



Croydon
College



COULSDON
SIXTH FORM COLLEGE

Responses to Clarification Requests

Issue 2

Tender Ref: CC-AEB-2019/20-01

Issued by: Croydon College

Tender Description: Subcontract Requirement for the delivery of Adult Education Budget in Non Devolved Areas 28 February 2020 – 31 July 2020

Cut off point of the present document: This document responds to clarification requests received from Monday 20th January 2020, 17:01, up to the clarification request deadline of Thursday 30th January 2020, 12:00 noon.

There will be no further issues of this document as the window for submitting clarification requests is now closed.

Previous issues of this document: Please read the present Issue 2 of the Responses to Clarification Document in conjunction with Issue 1 of the document, which is available on the link below. Issue 1 contains responses to additional questions that were not included in Issue 2, unless they were raised again by another provider.

The direct link to the tender notice and all the relevant documents on the Contracts Finder is below. The documents published on that link include the present document.

<https://www.contractsfinder.service.gov.uk/Notice/39bd451c-cbed-4ed0-8add-5aea865e2f87>

Where relevant, the queries have been redacted to ensure anonymity of the enquiring organisation.

1. Query: *I wanted to check when we can expect a reply to our clarification? I also wanted to check that the reply will come via this email (I can find no mention of a portal to visit in the supporting documentation).*

Response: Responses to clarification requests have been collated, anonymised and published as additional documents under our notice that was published on the Contracts Finder. There are two Responses to Clarification documents (Issue 1 and Issue 2) – please read them both because Issue 1 contains responses to additional questions that were not included in Issue 2, unless they were raised again by another provider. There will be no further issues because the window for clarification requests closed on 30 January 2020 at 12:00 noon. The direct link to all documents is below:

<https://www.contractsfinder.service.gov.uk/Notice/39bd451c-cbed-4ed0-8add-5aea865e2f87>

2. Query:

a. We are keen to submit a proposal under your current AEB opportunity. I note under eligibility criteria that bidders are to have had previous experience of specifically delivering AEB to an FE College. At [anonymised – company name] we have delivered AEB to national Prime Contractors [anonymised – company names], but not an FE College. We do, however, have former senior FE Managers and FE specialists on our SMT and within our delivery team. I would be grateful to know if this experience and expertise at both management and delivery level is acceptable to meet the eligibility criteria or are we precluded from tendering?

b. In the specification it states that providers MUST have a track record in delivering the qualifications proposed as a subcontractor to an FE College. We do not currently have a track record of delivering the qualifications proposed as a subcontractor to an FE College, but we do have a track record of delivering the proposed qualifications via our own ESFA ESF contracts and also as a subcontractor to other non FE College providers e.g. private providers – Does this deem us not eligible to bid for this AEB funding?

c. [We – anonymised] are interested in bidding for the AEB tender you have running at the moment. I just wanted to clarify in the tender specification where you have indicated that you would only consider tenders from organisations who have subcontracted with FE colleges within the last 2 years. Whilst [we] have not subcontracted for an FE college, we have held a prime contract in our own right and delivered AEB qualifications directly as an Ofsted Grade 2 provider. Would you consider a tender from us or would it still be a pass/fail requirement?

Response: (as per Issue 1, response to Query 14): The College would like to expand the scope of organisations that are welcome to apply for the present AEB Subcontract opportunity as follows:

It is a mandatory requirement that the bidder has a track record of successful delivery of the specific qualifications included in its delivery proposal **either** as a provider of education and

training who receives Adult Education Budget (AEB) funding from the Education and Skills Funding Agency, **or** as a Subcontractor to such a provider.

The College's preference is that the bidder's track record specifically includes a delivery of ESFA AEB-funded qualifications as a Subcontractor to an FE college. Applications from providers who do not have this specific experience but whose track record is within the range outlined above will be accepted for consideration but the absence of the specific "Subcontractor to an FE college" experience may affect scoring.

The College will not consider bids from providers who have no track record whatsoever within the range above, even if they meet all other mandatory criteria. That scenario would include, for example, applications from providers or subcontractors whose previous track record includes delivery to other ESFA funding streams but not to AEB.

Please interpret the Tender Specification document, Section 5., point b) and Section 7., Point 5., and the Application form, Section 4, Questions A1a and A1b, in view of the clarification above.

3. Query:

a. I write with regard to your recent tender notice for AEB budget in non-devolved regions. I believe [anonymised – company name] could help in delivery of the project requirements, we would look to deliver the project through functional skills delivery to adults at levels 1 and 2. We have delivered AEB budget funded [anonymised – specific subject names] training for the past ten years and this project in non-devolved regions would sit comfortably within our experience. As noted and in line with your tender guidance documents, I would request that delivery could be beyond the 50-mile radius of the College's main campus, we have training sites in [anonymised – locations]. In order to fulfil the value available, [we] would aim to spread the budget across these sites. Would this array of sites be acceptable? If not would it be possible to submit an application in the hope of joining your DPS for future opportunities to support non devolved AEB delivery.

b. I have read the current AEB tender document which states that 'Agreement with the College must be sought for any adults residing beyond 50-mile radius of the College's main site before recruitment'. All of our delivery is in [anonymised – region name], would this exclude us from the tender?

Response - delivery area (as per Issue 1, response to Query 15): Proposals for provision delivered to learners residing outside the 50-mile radius will not be automatically disqualified if supported by an adequate risk management plan, provided the applicant meets all mandatory criteria. When assessing the risk management plan, the College will look specifically as to whether the plan includes provision for ensuring continuity in learning in the unlikely event that the contract or the provider's operations were terminated. If the risk management plan provides a robust reasoning along these lines the out-of-area radius will not affect scoring; if the plan does not convincingly address the continuity of learning issue, the inclusion in the proposal of delivery to any learners who live in non-devolved areas outside the 50-mile radius will affect the scoring of Section 6 and such proposals are therefore likely to score lower than proposals that strictly meet the tender specification

criteria including the 50-mile radius. Because of the weighting of Section 6, a low(er) score in this section is likely to have a significant adverse effect on the applicant's total score.

The location of the delivery site(s) would be assessed as part of the proposal, e.g. whether they are logistically reasonable for the target learner group's home postcodes, etc.

Response – submitting an application in the hope of joining the College's DPS for future opportunities: Please only submit an application if you are interested in delivering AEB provision for the tender advertised. Whilst the College will keep contact details of any current applicants on file to alert them to future opportunities, the outcomes of an application for the present tender will not be taken into consideration when assessing a provider's suitability for future opportunities. If any further opportunities arise in the future for another AEB subcontract with the College, these will be advertised and processed separately under a new notice, and providers interested in the opportunity will be required to submit a full new application including any supporting documents.

4. Query: *The specification states that delivery must be within a 50 mile radius of Croydon College CR9 1DX – Can you please confirm how you will be measuring the 50 mile radius e.g. Distance as the crow flies or distance by land transport, or can you confirm whether [anonymised – a town name] learners would be eligible within the 50 mile radius if delivery was undertaken from the following delivery venue [anonymised – a post code]?*

Response - delivery venue (as per Issue 1, response to Query 15): The College is unable to confirm pre-emptively its decision on a particular delivery site. In general, we would like to comment as follows: The non-devolved postcode area requirement is related to learners' home postcodes and not to delivery locations. The location of the delivery site(s) would be assessed as part of the proposal, e.g. whether they are logistically reasonable for the target learner group's home postcodes, etc. For assessment criteria please see Section 8 of the Tender Specification. The postcode datasets for devolved and non-devolved postcodes have been published by the ESFA and are available here:

<https://www.gov.uk/government/publications/adult-education-budget-aeb-postcode-files>

Response – how will the 50 mile radius of learners' home postcodes be measured:

The indicative 50 mile radius of learners' home postcodes from the College's location will be measured as the crow flies, using a tool such as: <https://www.freemaptools.com/distance-between-uk-postcodes.htm>

See also our response to Query 3 above.

5. Query: *In the tender it is stated we can only deliver to 'adults living in non devolved areas of England within a 50-mile radius of the College's main site CR9 1DX and compatible with the College's curriculum strategy. Agreement with the College must be sought for any adults residing beyond 50-mile radius of the College's main site before recruitment. 'How do we obtain this permission and does it need to be done before we populate the tender, or if we are awarded the tender.*

Response: For the requirements as to what to do at the application stage if your learner catchment area is outside the 50-mile radius, and how this will be scored, please read responses to Question 3. and 4. above.

The actual permission for delivery outside the 50-mile radius will be agreed between the College and your company at the contract stage if your bid is successful, and the conditions of the permission will be included in the contract. The details of the agreement will depend on the specifics of your delivery, e.g. distance from the College, type of provision, mode of delivery etc.

6. Query: Please can you confirm if this text in yellow is an error and provide the corrected version

12	<i>How and how frequently will you report learner, course and timetable information back to the College to enable it exercise its audit, quality and safeguarding monitoring duties in compliance with ESFA regulations?</i>				
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Response: The question should read “How, and how frequently, will you report [...]”. This means the College would like applicants to describe both the reporting processes and their frequency.

7. Query: My query today is regarding your current non-devolved areas AEB tender.

I see from the tender guidance that ideally you are looking for one partner for the whole contract value, but will consider those at 50% or more. Would you consider a joint bid from 2 providers for the whole contract value? Or would it be better for us to each bid in our own right for 50% plus of the contract value as our adult education offers are distinctly different, but both high quality with success rates well over the required 90%?

Response (as per Issue 1, response to Query 11): The present tender is for AEB Subcontracted delivery and the College therefore would not accept proposals for other modes of collaboration for this tender.

The College prefers the Subcontract proposals to be submitted for the full £475,000. Proposals for lower amounts will be accepted for consideration provided they are for a minimum of 50% of the total funding value; however, the applicant’s inability to deliver the full contract value may affect scoring.

The College will assess each application separately in its own right, i.e. it will not assess potential joint applications to the full tender value by two companies as a joint project, but will assess each applicant, and its capacity to deliver, separately as a standalone applicant.

The College reserves the right to subcontract the whole amount to one applicant or to split the subcontract among two or more applicants. However, this decision will be made by the College at the end of the application assessment process, and should not be pre-empted by applicants by trying to submit joint applications involving collaborative delivery with other parties.

The contract will not allow second-level subcontracting, so if the College does decide to split the subcontract among two or more applicants, each subcontractor will be responsible for delivering its contracted value as a sole provider and not in conjunction with others.

8. Query: *For the Adult Education Budget in Non Devolved Areas please could you clarify:*

Is the borough of Croydon regarded as being part of a devolved or non-devolved area as it is listed as part of GLA and Coast to Capital LEP?

Response: (as per Issue 1, response to Query 5): The devolved and non-devolved postcode areas are determined by the postcode datasets published by the ESFA, available here:

<https://www.gov.uk/government/publications/adult-education-budget-aeb-postcode-files>

As per the tender specification, Section 3, “The **only** provision fundable under this agreement will be those qualifications/programmes eligible for funding under the College funding contracts for Adult Education Budget to **adults living in non-devolved areas of England within a 50-mile radius of the College’s main site CR9 1DX**. [...] Agreement with the College must be sought for any adults residing beyond 50-mile radius of the College’s main site before recruitment. The College will request a specific risk assessment for such delivery and reserves the right to reject such recruitment.”

9. Query: *Regarding the minimum contract value, the ‘Quantity’ section on page 6 states, “The contract may be awarded to a number of suppliers. The College reserves the right to subcontract the whole amount to one applicant, or to split the subcontract amount [between] two or more applicants and/or to subcontract to a value lower than the full amount advertised.” The ‘Who we will subcontract to’ section on page 8 states that, “The College prefers proposals to be submitted for the full £475,000. Proposals for lower amounts will be accepted for consideration provided they are for a minimum of 50% of the total funding value ...”, but also concludes stating that, “The College reserves the right to Subcontract the whole amount to one applicant or to split the subcontract among two or more applicants.”*

Does this mean that any proposal for less than 50% of the contract value will be automatically dismissed as it does not meet criteria (c) (Have the capacity to deliver at least 50% of the total contract value.) or, will this just be penalised in the scoring. For example, if a provider is unsure if they could deliver 50% of the contact value in the short time frame, but was confident that they could deliver 30%, would there be any value in them submitting a tender on the understanding that it would still be evaluated, but marked down?

Response (see also Issue 1, Response to Query 6): The College will accept proposals for lower amounts provided they are for a minimum of 50% of the total funding value (as stated on Page 10 of the Tender Specification and in Section 6 of the Tender Application Form). This means that the minimum bid that the College would accept for consideration would be for £237,500. A bid for less than that would not be accepted. Please also note that any qualifications included in the 19/20 delivery proposal for which 18/19 achievement data has not been provided will be excluded from consideration. If such an exclusion takes the proposal below the threshold of 50% of the contract value the applicant will be excluded from consideration.

10. Query: *I have a clarification question regarding Section 3, Question 3b.*

Evidence of Prevent training delivered to your staff.

Do you require either:

- *Evidence of Prevent training provided to staff from an industry accreditation agency e.g. certificate provided to an individual who has successfully completed the training or;*
- *Evidence of the Prevent training WE as a Provider has given to our staff i.e. a presentation, slide pack etc?*

Response: Either suggestion is fine but if submitting evidence for individual staff please remember to password-protect / encrypt it in compliance with GDPR. The evidence of training should demonstrate the contents of the training delivered to staff, to demonstrate that “staff have training that gives them the knowledge and confidence to identify children at risk of being drawn into terrorism, and to challenge extremist ideas which can be used to legitimise terrorism and are shared by terrorist groups. They should know where and how to refer children and young people for further help”. (Source: <https://www.gov.uk/government/publications/prevent-duty-guidance/revised-prevent-duty-guidance-for-england-and-wales>)

The evidence could include, for example, presentation slides – whether internal or external - or, if the training was delivered by an external agency and presentation slides are not available due to copyright, a link to the website of the organisation that delivered the training.

The College would also expect to see some information on how the training is delivered to ensure that new staff are trained on a timely basis. This could either be shown in the evidence, or in the policy (required under Section 3, Question 3a.)

Individual staff certificates are not required to respond to Section 3, Question 3. However, please see the College’s response to Query 10 below, regarding Section 6, Question 7.

11. Query: *Clarification Section 6 Q6 and 7: In the above questions there is a request for delivery staff CVs/certificates etc., which appears to be repeated in both questions? Please can you clarify what you require for each question that is different (apart from the additional e.g. prevent training)?*

Response: For Section 6 Question 6, please provide CVs for staff members who will be involved in the actual delivery of the qualifications, i.e. CVs are required just for teachers

and/or assessors at this stage, though at the contract stage the College may require CVs for relevant managers as well.

For Section 6 Question 7, please provide a summary list (e.g. an Excel or a Word table) with key information for all staff members who will be involved not just in the teaching but also in managing the delivery of the contract, i.e. the list should include not only teachers or assessors, but also curriculum managers, enrolment and partnership managers and similar. The headings in the list should be:

- Staff name
- Staff role in the delivery of the contract with Croydon College
- Relevant qualifications (i.e. relevant for the staff member's role in the delivery of the contract with Croydon College if awarded)
- Evidence of a DBS check (a date of most recent DBS check will suffice at this stage)
- Evidence of Prevent training (a dates when most recent Prevent training has been completed will suffice at this stage)
- [For teachers / assessors] Learning aim(s) that the staff member would deliver under the contract with Croydon College (if awarded).

12. Query: *The specification makes reference to the college's "curriculum strategy." We have looked on the college's website and have been unable to find this document, could you please either direct us to where the document can be found or provide a copy with the published tender documents.*

Response (as per Issue 1, response to Query 2): Please ignore the reference to "curriculum strategy" document in the tender specification document. This document is not mentioned in Section 8 (Assessment Criteria) of the Tender Specification nor in the Tender Application Form, i.e. it will not be referred to specifically when scoring the applications.

13. Query: *SECTION 3 – POLICIES asks us to provide policies with our tender submission. All of the relevant policies are contained within our 'Staff Handbook – Policies and Procedures.' (as one document along with all of our policies). Would it be suitable to provide the whole document with our submission and provide clear detail within the table on the tender document, the applicable handbook section and page number to identify the policy required? By doing this will we be penalised at all with regard to points?*

Response: Yes, it would be acceptable to submit a Staff Handbook – Policies and Procedures as one document. As long as each policy required is clearly cross-referenced in the relevant section of your application form using the handbook section and page, you will not be penalised for the document format. In addition, the submitted policies will be scored for contents. For details of scoring please see Section 8 of the Tender Specification Form.

14. Query: *I wonder if you could help. We are interested in applying for the tender ref CC-AEB-2019/20-01. Would you be able to clarify whether this is for unemployed 19+, or for employed and unemployed?*

Response (as per Issue 1, response to Query 1): The type of provision, the learning aims and the learners must be eligible for ESFA Adult Education Budget funding in 2019/20. For details please refer to the link below: <https://www.gov.uk/government/publications/adult-education-budget-aeb-funding-rules-2019-to-2020>

15. Query: *We provide [anonymised – learning aim] training for Apprentices on a Sub Contract Basis, in [anonymised - location] and 15 other locations in and around the [anonymised – area]. Would you be interested in our services?*

Response: Not at this stage. The current tender is for the delivery of AEB-funded provision and not for Apprenticeships. If an opportunity arises for a subcontract for Apprenticeship funding, we will advertise it under a separate notice.

16. Query: *We have submitted our tender application before we could finalise the documents, how do we retract the old versions and resubmit the new one?*

Response: As per the Tender Specification document, Section 7 (guidance on submitting), paragraph 13 on p.12: “Tenderers are expected to check all tender documents thoroughly prior to submission and keep the resubmission of revised versions of tender documents to an absolute minimum. In the exceptional event that a tenderer needs to submit a revised version of any of the previously submitted tender documents, it is the tenderer’s responsibility to submit the revised version before the submission deadline and with a clearly marked Version Number in the filename. The College reserves the right to exclude resubmitted revised versions of previously submitted tender documents from consideration if they are not submitted by the deadline and/or not clearly marked as revised versions upon submission.”

17. Query: *Please could you confirm the word count limits within Section 6 –Delivery Proposal. Some questions state 200 words and others don’t have a figure e.g. question 3, describe your induction process, questions 7, 8, 9 12 and 13.*

Response - (as per Issue 1, response to Query 20): Where the word count is not indicated otherwise in the question itself, the limit is 100 words per explanation, as stated in the introductory text at the top of each relevant section heading. Where a question has more parts (e.g. 6.b.3, which consists of a., b., c., d.) please consider each point as a separate question with its own word limit. Question 6.b.3 does not have word count specified, therefore the word limit for your responses to a., b., c., d. is 100 words each, i.e. 4 times 100 words. Please do not “offset” the word count against shorter responses within the same section, though; i.e. if your response to a., b. and c. was 50 words each, the word limit for d. remains 100 words.

Response – additional specific information regarding Section 6, questions 3, 7, 8, 9, 12 and 13:

Q3 consists of a., b., c., d. so please consider each point as a separate question with its own word limit of 100 words, i.e. 4 times 100 words; please do not “offset” the word count against shorter responses within the same section.

Q7 – There is no word count because the summary needs to cover all relevant staff. For the format of the summary, see response to Question 11 above.

Q8, 9, 12, 13 – 100 words each.

18. Query: *Can you please advise me what is being requested when you ask for our URN number? I have never come across this request before.*

Response: Your organisation may not have a URN if it is not inspected by Ofsted. For more information, see: https://en.wikipedia.org/wiki/Unique_Reference_Number

The URN requirement is under Additional registrations (Section 2, subsection B, question 9), i.e. it is not a mandatory requirement for the purposes of the current tender and not having a URN will not exclude your organisation from consideration, though it may affect the scoring of Section 2 of the Application form (for assessment criteria see Tender Specification form, Section 8).

19. Query

a. In the tender application you kindly sent it states that achievement records are needed from years 18/19. We only started SSW May/June 2019 so unfortunately do not have these records, can we still apply?

b. We also have new qualifications which do not have 2018/19 statistics, can we include them in the 2019/20 proposal?

Response: The College will not consider any qualifications for which you are unable to provide 2018/19 achievement data. As per the Application form, Section 6, Subsection A: “Any qualifications included in the 19/20 delivery proposal for which 18/19 achievement data has not been provided will be excluded from consideration. If such an exclusion takes the proposal below the threshold of 50% of the contract value the applicant will be excluded from consideration.”

20. Query: *In the guidance it mentions qualifications need to be 90% or National Average achievement, whichever is higher. However, on the scoring matrix it just states achievement rate over 90% will be scored highest.*

Response: The scoring will be done in line with the scoring matrix; it takes precedence over the text of the guidance.

21. Query *Please can you confirm if the spreadsheet can include courses which are above 90% achievement but below national average ?*

Response: Yes. See also our response to Query 20.

22. Query: *When you have been asking for documents to be attached, I have embedded these within the application document as shown below so that you can clearly see which attachment belongs to each question. Is this ok or would you rather that they were not embedded and added as attachments instead? [Anonymised – a screenshot with a table was attached]*

Response (as per Issue 1, response to Query 8): We encourage you to submit documents as separate attachments rather than embedded.

Please refer to the Tender Specification, section 7. Guidance for submitting applications, in particular (but not limited to) paragraphs 13. to 17. and 29.

Embedding is not specifically mentioned as an option in the guidance for submitting applications, because from previous experience, embedded documents have carried a higher risk of IT issues when trying to access them, as opposed to when individual documents have been provided as separate attachments.

We do accept, though, that embedding is also not specifically mentioned as an unacceptable mode of submission, so embedded documents will not be necessarily disregarded automatically, provided that they can be opened and they are clearly referenced. However, if there are any issues with accessing embedded documents, opening them or matching them to a particular question, the College may not necessarily give you the opportunity to resubmit in an alternative format.

Whether embedded or not, “supporting documents, where requested, should be clearly cross referenced to the appropriate section of the Tender Application Form, by starting the file name with the numeric reference to the relevant section of the application form, e.g. “2.1.a_Environmental Policy”.”

23. Query: *Our annual turnover is below the requirement to have audited accounts. We have been assessed as financially GOOD by the ESFA and have our own direct contract as well as subcontracts with other FE Colleges. Is the fact that we do not have audited accounts (we only have unaudited) going to pose a problem?*

Response: The application form does not specify “audited accounts” as a mandatory requirement – Section 4 subsection B question 7 asks for “accounts” - so having unaudited accounts will not automatically disqualify your application from consideration.

24. Query *In the Achievement and Planning Spreadsheet (Tender Ref: CC-AEB-2019/20-01) can you please clarify the data you wish us to populate in column K*

- a) *The SFA hub value for the course fully funded. or*
- b) *The total value of the fully funded course value times the number of learners predicted*

Response: In Columns K and L, please use the ESFA Hub values for individual qualification. In Column M, please use the total value anticipated for the learning aim in your

