

Invitation to Quote

**Invitation to Quote (ITQ) on behalf of Department for Business,
Energy and Industrial Strategy**

**Subject: Labour Market Enforcement Scale and Nature of Non-
compliance Scoping Paper**

Sourcing Reference Number: CR18097



UK Shared Business Services Ltd (UK SBS)
www.uksbs.co.uk

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Version 3.3

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Section 1 – About UK Shared Business Services

Putting the business into shared services

UK Shared Business Services Ltd (UK SBS) brings a commercial attitude to the public sector; helping our Contracting Authorities improve efficiency, generate savings and modernise.

It is our vision to become the leading service provider for the Contracting Authorities of shared business services in the UK public sector, continuously reducing cost and improving quality of business services for Government and the public sector.

Our broad range of expert services is shared by our Contracting Authorities. This allows Contracting Authorities the freedom to focus resources on core activities; innovating and transforming their own organisations.

Core services include Procurement, Finance, Grants Admissions, Human Resources, Payroll, ISS, and Property Asset Management all underpinned by our Service Delivery and Contact Centre teams.

UK SBS is a people rather than task focused business. It's what makes us different to the traditional transactional shared services centre. What is more, being a not-for-profit organisation owned by the Department for Business, Energy & Industrial Strategy (BEIS), UK SBS' goals are aligned with the public sector and delivering best value for the UK taxpayer.

UK Shared Business Services Ltd changed its name from RCUK Shared Services Centre Ltd in March 2013.

Our Customers

Growing from a foundation of supporting the Research Councils, 2012/13 saw Business, Energy and Industrial Strategy (BEIS) transition their procurement to UK SBS and Crown Commercial Services (CCS – previously Government Procurement Service) agree a Memorandum of Understanding with UK SBS to deliver two major procurement categories (construction and research) across Government.

UK SBS currently manages £700m expenditure for its Contracting Authorities.

Our Contracting Authorities who have access to our services and Contracts are detailed [here](#).

Section 2 – About the Contracting Authority

Department for Business, Energy & Industrial Strategy (BEIS)

The Department for Business, Energy and Industrial Strategy (BEIS) was created as a result of a merger between the Department of Energy and Climate Change (DECC) and the Department for Business, Innovation and Skills (BIS), as part of the Machinery of Government (MoG) changes in July 2016.

The Department is responsible for:

- developing and delivering a comprehensive industrial strategy and leading the government's relationship with business;
- ensuring that the country has secure energy supplies that are reliable, affordable and clean;
- ensuring the UK remains at the leading edge of science, research and innovation; and
- tackling climate change.

BEIS is a ministerial department, supported by 46 agencies and public bodies.

We have around 2,500 staff working for BEIS. Our partner organisations include 9 executive agencies employing around 14,500 staff.

<http://www.beis.gov.uk>

Section 3 - Working with the Contracting Authority.

In this section you will find details of your Procurement contact point and the timescales relating to this opportunity.

Section 3 – Contact details		
3.1	Contracting Authority Name and address	Department for Business, Energy and Industrial Strategy
3.2	Buyer name	Amelia Stroud
3.3	Buyer contact details	Research@uksbs.co.uk
3.4	Maximum value of the Opportunity	£25,000 excluding VAT
3.5	Process for the submission of clarifications and Bids	All correspondence shall be submitted within the Emptoris e-sourcing tool. Guidance Notes to support the use of Emptoris is available here. Please note submission of a Bid to any email address including the Buyer <u>will</u> result in the Bid <u>not</u> being considered.

Section 3 - Timescales		
3.6	Date of Issue of Contract Advert and location of original Advert	Friday 27 th July 2018 Contracts Finder
3.7	Latest date/time ITQ clarification questions shall be received through Emptoris messaging system	Monday 20 th August 2018 14.00
3.8	Latest date/time ITQ clarification answers should be sent to all Bidders by the Buyer through Emptoris	Wednesday 22 nd August 2018
3.9	Latest date/time ITQ Bid shall be submitted through Emptoris	Friday 24 th August 2018 14.00
3.10	Date/time Bidders should be available if clarifications are required	Tuesday 4 th September 11:00am Wednesday 5 th September 11:00am
3.11	Anticipated notification date of successful and unsuccessful Bids	Thursday 6 th September 2018
3.12	Anticipated Award date	Friday 7 th September 2018
3.13	Anticipated Contract Start date	Monday 10 th September 2018
3.14	Anticipated Contract End date	Monday 14 th January 2019
3.15	Bid Validity Period	60 Days

Section 4 – Specification

1. Background

The Office of the Director of Labour Market Enforcement was established under the Immigration Act 2016 to bring together a coherent assessment of the extent of non-compliance and labour market exploitation, identifying routes to tackle exploitation and harnessing the strength of the three main enforcement bodies. The legislation sets out that, as part of this role, the Director must produce an annual labour market enforcement strategy that, in part, **sets out the Director’s assessment of the scale and nature of such non-compliance in the labour market.**

There are three labour market enforcement bodies that sit within the Director’s remit. The bodies each have very different remits and responsibilities, covering different sectors, geographies, and types of offence.

- The HMRC National Minimum Wage (NMW) team is the most substantial operation, enforcing the national living/minimum wage. With more than 400 staff, HMRC NMW team’s funding was £25.3m in 2017/18.
- The Gangmasters and Labour Abuse Authority (GLAA) licenses gangmasters in horticulture and food processing but, since the end of April 2017, has taken on additional powers under the Police and Criminal Evidence Act 1984 to enforce certain other labour market offences. To reflect this wider remit, the GLAA received an increase in funding from £4.8m in 2016/17 to £7.1m in 2017/18.
- Finally, The Employment Agency Standards (EAS) Inspectorate is a small unit which monitors employment agencies. In 2017/18, EAS core funding was £0.5m, though they did receive additional funding of £250,000 for a one-off capital investment.

The final labour market enforcement body is the Health and Safety Executive (HSE), which does not fall under the Director’s remit.

Nevertheless, the Director’s remit covers the whole spectrum of labour market non-compliance, ranging from a basic lack of understanding and application of labour rights through to criminal exploitation on a large scale, from low-level to the most serious offences. To be clear, HSE-specific offences are not strictly part of the Director’s remit, though they may be symptomatic of other labour market offences.

The Immigration Act 2016 also introduced the Director’s Information Hub, which ‘must gather, store, process, analyse and disseminate information relating to non-compliance in the labour market’. As such, the Information Hub regularly receives strategic-level data from the enforcement bodies and a number of key stakeholders. From this, the Hub undertakes threat assessments, identifying priority sectors that represent a higher risk of labour market non-compliance. A key finding from the latest iteration of this work was that

there appeared to be ‘a concentration of labour market exploitation across sectors that are typically low-paying, low-skilled, and/or have unsociable working hours’ (DLME, 2018).

The information provided to the Hub typically stems from cases handled by the enforcement bodies or reports of non-compliance shared with stakeholders. These sources predominantly rely on “victims” coming forward to make a complaint. However, it is well noted (see: Weil, 2008) that relying on complaints information only risked skewing the measurement and understanding of the true scale and nature of non-compliance. That is, the critical gap recognised in the labour market enforcement sphere is the underreporting of breaches.

To account for the fact that ‘many victims do not present to the authorities’, the Home Office produced an estimate for the scale of modern slavery using the multiple series estimation methodology (Silverman, 2014). Though the lessons learned from this piece of work may be pertinent to the wider spectrum of labour exploitation, there remain questions about the transferability of the method and the extent to which the same, or more extensive, data limitations may apply.

More qualitative assessments of the scale of non-compliance have been attempted previously, but Noack et al (2015) note the following methodological challenges associated with population surveys:-

1. Vulnerable workers typically present in hard-to-reach populations;
2. Workers may not be comfortable disclosing workplace problems and/or have limited knowledge of their rights;
3. There may be, to some extent, a normalisation of workplace problems.

Therefore, in order to improve assessments of the scale of non-compliance, Noack et al (2015) recommended a population survey instrument that is ‘designed to reach the precariously employed that does not rely on workers’ pre-existing legal knowledge and that is attentive to normative goals and policy objectives underlying ES [Employment Standards] and their potential erosion, evasion and abandonment’. The design put forward by the authors was a telephone survey that measures the overall prevalence of non-compliance in low-wage jobs in Ontario. A similar approach was taken in the UK’s 2004 Unrepresented Worker Survey (Pollert, 2005), which built upon the DTI telephone survey (Meager et al, 2002) by minimising the need for worker knowledge/understanding of labour rights. An alternative approach was demonstrated in the Unregulated Work Survey (Bernhardt et al, 2009) – a series of face-to-face interviews facilitated by a sampling method that focused on hard-to-reach populations.

The enforcement bodies have moved towards undertaking more targeted enforcement activities and have invested more into their intelligence capabilities in recent years, all of

which help to increase coverage amongst those at-risk low-paid sectors / occupations. However, there still remains a significant intelligence gap between the actual and observed scale of non-compliance. With an incomplete and unrepresentative picture of non-compliance in the labour market and its magnitude, policymakers cannot determine the effectiveness or impact of enforcement interventions, which in itself is key to making effective enforcement decisions.

Bibliography:

Bernhardt et. al (2009) *Broken Laws, Unprotected Workers: Violations of Employment and Labor Laws in America's Cities*. Available at: <https://escholarship.org/uc/item/1vn389nh>

DLME (2018) *UK Labour Market Enforcement Strategy 2018 to 2019*. Available at: <https://www.gov.uk/government/publications/labour-market-enforcement-strategy-2018-to-2019>

Meager et. al (2002) *Awareness, knowledge and exercise of individual employment rights*. Available at: <https://sp.ukdataservice.ac.uk/doc/5082/mrdoc/pdf/5082userguide.pdf>

Pollert (2005) *The Unorganised Worker: Problems at Work, Routes to Support and Views on Representation*. Available at: <http://www.researchcatalogue.esrc.ac.uk/grants/R000239679-A/outputs/read/d36fec29-d76e-4f33-a6f7-34296fc4802c>

Silverman (2014) *Modern Slavery: an application of Multiple Systems Estimation*. Available at: <https://www.gov.uk/government/publications/modern-slavery-an-application-of-multiple-systems-estimation>

Weil (2008) *A strategic approach to labour inspection*. Available at: http://www.oit.org/public/english/revue/download/pdf/s3_weil.pdf

2. Aims and Objectives of the Project

Due to the critical evidence gap outlined above, the Director's first Strategy (see above: Metcalf, 2018) outlined the need for further research to be undertaken in the field of measuring non-compliance and the number of workers affected. We are therefore looking to commission work to fill this gap with a valuable addition to the evidence base that might aid the enforcement of employment laws going forward. To do so, we are pursuing a two-stage approach:

- Stage 1. An initial scoping study to advise on the type of research that could be undertaken to achieve the objectives and research questions set out below [This tender].
- Stage 2. Once a suitable research design has been identified, conducting the full research project itself [A follow-up tender to be issued in early 2019].

The results of the full research project would then be used to inform the Director's future annual strategies and annual reports.

This tender represents only Stage 1: the initial scoping study.

An initial workshop was held in January 2018 with partners across government and academia to begin exploring possible opportunities for meaningful research. A number of possible research topics and methods were posited, each with their various merits and challenges. Bidders are invited to suggest their own ideas as to potential research projects that might improve assessments of the scale and nature of non-compliance.

Measuring the scale and nature of non-compliance in the UK labour market is a research project that will likely be complex and costly. To ensure that the research is conducted in a manner that is robust, transparent, and delivers value for money, scoping work needs to be completed to establish the best possible research design.

This scoping study would present a review of, and discussion on, the possible methodologies, as well as their relative robustness and feasibility in the UK labour market enforcement context. This project would involve careful contemplation of the means and methods to undertake an assessment of the scale of non-compliance in the UK labour market under the Director's remit. From this, it is expected that a number of options would be put forward, with their various strengths and weaknesses, culminating in considered recommendations for project(s) that could be taken forward.

The scoping work would primarily inform the undertaking of the full research project (Stage 2), as well as influencing any future programmes of research that may be proposed by the Director of Labour Market Enforcement. The intention is for this scoping paper to feed directly into plans for the former. The Director is open to the full spectrum of approaches for the full research project, and accepts that this may well require significant long-term investment to undertake robustly. However, the expectation is not for a comprehensive research design to be delivered as part of this tender. To take forward any recommendations from this scoping study, the Director must be confident that the approaches are feasible.

Synopsis:

The scoping study will comprise principally of desk-based research and stakeholder engagement to undertake **two broad tasks**:

- A comprehensive review of methods and frameworks applicable to the labour market enforcement; and
- Proposals for how work could be carried out in the full research project Stage 2], as per the research questions below.

Research questions:

The primary research question for this scoping exercise is as follows:

- ***What research could improve the assessment of the scale and nature of non-compliance in the UK labour market under the Director of Labour Market Enforcement's remit?***

The subsidiary questions that underpin this research project will seek to address are set out below:

- *What research methods could be utilised to make a more accurate assessment of the scale and nature of non-compliance? What are their limitations and how could they be mitigated? Which approaches might complement each other if used in tandem?*
- *What would be the required inputs and likely outputs of the research?*
- *What would be required to ensure that the research was representative of the UK labour market (within the areas of employment legislation under the Director's remit)?*
- *What geographic regions or sectors would this research include?*
- *How much time and resource is estimated to be required to undertake the full research? What is the minimum scale and relative scalability of the approaches?*
- *What would be the necessary sample size, and how would it be attained?*
- *How would this research add to the existing evidence base?*
- *What would be the options for replicating the project over time? To what extent would the research design include flexibility for structural changes in the labour market?*

3. Suggested Methodology

Bidders are expected to detail the specific approach that will be used to address the research questions and justification as to why the chosen approach will provide the best outcome.

This project is a scoping exercise, so it is anticipated to draw heavily on literature reviews, looking into existing research evidence in terms of the context of the issues, and the prospective research methods. In order to achieve the key deliverables, tenderers may wish to review other existing evidence, for example: the existence/extent/limits of quantitative or qualitative data.

The approach should take into account the resources that will be utilised (including staffing).

Bidders will not be interviewed. However, they may be called upon to provide clarifications for their bids either in person or over the phone. Any face-to-face clarification meetings would be held in central London.

4. Deliverables

The main outputs from the project will be:

- After 8 weeks of the contract commencing (estimated date: week commencing 15/11/2018): a preliminary report including the review of the existing evidence and provisional findings from the review of methods.

- After 8 weeks of the contract commencing (estimated date: week commencing 15/11/2018): a non-technical executive summary (length: no more than 5 pages) of the preliminary report outlined above.
- After 18 weeks of the contract commencing (estimated date: week commencing 07/01/2019): a draft of the final report that discusses the results of the literature reviews in detail, and concludes with a recommended research design – including full details of the practicalities, methodological issues, and statistical and research methods involved – that could be directly applied to the UK labour market. The final report should be no more than 50 pages, excluding references.

Members of the office of the Director of Labour Market Enforcement will meet regularly with the successful bidder to receive updates on the progress of the project. The successful bidder will also be asked to present early findings to the Director, their office staff, or to other researchers at a workshop hosted by the Director.

The final report of this scoping study project will be published on the Director's webpage on Gov.UK.

Terms and Conditions

Bidders are to note that any requested modifications to the Contracting Authority Terms and Conditions on the grounds of statutory and legal matters only, shall be raised as a formal clarification during the permitted clarification period.

Section 5 – Evaluation model

The evaluation model below shall be used for this ITQ, which will be determined to two decimal places.

Where a question is 'for information only' it will not be scored.

The evaluation team may comprise staff from UK SBS and the Contracting Authority and any specific external stakeholders the Contracting Authority deems required. After evaluation the scores will be finalised by performing a calculation to identify (at question level) the mean average of all evaluators (Example – a question is scored by three evaluators and judged as scoring 5, 5 and 6. These scores will be added together and divided by the number of evaluators to produce the final score of 5.33 ($5+5+6 = 16 \div 3 = 5.33$))

Pass / fail criteria		
Questionnaire	Q No.	Question subject
Commercial	SEL1.2	Employment breaches/ Equality
Commercial	FOI1.1	Freedom of Information Exemptions
Commercial	AW1.1	Form of Bid
Commercial	AW1.3	Certificate of Bona Fide Bid
Commercial	AW3.1	Validation check
Commercial	SEL3.11	Compliance to Section 54 of the Modern Slavery Act
Commercial	SEL3.12	Cyber Essentials
Commercial	SEL3.13	General Data Protection Regulations (GDPR)
Commercial	AW4.1	Contract Terms Part 1
Commercial	AW4.2	Contract Terms Part 2
Quality	AW6.1	Compliance to the Specification
-	-	Invitation to Quote – received on time within e-sourcing tool

Scoring criteria			
Evaluation Justification Statement			
In consideration of this particular requirement the Contracting Authority has decided to evaluate Potential Providers by adopting the weightings/scoring mechanism detailed within this ITQ. The Contracting Authority considers these weightings to be in line with existing best practice for a requirement of this type.			
Questionnaire	Q No.	Question subject	Maximum Marks
Price	AW5.2	Price	20%
Commercial	PROJ1.1	Understanding	20%
Commercial	PROJ1.2	Approach	30%
Commercial	PROJ1.3	Ability to Deliver	30%

Evaluation of criteria

Non-Price elements

Each question will be judged on a score from 0 to 100, which shall be subjected to a multiplier to reflect the percentage of the evaluation criteria allocated to that question.

Where an evaluation criterion is worth 20% then the 0-100 score achieved will be multiplied by 20%.

Example if a Bidder scores 60 from the available 100 points this will equate to 12% by using the following calculation:

$$\text{Score} = \{\text{weighting percentage}\} \times \{\text{bidder's score}\} = 20\% \times 60 = 12$$

The same logic will be applied to groups of questions which equate to a single evaluation criterion.

The 0-100 score shall be based on (unless otherwise stated within the question):

0	The Question is not answered or the response is completely unacceptable.
10	Extremely poor response – they have completely missed the point of the question.
20	Very poor response and not wholly acceptable. Requires major revision to the response to make it acceptable. Only partially answers the requirement, with major deficiencies and little relevant detail proposed.
40	Poor response only partially satisfying the selection question requirements with deficiencies apparent. Some useful evidence provided but response falls well short of expectations. Low probability of being a capable supplier.
60	Response is acceptable but remains basic and could have been expanded upon. Response is sufficient but does not inspire.
80	Good response which describes their capabilities in detail which provides high levels of assurance consistent with a quality provider. The response includes a full description of techniques and measurements currently employed.
100	Response is exceptional and clearly demonstrates they are capable of meeting the requirement. No significant weaknesses noted. The response is compelling in its description of techniques and measurements currently employed, providing full assurance consistent with a quality provider.

All questions will be scored based on the above mechanism. Please be aware that the final score returned may be different as there may be multiple evaluators and their individual scores will be averaged (mean) to determine your final score.

Example

Evaluator 1 scored your bid as 60

Evaluator 2 scored your bid as 60

Evaluator 3 scored your bid as 40

Evaluator 4 scored your bid as 40

Your final score will $(60+60+40+40) \div 4 = 50$

Price elements will be judged on the following criteria.

The lowest price for a response which meets the pass criteria shall score 100.

All other bids shall be scored on a pro rata basis in relation to the lowest price. The score is then subject to a multiplier to reflect the percentage value of the price criterion.

For example - Bid 1 £100,000 scores 100.

Bid 2 £120,000 differential of £20,000 or 20% remove 20% from price scores 80

Bid 3 £150,000 differential £50,000 remove 50% from price scores 50.

Bid 4 £175,000 differential £75,000 remove 75% from price scores 25.

Bid 5 £200,000 differential £100,000 remove 100% from price scores 0.

Bid 6 £300,000 differential £200,000 remove 100% from price scores 0.

Where the scoring criterion is worth 50% then the 0-100 score achieved will be multiplied by 50.

In the example if a supplier scores 80 from the available 100 points this will equate to 40% by using the following calculation: $\text{Score/Total Points} \times 50$ ($80/100 \times 50 = 40$)

The lowest score possible is 0 even if the price submitted is more than 100% greater than the lowest price.

Section 6 – Evaluation questionnaire

Bidders should note that the evaluation questionnaire is located within the **e-sourcing questionnaire**.

Guidance on completion of the questionnaire is available at <http://www.uksbs.co.uk/services/procure/Pages/supplier.aspx>

PLEASE NOTE THE QUESTIONS ARE NOT NUMBERED SEQUENTIALLY

Section 7 – General Information

What makes a good bid – some simple do's 😊

DO:

- 7.1 Do comply with Procurement document instructions. Failure to do so may lead to disqualification.
- 7.2 Do provide the Bid on time, and in the required format. Remember that the date/time given for a response is the last date that it can be accepted; we are legally bound to disqualify late submissions. Responses received after the date indicated in the ITQ shall not be considered by the Contracting Authority, unless the Bidder can justify that the reason for the delay, is solely attributable to the Contracting Authority
- 7.3 Do ensure you have read all the training materials to utilise e-sourcing tool prior to responding to this Bid. If you send your Bid by email or post it will be rejected.
- 7.4 Do use Microsoft Word, PowerPoint Excel 97-03 or compatible formats, or PDF unless agreed in writing by the Buyer. If you use another file format without our written permission we may reject your Bid.
- 7.5 Do ensure you utilise the Emptoris messaging system to raise any clarifications to our ITQ. You should note that we will release the answer to the question to all Bidders and where we suspect the question contains confidential information we may modify the content of the question to protect the anonymity of the Bidder or their proposed solution
- 7.6 Do answer the question, it is not enough simply to cross-reference to a 'policy', web page or another part of your Bid, the evaluation team have limited time to assess bids and if they can't find the answer, they can't score it.
- 7.7 Do consider who the Contracting Authority is and what they want – a generic answer does not necessarily meet every Contracting Authority's needs.
- 7.8 Do reference your documents correctly, specifically where supporting documentation is requested e.g. referencing the question/s they apply to.
- 7.9 Do provide clear, concise and ideally generic contact details; telephone numbers, e-mails and fax details.
- 7.10 Do complete all questions in the questionnaire or we may reject your Bid.
- 7.11 Do ensure that the Response and any documents accompanying it are in the English Language, the Contracting Authority reserve the right to disqualify any full or part responses that are not in English.
- 7.12 Do check and recheck your Bid before dispatch.

What makes a good bid – some simple do not's

DO NOT

- 7.13 Do not cut and paste from a previous document and forget to change the previous details such as the previous buyer's name.
- 7.14 Do not attach 'glossy' brochures that have not been requested, they will not be read unless we have asked for them. Only send what has been requested and only send supplementary information if we have offered the opportunity so to do.
- 7.15 Do not share the Procurement documents, they are confidential and should not be shared with anyone without the Buyers written permission.
- 7.16 Do not seek to influence the procurement process by requesting meetings or contacting UK SBS or the Contracting Authority to discuss your Bid. If your Bid requires clarification the Buyer will contact you. All information secured outside of formal Buyer communications shall have no Legal standing or worth and should not be relied upon.
- 7.17 Do not contact any UK SBS staff or the Contracting Authority staff without the Buyers written permission or we may reject your Bid.
- 7.18 Do not collude to fix or adjust the price or withdraw your Bid with another Party as we will reject your Bid.
- 7.19 Do not offer UK SBS or the Contracting Authority staff any inducement or we will reject your Bid.
- 7.20 Do not seek changes to the Bid after responses have been submitted and the deadline for Bids to be submitted has passed.
- 7.21 Do not cross reference answers to external websites or other parts of your Bid, the cross references and website links will not be considered.
- 7.22 Do not exceed word counts, the additional words will not be considered.
- 7.23 Do not make your Bid conditional on acceptance of your own Terms of Contract, as your Bid will be rejected.
- 7.24 Do not unless explicitly requested by the Contracting Authority either in the procurement documents or via a formal clarification from the Contracting Authority send your response by any way other than via e-sourcing tool. Responses received by any other method than requested will not be considered for the opportunity.

Some additional guidance notes

- 7.25 All enquiries with respect to access to the e-sourcing tool and problems with functionality within the tool must be submitted to Crown Commercial Service (previously Government Procurement Service), Telephone 0345 010 3503.
- 7.26 Bidders will be specifically advised where attachments are permissible to support a question response within the e-sourcing tool. Where they are not permissible any attachments submitted will not be considered as part of the evaluation process.
- 7.27 Question numbering is not sequential and all questions which require submission are included in the Section 6 Evaluation Questionnaire.
- 7.28 Any Contract offered may not guarantee any volume of work or any exclusivity of supply.
- 7.29 We do not guarantee to award any Contract as a result of this procurement
- 7.30 All documents issued or received in relation to this procurement shall be the property of the Contracting Authority. / UKSBS.
- 7.31 We can amend any part of the procurement documents at any time prior to the latest date / time Bids shall be submitted through Emptoris.
- 7.32 If you are a Consortium you must provide details of the Consortiums structure.
- 7.33 Bidders will be expected to comply with the Freedom of Information Act 2000 or your Bid will be rejected.
- 7.34 Bidders should note the Government's transparency agenda requires your Bid and any Contract entered into to be published on a designated, publicly searchable web site. By submitting a response to this ITQ Bidders are agreeing that their Bid and Contract may be made public
- 7.35 Your bid will be valid for modify duration if not 60 days or your Bid will be rejected.
- 7.36 Bidders may only amend the contract terms during the clarification period only, only if you can demonstrate there is a legal or statutory reason why you cannot accept them. If you request changes to the Contract terms without such grounds and the Contracting Authority fail to accept your legal or statutory reason is reasonably justified we may reject your Bid.
- 7.37 We will let you know the outcome of your Bid evaluation and where requested will provide a written debrief of the relative strengths and weaknesses of your Bid.
- 7.38 If you fail mandatory pass / fail criteria we will reject your Bid.
- 7.39 Bidders are required to use IE8, IE9, Chrome or Firefox in order to access the functionality of the Emptoris e-sourcing tool.
- 7.40 Bidders should note that if they are successful with their proposal the Contracting Authority reserves the right to ask additional compliancy checks prior to the award of any Contract. In the event of a Bidder failing to meet one of the compliancy checks

the Contracting Authority may decline to proceed with the award of the Contract to the successful Bidder.

- 7.41 All timescales are set using a 24 hour clock and are based on British Summer Time or Greenwich Mean Time, depending on which applies at the point when Date and Time Bids shall be submitted through Emptoris.
- 7.42 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.

For these purposes, the Contracting Authority may disclose within Government any of the Bidders documentation/information (including any that the Bidder considers to be confidential and/or commercially sensitive such as specific bid information) submitted by the Bidder to the Contracting Authority during this Procurement. The information will not be disclosed outside Government. Bidders taking part in this ITQ consent to these terms as part of the competition process.

- 7.43 The Government introduced its new Government Security Classifications (GSC) classification scheme on the 2nd April 2014 to replace the current Government Protective Marking System (GPMS). A key aspect of this is the reduction in the number of security classifications used. All Bidders are encouraged to make themselves aware of the changes and identify any potential impacts in their Bid, as the protective marking and applicable protection of any material passed to, or generated by, you during the procurement process or pursuant to any Contract awarded to you as a result of this tender process will be subject to the new GSC. The link below to the Gov.uk website provides information on the new GSC:

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

The Contracting Authority reserves the right to amend any security related term or condition of the draft contract accompanying this ITQ to reflect any changes introduced by the GSC. In particular where this ITQ is accompanied by any instructions on safeguarding classified information (e.g. a Security Aspects Letter) as a result of any changes stemming from the new GSC, whether in respect of the applicable protective marking scheme, specific protective markings given, the aspects to which any protective marking applies or otherwise. This may relate to the instructions on safeguarding classified information (e.g. a Security Aspects Letter) as they apply to the procurement as they apply to the procurement process and/or any contracts awarded to you as a result of the procurement process.

USEFUL INFORMATION LINKS

- [Emptoris Training Guide](#)
- [Emptoris e-sourcing tool](#)
- [Contracts Finder](#)
- [Equalities Act introduction](#)
- [Bribery Act introduction](#)
- [Freedom of information Act](#)