|  |  |
| --- | --- |
|  |  |

# Clarification Questions-SMC-2223-36 ITT State of the Nation 2023

**Date:** 27 April 2022

|  |  |  |
| --- | --- | --- |
| Question Number | Clarification Question | SMC Response |
| 1 | [Concerning the deadline date for the submission of bids in response to the ITT] Can we confirm that Monday May 2nd is the deadline for this as this is a bank holiday, or is there any potential for a short extension to the next working day (Tuesday May 3rd)? | The SMC is in the process of making a decision on this question and will respond to all in due course. |
| 2 | Have any provisions been made to help grant access to secure data sets to the successful bidder? | Yes, we can secure access to the "government" datasets held by ONS provided that the contractor signs the appropriate data handling agreement. |
| 3 | Is it acceptable to carry out alternate analysis if the datasets specified are not available to be accessed within the set timeframe? | Yes, but we would want to check and approve any proposals for alternate analysis. |
| 4 | Are the analytical techniques specified in table 5 MO4 prescriptive or are we able to provide other analytic approaches if we deem these more suitable? | Part of our goal in producing this work is to use techniques that are in line with the latest academic work on social mobility, so in general we would want the prescribed techniques to be used. However, we are open to discussing alternative approaches if it can be shown that such approaches answer the research question and are academically credible. |
| 5 | If there is existing published analysis that covers any of the items, can this be used or would new analysis be required for each point? | It is acceptable to use existing published analysis if this is up to date, but in general we would still want the technical specification (deliverable 5) to set out how to do this as new analysis, in case the already-published analysis is discontinued in future. |
| 6 | When multiple datasets are listed in the tables in the appendix (without additional information in footnotes, etc) are you expecting analysis to be conducted on all datasets, or for us to determine the most appropriate datasets to use? | It is only necessary to use multiple datasets for an indicator if this would address significant weaknesses in using one dataset alone. We would want to work with the supplier to determine the most appropriate dataset, and would be open to alternatives not listed, if these are superior. |
| Question Number | Clarification Question | SMC Response |
| Re: Question Number 1 (Update) | [Concerning the deadline date for the submission of bids in response to the ITT] Can we confirm that Monday May 2nd is the deadline for this as this is a bank holiday, or is there any potential for a short extension to the next working day (Tuesday May 3rd)? | **The deadline date for the submission of bids in response to the ITT has been extended to 12:00pm on Monday 16th of May 2022.** |
| 7 | **[Re: Question Number 2]** When we refer to “secure data sets”, we were referring to data sets that are held with additional access requirements in the ONS’s secure research environment due to the type of data they contain (such as the National Pupil Database or the Labour Force Survey with local authority identifiers for respondents). I realise now that the way I phrased this question did not make this clear, so we were wondering if it was possible to double check if the answer below still stands? | We will work with the contractor to secure access to as much data as possible. In the case where access is not possible, we will need to look at alternative data, or in the last resort, drop that indicator. |
| 8 | I am not in fact sure whether I will be able to submit a bid, given the very tight deadlines both for submitting a tender and for actually doing the work itself. | **This has already been resolved in part [Re: Question Number 1 (Update)] with the extension of the deadline to the 16th of May 2022.** |
| 9 | If I do submit a bid, I will probably suggest a revision to the timetable for completing the various deliverables, in order to make the timetable more achievable. If you are able to let me know whether or not the existing timetable is set in stone, that would be helpful. | We have recently revised the timeframe for this tender and extended it by 2 months. We require all bids to adhere to this timeframe as we have a statutory obligation to publish the report in June 2023. The end date of the contract can therefore not be changed. However, if you would like to suggest an amendment to dates for deliverables within the contract end date (for example, if deliverable 1 on analytical outputs will take longer than expected to produce to quality) we are open to negotiation. |
| 10 | As a group policy and insurance matter, we cannot tender without a general limit of liability. Please can you confirm that this can be included? Our suggested wording is: “Notwithstanding any other term in this agreement, to the fullest extent permitted by law, the total liability of each party arising under or in connection with this agreement, whether arising in contract, tort (including, but not limited to, negligence), restitution or otherwise (and including any and all liability under any indemnities), shall be limited to £1 million (one million pounds sterling). For the avoidance of doubt, the agreement includes all tender documents related to the agreement.” | **The SMC would be happy with this proposed amendment.** |
| 10B | Our responsibility is to our client(s), and not to third parties who may read our work. Our deliverables will have a disclaimer that will make this clear. Please confirm that you will make any other party to whom you disclose our work aware of this. (In practice this will mean not distributing our work without that disclaimer included.) | **The SMC would be happy with this proposed amendment.** |
| Question Number | Clarification Question | SMC Response |
| 12 | We assume that it is not intended for all our internal working papers, emails etc. to form part of the intellectual property being provided to you (which would be impractical as well as unreasonable), but rather that you expect to receive rights in the products of the Services (i.e. the deliverables). Could you please confirm? | **The SMC would expect to own the intellectual property rights for the deliverables.** |
| 13 | As a professional services firm, we operate in a regulated sector and need to comply with our legal and professional obligations. Please could you let us know if any of this is unacceptable for this tender:  (A) It is an ICAEW requirement that we keep records of our work. This means that we must retain information about the project after the contract terminates. We will hold that information confidential in accordance with the contract and our professional duties.  (B) If the client assigns the contract, we will first need to perform KYC/AML/conflict checks on incoming client parties.  (C) We may come under a legal obligation to provide confidential information to regulators or other authorities.  (D) We act as a matter of law (not by choice) as an independent data controller in providing these services. This is because we will exercise our professional expertise and thereby determine the purpose for and means by which the personal data provided to us is processed. Our direct obligations under data protection law as a controller must take precedence over any provisions which assume we are a processor. We are happy to discuss further. | The SMC is in the process of making a decision on this question and will respond to all in due course. |
| 14 | In some cases conflicts of interest can be managed in accordance with our professional duties, and this is normal practice in our sector. We have appropriate procedures to identify situations where a specific legal or ethical conflict of interest may arise. Where one is identified, and we believe that implementing appropriate procedures can safeguard your interests, we will promptly notify you (subject to any obligations we may owe to third parties), explain the safeguards to be implemented and obtain your consent to their implementation. Please let us know if you have any concerns with this position. | **The SMC would be happy with this proposed amendment.** |
| Question Number | Clarification Question | SMC Response |
| 15 | The usual position is that clients will keep their own copies of any data sent to us. Please could you let us know if you do not intend to do this? | The SMC is in the process of making a decision on this question and will respond to all in due course. |
| 16 | Please note, including for the purposes of the confidentiality clauses, that some of our staff working on this matter are employed not by the engaging entity, but by a services company in our corporate group (with a common ultimate parent). Please let us know if this is fine or you have any concerns. | **The SMC would be happy with this proposed amendment, as the overarching conflicts of interest approach is followed.** |
| 17 | Is there scope to extend the tender submission deadline for a week (Monday 9th May), accounting for the Bank Holiday on 2nd May and the need for us to for any bid to be based on responses to the attached? | **This has already been resolved in part [Re: Question Number 1 (Update)] with the extension of the deadline to the 16th of May 2022.** |
| 18 | Has the SMC considered the impact of 2021 Census data being published in 2022 and if this has any effect on index indicators or the availability of granular data? | We haven't planned to use the Census because we don't know of an easy way to link parents and children, which we would need for mobility outcome calculations. However, we are very open to ideas on this. |
| 19 | Would it be possible to issue the Terms and Conditions as a separate document via email? We are unable to open the version which is embedded in the ITT. | Please see our Terms and Conditions, which can be downloaded from [Contracts Finder](https://www.contractsfinder.service.gov.uk/Search). |
| 20 | In respect of this tender, please could we have the document 5 – “Declaration and information to be provided” in a stand alone, editable format such as a word document? | Please see Document 5 which can be downloaded from [Contracts Finder](https://www.contractsfinder.service.gov.uk/Search). |
| 21 | If we can bid for a smaller pot of money to work with a few datasets rather than quote for the entire package? | The SMC will award one contract for this work. We welcome bids from consortia, as stated on pages 1 and 14 of the ITT. You may therefore consider partnering with other suppliers to meet the full requirements of this tender. |
| 22 | Rather than being the provider for the analysis being asked for in this document could we submit a quotation to work on a part of this mega project – with some datasets such as NPD, HESA, LEO, Understanding society? | The SMC will award one contract for this work. We welcome bids from consortia, as stated on pages 1 and 14 of the ITT. You may therefore consider partnering with other suppliers to meet the full requirements of this tender. |
| 23 | The other questions would be whether we can focus on fewer variables such as socioeconomic status, gender, ethnicity etc.? | The SMC will award one contract for this work. We welcome bids from consortia, as stated on pages 1 and 14 of the ITT. You may therefore consider partnering with other suppliers to meet the full requirements of this tender. |
| 24 | We many [mainly?] are not able to cover the analysis for housing etc as we do not have access to that information? | The SMC will award one contract for this work. We welcome bids from consortia, as stated on pages 1 and 14 of the ITT. You may therefore consider partnering with other suppliers to meet the full requirements of this tender. |
| 25 | The dates of deliverable throughout have changed very significantly, sometimes by a month, sometimes by up to 3-4 months. Was this intended as it seems like a very significant change compared to initial change in response date of 2 weeks? | **This has already been resolved [Re: Question Number 9].** |