate~~  NQ Solicitor/Associate/Junior Solicitor/Associate/Legal Executive | 3.60% | 3.60 |
| Trainee/Legal Apprentice | 1.20% | 1.20 |
| Paralegal / Legal Assistant | 1.20% | 1.20 |
| Total | 24.00% | 24.00 |

**Lot 2 – Hourly Rates**

|  |  |  |
| --- | --- | --- |
| Grade | Weighting (%) | Maximum Marks  Available |
| Partner | 4.00% | 4.00 |
| Legal Director / Counsel (or equivalent) | 3.20% | 3.20 |
| ~~Senior Solicitor, Senior Associate~~  Senior Solicitor/Senior Associate/Senior Legal Executive | 2.40% | 2.40 |
| ~~Solicitor, Associate~~ Solicitor/Associate/Legal Executive | 2.40% | 2.40 |
| ~~NQ Solicitor/Associate, Junior~~  ~~Solicitor/Associate~~  NQ Solicitor/Associate/Junior Solicitor/Associate/Legal Executive | 2.40% | 2.40 |
| Trainee/Legal Apprentice | 0.80% | 0.80 |
| Paralegal / Legal Assistant | 0.80% | 0.80 |
| Total | 16.00% | 16.00 |

**Lot 3 – Hourly Rates**

|  |  |  |
| --- | --- | --- |
| Grade | Weighting (%) | Maximum Marks  Available |
| Partner | 2.40% | 2.40 |
| Legal Director / Counsel (or equivalent) | 1.60% | 2.40 |
| ~~Senior Solicitor, Senior Associate~~  Senior Solicitor/Senior Associate/Senior Legal Executive | 1.20% | 1.20 |
| ~~Solicitor, Associate~~ Solicitor/Associate/Legal Executive | 1.20% | 12.0 |
| ~~NQ Solicitor/Associate, Junior~~  ~~Solicitor/Associate~~  NQ Solicitor/Associate/Junior Solicitor/Associate/Legal Executive | 0.80% | 0.80 |
| Trainee/Legal Apprentice | 0.40% | 0,40 |
| Paralegal / Legal Assistant | 0.40% | 0.40 |
| Total | 8.00% | 8.00 |

**Lot 4a – Hourly Rates**

|  |  |  |
| --- | --- | --- |
| Grade | Weighting (%) | Maximum Marks  Available |
| Senior Counsel, Senior Partner | 2.40% | 2.40 |
| Partner | 2.40% | 2.40 |
| Legal Director / Counsel (or equivalent) | 2.40% | 2.40 |
| ~~Senior Solicitor, Senior Associate~~  Senior Solicitor/Senior Associate/Senior Legal Executive | 3.20% | 3.20 |
| ~~Solicitor, Associate~~ Solicitor/Associate/Legal Executive | 3.20% | 3.20 |
| ~~NQ Solicitor/Associate, Junior~~  ~~Solicitor/Associate~~  NQ Solicitor/Associate/Junior Solicitor/Associate/Legal Executive | 0.80% | 0.80 |
| Trainee/Legal Apprentice | 0.80% | 0.80 |
| Paralegal / Legal Assistant | 0.80% | 0.80 |
| Total | 16.00% | 16.00 |

**Lot 4b – Hourly Rates**

|  |  |  |
| --- | --- | --- |
| Grade | Weighting (%) | Maximum Marks  Available |
| Senior Counsel, Senior Partner | 3.20% | 3.20 |
| Partner | 3.20% | 3.20 |
| Legal Director / Counsel (or equivalent) | 3.20% | 3.20 |
| ~~Senior Solicitor, Senior Associate~~  Senior Solicitor/Senior Associate/Senior Legal Executive | 2.40% | 2.40 |
| ~~Solicitor, Associate~~ Solicitor/Associate/Legal Executive | 1.60% | 1.60 |
| ~~NQ Solicitor/Associate, Junior~~  ~~Solicitor/Associate~~  NQ Solicitor/Associate/Junior Solicitor/Associate/Legal Executive | 0.80% | 0.80 |
| Trainee/Legal Apprentice | 0.80% | 0.80 |
| Paralegal / Legal Assistant | 0.80% | 0.80 |
| Total | 16.00% | 16.00 |

**Lot 4c – Hourly Rates**

|  |  |  |
| --- | --- | --- |
| Grade | Weighting (%) | Maximum Marks  Available |
| Senior Counsel, Senior Partner | 3.20% | 3.20 |
| Partner | 3.20% | 3.20 |
| Legal Director / Counsel (or equivalent) | 3.20% | 3.20 |
| ~~Senior Solicitor, Senior Associate~~  Senior Solicitor/Senior Associate/Senior Legal Executive | 2.40% | 2.40 |
| ~~Solicitor, Associate~~ Solicitor/Associate/Legal Executive | 1.60% | 1.60 |
| ~~NQ Solicitor/Associate, Junior~~  ~~Solicitor/Associate~~  NQ Solicitor/Associate/Junior Solicitor/Associate/Legal Executive | 0.80% | 0.80 |
| Trainee/Legal Apprentice | 0.80% | 0.80 |
| Paralegal / Legal Assistant | 0.80% | 0.80 |
| Total | 16.00% | 16.00 |

**Lot 5 – Hourly Rates**

|  |  |  |
| --- | --- | --- |
| Grade | Weighting (%) | Maximum Marks  Available |
| Partner | 3.20% | 3.20 |
| Legal Director / Counsel (or equivalent) | 3.20% | 3.20 |
| ~~Senior Solicitor, Senior Associate~~  Senior Solicitor/Senior Associate/Senior Legal Executive | 4.00% | 4.00 |
| ~~Solicitor, Associate~~ Solicitor/Associate/Legal Executive | 2.40% | 2.40 |
| ~~NQ Solicitor/Associate, Junior~~  ~~Solicitor/Associate~~  NQ Solicitor/Associate/Junior Solicitor/Associate/Legal Executive | 1.60% | 1.60 |
| Trainee/Legal Apprentice | 0.80% | 0.80 |
| Paralegal / Legal Assistant | 0.80% | 0.80 |
| Total | 16.00% | 16.00 |

Where two or more Bidders submit an equal lowest Hourly Rate for the same Grade, then these Bidders will each achieve 100% of the maximum score available for the applicable Grade, as detailed in the previous tables for each Lot.

All other Bidders who submitted an Hourly Rate for each Grade, will each receive a percentage of the maximum score available relative to the lowest Hourly Rate submitted for the Grade, applicable to each Lot.

Using Lot 1 as an example:

For the Grade Senior Solicitor / Senior Associate, Bidder A submitted an Hourly Rate of £300.00.

The lowest Hourly Rate submitted by any Bidder for the Grade Senior Solicitor / Senior Associate, was Bidder B, who submitted £268.00.

Bidder C however, also submitted an equal lowest Hourly Rate of £268.00. Therefore, both Bidder B and Bidder C each receive 100% of the maximum marks available for the Grade Senior Solicitor / Senior Associate

The following calculation will be applied to all other submissions:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Mark = |  |  |  | maximum mark available |
|  | Lowest tendered Hourly Rate | X |
|  | Bidders tendered Hourly Rate |  |
|  |  |  |  |  |

Using the above formula, the calculation for Bidder A for the Lot 1 Grade Senior Solicitor / Senior Associate is as follows:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Mark = |  |  |  | 4.8 = 4.28 |
|  | 268.00 | X |
|  | 300.00 |  |
|  |  |  |  |  |

We will calculate each Bidder’s Total Hourly Rates Mark for each lot (e.g. maximum of 24.00), by adding together the marks awarded for each Grade, applicable to each lot.

**Volume Discount** Threshold

We will evaluate the Volume Discount submitted for each Volume Threshold, by comparing it against all Volume Discounts submitted by other Bidders for the applicable Volume Threshold.

You must ensure that the percentage for each Volume Discount Threshold is in ascending order (i.e. the price for the next Threshold exceeds or is equal to the price of the previous Threshold.)

Volume discount Thresholds:

|  |  |
| --- | --- |
| Volume Discount Threshold | Threshold values |
| Threshold 1 | £1m and above, up to a maximum of £2,499,999.99 |
| Threshold 2 | £2.5m and above, up to a maximum of £4.999,999.99 |
| Threshold 3 | £5m and above |

The Bidder who submits the highest Volume Discount for each Threshold in the Pricing Matrix (for each lot) will receive 100% of the maximum score available for the applicable Threshold, as detailed in the tables below.

The maximum number of marks available for each Volume Discount in each Lot, are as follows:

Lot 1 Volume Discounts

|  |  |  |
| --- | --- | --- |
| Volume Discount Threshold | Weighting (%) | Maximum Marks Available |
| Threshold 1  £1m and above, up to a maximum of £2,499,999.99 | 2.4% | 2.40 |
| Threshold 2  £2.5m and above, up to a maximum of £4.999,999.99 | 1.8% | 1.80 |
| Threshold 3  £5m and above | 1.8% | 1.80 |
| Total | 6.00% | 6.00 |

Lot 2 Volume Discounts

|  |  |  |
| --- | --- | --- |
| Volume Discount Threshold | Weighting (%) | Maximum Marks Available |
| Threshold 1  £1m and above, up to a maximum of £2,499,999.99 | 1.6% | 1.60 |
| Threshold 2  £2.5m and above, up to a maximum of £4.999,999.99 | 1.2% | 1.20 |
| Threshold 3  £5m and above | 1.2% | 1..20 |
| Total | 4.00% | 4.00 |

Lot 3 Volume Discounts

|  |  |  |
| --- | --- | --- |
| Volume Discount Threshold | Weighting (%) | Maximum Marks Available |
| Threshold 1  £1m and above, up to a maximum of £2,499,999.99 | 0.80% | 0.80 |
| Threshold 2  £2.5m and above, up to a maximum of £4.999,999.99 | 0.60% | 0.60 |
| Threshold 3  £5m and above | 0.60% | 0.60 |
| Total | 2.00% | 2.00 |

Lot 4a Volume Discounts

|  |  |  |
| --- | --- | --- |
| Volume Discount Threshold | Weighting (%) | Maximum Marks Available |
| Threshold 1  ~~£1m and above, up to a maximum of £2,499,999.99~~  500 > 999 | 1.60% | 1.60 |
| Threshold 2  ~~£2.5m and above, up to a maximum of £4.999,999.99~~  1000 > 2999 | 1.20% | 1.20 |
| Threshold 3  ~~£5m and above~~  3000 + | 1.20% | 1.20 |
| Total | 4.00% | 4.00 |

Lot 4b Volume Discounts

|  |  |  |
| --- | --- | --- |
| Volume Discount Threshold | Weighting (%) | Maximum Marks Available |
| Threshold 1  ~~£1m and above, up to a maximum of £2,499,999.99~~  500 > 999 | 1.60% | 1.60 |
| Threshold 2  ~~£2.5m and above, up to a maximum of £4.999,999.99~~  1000 > 2999 | 1.20% | 1.20 |
| Threshold 3  ~~£5m and above~~  3000 + | 1.20% | 1.20 |
| Total | 4.00% | 4.00 |

Lot 4c Volume Discounts

|  |  |  |
| --- | --- | --- |
| Volume Discount Threshold | Weighting (%) | Maximum Marks Available |
| Threshold 1  ~~£1m and above, up to a maximum of £2,499,999.99~~  500 > 999 | 1.60% | 1.60 |
| Threshold 2  ~~£2.5m and above, up to a maximum of £4.999,999.99~~  1000 > 2999 | 1.20% | 1.20 |
| Threshold 3  ~~£5m and above~~  3000 + | 1.20% | 1.20 |
| Total | 4.00% | 4.00 |

Lot 5 Volume Discounts

|  |  |  |
| --- | --- | --- |
| Volume Discount Threshold | Weighting (%) | Maximum Marks Available |
| Threshold 1  £1m and above, up to a maximum of £2,499,999.99 | 1.60% | 1.60 |
| Threshold 2  £2.5m and above, up to a maximum of £4.999,999.99 | 1.20% | 1.20 |
| Threshold 3  £5m and above | 1.20% | 1.20 |
| Total | 4.00% | 4.00 |

Where two or more Bidders submit an equal highest Volume Discount for the same Threshold, then these Bidders will each achieve 100% of the maximum score available for the applicable Threshold, as detailed in the tables above for each Lot.

All other Bidders who submitted a Volume Discount for each Threshold, will each receive a percentage of the maximum score available relative to the highest Volume Discount submitted for the Threshold, applicable to each Lot.

The following calculation will be applied to all other submissions:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Mark = |  |  |  | maximum mark available for Threshold |
|  | Bidders Volume Discount % | X |
|  |  |  |
|  | Highest Volume Discount % |  |
|  |  |  |  |  |

Using Lot 1 as an example

For the Volume Threshold 1, Bidder A submitted a Volume Discount of 2.5%.

The Volume Discount submitted by any Bidder for the Threshold 1, was Bidder B, who submitted a Volume Discount of 5%.

Bidder C however, also submitted an equal Volume Discount of 5%. Therefore, both Bidder B and Bidder C receive 100% of the maximum marks available for the Lot 1 Threshold 1 (e.g. 2.40 marks).

Using the above formula, the calculation for Bidder A for Threshold 1 is as follows:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Mark = |  |  |  | 2.40 = 1.20 |
|  | 2.5% | X |
|  | 5% |  |
|  |  |  |  |  |

We will calculate each Bidder’s Total Volume Discount Mark for each lot by adding together the marks awarded for each Volume Discount threshold, applicable to each lot.

Example Lot 1:

|  |  |  |
| --- | --- | --- |
| Threshold | Maximum mark | Bidder mark for the Threshold |
| Threshold 1 | 2.40 | 1.20 |
| Threshold 2 | 1.80 | 1.80 |
| Threshold 3 | 1.80 | 1.80 |
| Bidders Volume Discount Mark | | 4.80 |

We will then multiply the Bidder’s Volume Discount Mark by the weighting to calculate the Bidder’s Total Volume Discount Mark.

We will calculate each Bidder’s Price Score for each Lot by adding together the Total Hourly Rates Mark and Total Volume Discount Mark applicable to each Lot.

**Example Lot 1**

|  |  |
| --- | --- |
| Total Hourly Rates Mark | 14.40 |
| Total Volume Discount Mark | 4.80 |
| Price Score | 19.20 |

* 1. Abnormally Low Tenders

Where we consider any of the Hourly Rates or Volume Discounts you have submitted to have no correlation with the quality of your offer or to be **abnormally low** or will ask you to explain the price(s) you have submitted (as required in regulation 69 of the Regulations).

If your explanation is not acceptable, we will reject your bid and exclude you from this competition, we will inform you if your bid has been excluded and why.

# Selection of bids to proceed from Award Stage 1 to Award Stage 2 (Lots 2, 3, 4b, 4c and 5) and progression to Final Decision to Award (Lot 1 and Lot 4a only).

* 1. In Lot 1 and Lot 4a, following the conclusion of the Award stage 1 evaluation, we will proceed to the final decision to award. Please read section 21 - Final Decision to Award.
  2. In Lots 2, 3, 4b, 4c, and 5, we will calculate your Award stage 1 Total Score. In each Lot, Bidders will be ranked to determine which Bidders shall proceed to Award stage 2.
  3. In each of Lots 2, 3, 4b, 4c, and 5, we will add your Award stage 1 Quality Score to your Award stage 1 Price Score to calculate your Award stage 1 Total Score (out of 100). This is illustrated in the examples below:

Lot 2, Lot 4b, Lot 4c and Lot 5 example:

|  |  |  |  |
| --- | --- | --- | --- |
| Bidder | Award stage 1 Quality Score | Award stage 1 Price Score | Award stage 1 Total Score |
| (Maximum score available 80) | (Maximum score available 20) | (Maximum score available 100) |
| Bidder A | 65.25 | 20.00 | 85.25 |
| Bidder B | 50.25 | 15.00 | 65.25 |
| Bidder C | 50.00 | 20.00 | 70.00 |

Lot 3 example:

|  |  |  |  |
| --- | --- | --- | --- |
| Bidder | Award stage 1 Quality Score | Award stage 1 Price Score | Award stage 1 Total Score |
| (Maximum score available 90) | (Maximum score available 10) | (Maximum score available 100) |
| Bidder A | 75.25 | 10.00 | 85.25 |
| Bidder B | 60.25 | 5.00 | 65.25 |
| Bidder C | 50.00 | 6.00 | 56.00 |

* 1. In each Lot, for the purposes of determining which Bidders will be invited to Award stage 2, we will rank all Award stage 1 Total Scores from highest to lowest. In each Lot, the following number of highest ranked Bidders will be invited to participate in Award stage 2:

|  |  |
| --- | --- |
| **Lot** | **Bidders invited to participate in Award stage 2:** |
| Lot 2 | Rank 1st -12th |
| Lot 3 | Rank 1st - 9th |
| Lot 4b | Rank 1st - 10th |
| Lot 4c | Rank 1st - 12th |
| Lot 5 | Rank 1st - 12th |

Bidders that proceed to Award stage 2 will be invited to participate via the eSourcing tool. Bidders that do not rank in the required positions to progress to Award stage 2 will be removed from the competition. If you do not progress to Award stage 2 we will notify you of this.

* 1. CCS reserves the right to not undertake Award stage 2 for any Lots where the maximum number of Bidders successful in Award stage 1 is below (or is equal to) the number of places available for progression to Award stage 2 (as set out in the table at above). In any Lot(s) where this arises, we reserve the right to progress to the final decision to award in the applicable Lot(s).
  2. In each Lot, if two or more Bidders have the same Total Score for Award stage 1 and are ranked in the last available position to progress to Award stage 2 (i.e. Lot 2 - 12th position, Lot 3 - 9th position, Lot 4b - 10th position, Lot 4c - 12th position, Lot 5 - 12th position), we will apply the following tie breakers to determine which Bidder will progress to Award stage 2:

In the first instance, the Bidder that has obtained the highest Award stage 1 Quality Score will proceed to Award stage 2.

In the event that there are still two or more Bidders who are in tied position after the first tie breaker is applied, the Bidder that has achieved the highest combined price score for all of the Hourly Rates price elements (i.e. price scores for volume discount thresholds will not be taken into consideration) will proceed to Award stage 2.

# Award Stage 2 (Lots 2, 3, 4b, 4c and 5)

* 1. Award stage 2 will comprise of:
* An evaluation of the Interview Presentation (Award stage 2 Quality Evaluation) which will include a presentation and 3 undisclosed questions. **As part of these instructions any reference to Interview Presentation shall mean both the presentation and the 3 undisclosed questions.**
* An evaluation of the best and final offer tendered in the Price Matrix (Award stage 2 Price Evaluation).
  1. Award stage 2 Award Criteria

The quality and price weightings for Award stage 2 are as follows:

|  |  |  |  |
| --- | --- | --- | --- |
| Lot | Quality weighting | | Price weighting |
| Social Value | Quality |
| Lot 2 | 10% | 70% | 20% |
| Lot 3 | 10% | 80% | 10% |
| Lot 4b | 10% | 70% | 20% |
| Lot 4c | 10% | 70% | 20% |
| Lot 5 | 10% | 70% | 20% |

* 1. **Carrying forward Award stage 1 Quality Score to Award stage 2**

In each Lot, at Award stage 2, each Bidder’s Award stage 1 Quality Score will be carried forward. However, its weighting will be different. In each Lot, the weighting that will apply each Bidder’s Award stage 1 Quality Score when it is carried forward to Award stage 2 is set out below:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Lot** | **Award stage 1 Quality weighting** | | **Award stage 1 Quality weighting at Award stage 2** | |
| **Social Value** | **Quality** | **Social Value** | **Quality** |
| Lot 2 | 10% | 70% | 10% | 35% |
| Lot 3 | 10% | 80% | 10% | 50% |
| Lot 4b | 10% | 70% | 10% | 34% |
| Lot 4c | 10% | 70% | 10% | 34% |
| Lot 5 | 10% | 70% | 10% | 34% |

In accordance with the weightings in the table above, at Award stage 2 each Bidder’s Social Value score out of 10 will be carried forward with no change.

To calculate each Bidder’s carried forward Award stage 1 quality score (not including social value) we will use the following calculation:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  |  | Award stage 1 quality score |  |  |
|  | Maximum quality score available at Award stage 1 | X | Maximum quality score available at Award stage 2 |

Using Lot 2 as an example, if a Bidder achieved an Award stage 1 Quality Score (not including Social Value) of 35.00 (out of 70), the score that would be carried forward to Award stage 2 would be 17.50 (being 35/70 x 35).

The table below sets out an example for each Lot:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Lot** | **Example Bidder’s Award stage 1 Quality Score** | | **Example Bidder’s carried forward Quality Score for Award stage 2** | |
| **Social Value** | **Quality** | **Social Value** | **Quality** |
| Lot 2 | 10.00 | 52.50  (out of 70) | 10.00 | 26.25  (out of 35) |
| Lot 3 | 10.00 | 60.00  (out of 80) | 10.00 | 37.50  (out of 50) |
| Lot 4b | 10.00 | 52.50  (out of 70) | 10.00 | 25.50  (out of 34) |
| Lot 4c | 10.00 | 70.00  (out of 70) | 10.00 | 34.00  (out of 34) |
| Lot 5 | 10.00 | 52.50  (out of 70) | 10.00 | 25.50  (out of 34) |

* 1. What **YOU** need to do:
* Complete an Interview Presentation (which will include a presentation and undisclosed questions) with senior panel evaluators, as detailed in Annex 1 of this document.
* Complete the applicable Price Matrix (Attachment 3) with your best and final offer for the Lot(s) in which you are bidding.
* Send your completed Award stage 2 Price Matrix to us via the eSourcing tool messaging system.
  1. What **WE** will do at Award stage 2

|  |  |
| --- | --- |
| 1. | Quality Evaluation  A panel of senior civil servants (“Panel Evaluator”) will independently assess your responses to the Interview Presentation using each of the evaluation criteria of the Interview Presentation - **the Capability Criteria and Competency Criteria**. This criteria is set out below in section 15 (Lot 2), section 16 (Lot 3), section 17 (Lot 4b), section 18 (Lot 4c) and section 19 (Lot 5).  Please note, Lot 2 and Lot 3 include Capability Criteria **and** Competency Criteria.  Lot 4b, Lot 4c and Lot 5 include Capability Criteria **only**.  Each Panel Evaluator will give a mark and a reason for their mark for each criteria of the Interview Presentation. |
| 2. | Consensus  Once the evaluators have independently assessed your responses to each of the criteria in the Interview Presentation (as applicable to each Lot), we will arrange for the Panel Evaluators to meet and we will facilitate the discussion. At the consensus meetings, the evaluators will discuss the quality of your responses for each criteria and discuss each mark and their reasons for each mark. The discussion will continue until they reach a consensus regarding the mark, and a reason for that mark, for each criteria of the Interview Presentation. These final marks will be used to calculate your Award stage 2 Quality Score for each Lot you have bid for. |
| 3. | Quality Threshold  The quality threshold for the Interview Presentation is 50% of the maximum score available, for each Lot this means a score of:  Lot 2 - 17.5 out of 35  Lot 3 - 15 out of 30  Lot 4b - 18 out of 36  Lot 4c - 18 out of 36  Lot 5 - 18 out 36  If you do not achieve the Quality Threshold in the applicable Lot, we will reject your bid and you will be excluded from the competition. We will tell you that your bid has been excluded from the competition and why.  Refer to the tables provided at section 15.5 (Lot 2), section 16.5 (Lot 3), section 17.4 (Lot 4b), section 18.4 (Lot 4c) and section 19.4 (Lot 5) for an example of how your **Award Stage 2** **Quality Score** will be calculated for each applicable Lot. |
| 4. | Compliance Check  We will do a check to make sure that you have resubmitted your best and final offer Price Matrix in line with our instructions. |
| 5. | Price Evaluation  We will then give your Award stage 2 Pricing Matrix (best and final offer) to the price evaluation panel, who are different evaluators from those who assess your Interview Presentations.  They will calculate your **Award Stage 2 Price Score** in accordance with the process set out at section 20 (Award Stage 2 Price Evaluation). |
| 6. | Final Score  Your Award stage 2 Quality Score will be added to your Award stage 2 Price Score to create your **Final Score** (out of 100), as illustrated in section 21 (Final Decision to Award). |
| 7. | Award  Awards will be made to the successful Bidders following the standstill period, subject to contract. |

# Lot 2 Award Stage 2 Quality Evaluation

* 1. In Lot 2, the Award stage 2 Quality weighting is 80% which is broken down as follows:

|  |  |
| --- | --- |
| **Award Stage 2 Quality Weighting Lot 2** | |
| Interview Presentation – Capability Criteria | 20% |
| Interview Presentation – Competency Criteria | 15% |
| Award stage 1 Social Value (B1 and B2) | 10% |
| Award stage 1 Quality (D1 and D2) | 35% |

* 1. **Interview Presentation (35%)**

Bidders will be asked to give a presentation addressing the Legal Scenario which will be provided 14 calendar days in advance of the Interview Presentation, followed by 3 undisclosed questions.

The marks awarded for the Interview Presentation will account for 35% of the overall 80% mark for the Award stage 2 Quality Evaluation.

In Lot 2, the Capability Criteria will be used to evaluate the presentation element of the Interview Presentation. The Competency Criteria will be used to evaluate the undisclosed questions element of the Interview Presentation.

All information in relation to the Interview Presentation is provided in Annex 1 of this document. No additional information will be issued to Bidders.

The Interview Presentations will each be evaluated on the basis of the following Capability and Competency criteria:

|  |  |
| --- | --- |
| Interview Presentation Evaluation | Sub-Weighting |
| Capability Criteria (assessed during the Presentation):  20% weighting, sub-weighted into the following: | |
| Legal Scenario Part A | 15% |
| Legal Scenario Part B | 5% |
| Competency Criteria (assessed during the 3 undisclosed questions):  15% weighting, sub-weighted into the following: | |
| Communication | 5% |
| Persuasiveness | 5% |
| Team Presentation and Interview | 5% |

* 1. **Capability Criteria (20%)**

The marks awarded for this element of the Interview Presentation will account for 20% of the overall 80% mark for the Award stage 2 Quality Evaluation. The Evaluation Panel will apply the Capability Criteria at Table A when assessing the Bidder Representatives’ capability at the Interview Presentation.

|  |
| --- |
| Table A - Capability Criteria |
| Capability Criteria |
| **Legal Scenario – Part A** You will be evaluated on your response to Part A of the Legal Scenario and identification of any legal issues that are raised by HM Government’s proposed strategy, including:   1. Identify legal, commercial and handling issues/risks at high level 2. Assessment of legal risks identified in accordance with the Attorney General’s Legal Risk Guidance 3. Proposed solution(s) to mitigate legal risks, and proposed organisation of team to deliver this |
| **Legal Scenario – Part B** You will be evaluated on your response to Part B of the Legal Scenario and identification of any relevant legal issues for HM Government, including:   1. Identify legal, commercial and handling issues/risks at high level 2. Assessment of legal risks identified in accordance with the Attorney General’s Legal Risk Guidance 3. Proposed solution(s) to mitigate legal risks, and proposed organisation of team to deliver this |

The Capability Scoring Criteria set out in Table B below will be used by the Evaluation Panel to evaluate the quality of the Interview Presentation against each capability criteria in Table A.

|  |  |  |
| --- | --- | --- |
| Table B – Capability Scoring Criteria | | |
| Mark | Classification | Definition |
| 100 | Outstanding  Demonstration | The response provides a very high level of confidence. It is comprehensive, unambiguous, and an outstanding demonstration of the Bidder’s ability to meet the Capability Criteria.  The response provides full and relevant knowledge, demonstrating exceptional insight into the requirements.  A thorough and highly relevant body of evidence supports the Bidder’s capability. |
| 75 | Good Demonstration | The response provides a good level of confidence. It is detailed and presents a good demonstration of the Bidder’s ability to meet the Capability Criteria.  The response contains substantial knowledge and insight into the requirements.  A good amount of relevant evidence is provided to support the Bidder’s capability. |
| 50 | Acceptable Demonstration | The response provides an adequate level of confidence. Whilst there are some limitations, it offers an adequate level of detail and satisfactorily demonstrates the Bidder’s ability to meet the Capability Criteria.  The response includes an acceptable level of knowledge and insight into the requirements.  Sufficient relevant evidence is provided to support the Bidder’s capability. |
| 25 | Minimal Demonstration | The response provides a low level of confidence. It has significant gaps, offering limited detail and only minimally demonstrating the Bidder’s ability to meet the Capability Criteria.  The response includes minimal knowledge and insight into the requirements.  Limited relevant evidence is provided to support the Bidder’s capability. |
| 0 | Not Demonstrated | The response provides no confidence. It lacks necessary detail and fails to demonstrate the Bidder’s ability to meet the Capability Criteria.  There is little to no knowledge or insight into the requirements.  No relevant evidence is provided to support the Bidder’s capability.  **OR**    No response has been provided. |

* 1. **Competency Criteria (15%)**

The marks for this element of the Interview Presentation will account for 15% of the overall 80% marks for the Award stage 2 Quality Evaluation. Based on the responses provided at the Interview Presentation, the Evaluation Panel will individually assess each Competency Criteria detailed at Table C below when assessing the Bidders’ Representatives.

|  |  |
| --- | --- |
| Table C – Competency Criteria | |
| Competency | Criteria |
| Communication | (a) Clarity and succinctness of responses to the undisclosed questions  (b) Ability to communicate complex information in a logical style  (c) Ability to tailor approach to the audience |
| Persuasiveness | (a) Ability to guide the client on the pros/cons of a particular point of view  (b) Ability to enable the client to commit to a course of action |
| Team presentation and interview | (a) Collaboration and organisation amongst the team presenting and responding to questions |

The Competency Scoring Criteria set out in Table D below will be used by the Evaluation Panel to evaluate the quality of the Interview Presentation against each competency criteria in Table C.

|  |  |  |
| --- | --- | --- |
| Table D – Competency Scoring Criteria | | |
| Score | Classification | Definition |
| 100 | Outstanding Demonstration | Evidence provided wholly exceeds expectation at this level |
| 75 | Good Demonstration | Substantial positive evidence of the competency |
| 50 | Acceptable Demonstration | Adequate positive evidence of the competency |
| 25 | Minimal Demonstration | Limited positive evidence of the competency |
| 0 | Not Demonstrated | No positive evidence of the competency |

* 1. **Calculating each Bidder’s Award stage 2 Quality Score**

The Capability Criteria and Competency Criteria will be evaluated in accordance with point 1 (Quality Evaluation) and point 2 (Consensus) of the table set out at section 14.5 above.

When the consensus meeting has taken place, and the final mark for each of the Capability Criteria and Competency Criteria has been agreed by the evaluators, your final mark for each criteria will be multiplied by the criteria’s weighting to calculate your weighted mark for the Capability Criteria and Competency Criteria.

Each weighted mark will be added together to calculate your score for the Interview Presentation.

This score will be added to your Social Value and Award stage 1 quality score (carried forward from Award stage 1, as set out at section 14.3 above) to calculate your overall Award stage 2 Quality Score.

An example of how your Award stage 2 Quality Score for Lot 2 will be calculated is set out below:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Quality Criteria** | **Award Stage 2 Weighting** | **Maximum Mark Available** | **Your Final Mark** | **Your Weighted Mark** |
| Award stage 1 Social Value (B1 and B2) | 10% | *Marks carried forward from Award stage 1 (see section 14.3)* | | 10.00 |
| Award stage 1 Quality (D1 and D2) | 35% | 25.00 |
| Interview Presentation Capability Criteria: | | | | |
| Legal Scenario Part A | 15% | 100 | 100 | 15.00 |
| Legal Scenario Part B | 5% | 100 | 50 | 2.50 |
| Interview Presentation Competency Criteria: | | | | |
| Communication | 5% | 100 | 100 | 5.00 |
| Persuasiveness | 5% | 100 | 50 | 2.50 |
| Team Presentation and Interview | 5% | 100 | 50 | 2.50 |
| **Award Stage 2 Quality Score for Lot 2 (out of 80):** | | | | **62.50** |

# Lot 3 Award Stage 2 Quality Evaluation

* 1. In Lot 3, the Award Stage 2 Quality weighting is 90% which is broken down as follows:

|  |  |
| --- | --- |
| **Award Stage 2 Quality Weighting Lot 3** | |
| Interview Presentation – Capability Criteria | 15% |
| Interview Presentation – Competency Criteria | 15% |
| Award stage 1 Social Value (B1 and B2) | 10% |
| Award stage 1 Quality (E1, E2 and E3) | 50% |

* 1. **Interview Presentation (30%)**

Bidders will be asked to give a presentation addressing the Legal Scenario which will be provided 14 calendar days in advance of the Interview Presentation, followed by 3 undisclosed questions.

The marks awarded for the Interview Presentation will account for 30% of the overall 90% mark for the Award stage 2 Quality Evaluation.

In Lot 3, the Capability Criteria will be used to evaluate the presentation element of the Interview Presentation. The Competency Criteria will be used to evaluate the undisclosed questions element of the Interview Presentation.

All information in relation to the Interview Presentation is provided in Annex 1 of this document. No additional information will be issued to Bidders.

The Interview Presentations will each be evaluated on the basis of the following Capability and Competency criteria:

|  |  |
| --- | --- |
| Interview Presentation Evaluation | Sub-Weighting |
| Capability Criteria (assessed during the Presentation):  15% weighting, sub-weighted into the following: | |
| Legal Scenario | 15% |
| Competency Criteria (assessed during the 3 undisclosed questions):  15% weighting, sub-weighted into the following: | |
| Communication | 5% |
| Persuasiveness | 5% |
| Team Presentation and Interview | 5% |

* 1. **Capability Criteria (15%)**

The marks awarded for this element of the Interview Presentation will account for 15% of the overall 90% mark for the Award stage 2 Quality Evaluation. The Evaluation Panel will apply the Capability Criteria at Table A when assessing the Bidder Representatives’ capability at the Interview Presentation.

|  |
| --- |
| Table A - Capability Criteria |
| Capability Criteria |
| **Legal Scenario**  You will be evaluated on your response to the Legal Scenario, including:   1. Identify legal, commercial and handling issues/risks at high level 2. Assessment of legal risks identified in accordance with the Attorney General’s Legal Risk Guidance 3. Proposed solution(s) to mitigate legal risks, and proposed organisation of team to deliver this |

The Capability Scoring Criteria set out in Table B below will be used by the Evaluation Panel to evaluate the quality of the Interview Presentation against each capability criteria in Table A.

|  |  |  |
| --- | --- | --- |
| Table B – Capability Scoring Criteria | | |
| Mark | Classification | Definition |
| 100 | Outstanding  Demonstration | The response provides a very high level of confidence. It is comprehensive, unambiguous, and an outstanding demonstration of the Bidder’s ability to meet the Capability Criteria.  The response provides full and relevant knowledge, demonstrating exceptional insight into the requirements.  A thorough and highly relevant body of evidence supports the Bidder’s capability. |
| 75 | Good Demonstration | The response provides a good level of confidence. It is detailed and presents a good demonstration of the Bidder’s ability to meet the Capability Criteria.  The response contains substantial knowledge and insight into the requirements.  A good amount of relevant evidence is provided to support the Bidder’s capability. |
| 50 | Acceptable Demonstration | The response provides an adequate level of confidence. Whilst there are some limitations, it offers an adequate level of detail and satisfactorily demonstrates the Bidder’s ability to meet the Capability Criteria.  The response includes an acceptable level of knowledge and insight into the requirements.  Sufficient relevant evidence is provided to support the Bidder’s capability. |
| 25 | Minimal Demonstration | The response provides a low level of confidence. It has significant gaps, offering limited detail and only minimally demonstrating the Bidder’s ability to meet the Capability Criteria.  The response includes minimal knowledge and insight into the requirements.  Limited relevant evidence is provided to support the Bidder’s capability. |
| 0 | Not Demonstrated | The response provides no confidence. It lacks necessary detail and fails to demonstrate the Bidder’s ability to meet the Capability Criteria.  There is little to no knowledge or insight into the requirements.  No relevant evidence is provided to support the Bidder’s capability.  **OR**    No response has been provided. |

* 1. **Competency Criteria (15%)**

The marks for this element of the Interview Presentation will account for 15% of the overall 90% marks for the Award stage 2 Quality Evaluation. Based on the responses provided at the Interview Presentation, the Evaluation Panel will individually assess each Competency Criteria detailed at Table C below when assessing the Bidders’ Representatives.

|  |  |
| --- | --- |
| Table C – Competency Criteria | |
| Competency | Criteria |
| Communication | (a) Clarity and succinctness of responses to the undisclosed questions  (b) Ability to communicate complex information in a logical style  (c) Ability to tailor approach to the audience |
| Persuasiveness | (a) Ability to guide the client on the pros/cons of a particular point of view  (b) Ability to enable the client to commit to a course of action |
| Team presentation and interview | (a) Collaboration and organisation amongst the team presenting and responding to questions |

The Competency Scoring Criteria set out in Table D below will be used by the Evaluation Panel to evaluate the quality of the Interview Presentation against each competency criteria in Table C.

|  |  |  |
| --- | --- | --- |
| Table D – Competency Scoring Criteria | | |
| Score | Classification | Definition |
| 100 | Outstanding Demonstration | Evidence provided wholly exceeds expectation at this level |
| 75 | Good Demonstration | Substantial positive evidence of the competency |
| 50 | Acceptable Demonstration | Adequate positive evidence of the competency |
| 25 | Minimal Demonstration | Limited positive evidence of the competency |
| 0 | Not Demonstrated | No positive evidence of the competency |

* 1. **Calculating each Bidder’s Award stage 2 Quality Score**

The Capability Criteria and Competency Criteria will be evaluated in accordance with point 1 (Quality Evaluation) and point 2 (Consensus) of the table set out at section 14.5 above.

When the consensus meeting has taken place, and the final mark for each of the Capability Criteria and Competency Criteria has been agreed by the evaluators, your final mark for each criteria will be multiplied by the criteria’s weighting to calculate your weighted mark for the Capability Criteria and Competency Criteria.

Each weighted mark will be added together to calculate your score for the Interview Presentation.

This score will be added to your Social Value and Award stage 1 quality score (carried forward from Award stage 1, as set out at section 14.3 above) to calculate your overall Award stage 2 Quality Score.

An example of how your Award stage 2 Quality Score for Lot 3 will be calculated is set out below:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Quality Criteria** | **Award Stage 2 Weighting** | **Maximum Mark Available** | **Your Final Mark** | **Your Weighted Mark** |
| Award stage 1 Social Value (B1 and B2) | 10% | *Marks carried forward from Award stage 1 (see section 14.3)* | | 10.00 |
| Award stage 1 Quality (E1, E2 and E3) | 50% | 37.50 |
| Interview Presentation Capability Criteria: | | | | |
| Legal Scenario | 15% | 100 | 100 | 15.00 |
| Interview Presentation Competency Criteria: | | | | |
| Communication | 5% | 100 | 100 | 5.00 |
| Persuasiveness | 5% | 100 | 100 | 5.00 |
| Team Presentation and Interview | 5% | 100 | 50 | 2.50 |
| **Award Stage 2 Quality Score for Lot 3 (out of 90):** | | | | **75.00** |

# Lot 4b Award Stage 2 Quality Evaluation

* 1. In Lot 4b, the Award stage 2 Quality weighting is 80% which is broken down as follows:

|  |  |
| --- | --- |
| **Award Stage 2 Quality Weighting Lot 4b** | |
| Interview Presentation – Capability Criteria | 36% |
| Award stage 1 Social Value (B1 and B2) | 10% |
| Award stage 1 Quality (G1, G2 and G3) | 34% |

* 1. **Interview Presentation (36%)**

Bidders will be asked to give a presentation addressing the Legal Scenario which will be provided 14 calendar days in advance of the Interview Presentation, followed by 3 undisclosed questions.

The marks awarded for the Interview Presentation will account for 36% of the overall 80% mark for the Award stage 2 Quality Evaluation.

In Lot 4b, the Capability Criteria will be used to evaluate both the presentation element and the undisclosed questions element of the Interview Presentation.

All information in relation to the Interview Presentation is provided in Annex 1 of this document. No additional information will be issued to Bidders.

The Interview Presentations will each be evaluated on the basis of the following Capability Criteria:

|  |  |
| --- | --- |
| Interview Presentation Evaluation | Sub-Weighting |
| Capability Criteria:  36% weighting, sub-weighted into the following: | |
| Assessed during the Presentation: | |
| Legal Scenario - Specialist Legal Knowledge | 12% |
| Legal Scenario - Strategic Legal Insight | 12% |
| Assessment of 3 undisclosed questions: | |
| Question 1 - Application of legal knowledge and problem solving | 4% |
| Question 2 - Application of legal knowledge and problem solving | 4% |
| Question 3 - Application of legal knowledge and problem solving | 4% |

* 1. **Capability Criteria (36%)**

The marks awarded for this element of the Interview Presentation will account for 36% of the overall 80% mark for the Award stage 2 Quality Evaluation. The Evaluation Panel will apply the Capability Criteria at Table A when assessing the Bidder Representatives’ capability at the Interview Presentation.

|  |
| --- |
| Table A - Capability Criteria |
| Capability Criteria - Presentation: |
| **Legal Scenario - Specialist Legal Knowledge**  You will be evaluated on your response to the Legal Scenario in respect of:  Specialist legal knowledge and ability to advise on litigation strategy within the international trade context, maintaining sensitivity to the needs of HM Government and ensuring advice is tailored to the audience. |
| **Legal Scenario - Strategic Legal Insight**  You will be evaluated on your response to the Legal Scenario in respect of:  Strategic legal insight into current and future challenges facing HM Government  in the context of trade remedies and international trade disputes |
| Capability Criteria - Undisclosed Questions: |
| **Undisclosed Questions**  For each of the 3 undisclosed questions, you will be evaluated on your application of legal knowledge and problem solving. |

The Capability Scoring Criteria set out in Table B below will be used by the Evaluation Panel to evaluate the quality of the Interview Presentation against each capability criteria in Table A.

|  |  |  |
| --- | --- | --- |
| Table B – Capability Scoring Criteria | | |
| Mark | Classification | Definition |
| 100 | Outstanding  Demonstration | The response provides a very high level of confidence. It is comprehensive, unambiguous, and an outstanding demonstration of the Bidder’s ability to meet the Capability Criteria.  The response provides full and relevant knowledge, demonstrating exceptional insight into the requirements.  A thorough and highly relevant body of evidence supports the Bidder’s capability. |
| 75 | Good Demonstration | The response provides a good level of confidence. It is detailed and presents a good demonstration of the Bidder’s ability to meet the Capability Criteria.  The response contains substantial knowledge and insight into the requirements.  A good amount of relevant evidence is provided to support the Bidder’s capability. |
| 50 | Acceptable Demonstration | The response provides an adequate level of confidence. Whilst there are some limitations, it offers an adequate level of detail and satisfactorily demonstrates the Bidder’s ability to meet the Capability Criteria.  The response includes an acceptable level of knowledge and insight into the requirements.  Sufficient relevant evidence is provided to support the Bidder’s capability. |
| 25 | Minimal Demonstration | The response provides a low level of confidence. It has significant gaps, offering limited detail and only minimally demonstrating the Bidder’s ability to meet the Capability Criteria.  The response includes minimal knowledge and insight into the requirements.  Limited relevant evidence is provided to support the Bidder’s capability. |
| 0 | Not Demonstrated | The response provides no confidence. It lacks necessary detail and fails to demonstrate the Bidder’s ability to meet the Capability Criteria.  There is little to no knowledge or insight into the requirements.  No relevant evidence is provided to support the Bidder’s capability.  **OR**    No response has been provided. |

* 1. **Calculating each Bidder’s Award stage 2 Quality Score**

The Capability Criteria will be evaluated in accordance with point 1 (Quality Evaluation) and point 2 (Consensus) of the table set out at section 14.5 above.

When the consensus meeting has taken place, and the final mark for each of the Capability Criteria has been agreed by the evaluators, your final mark for each criteria will be multiplied by the criteria’s weighting to calculate your weighted mark for the criteria.

Each weighted mark will be added together to calculate your score for the Interview Presentation.

This score will be added to your Social Value and Award stage 1 quality score (carried forward from Award stage 1, as set out at section 14.3 above) to calculate your overall Award stage 2 Quality Score.

An example of how your Award stage 2 Quality Score for Lot 4b will be calculated is set out below:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Quality Criteria** | **Award Stage 2 Weighting** | **Maximum Mark Available** | **Your Final Mark** | **Your Weighted Mark** |
| Award stage 1 Social Value (B1 and B2) | 10% | *Marks carried forward from Award stage 1 (see section 14.3)* | | 10.00 |
| Award stage 1 Quality (G1, G2 and G3) | 34% | 17.00 |
| Interview Presentation Capability Criteria: | | | | |
| Legal Scenario - Specialist Legal Knowledge | 12% | 100 | 50 | 6.00 |
| Legal Scenario - Strategic Legal Insight | 12% | 100 | 100 | 12.00 |
| Undisclosed Question 1 | 4% | 100 | 100 | 4.00 |
| Undisclosed Question 2 | 4% | 100 | 50 | 2.00 |
| Undisclosed Question 3 | 4% | 100 | 50 | 2.00 |
| **Award Stage 2 Quality Score for Lot 4b (out of 80):** | | | | **53.00** |

# Lot 4c Award Stage 2 Quality Evaluation

* 1. In Lot 4c, the Award stage 2 Quality weighting is 80% which is broken down as follows:

|  |  |
| --- | --- |
| **Award Stage 2 Quality Weighting Lot 4c** | |
| Interview Presentation – Capability Criteria | 36% |
| Award stage 1 Social Value (B1 and B2) | 10% |
| Award stage 1 Quality (H1, H2 and H3) | 34% |

* 1. **Interview Presentation (36%)**

Bidders will be asked to give a presentation addressing the Legal Scenario which will be provided 14 calendar days in advance of the Interview Presentation, followed by 3 undisclosed questions.

The marks awarded for the Interview Presentation will account for 36% of the overall 80% mark for the Award stage 2 Quality Evaluation.

In Lot 4c, the Capability Criteria will be used to evaluate both the presentation element and the undisclosed questions element of the Interview Presentation.

All information in relation to the Interview Presentation is provided in Annex 1 of this document. No additional information will be issued to Bidders.

The Interview Presentations will each be evaluated on the basis of the following Capability criteria:

|  |  |
| --- | --- |
| Interview Presentation Evaluation | Sub-Weighting |
| Capability Criteria:  36% weighting, sub-weighted into the following: | |
| Assessed during the Presentation: | |
| Legal Scenario - Specialist Legal Knowledge | 12% |
| Legal Scenario - Practical Application and Problem Solving | 12% |
| Assessment of 3 undisclosed questions: | |
| Question 1 - Delivery of quality legal service | 4% |
| Question 2 - Delivery of quality legal service | 4% |
| Question 3 - Delivery of quality legal service | 4% |

* 1. **Capability Criteria (36%)**

The marks awarded for this element of the Interview Presentation will account for 36% of the overall 80% mark for the Award stage 2 Quality Evaluation. The Evaluation Panel will apply the Capability Criteria at Table A when assessing the Bidder Representatives’ capability at the Interview Presentation.

|  |
| --- |
| Table A - Capability Criteria |
| Capability Criteria - Presentation: |
| **Legal Scenario - Specialist Legal Knowledge**  You will be evaluated on your response to the Legal Scenario in respect of:  Specialist legal knowledge and ability to advise on legal risk and strategic issues arising in the context of an active investor-State dispute. |
| **Legal Scenario - Practical Application and Problem Solving**  You will be evaluated on your response to the Legal Scenario in respect of:  Practical application and problem solving and ability to propose actionable solutions sensitive to context and HM Government’s wider interests and objectives |
| Capability Criteria - Undisclosed Questions: |
| **Undisclosed Questions**  For each of the 3 undisclosed questions, you will be evaluated on your delivery of quality legal service while maintaining sensitivity to the needs of HM Government, including but not limited to achieving value for money. |

The Capability Scoring Criteria set out in Table B below will be used by the Evaluation Panel to evaluate the quality of the Interview Presentation against each capability criteria in Table A.

|  |  |  |
| --- | --- | --- |
| Table B – Capability Scoring Criteria | | |
| Mark | Classification | Definition |
| 100 | Outstanding  Demonstration | The response provides a very high level of confidence. It is comprehensive, unambiguous, and an outstanding demonstration of the Bidder’s ability to meet the Capability Criteria.  The response provides full and relevant knowledge, demonstrating exceptional insight into the requirements.  A thorough and highly relevant body of evidence supports the Bidder’s capability. |
| 75 | Good Demonstration | The response provides a good level of confidence. It is detailed and presents a good demonstration of the Bidder’s ability to meet the Capability Criteria.  The response contains substantial knowledge and insight into the requirements.  A good amount of relevant evidence is provided to support the Bidder’s capability. |
| 50 | Acceptable Demonstration | The response provides an adequate level of confidence. Whilst there are some limitations, it offers an adequate level of detail and satisfactorily demonstrates the Bidder’s ability to meet the Capability Criteria.  The response includes an acceptable level of knowledge and insight into the requirements.  Sufficient relevant evidence is provided to support the Bidder’s capability. |
| 25 | Minimal Demonstration | The response provides a low level of confidence. It has significant gaps, offering limited detail and only minimally demonstrating the Bidder’s ability to meet the Capability Criteria.  The response includes minimal knowledge and insight into the requirements.  Limited relevant evidence is provided to support the Bidder’s capability. |
| 0 | Not Demonstrated | The response provides no confidence. It lacks necessary detail and fails to demonstrate the Bidder’s ability to meet the Capability Criteria.  There is little to no knowledge or insight into the requirements.  No relevant evidence is provided to support the Bidder’s capability.  **OR**    No response has been provided. |

* 1. **Calculating each Bidder’s Award stage 2 Quality Score**

The Capability Criteria will be evaluated in accordance with point 1 (Quality Evaluation) and point 2 (Consensus) of the table set out at section 14.5 above.

When the consensus meeting has taken place, and the final mark for each of the Capability Criteria has been agreed by the evaluators, your final mark for each criteria will be multiplied by the criteria’s weighting to calculate your weighted mark for the criteria.

Each weighted mark will be added together to calculate your score for the Interview Presentation.

This score will be added to your Social Value and Award stage 1 quality score (carried forward from Award stage 1, as set out at section 14.3 above) to calculate your overall Award stage 2 Quality Score.

An example of how your Award stage 2 Quality Score for Lot 4c will be calculated is set out below:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Quality Criteria** | **Award Stage 2 Weighting** | **Maximum Mark Available** | **Your Final Mark** | **Your Weighted Mark** |
| Award stage 1 Social Value (B1 and B2) | 10% | *Marks carried forward from Award stage 1 (see section 14.3)* | | 10.00 |
| Award stage 1 Quality (H1, H2 and H3) | 34% | 17.00 |
| Interview Presentation Capability Criteria: | | | | |
| Legal Scenario - Specialist Legal Knowledge | 12% | 100 | 75 | 9.00 |
| Legal Scenario - Practical Application and Problem Solving | 12% | 100 | 100 | 12.00 |
| Undisclosed Question 1 | 4% | 100 | 50 | 2.00 |
| Undisclosed Question 2 | 4% | 100 | 75 | 3.00 |
| Undisclosed Question 3 | 4% | 100 | 100 | 4.00 |
| **Award Stage 2 Quality Score for Lot 4c (out of 80):** | | | | **57.00** |

# 

# Lot 5 Award Stage 2 Quality Evaluation

* 1. In Lot 5, the Award stage 2 Quality weighting is 80% which is broken down as follows:

|  |  |
| --- | --- |
| **Award Stage 2 Quality Weighting Lot 5** | |
| Interview Presentation – Capability Criteria | 36% |
| Award stage 1 Social Value (B1 and B2) | 10% |
| Award stage 1 Quality (J1, J2 and J3) | 34% |

* 1. **Interview Presentation (36%)**

Bidders will be asked to give a presentation addressing the Legal Scenario which will be provided 14 calendar days in advance of the Interview Presentation, followed by 3 undisclosed questions.

The marks awarded for the Interview Presentation will account for 36% of the overall 80% mark for the Award stage 2 Quality Evaluation.

In Lot 5, the Capability Criteria will be used to evaluate both the presentation element and the undisclosed questions element of the Interview Presentation.

All information in relation to the Interview Presentation is provided in Annex 1 of this document. No additional information will be issued to Bidders.

The Interview Presentations will each be evaluated on the basis of the following Capability criteria:

|  |  |
| --- | --- |
| Interview Presentation Evaluation | Sub-Weighting |
| Capability Criteria:  36% weighting, sub-weighted into the following: | |
| Assessed during the Presentation: | |
| Legal Scenario - Specialist Legal Knowledge | 12% |
| Legal Scenario - Strategic Legal Insight | 12% |
| Assessment of 3 undisclosed questions: | |
| Question 1 - Application of legal knowledge and problem solving. | 4% |
| Question 2 - Application of legal knowledge and problem solving. | 4% |
| Question 3 - Application of legal knowledge and problem solving. | 4% |

* 1. **Capability Criteria (36%)**

The marks awarded for this element of the Interview Presentation will account for 36% of the overall 80% mark for the Award stage 2 Quality Evaluation. The Evaluation Panel will apply the Capability Criteria at Table A when assessing the Bidder Representatives’ capability at the Interview Presentation.

|  |
| --- |
| Table A - Capability Criteria |
| Capability Criteria - Presentation: |
| **Legal Scenario - Specialist Legal Knowledge**  You will be evaluated on your response to the Legal Scenario in respect of:  Specialist legal knowledge within the rail environment, including the identification of relevant legal risks and issues. |
| **Legal Scenario - Specialist Legal Insight**  You will be evaluated on your response to the Legal Scenario in respect of:  Strategic legal insight into the current and future challenges and opportunities facing the rail sector within a legal context |
| Capability Criteria - Undisclosed Questions: |
| **Undisclosed Questions**  For each of the 3 undisclosed questions, you will be evaluated on your application of legal knowledge and problem solving. |

The Capability Scoring Criteria set out in Table B below will be used by the Evaluation Panel to evaluate the quality of the Interview Presentation against each capability criteria in Table A.

|  |  |  |
| --- | --- | --- |
| Table B – Capability Scoring Criteria | | |
| Mark | Classification | Definition |
| 100 | Outstanding  Demonstration | The response provides a very high level of confidence. It is comprehensive, unambiguous, and an outstanding demonstration of the Bidder’s ability to meet the Capability Criteria.  The response provides full and relevant knowledge, demonstrating exceptional insight into the requirements.  A thorough and highly relevant body of evidence supports the Bidder’s capability. |
| 75 | Good Demonstration | The response provides a good level of confidence. It is detailed and presents a good demonstration of the Bidder’s ability to meet the Capability Criteria.  The response contains substantial knowledge and insight into the requirements.  A good amount of relevant evidence is provided to support the Bidder’s capability. |
| 50 | Acceptable Demonstration | The response provides an adequate level of confidence. Whilst there are some limitations, it offers an adequate level of detail and satisfactorily demonstrates the Bidder’s ability to meet the Capability Criteria.  The response includes an acceptable level of knowledge and insight into the requirements.  Sufficient relevant evidence is provided to support the Bidder’s capability. |
| 25 | Minimal Demonstration | The response provides a low level of confidence. It has significant gaps, offering limited detail and only minimally demonstrating the Bidder’s ability to meet the Capability Criteria.  The response includes minimal knowledge and insight into the requirements.  Limited relevant evidence is provided to support the Bidder’s capability. |
| 0 | Not Demonstrated | The response provides no confidence. It lacks necessary detail and fails to demonstrate the Bidder’s ability to meet the Capability Criteria.  There is little to no knowledge or insight into the requirements.  No relevant evidence is provided to support the Bidder’s capability.  **OR**    No response has been provided. |

* 1. **Calculating each Bidder’s Award stage 2 Quality Score**

The Capability Criteria will be evaluated in accordance with point 1 (Quality Evaluation) and point 2 (Consensus) of the table set out at section 14.5 above.

When the consensus meeting has taken place, and the final mark for each of the Capability Criteria has been agreed by the evaluators, your final mark for each criteria will be multiplied by the criteria’s weighting to calculate your weighted mark for the criteria.

Each weighted mark will be added together to calculate your score for the Interview Presentation.

This weighted mark will be your score for the Interview Presentation.

This score will be added to your Social Value and Award stage 1 quality score (carried forward from Award stage 1, as set out at section 14.3 above) to calculate your overall Award stage 2 Quality Score.

An example of how your Award stage 2 Quality Score for Lot 5 will be calculated is set out below:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Quality Criteria** | **Award Stage 2 Weighting** | **Maximum Mark Available** | **Your Final Mark** | **Your Weighted Mark** |
| Award stage 1 Social Value (B1 and B2) | 10% | *Marks carried forward from Award stage 1 (see section 14.3)* | | 10.00 |
| Award stage 1 Quality (J1, J2 and J3) | 34% | 17.00 |
| Interview Presentation Capability Criteria: | | | | |
| Legal Scenario - Specialist Legal Knowledge | 12% | 100 | 100 | 12.00 |
| Legal Scenario - Strategic Legal Insight | 12% | 100 | 50 | 6.00 |
| Undisclosed Question 1 | 4% | 100 | 100 | 4.00 |
| Undisclosed Question 2 | 4% | 100 | 50 | 2.00 |
| Undisclosed Question 3 | 4% | 100 | 50 | 2.00 |
| **Award Stage 2 Quality Score for Lot 5 (out of 80):** | | | | **53.00** |

# Award Stage 2 Price Evaluation

This section contains information on how to complete and submit your Award stage 2 Pricing Matrix.

At Award stage 2, we will contact Bidders to request that you submit a best and final offer price. You need to complete and submit the applicable Attachment 3 Price Matrix for the Lot(s) you are bidding for with your best and final offer.

At Award stage 2 you are permitted to reduce any submitted price (or to keep any submitted price). However, you are not permitted to increase any price that was submitted at Award stage 1.

In each applicable Lot, your Award stage 2 Price Matrix should be completed in accordance with the instructions set out at section 12 of this document. You should read and understand the instructions in the Pricing Matrix, and in section 12 of this document, before submitting your best and final offer prices as part of Award stage 2.

You are required to submit your Award stage 2 Pricing Matrix via the eSourcing tool messaging system. We will notify Bidders of the deadline to submit each Award stage 2 Pricing Matrix during Award stage 2.

When you submit your Award stage 2 Pricing Matrix, in the subject field of your message please state *“[your company name] Award stage 2 price submission”* and name your completed Attachment 3 Price Matrix *“[your company name] Award stage 2 Price”.*

In each Lot, at Award stage 2, we will use the same price evaluation process set out in section 12 of this document. Only the prices of those Bidders participating in Award stage 2 will be used to calculate each Bidder’s Award stage 2 Price Score.

In each Lot, following the Award stage 2 price evaluation, each Bidder will be awarded an Award stage 2 Price Score in accordance with the price weighting for the applicable Lot.

# Final Decision to Award

* 1. **How we will calculate your Final Score - Lot 1 and Lot 4a**

We will add your Award stage 1 Quality Score to your Award stage 1 Price Score to calculate your Final Score

Example Lot 1:

|  |  |  |  |
| --- | --- | --- | --- |
| **Bidder** | **Award Stage 1 Quality Score** | **Award Stage 1 Price Score** | **Final score** |
| (Maximum score available 70) | (Maximum score available 30) | (Maximum score available 100) |
| Bidder A | 70.00 | 20.00 | 90.00 |
| Bidder B | 55.00 | 25.00 | 80.00 |
| Bidder C | 40.00 | 15.00 | 55.00 |

Example Lot 4a:

|  |  |  |  |
| --- | --- | --- | --- |
| **Bidder** | **Award Stage 1 Quality Score** | **Award Stage 1 Price Score** | **Final score** |
| (Maximum score available 80) | (Maximum score available 20) | (Maximum score available 100) |
| Bidder A | 80.00 | 15.00 | 95.00 |
| Bidder B | 62.50 | 20.00 | 82.50 |
| Bidder C | 45.00 | 10.00 | 55.00 |

In each Lot, we will then rank all final scores from highest to lowest.

We will offer a Framework Contract to the highest ranked 10 Bidders in Lot 1 and the highest ranked 6 Bidders in Lot 4a (in accordance with the number of Framework places available set out in section 3 of Attachment 1 - About the Framework).

The maximum number of successful Bidders for Lot 1 and Lot 4a may only increase where two or more Bidders have tied scores in the last awarded position for the applicable Lot.

* 1. **How we will calculate your FInal Score - Lot 2, 3, 4b, 4c and 5.**

We will add your Award stage 2 Quality Score to your Award stage 2 Price Score to calculate your Final Score

Example Lot 2, Lot 4b, Lot 4c and Lot 5:

|  |  |  |  |
| --- | --- | --- | --- |
| **Bidder** | **Award Stage 2 Quality Score** | **Award Stage 2 Price Score** | **Final score** |
| (Maximum score available 80) | (Maximum score available 20) | (Maximum score available 100) |
| Bidder A | 80.00 | 15.00 | 95.00 |
| Bidder B | 62.50 | 20.00 | 82.50 |
| Bidder C | 50.00 | 10.00 | 60.00 |

Example Lot 3:

|  |  |  |  |
| --- | --- | --- | --- |
| **Bidder** | **Award Stage 2 Quality Score** | **Award Stage 2 Price Score** | **Final score** |
| (Maximum score available 90) | (Maximum score available 10) | (Maximum score available 100) |
| Bidder A | 90.00 | 7.50 | 97.50 |
| Bidder B | 70.00 | 10.00 | 80.00 |
| Bidder C | 55.00 | 5.00 | 60.00 |

In each Lot, we will then rank all final scores from highest to lowest.

We will offer a Framework Contract to the highest ranked 8 Bidders in Lot 2, the highest ranked 6 Bidders in Lot 3, the highest ranked 6 Bidders in Lot 4b, the highest ranked 9 Bidders in Lot 4c, and the highest ranked 8 Bidders in Lot 5 (in accordance with the number of Framework places available set out in section 3 of Attachment 1 - About the Framework).

The maximum number of successful Bidders for Lot 2, Lot 3, Lot 4b, Lot 4c and Lot 5 may only increase where two or more Bidders have tied scores in the last awarded position for the applicable Lot.

**All Lots (Lot 1, 2, 3, 4a, 4b, 4c and 5):**

* 1. **Reserved rights**

We also reserve the right to award a Framework Contract to any Bidder whose Final Score is within 1% of the last award position in the applicable Lot.

**Example:**

In Lot 1 the last awarded position is 10 th position.

If the Bidder in 10th place (last awarded position) has a Final Score of 60.00

The calculation we will use is:

10th place Bidder’s Final Score is 60.00

1% of 60.00 = 0.60

The calculation will be rounded to two decimal places.

60.00 - 0.60 = 59.40

Any Bidder whose Final Score is 59.40 or above will be awarded a place on Lot 1 of the Framework.

* 1. **Intention to Award**

Please note, there will be a Standstill Period and Award date for Lot 1, Lot 4a, Lot 4b and Lot 4c, and a separate Standstill Period and Award date for Lot 2, Lot 3 and Lot 5. Please see the timetable that is set out in section 5 of Attachment 1 - About the Framework.

We will tell you if you have been successful or unsuccessful via the eSourcing tool. We will send Intention to Award letters to all Bidders who are still in the competition i.e. who have not previously been excluded.

At this stage, a standstill period of ten (10) calendar days will start, the term standstill period is set out in regulation 87(2) of the Regulations. During this time, you can ask questions that relate to our decision to award. We cannot provide advice to unsuccessful Bidders on the steps they should take and they should seek independent legal advice, if required.

If during standstill we do receive a substantive challenge to our decision to award and the challenge is for a certain Lot, we reserve the right to conclude a Framework Contract with successful Bidders for the Lot(s) that have not been challenged.

Following the standstill period, and if there are no challenges to our decision, successful Bidders will be formally awarded a Framework Contract subject to signatures.

* 1. **Framework Contract**

If you are successful you will receive your Framework Contract via docusign email. This email will go to the email address for the main user of your eSourcing tool account. If you have received an Intention to Award letter via the eSourcing tool but have not received a docusign email, please ensure you check your ‘junk mail’. You must sign the Framework Contract via docusign within 10 days of being asked. If you do not sign, we will withdraw our offer of a Framework Contract.

The conclusion of a Framework Contract is subject to the provision of due ‘certificates, statements and other means of proof’ where Bidders have, to this point, relied on self-certification.

If you have bid as a consortium, the conclusion of a Framework Contract is subject to the provision of due ‘certificates, statements and other means of proof’ from EACH member of the consortium.

This means:

* employers’ liability insurance with cover (for a single event or a series of related events and in the aggregate) of not less than ten million pounds sterling (£10,000,000) - all lots
* public liability insurance with cover (for a single event or a series of related events and in the aggregate) of not less than ten million pounds sterling (£10,000,000) - all lots
* Professional Indemnity Insurance: -
* Lot 1: Fifteen million pounds sterling (£15,000,000);
* Lot 2: One hundred million pounds sterling (£100,000,000);
* Lot 3: One hundred and fifty million pounds sterling (£150,000,000);
* Lot 4a: One hundred and fifty million pounds sterling (£150,000,000);
* Lot 4b: One hundred and fifty million pounds sterling (£150,000,000);
* Lot 4c: One hundred and fifty million pounds sterling (£150,000,000);
* Lot 5: One hundred and fifty million pounds sterling (£150,000,000).
* Cyber Essentials Plus Certificate

Certification or proof of working in accordance with:

All lots:

* ISO 9001: 2015 Quality Management Systems or equivalent;
* ISO/IEC 27001: 2022 Information Security Management Systems or equivalent;
* ISO/IEC 27002:2013 Information Technology - Security Techniques – Code of Practice for information security controls or equivalent;
* ISO/IEC 27031:2011 Information technology - Security techniques - Guidelines for information and communication technology readiness for business continuity or equivalent;
* ISO 22301:2019 Security and resilience — Business continuity management systems — Requirements or equivalent;
* ISO 22313:2020 Security and resilience — Business continuity management systems — Guidance on the use of ISO 22301 or equivalent;

and;

* ISO 14001: 2015 – Environmental management systems or equivalent.

You are required to send the documentary evidence of the above to no later than the date provided in the Intention to Award letter. Failure to do so may mean that we will withdraw our offer of a Framework Contract.

# Annex 1 – Award Stage 2 Interview Presentations

1. Any queries in relation to the Interview Presentations at Award stage 2 must be raised by Bidders during the clarification period, the timetable for the clarification period is set out in section 5 of Attachment 1 – About the framework.
2. An invitation will be issued to the Bidders who are invited to take part in Award stage 2.
3. We will confirm the exact date, time and web-based platform to be used for the Interview Presentations when we issue the invitations to Award stage 2. The indicative dates are detailed in section 5 of Attachment 1 – About the framework.
4. We will issue the Legal Scenario(s) to the Bidders who have been invited to take part in the Interview Presentations fourteen (14) calendar days prior to their interview taking place.
5. CCS reserves the right to deem late attendees non-compliant and the Bidder may be excluded from further participation in this procurement.
6. The Evaluation Panel at the Award stage 2 Interview Presentations will consist of appropriate senior representatives from the relevant bodies, also in attendance will be an Independent Chair and CCS representatives.
7. The Evaluation Panel will ask 3 undisclosed questions in accordance with the evaluation criteria, guidance and scoring set out in this document.
8. Bidders must adhere to the following instructions when participating in an Award stage 2 Interview Presentation:
   1. The Bidder shall be wholly responsible for its choice of representatives in relation to the requirement.
   2. The Bidder should note that the Interview Presentation is not an opportunity to market their organisations or attempt to overtly influence the Evaluation Panel in any such way.
   3. It is mandatory that the Interview Presentations are conducted verbally, copies of the presentation slides will be permitted. However, any other presentation materials or handouts are **not** permitted.
9. The Interview Presentations will last 60 minutes, broken down as per the table below. Bidders will be notified when each time limit expires so that timings are adhered to and not exceeded.

|  |  |
| --- | --- |
| **Award Stage 2 Interview Presentation** | |
| Introduction by Chair, Panel members and Bidder representatives | 5 minutes |
| Bidder’s presentation of response to the presentation question | 25 minutes |
| Evaluation Panel undisclosed questions in relation to the published Interview Presentation Criteria | 25 minutes |
| Close to the meeting | 5 minutes |

1. Bidders may seek clarification regarding any question asked, but otherwise there will be no opportunity for Bidders to ask questions during the Interview Presentations.
2. The evaluation of your Interview Presentation will be conducted and consensus checked in accordance with the published Interview Presentation Criteria and scoring scheme in this document.
3. When the Consensus Marking Procedure for the Interview Presentations has been completed, this will determine the mark awarded for the Interview Presentation.
4. No feedback will be provided on the day.