

SECTION 2 – STATEMENT OF REQUIREMENTS

1.0 Title
UK-Japan organic equivalency - standards comparison
1.1 Background
<i>A short description of the buying organisation, general objectives and this requirement's purpose, along with any relevant previous work conducted that this builds on.</i>
The United Kingdom and Japan are looking to amend the scope of the current organics equivalency arrangement to mutually recognise and include processed livestock products and alcohol. To meet this aim, the UK (i.e. Defra) will need to ensure that Japan's organic standards for the production and processing of these products are equivalent to UK's standards and vice versa. The first part of this project is to commission independent UK organic experts to conduct a regulatory comparison of the UK's and Japan's organic standards for the production and processing of livestock products and alcohol and provide a report of the comparison review.
1.2 Summary
<i>A short summary of the requirement.</i>
The objectives of this project are: <ul style="list-style-type: none">Regulatory comparison of the UK's and Japanese organic standards for processed livestock products and alcohol by an expert(s) in organics and provide a report summarising results to FCDO/DEFRA. This will provide an evaluation of areas where there is equivalence, divergence, any gaps, etc. between UK and Japanese organics standards. The Contractor should also undertake research on how the current status of the EU-Japan agreement can impact Northern Ireland where EU regulations apply. This research will help to inform the UK's evaluation and negotiations on organics equivalency with Japan.
1.3 Requirement
<i>All mandatory inputs and processes (not outputs) required by the supplier. Also consider any ongoing support, e.g. maintenance, updates or training. If the Authority will be providing any assets (Government Furnished Assets – GFA) to the supplier to assist in contract delivery, list these here and state if they need returning.</i>
<ul style="list-style-type: none">Comparison of the UK's and Japanese organic standards <p>UK's retained regulations 834/2007 and 889/2008:</p> <ul style="list-style-type: none">Retained Regulation (EC) No 834/2007; https://www.legislation.gov.uk/eur/2007/834/contentsRetained Regulation (EC) No 889/2008; https://www.legislation.gov.uk/eur/2008/889/contents <p>Amending regulations (Statutory Instruments)</p>

- The Organic Production and Control (Amendment) (EU Exit) Regulations 2019;
<https://www.legislation.gov.uk/uksi/2019/693/contents/made>
- The Organic Production (Control of Imports) (EU Exit) Regulations 2019;
<https://www.legislation.gov.uk/uksi/2019/692/contents/made>
- The Agriculture (Legislative Functions) (EU Exit) (No. 2) Regulations 2019;
<https://www.legislation.gov.uk/uksi/2019/831/contents/made>
- The Organic Products (Production and Control) (Amendment) (EU Exit) Regulations 2020;
<https://www.legislation.gov.uk/uksi/2020/1400/contents/made>
- The Organic Production (Organic Indications) (Amendment) (EU Exit) Regulations 2020;
<https://www.legislation.gov.uk/uksi/2020/1669/contents/made>
- The Agricultural Products, Food and Drink (Amendment) (EU Exit) Regulations 2020;
<https://www.legislation.gov.uk/uksi/2020/1661/contents/made>
- The Organic Control (Amendment) Regulations 2021;
<https://www.legislation.gov.uk/uksi/2021/94/contents/made>
- The Common Organisation of the Markets in Agricultural Products (Marketing Standards and Organic Products) (Transitional Provisions) (Amendment) Regulations 2021; [The Common Organisation of the Markets in Agricultural Products \(Marketing Standards and Organic Products\) \(Transitional Provisions\) \(Amendment\) Regulations 2021 \(legislation.gov.uk\)](https://www.legislation.gov.uk/uksi/2021/100/contents/made)
- The Organic Production (Amendment) Regulations 2022; [The Organic Production \(Amendment\) Regulations 2022 \(legislation.gov.uk\)](https://www.legislation.gov.uk/uksi/2022/100/contents/made)
- The Common Organisation of the Markets in Agricultural Products (Marketing Standards and Organic Products) (Transitional Provisions) (Amendment) Regulations 2022; [The Common Organisation of the Markets in Agricultural Products \(Marketing Standards and Organic Products\) \(Transitional Provisions\) \(Amendment\) Regulations 2022 \(legislation.gov.uk\)](https://www.legislation.gov.uk/uksi/2022/100/contents/made)

Japan's agricultural standards for organic

- [Organic JAS : MAFF](#)
- [Japanese Agricultural Standard for Organic Livestock Products - Japanese Law Translation](#)
- Production and processing standards for livestock and alcohol.

FCDO/DEFRA can help source the text of the main Japanese standards document(s) but the implementer will be responsible for identifying whether additional documents need to be reviewed to deliver the project purpose. Where additional documents are only available in Japanese, FCDO will arrange for translation. This may take some time to turnaround and this additional time should be factored in to the project plan.

On-going advice: the Contractor(s) can get in touch with FCDO for all queries.

1.4a Anticipated Start Date

9 January 2023

1.4b Anticipated End Date

31 March 2023

1.5 Deliverables

List the tangible outputs (not processes) from this requirement, including Due Date(s), what they must entail and format(s), for example...

Deliverable	Description	Format	Due Date(s)
Commissioning independent organic expert(s) to conduct a regulatory review of the standards comparison and to produce a wider market research report.	'Kick-off' meeting. Confirm the key milestones for this project, key deliverables, and provide UK and Japanese standards.	MS Team meeting (FCDO to lead)	9 January 2023
Mid project review	Short meeting to discuss the progress of the project, answer any questions arising from the standards comparison. Ensure they are on track for delivery.	MS Team meeting (FCDO to lead)	30 January 2023
Submission of draft reports	Organic experts to submit the draft report (in editable Microsoft Word format) to FCDO (/Defra) for comment	Email (with attachment)	27 February 2023
BE Tokyo and Defra Organics team to comment on report	Comment on the draft (in track changes and comment box) of the standards comparison report and ensure that it meets our requirement. FCDO to send the comments to organic experts via email attachment.	Email (with attachment)	3 March 2023
Submission of final reports	Organic experts send the final report to Defra and BE Tokyo submitted in Word and PDF format.	Email (with attachment)	24 March 2023

1.6 Deliverable Acceptance Criteria

How we will determine whether the listed Deliverables are acceptable in order for the supplier to be paid. Time, Quality, specific information etc.

- The deliverables listed in section 1.5 are fully met. The final report should be sent via email in Word and PDF format by 31 March 2023.

For the standards comparison, the report should include the following:

- Highlight areas of equivalence, divergence, any gaps in information which is needed for the assessment, etc.
- Provide recommendations on what the level of equivalence is on review of the: (i) production standards for livestock (ii) processed livestock products and (ii) alcohol between the UK and Japan with a view to amending the scope of the current UK-Japan organics arrangement.
- Provide recommendations on how any divergence/gaps identified can be mitigated
- The standards comparison should list the questions, issues raised for either UK government (eg: Defra, FSA) or Japan's MAFF.

1.7 Cyber / Data Protection

What data, in particular sensitive data, will be being processed (as controller vs. processor?) / GDPR?

For the regulatory comparison of standards, Japan's amended act on alcohol provisions maybe considered sensitive data.

1.8 Training and/or On-going Support

Detail any training, on-going support or iterative development that is required.

None

1.9 Options

An Option is a legally enforceable provision to allow the Buyer to add/extend services within a Contract, e.g. to extend the period of current services or to add new services. Any Option must be defined from the outset (i.e. within the SoR), so the supplier can cost and agree it from the outset prior to Contract award.

The value of these options must be taken into consideration when running the procurement i.e. a contract for 12months valued at £60k with an option to extend for a further 12months at £60k must be considered as a £120k contract

Splitting work into Options protects the FCDO from committing to work whereby perhaps there are dependencies not known yet, e.g. pending budgetary approvals or latter 'phases' being subject to the outcome of previous 'phases'.

N/A

1.10 On-boarding & Off-boarding

What transition activities are required?

What activities will mark the end of a Contract, e.g. all Requirements complete (including delivering a transition to a new supplier if necessary) in accordance with Section 1.3, received all Deliverables in accordance with Sections 1.5 and 1.6, and the return of any issued GFA.

Off-boarding: received all deliverables in accordance with section 1.5 and 1.6.

1.11 Quality accreditations

E.g. ISO9000, ISO2007, Cyber Essentials... that are essential to the requirement/deliverable

n/a

1.12 Intellectual Property Rights (IPR)

What IPR do we require to ascertain for any resultant IP generated (i.e. Foreground IP) from this Contract, e.g. we own, or supplier own but we have user rights?

Consider this for all Deliverables within Section 1.5 because there may be different IPR for different Deliverables.

Consider future use and distribution, e.g. within FCDO, wider-government, general public and/or other private organisations.

The ownership of the document for future use and distribution of the final report will rest with FCDO and the British Embassy Tokyo. The Contractor is not permitted to make further use of this material once the work is completed.

1.13 Contract Management

Think about any specific requirements for managing this contract i.e. weekly meetings, progress reports

Will require the contractor(s) to provide a mid-project report by 24 February 2023. In addition, we may request a progress update via email/online meeting and Contractor is required to provide an update on email when requested by British Embassy Tokyo

1.14 Constraints

List anything that might be a constraint to either appointing a supplier or to the supplier providing the service: i.e. access to Government Offices, security restrictions.

None

1.15 Duty of Care

The supplier of the services is responsible for the safety and well-being of their Personnel and Third Parties affected by their activities under this contract, including appropriate security arrangements. They will also be responsible for the provision of suitable security arrangements for their domestic and business property. FCDO will share available information with the Supplier on security status and developments in-country where appropriate.

The Supplier is responsible for ensuring appropriate safety and security briefings for all of their Personnel working under this contract and ensuring that their Personnel register and receive a briefing as outlined above. Travel advice is also available on the FCDO website and the Supplier is responsible for and must ensure they (and their Personnel) are up to date with the latest position.

Suppliers must develop their Proposal on the basis of being fully responsible for Duty of Care. They must confirm in their Proposal that:

- They fully accept responsibility for Security and Duty of Care.
- They understand Proposal the potential risks and have the knowledge and experience to develop an effective risk plan.
- They have the capability to manage their Duty of Care responsibilities throughout the life of the contract.

Acceptance of responsibility must be supported with evidence of capability (no more than two A4 pages and the FCDO reserves the right to clarify any aspect of this evidence).

In providing evidence Suppliers should consider the following questions:

- Have you completed an initial assessment of potential risks that demonstrates your knowledge and understanding, and are you satisfied that you understand the risk management implications (not solely relying on information provided by the FCDO)?
- Have you prepared an outline plan that you consider appropriate to manage these risks at this stage (or will you do so if you are awarded the contract) and are you confident/comfortable that you can implement this effectively?

- Have you ensured or will you ensure that your staff are appropriately trained (including specialist training where required) before they are deployed and will you ensure that on-going training is provided where necessary?
- Have you an appropriate mechanism in place to monitor risk on a live / on-going basis (or will you put one in place if you are awarded the contract)?
- Have you ensured or will you ensure that your staff are provided with and have access to suitable equipment and will you ensure that this is reviewed and provided on an on-going basis?

Have you appropriate systems in place to manage an emergency / incident if one arises?

SECTION 3 – ASSESSMENT SCORE AND EVALUATION CRITERIA

1. The tender process will be conducted to ensure that the tenders are evaluated fairly to ascertain the most economically advantageous tender from the point of view of the purchasing Authority.
2. Account will be taken of any factor emerging from the tendering process which impacts a Bidder’s suitability and relates to information previously provided by the Bidder as part of the pre-qualification process, in particular any additional information which comes to light in respect of its financial standing.
3. Your response to our requirement will be evaluated under the following headings based on an 60:40 split between the quality/technical aspects to your tender and the pricing thereof
4. No importance should be attached to the order in which these criteria are listed. Any tender that is not compliant with the Conditions of Contract may be rejected.
5. Bidders are requested to ensure their answers are concise and relevant to this specific contract, and refrain from uploading extensive generic corporate documentation or marketing literature. Excessive generic material may result in the bid being deemed unacceptable and excluded from the process.
6. The Authority will evaluate each response in line with the published scoring methodology and reserves the right to exclude any bid that scores either;
 - a) a “Fail” against question 6
 - b) an “Unacceptable-Non compliant” for any question or
 - c) scores two (2) or more “Serious Reservations”
7. The Authority wishes to advise all bidders that there is a limited budget for this work. All proposals will be assessed from both technical and commercial perspectives to ensure that best value for Tax Payer’s money is being achieved. Should the highest scoring bid be unaffordable (i.e. over the maximum budget set), the Authority reserves the right to seek clarification on the rates and hours submitted and if necessary reduce the scope of work involved in order to maximise the budget available. If the solution cannot be tailored to meet budget, the Authority may elect to move to the next highest scoring bid that is affordable.

EVALUATION CRITERIA

Qualification	
Evaluation Criteria	Criteria Weighting
<ul style="list-style-type: none"> • Acceptance of FCDO terms and conditions as detailed in Section 4; • The FCDO reserves the right to seek and act upon independent legal, financial or market advice to corroborate information provided or to assist in its evaluation • The Authority will conduct its own Due Diligence prior to contract signing 	Mandatory

Evaluation Criteria – Quality/Technical (Questions 1 - 6) <i>You must provide answers (no more than two pages for each answer) to the relevant section of this envelope</i>	Criteria Weighting	Evaluation Methodology
1. Knowledge Please demonstrate a thorough understanding of the Authority’s requirement and evidence of your knowledge about the subject matter.	25	0 – 4 score

<p>2. Experience</p> <p>Please provide relevant track records of successful <u>operation or implementation</u> of similar projects, including the results and impacts made.</p>	25	0 – 4 score
<p>3. Project Plan & Risk Management</p> <p>Please provide the following:</p> <ul style="list-style-type: none"> • A project plan referring to the Statement of Requirements, detailing milestones, deliverables, and timeline. • Identify any key risks and explain how they will be mitigated. • Indicate how the project will be monitored to ensure it is delivered in terms of quality, timeliness and cost. 	25	0 – 4 score
<p>4. Duty of Care</p> <ul style="list-style-type: none"> • Please refer to the Duty of Care section within the Terms of Reference. Outline how you will fulfil your obligations under this requirement and provide all necessary statements 	Pass / Fail	Pass /Fail
TOTAL – Quality/Technical	60%	Max Score 300

Evaluation Criteria – Pricing & Commercial	Criteria Weighting	Evaluation Methodology
<p>Competitiveness of fee rates and overall project cost in relation to the market to demonstrate value for money.</p> <p>Please complete and submit worksheet “Schedule of Prices & Rates” for the pricing structure.</p>	40%	Inverse Percentage
TOTAL – Pricing & Commercial	40%	Max Score 200
GRAND TOTAL EVALUATION CRITERIA	100%	Max Score 500

Assessment Score

All tenders will be scored as above in accordance with the marking system set out below:

Score Key Assessment	Score	Interpretation
Good	4	Satisfies the requirement with additional benefits. Above average demonstration by the Tenderer of the understanding and evidence in their ability/proposed methodology to deliver a solution for the required supplies/services. Response identifies factors that will offer potential added value, with evidence to support the response.
Acceptable	3	Satisfies the requirement. Demonstration by the Tenderer of the understanding and evidence in their ability/proposed methodology to deliver a solution for the required supplies/services.
Minor Reservations	2	Satisfies the requirement with minor reservations. Some minor reservations of the Tenderer's understanding and proposed methodology, with limited evidence to support the response. Tenderer has accepted FCDO standard terms and conditions of contract.

Serious Reservations	1	Satisfies the requirement with major reservations. Major reservations of the Tenderer's understanding and proposed methodology, with little or no evidence to support the response.
Unacceptable	0	Does not meet the requirement. Does not comply and/or insufficient information provided to demonstrate that the Tenderer has the understanding or suitable methodology, with little or no evidence to support the response. Tenderer has rejected FCDO standard terms and conditions of contract.
Price / Commercial	Score awarded on inverse percentage difference from most financially attractive offer to the Authority	

Prices will be benchmarked and scores awarded based on the lowest compliant bid. The most financially attractive offer to the Foreign & Commonwealth Office following detailed analysis will receive the maximum score available with the remaining bids awarded scores based upon an inverse percentage of the difference in price.

[example: Bid A = £75K = 200 pts, Bid B = £80K = 187.5 pts ($\frac{£75K}{£80k} \times 200$)]. The weighting will then be applied to the scores.]