

**Document 1**

**Invitation to Tender (ITT)**

**&**

**Information and Instructions on Tendering Procedures**

**Forensic Script Examination**

**Contract Number STA 0121**

**Contents**

Invitation to Tender 4

Information and Instructions on Tendering Procedures 4

1. Introduction 4

2. Structure of the ITT Pack 4

3. Procurement Timeline 5

4. Basis of the Contract 5

5. Department for Education’s Purchasing Strategy 5

6. Inducements 5

7. Acceptance of Tenders 5

8. Tender Costs and Expenses 5

9. Freedom of Information 5

10. Publication of Contract 6

11. Information Sharing Across Government 6

12. Cyber Essentials Scheme 6

13. Data Security Standards 7

14. Government Security Classifications 7

15. Prompt Payment Policy 8

16. Sub-contracting to Small and Medium Enterprises (SMEs) 8

17. Personnel Security Standard 8

18. VAT 9

19. Format of Tenders 9

20. Receipt of Tenders 9

21. Tender Validity Period 10

22. Clarification Questions 10

23. Confidentiality of Tenders 10

24. Evaluation Process 10

25. Evaluation Criteria 11

26. Supplier Debriefing 11

Annex 1 – Procurement Timetable 12

Annex 2 – Personnel Security Standard Checks 13

1. Verification Checks 13

2. Identity 13

3. Employment History 13

4. Nationality and Immigration Status 14

5. Unspent Criminal Record 15

Annex 3 – Evaluation Process and Criteria 16

1. Evaluation Stages 16

2. Selection Stage 16

3. Award Stage 16

4. Technical Evaluation 17

5. Commercial Evaluation 17

6. Combined Score 17

Invitation to Tender

Your organisation, along with others, is invited to offer a tender for the provision of Forensic Script Examination services in order to conduct a review of test scripts from the 2015 levels 3-5 National Curriculum tests, from a selected sample of schools, to try and identify evidence of suspected maladministration. The sample of schools will be targeted based on the utilisation of commissioned data-based models for identifying schools at ‘higher risk’ of maladministration - based on predictive risk indicators from their test outcomes and other contextual data.

Please note that references to the 'Department' throughout these documents mean The Secretary of State for Education acting through her representatives in the Department for Education.

Information and Instructions on Tendering Procedures

1. Introduction
   1. These instructions are designed to ensure that all tenders are given equal and fair consideration. It is important therefore that you provide all the information asked for in the format and order specified. Failure to comply with instructions may disqualify your tender.
   2. If you are unsure about what is required or have difficulty providing the information requested, please write to the following email address:

[Forensic.information@education.gsi.gov.uk](mailto:Forensic.information@education.gsi.gov.uk)

**Note – this email address must NOT be used for return of tenders**

* 1. Pre-tender negotiations are not allowed.
  2. If you decide not to submit a tender, it would be useful if you could send your reasons to the following mailbox (though you are not obliged to do so):

[Forensic.information@education.gsi.gov.uk](mailto:Forensic.information@education.gsi.gov.uk)

**Note – this email address must NOT be used for return of tenders**

* 1. Whilst every endeavour has been made to give tenderers an accurate description of the Department’s requirement, tenderers should make their own assessment about the methods and resources needed to meet those requirements.

1. Structure of the ITT Pack
   1. The ITT Pack is comprised of:

Document 1 - ITT and Tendering Instructions

Document 2 - Specification of Service Requirements

Document 3 - Draft Contract

Document 4 - Tender Response Template

1. Procurement Timeline
   1. Key milestones for this procurement are shown in the timetable at Annex 1. The Department reserves the right to amend this timetable at any time.
2. Basis of the Contract
   1. The contract will be between the successful tenderer and the Secretary of State for Education. It will be for a period of 6 months with an estimated start date of 31st July 2015.
   2. The contract will comprise the terms and conditions contained in Document 3, the Specification of Service Requirement, the successful tender and any changes resulting from clarifications.
3. Department for Education’s Purchasing Strategy
   1. The Department’s purchasing strategy is designed to promote fair and open competition, and constructive co-operation between the Department and suppliers.
4. Inducements
   1. Offering an inducement of any kind in relation to obtaining this or any other contract with the Department will disqualify your tender from being considered and may constitute a criminal offence.
5. Acceptance of Tenders
   1. By issuing this ITT the Department is not bound in any way and does not have to accept the lowest or any tender, and reserves the right to accept a portion of any tender, unless the tenderer expressly stipulates otherwise in their tender.
6. Tender Costs and Expenses
   1. You will not be entitled to claim from the Department any costs or expenses that you may incur in preparing your tender whether or not the tender is successful.
7. Freedom of Information
   1. The Department is committed to open government and to meeting its responsibilities under the Freedom of Information Act 2000. Accordingly, all information submitted to the Department may need to be disclosed in response to a request under the Act.
   2. If you consider that any of the information included in your tender is commercially sensitive, please identify it and explain (in broad terms) what harm may result from disclosure if a request is received, and the time period applicable to that sensitivity. You should be aware that, even where you have indicated that information is commercially sensitive, we may still be required to disclose it under the Act if a request is received. Please also note that the receipt of any material marked ‘confidential’ or equivalent by the Department should not be taken to mean that we accept any duty of confidence by virtue of that marking. If a request is received, we may also be required to disclose details of unsuccessful tenders.
8. Publication of Contract
   1. Under the Government’s transparency requirements we are obliged to publish the contract between the Department and the successful tenderer in full. The successful tenderer should identify any information regarded as commercially sensitive and explain (in broad terms) what harm may result from disclosure and the time period applicable to that sensitivity. You should be aware that, even where you have indicated that information is commercially sensitive, we may still be required to disclose it if the public interest in disclosure outweighs withholding the information.
9. Information Sharing Across Government
   1. All Central Government Departments and their Executive Agencies and Non Departmental Public Bodies are subject to control and reporting within Government. In particular, they report to the Cabinet Office and HM Treasury for all expenditure. Further, the Cabinet Office has a cross-Government role delivering overall Government policy on public procurement - including ensuring value for money and related aspects of good procurement practice.
   2. For these purposes, the Department may disclose within Government any of the Contractor's documentation/information (including any that the Contractor considers to be confidential and/or commercially sensitive such as specific tender information) submitted by the Contractor to the Department during this Procurement. The information will not be disclosed outside Government. Contractors taking part in this competition consent to these terms as part of the competition process.
10. Cyber Essentials Scheme
    1. The Government has introduced its new Cyber Essentials Scheme in consultation with industry to mitigate the risk from common internet based threats.
    2. It is mandatory for new Central Government contracts, which feature characteristics involving the handling of personal data and ICT systems designed to store or process data at the OFFICIAL level of the [Government Security Classifications scheme](https://www.gov.uk/government/publications/government-security-classifications) to comply with Cyber Essentials requirements.
    3. All tenderers for Central Government contracts, featuring the above characteristics, should make themselves aware of [Cyber Essentials](https://www.gov.uk/government/publications/cyber-essentials-scheme-overview) and the requirements for the appropriate level of certification “or equivalent”.
    4. As this requirement features the above characteristics, you are required to demonstrate in your tender response that:

* Your organisation has Cyber Essentials certification; or
* Your organisation will be able to secure Cyber Essentials certificationprior to contract award; or
* Your organisation has equivalent evidence to support that you have appropriate technical and organisational measures to mitigate the risk from common internet based threats in respect to the following five technical areas:

1. Boundary firewalls and internet gateways - these are devices designed to prevent unauthorised access to or from private networks, but good setup of these devices either in hardware or software form is important for them to be fully effective.
2. Secure configuration – ensuring that systems are configured in the most secure way for the needs of the organisation
3. Access control – Ensuring only those who should have access to systems to have access and at the appropriate level.
4. Malware protection – ensuring that virus and malware protection is installed and is up to date
5. Patch management – ensuring the latest supported version of applications is used and all the necessary patches supplied by the vendor have been applied.

Any equivalent evidence must be verified by a technically competent and independent third party.

* 1. The successful tenderer will be required to provide evidence of Cyber Essentials certification “or equivalent” (i.e. demonstrate they meet the five technical areas the Cyber Essentials Scheme covers) prior to contract award.
  2. Details of certification bodies are available at: <https://www.cyberstreetwise.com/cyberessentials>

1. Data Security Standards
   1. For contracts which require the holding or processing of either personal data and/or OFFICIAL data *where the data is Business Impact Level (BIL) 2 or 3*, the successful contractor will need to assure the Department that it can comply with the Department’s security standards.
   2. Departmental security standards are included in Document 3 – Draft Contract.
2. Government Security Classifications
   1. All tenderers make themselves aware of the Government Security Classifications (GSC) and identify any potential impacts in their tender, as the protective marking and applicable protection of any material passed to, or generated by, you during the tender process or pursuant to any contract awarded to you as a result of this tender process will be subject to the GSC requirements. The link below to the Gov.uk website provides information on the GSC:

<https://www.gov.uk/government/publications/government-security-classifications>

The Department reserves the right to amend any security related term or condition of the draft contract accompanying this ITT to reflect any changes introduced by the GSC.

1. Prompt Payment Policy
   1. Government’s aim is to pay all correctly submitted invoices within 5 days of receipt and we are 100% committed to paying correctly submitted invoices within 30 days of receipt from the day of physical or electronic arrival at the nominated address of the Department.
2. Sub-contracting to Small and Medium Enterprises (SMEs)
   1. DfE is committed to removing barriers to SME participation in its contracts, and would like to also actively encourage its larger suppliers to make their sub-contacts accessible to smaller companies and implement SME-friendly policies in their supply-chains. This can be achieved by advertising subcontracting opportunities on Contracts Finder and implementing the principles of the SME and Growth Agenda in your own organisation.
   2. To help us measure the volume of business we do with SMEs, we ask our suppliers to provide information about:

* the size of their organisation and those in their supply chain; and
* the volume of business that will be sub-contracted.
  1. This data will help us contribute towards Government targets on the use of SMEs.
  2. We may also publish success stories and examples of good practice on our website.

1. Personnel Security Standard
   1. The successful contractor will need to assure the Department that staff supplied under the contract including its own staff and those of sub-contractors who need unsupervised access to the Department’s assets including but not limited to premises; IT equipment and classified information meet the Government’s Personnel Security Standard.
   2. The verification process consists of 4 separate checks as follows:
      * Identity.
      * Employment history.
      * Nationality and immigration status.
      * Unspent criminal records.
   3. Detailed information on each check is in Annex 2.
2. VAT
   1. Please state clearly when submitting prices whether or not VAT will be charged.
   2. Where the contract price agreed between the Department and contractor is inclusive of any VAT, further amounts will not be paid by the Department should a vatable supply claim be made at any later stage.
   3. Where the overall contract price is exclusive of VAT, the Department will pay any VAT incurred at the prevailing rate (currently 20%). If the VAT rate changes the Department will pay any VAT incurred at the new rate.
   4. It is the responsibility of tenderers to check the VAT position with HMRC before submitting a bid.
3. Format of Tenders
   1. Tenderers must present their tender, charges and other information asked for using the Tender Response Template provided in Document 4 (MS Word document).
   2. Tenderers must not alter the font type and size from Arial 12pt or exceed the word count limits. Any words over the limits will be disregarded by evaluators. Charts and diagrams should be attached where necessary and will be excluded from the word count.
   3. All tables (and questions) within each section of the Tender Response Template must be completed.
   4. Failure to comply with these instructions may result in rejection of your tender.
4. Receipt of Tenders
   1. The completed Tender Response Template should be emailed to the following mailbox no later than 12 noon on 15th June 2015:

[Forensic.tender@education.gsi.gov.uk](mailto:Forensic.tender@education.gsi.gov.uk)

**Note – this email address is for return of tenders ONLY**

* 1. The subject line of your email should state “‘Tender – [*name of your organisation*] – [*date in format YYYY-MM-DD*]’
  2. Tenders will be accepted up to the closing date and time for receipt of tenders, as stated in the timetable at Annex 1. Tenders received after the closing date will not be considered.
  3. Tenders received before the closing date will be retained unopened until then. It is the responsibility of the tenderer to ensure that all documents comprising its tender are delivered no later than the closing date. The Department reserves the right to reject any tender documentation received after that time. The Department will not open or read the tenders until after the closing date for receipt.

1. Tender Validity Period
   1. Due to the intensive evaluation process, the Department requires tenders to remain valid for six months following the closing date for tenders.
2. Clarification Questions
   1. Clarification questions concerning this ITT Pack will be accepted up to 8th June 2015. They should be emailed to the following mailbox:

[Forensic.information@education.gsi.gov.uk](mailto:Forensic.information@education.gsi.gov.uk)

All questions raised by tenderers together with the Department’s responses will be issued to all tenderers (the questioners will remain anonymous for this purpose).

* 1. The Department will raise clarification questions in relation to individual tenders direct with tenderers. Tenderers are expected to respond within one working day or as otherwise agreed by the Department, to ensure their full response is evaluated. Such clarification questions will not be shared with other tenderers.

1. Confidentiality of Tenders
   1. Please note that you must not:

* tell anyone else what your tender price is or will be, before the time limit for receipt of tenders;
* try to obtain any information about anyone else's tender or proposed tender before the time limit for receipt of tenders;
* make any arrangements with another organisation about whether or not they should tender, or about their or your tender price.
  1. Failure to comply with these conditions may disqualify your tender.

1. Evaluation Process
   1. The evaluation will take place over the period shown in Annex 1 and be conducted in a manner that ensures tenders are evaluated fairly to ascertain the most economically advantageous tender.
   2. The evaluation process will be in two stages as follows:

Selection Stage - used to look at an organisation’s capability to perform the contract.

Award Stage - used to look at an organisation’s response to the Specification of Service Requirement.

1. Evaluation Criteria
   1. Your capability to perform the contract will be evaluated using the evaluation criteria set out in Annex 3, along with further detail on the process.
   2. The highest scoring tenderer will be awarded the contract.
2. Supplier Debriefing
   1. Following the award of contract, each unsuccessful tenderer will receive a report which sets out how their tender was scored and how the winning tender was scored.
   2. Debriefing will be available to unsuccessful tenderers on request.

Annex 1 – Procurement Timetable

|  |  |  |
| --- | --- | --- |
| **From** | **To** | **Milestone** |
| 18/05/2015 |  | Contract Notice published on Contracts Finder |
| 18/05/2015 | 12.00pm - 15/06/2015 | Supplier requests for ITT |
| 18/05/2015 | 08/06/2015 | Supplier clarifications on ITT |
| **-** | **12.00pm – 15/06/2015** | **Closing date for receipt of tenders** |
| 15/06/2015 | 10/07/2015 | Evaluation of tenders and internal approvals |
| 10/07/2015 | 10/07/2015 | Suppliers notified of award decision |
| 10/07/2015 | 20/07/2015 | Standstill period |
| 20/07/2015 | 31/07/2015 | Contract finalisation |
| 31/07/2015 | 31/07/2015 | Contract signing |

Annex 2 – Personnel Security Standard Checks

1. Verification Checks
   1. The Department carries out Personnel Security Standard verification checks on all new employees. Contractors and consultants with a similar level of access to Departmental assets as Departmental staff must undergo the same level of checks.
   2. The verification process consists of four separate checks as follows:

* Identity
* Employment history
* Nationality and immigration status
* Unspent criminal records

1. Identity
   1. You should ensure that the identity of any relevant staff and sub-contractor’s staff has been verified and that the evidence can be provided to the Department on request.
   2. The Departmental process for verifying an identity is to request the following information and to check the full name and signature, date of birth and full permanent address against qualifying documents:

* Name
* Date of birth
* Full permanent address
* NINO or other unique personal identifying number
* Employers' details for the past three years
* Qualifications and licenses
* Educational details and references (where appropriate)
* Permission to work in the UK (if appropriate)
  1. Alternative arrangements can be made including the use of commercial agencies, provided that the minimum requirements listed above are met.

1. Employment History
   1. You should ensure that an individual’s employment history has been verified and that the evidence can be provided to the Department on request.
   2. You should verify the last three years’ employment or academic history checking with previous employers, following up references (where required) or using a commercial CV checking service.
   3. Ask for further references if:

* An employer’s reference is not available. Get a second personal one from a person of standing in the candidate’s community (e.g. a JP, medical practitioner, officer of the armed forces, teacher, lecturer, lawyer, bank manager or civil servant).
* The individual has been in education full time. Get a reference from their academic institution.
* The individual has served in the Armed Forces or Civil Service. Get a reference from their service or department.

1. Nationality and Immigration Status
   1. You should verify an individual’s nationality and immigration status and ensure that they have a right to remain and work in the UK. Evidence must be provided to the Department on request.
   2. The minimum requirement for the verification process is as follows. Individuals should be asked to produce one of the following:

* A UK passport describing the person as a British citizen or citizen of the UK and colonies with the right of abode in the UK.
* A passport with a certificate of entitlement issued by the UK with the right of abode in the UK.
* A passport or ID card issued by a European Economic Area (EEA) State, or State with an agreement forming part of the Communities Treaties (e.g. Switzerland) and which describes the holder as a citizen.
* An EEA registration certificate, permanent residence document or (permanent) residence card, or EEA residence permit. (Swiss nationals are treated as EEA nationals for these purposes.)
* A passport or travel document endorsed to show they are exempt from immigration controls, with indefinite leave to enter or stay in the UK, or no time limit on the stay.
* A passport or other travel document endorsed to show that the holder has current leave to enter or remain in the UK and is permitted to take the employment in question (provided that it does not require the issue of a work permit).
* An Application Registration Card (ARC) which indicates that the holder is entitled to take employment in the UK.
  1. Alternatively you can ask the individual to produce a document issued by a previous employer, Inland Revenue, Department for Work and Pensions, Jobcentre Plus, the Employment Service, the Training and Employment Agency (Northern Ireland) or the Northern Ireland Social Security Agency, which contains the national insurance number of the person named in the document **and** one of the following.
* A full UK birth certificate which specifies the names of the holder’s parents.
* A birth certificate issued in the Channel Islands, the Isle of Man or Ireland.
* A certificate of registration or naturalisation as a British citizen.
* A letter issued by the Home Office, to the holder, which indicates that the person named in it has been granted indefinite leave to enter, or remain in, the UK.
* An Immigration Status Document issued by the Home Office, to the holder, endorsed with a UK Residence Permit, which indicates that the holder has been granted indefinite leave to enter, or remain in, the UK.
* A letter issued by the Home Office, to the holder, which indicates that the person named in it has subsisting leave to enter, or remain in, the UK and is entitled to take the employment in question in the UK.
* An Immigration Status Document issued by the Home Office, to the holder, endorsed with a UK Residence Permit, which indicates that the holder has been granted leave to enter, or remain in, the UK and is entitled to take the employment in question in the UK.
  1. Or you can ask the individual for a work permit or other approval issued by Work Permits UK **and** a passport or other travel document endorsed to show that the holder has current leave to enter or remain in the UK and is permitted to take the work permit employment in question, or a letter issued by the Home Office to the holder confirming the same.

1. Unspent Criminal Record
   1. Organisations other than sole traders that are awarded contracts by the Department should obtain a CRB check on behalf of their employee and should provide a copy for the Department as it may be required to obtain a security pass to enter Departmental premises.
   2. Sole traders must make a self-declaration of any unspent convictions. The Department aims to check all declarations through Disclosure Scotland.
   3. You must not supply any individual if they are:

* on probation (in a legal sense)
* under a suspended prison sentence
* released from prison on parole
* still under a conditional discharge

Annex 3 – Evaluation Process and Criteria

1. Evaluation Stages
   1. Tenders will be evaluated in two stages as follows:

* Selection stage and
* Award stage.

1. Selection Stage
   1. The selection stage comprises of the following sections of the Tender Response Template (TRT):

|  |  |
| --- | --- |
| **Tender Response Section** | **Evaluation method** |
| A - Organisation Details | Not scored: for information only |
| B - Growth Agenda | Not scored: for information only |
| C - Declarations | Scored: Pass or fail |
| D - Contract Terms and Conditions | Scored: Pass or fail |
| E - Financial Capacity | Scored: Pass or fail |
| F - Technical Capability | Scored: as shown in the TRT |
| G - Operational Capacity | Scored: as shown in the TRT |

* 1. The objective of the selection stage is to ensure the suitability of tendering organisations to deliver the required services.
  2. Only those tenderers successfully completing the selection stage will have their technical proposals evaluated through the award stage.

1. Award Stage
   1. The award stage comprises the following sections of the TRT:

|  |  |
| --- | --- |
| **Tender Response Section** | **Evaluation method** |
| H - Technical Proposal | Scored and weighted – as shown in Section H of the TRT and this Annex 3. |
| I - Commercial Proposal | Scored and weighted – as shown in Section H of the TRT and this Annex 3. |

* 1. The objective of the award stage is to evaluate the technical and pricing proposals of selected tenderers to meet the Department’s requirements. The contract will be awarded to the selected tenderer offering the most economically advantageous compliant tender.
  2. The most economically advantageous compliant tender will be determined by the combined scores of the technical and commercial evaluations.
  3. Technical and commercial evaluations are afforded the following weightings:

Technical evaluation 75%

Commercial evaluation 25%

1. Technical Evaluation
   1. Technical proposals will be sub-weighted and scored as shown in Section H of the TRT.
   2. A minimum score threshold of 50% will be applied for the technical evaluation. Tenderers that do not meet or exceed this threshold will proceed no further in the procurement.
2. Commercial Evaluation
   1. Commercial proposals will be evaluated by assessing the full price of delivery across the contract term, as shown in the pricing matrix in section I.
3. Combined Score
   1. The technical and commercial evaluation scores will be combined using the following methodology:

Technical score = 100 x (Tenderer’s technical score / Best technical score)

Price score = 100 x (Lowest price / Tenderer’s price)

Combined score = (75% x Technical score) + (25% x Price score)

* 1. The tenderer with the highest combined score will be awarded the contract.