## **NHS Arden & GEM CSU**

## **Invitation to tender for Care Navigator Training for NHS Sandwell & West Birmingham CCG**

## **Date of advertisement on Contract Finder: 19th October 2017**

## **Authority's reference number: AGEMCSU/TRANS/17/472**

## **Deadline for Tenders to be received: 5pm Thursday 16th November 2017**

## **SECTION A – INSTRUCTIONS AND INFORMATION**

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1. INTRODUCTION AND BACKGROUND
   1. NHS Arden & GEM CSU ("**the** **Authority**") is issuing this invitation to tender on behalf of NHS Sandwell & West Birmingham CCG ("**ITT**") in connection with the provision of Care Navigator Training as set out within the Service Specification
   2. This ITT Section A contains further information about the procurement process.
   3. ITT Section B contains the questions that Bidders must complete. Each Bidder's response ("**Tender**") should be detailed enough to allow the Authority to make an informed award decision.
   4. All Tenders must be returned no later than the deadline for receipt of Tenders specified on the front cover of this ITT.

* 1. The Authority is using the Bravo e-tendering portal to conduct the procurement process ("**the e-Tendering Portal**"). The e-Tendering Portal can be accessed [www.ardengemcsu.bravosolution.co.uk](http://www.ardengemcsu.bravosolution.co.uk). All communications (including submission of Tenders) should be carried out via the e-Tendering Portal.
  2. This procurement process is a **below threshold procurement with a maximum contract value of £105k plus VAT (over 4 years), any bid over this value will be excluded from the process** and is not regulated by Parts 2 and 3 of the Public Contracts Regulations 2015.

# Contents of the ITT

* 1. This ITT document consists of:

|  |  |
| --- | --- |
| **Section A – Instructions and information** | |
| 1 | Introduction and background |
| 2 | Tender timetable |
| 3 | Instructions to Bidders |
| 4 | Tender evaluation methodology and criteria |
| Annex A1 | NHS Terms and Conditions |
| **Section B – Tender Schedules (to be returned by Bidders)** | |
| Annex B1 | Eligibility questions and responses |
| Annex B2 | Specification |
| Annex B3 | Tender Response Document |
| Annex B4 | Commercial Schedule |
| Annex B5 | Confidential and commercially sensitive information |  |
| Annex B6 | Form of Tender |  |

# Introduction to the procurement

* 1. Full details of the Authority's requirements are set out in the Specification in Annex B2 of Section B.

# SMEs

* 1. The Authority is committed to supporting the Government’s small and medium-sized enterprise (SME) initiative; its aspiration is that 25% of spend, direct and through the supply chain, goes to SMEs by 2015. Suppliers are encouraged to work with the Authority to support the wider SME initiative.

* 1. The link below to the Cabinet Office website provides information on the Government’s Crown Representative for SMEs, a link to the definition of an SME and details on the SME initiative: <https://www.gov.uk/government/policies/buying-and-managing-government-goods-and-services-more-efficiently-and-effectively/supporting-pages/making-sure-government-gets-full-value-from-small-and-medium-sized-enterprises>.

# Questions about this ITT

* 1. You may submit, by no later than 7th November 2017 any queries that you have relating to this ITT. Please submit such queries via the e-Tendering Portal.
  2. Any specific queries should clearly reference the appropriate paragraph in the ITT documentation and, to the extent possible, should be aggregated rather than sent individually. The Authority may decline to answer queries received after the above deadline.
  3. Answers to the questions received by the Authority will be circulated to all Bidders via the e-Tendering Portal. Answers will not reveal the identity of the individual Bidder that asked a particular question. The Authority may decide not to disclose answers, or parts of answers, which would reveal confidential or commercially sensitive information in relation to a particular Bidder.

1. TENDER TIMETABLE

# Key dates

* 1. The procurement will follow a clear, structured and transparent process to ensure a fair and level playing field so that all Bidders are treated equally.
  2. The key dates for this procurement are currently anticipated to be as follows:

|  |  |
| --- | --- |
| **Event** | **Date** |
| ITT issued | 19th October 2017 |
| Deadline for the receipt of clarification questions | 7th November 2017 |
| Target date for responses to clarification questions | 13th November 2017 |
| Deadline for receipt of Tenders | 16th November 2017 |
| Evaluation of Tenders | November | December 2017 |
| Notification of contract award decision | December 2017 | January 2018 |
| Contract award | December 2017 | January 2018 |
| Contract work starts | January 2018 |

* 1. Whilst the Authority does not intend to depart from the timetable, it reserves the right to do so at any stage.

# Deadline for receipt of Tenders

* 1. Bidders must submit their Tenders in the manner prescribed in section 3 below no later than the date and time specified on the front cover of this ITT.
  2. Any Tender received after the deadline or by any method other than via the e-Tendering Portal may not be considered. The Authority may at its discretion extend the deadline and in such circumstances the Authority will notify all Bidders of any change.

# Clarification Meetings

* 1. Following the assessment of the Tender proposals, the Authority **may** invite Bidders to a clarification meeting. If required this will take place between receipt of Tenders and announcement of successful Tender and will include the three highest scoring bidders from the written evaluation. In the event the written scores are very close more than three suppliers may be invited.
  2. Although not scored on a separate basis, the session will be used to confirm the technical / quality score assessments of the Tender evaluation. As such, scores achieved during the written Tender evaluation may be adjusted (up or down) and the consolidated score of a Bidder amended.

# Contract award

* 1. Contract award is subject to the formal approval process of the Authority. Until all necessary approvals are obtained, no contract(s) will be entered into.

* 1. Once the Authority has reached a decision in respect of a contract award, it will notify all Bidders of that decision.

1. INSTRUCTIONS TO BIDDERS

**Eligibility Questions and Responses**

* 1. The Eligibility Questions is a self-declaration, made by you (the potential supplier), that you do not meet any of the grounds for exclusion[[1]](#footnote-1). If there are grounds for exclusion, there is an opportunity to explain the background and any measures you have taken to rectify the situation (we call this self-cleaning).

* 1. A completed declaration of Part 1 and Part 2 of the Eligibility Questions provides a formal statement that the organisation making the declaration has not breached any of the exclusions grounds. Consequently we require all the organisations that you will rely on to meet the selection criteria to provide a completed Part 1 and Part 2 of the Eligibility Questions. For example these could be parent companies, affiliates, associates, or essential sub-contractors, if they are relied upon to meet the selection criteria. This means that where you are joining in a group of organisations, including joint ventures and partnerships, each organisation in that group must complete one of these self-declarations. Sub-contractors that you rely on to meet the selection criteria must also complete a self-declaration (although sub-contractors that are not relied upon do not need to complete the self-declaration).

Supplier Selection Questions: Part 3

* 1. This procurement document provides instructions on the selection questions you need to respond to and how to submit those responses. If you are bidding on behalf of a group (consortium) or you intend to use sub-contractors, you should complete all of the selection questions on behalf of the consortium and/or any sub-contractors.
  2. If the relevant documentary evidence referred to in the Eligibility Questions is not provided upon request and without delay the Authority reserves the right to amend the contract award decision and award to the next compliant bidder.

Consequences of misrepresentation

* 1. If you seriously misrepresent any factual information in filling in the Eligibility Questions, and so induce an authority to enter into a contract, there may be significant consequences. You may be excluded from the procurement procedure, and from bidding for other contracts for three years. If a contract has been entered into you may be sued for damages and the contract may be rescinded. If fraud, or fraudulent intent, can be proved, you or your responsible officers may be prosecuted and convicted of the offence of fraud by false representation, and you must be excluded from further procurements for five years.

Notes for completing the Eligibility Questions

* 1. “You” / “Your” refers to the potential supplier completing this standard Selection Questionnaire i.e. the legal entity responsible for the information provided. The term “potential supplier” is intended to cover any economic operator as defined by the Public Contracts Regulations 2015 (referred to as the “regulations”) and could be a registered company; the lead contact for a group of economic operators; charitable organisation; Voluntary Community and Social Enterprise (VCSE); Special Purpose Vehicle; or other form of entity.
  2. Please ensure that all questions are completed in full, and in the format requested. If the question does not apply to you, please state ‘N/A’. Should you need to provide additional information in response to the questions, please submit a clearly identified annex.
  3. The Authority recognises that arrangements set out in section 1.2 of the Eligibility Questions, in relation to a group of economic operators (for example, a consortium) and/or use of sub-contractors, may be subject to change and will, therefore, not be finalised until a later date. The lead contact should notify the authority immediately of any change in the proposed arrangements and ensure a completed Part 1 and Part 2 of the Eligibility Questions is submitted for any new organisation relied on to meet the selection criteria. The authority will make a revised assessment of the submission based on the updated information.
  4. For Part 1 and Part 2 of the Eligibility Questions every organisation that is being relied on to meet the selection must complete and submit the self-declaration.

* 1. All sub-contractors are required to complete Part 1 and Part 2 of the Eligibility Questions*.*
  2. For answers to Part 3 of the Eligibility Questions -If you are bidding on behalf of a group, for example, a consortium, or you intend to use sub-contractors, you should complete all of the questions on behalf of the consortium and/ or any sub-contractors, providing one composite response and declaration
  3. The Authority confirms that it will keep confidential and will not disclose to any third parties any information obtained from a named customer contact, other than to the Cabinet Office and/or contracting authorities defined by the regulations, or pursuant to an order of the court or demand made by any competent authority or body where the authority is under a legal or regulatory obligation to make such a disclosure

**Formalities for submission of Eligibility Questions**

* 1. The Eligibility Questions are structured in three separate parts:
     1. Part 1: Basic information about the Bidder, including contact details, details of parent companies and group bidding;
     2. Part 2: Self-declaration regarding whether or not any of the mandatory or discretionary exclusion grounds apply; and
     3. Part 3: Self-declaration regarding whether or not you meet the selection criteria in respect of your financial standing and technical capacity.

* 1. Bidders must log-on to the e-Tendering Portal and complete and return the attached word document marked “Eligibility Questions*”*

**[](#note3point20" \o "Link to Guidance Note)**

# Formalities for submission of Tenders

* 1. Bidders must submit their Tenders by completing the online Response Template of the ITT. Completed Tenders must be submitted using the e-Tendering Portal. Bidders should ensure that they allow plenty of time to upload the Tender response, particularly where there are large documents. If Bidders have any problems with the e-Tendering Portal, they should contact the helpdesk.
  2. The maximum file size for uploading documents is set out within the Bravo system. You should split your Tender into small enough file sizes to upload. Note: the Authority does not guarantee that you will be able to upload files up to the maximum size, particularly at busy times. For this reason it is recommended that Bidders should ensure files are well below the maximum stated and allow plenty of time to upload, so they have enough time to resolve any technical difficulties before the deadline.
  3. Bidders must adhere to the following standard requirements when submitting their Tenders:
     1. The Tender must be in English and drafted in accordance with the drafting guidance set out in this ITT.
     2. **You must respond using the on-line response template**. Each question has been assigned a number of response boxes. Each response box has a maximum character limit of 2000. Attachments will not be evaluated unless they are requested within the ITT question
  4. Where a word count limit is specified, Bidders should state how many words their response contains. The Authority reserves the right not to consider any part of a response exceeding the word limit. Words included within diagrams or other graphic representations will count towards the word limit.

* 1. The Tender must be clear, concise and complete. The Authority reserves the right to mark Bidders down or exclude them from the procurement if their Tenders are ambiguous or lack clarity. Bidders should submit only such information as is necessary to respond effectively to this ITT. Unless specifically requested, do not include extraneous presentation materials.

* 1. Tenders will be evaluated on the basis of information submitted by the deadline. Where information or documentation submitted appears to be incomplete or erroneous or specific documents are missing, the Authority reserves the right to request the Bidder to submit, supplement, clarify or complete the information or documentation.
  2. The Tender must be signed by a duly authorised representative of the Bidder.

# Modification and withdrawal of Tenders

* 1. Except as set out in paragraph 3.23, no Tender may be modified after the deadline for receipt of Tenders.

* 1. Tenders may be withdrawn at any time before the deadline for receipt of Tenders. Revised Tenders may be submitted up until the deadline for receipt of Tenders, provided such intention is notified to the Authority using the e-Tendering Portal.

# Terms and conditions

* 1. The contract will include the NHS Terms and Conditions set out in Annex A1. It is vital that the Bidder reviews these carefully, and takes account of all information such as key performance indicators and insurance requirements and that the Tender fully takes account of these. By submitting a Tender, Bidders are agreeing to be bound by the terms of this ITT and the NHS Terms and Conditions without further negotiation or amendment.

# Consortia and subcontractors

* 1. If the Bidder is a consortium or will rely on sub-contractors to deliver the contract, it must explain in its Tender precisely which entities will be the supplier.
  2. If the Bidder intends to sub-contract any material parts of the contract, it must explain which parts will be sub-contracted, who the sub-contractor is, confirm the sub-contractor has agreed terms of supply and what contractual commitment it has from the sub-contractor to deliver.

# Warnings and disclaimers

* 1. While the information contained in this ITT is believed to be correct at the time of issue, neither the Authority nor its advisors will accept any liability for its accuracy, adequacy or completeness, nor will any express or implied warranty be given. This exclusion extends to liability in relation to any statement, opinion or conclusion contained in or any omission from, this ITT (including its annexes) and in respect of any other written or oral communication transmitted (or otherwise made available) to any Bidder. This exclusion does not extend to any fraudulent misrepresentation made by or on behalf of the Authority.
  2. If a Bidder proposes to enter into a contract with the Authority, it must rely on its own enquiries and on the terms and conditions set out in the contract(s) (as and when finally executed), subject to the limitations and restrictions specified in it.
  3. Neither the issue of this ITT, nor any of the information presented in it, should be regarded as a commitment or representation on the part of the Authority (or any other person) to enter into a contractual arrangement.

# Freedom of Information Act 2000 and Environmental Information Regulations 2004

* 1. As a public body, the Authority is subject to, and must comply with, the Freedom of Information Act 2000 ("**FOIA**") and the Environmental Information Regulations 2004 ("**EIR**"). The Authority may therefore be required to disclose information submitted by the Bidder.
  2. If a Bidder considers any part of its Tender to be confidential or commercially sensitive, it must complete Annex B5 to Section B of this ITT, with a statement of which exemptions are relevant under FOIA and/or the EIR.
  3. Where a Bidder identifies information as commercially sensitive, the Authority will take those views into account. Bidders should note, however, that, even where information is identified as commercially sensitive, the Authority may be required to disclose such information in accordance with FOIA or the EIR. Accordingly, the Authority cannot guarantee that it will withhold information marked ‘confidential’, 'commercially sensitive' or otherwise exempt.

# Publicity

* 1. No publicity regarding the procurement or the award of any contract will be permitted unless and until the Authority has given express written consent to the relevant communication.

# Bidder conduct and conflicts of interest

* 1. Any attempt by Bidders or their advisors to influence the contract award process in any way may result in the Bidder being disqualified. Specifically, Bidders shall not directly or indirectly at any time:
     1. devise or amend the content of their Tender in accordance with any agreement or arrangement with any other person, other than in good faith with a person who is a proposed partner, supplier, consortium member or provider of finance;
     2. enter into any agreement or arrangement with any other person as to the form or content of any other Tender, or offer to pay any sum of money or valuable consideration to any person to effect changes to the form or content of any other Tender;
     3. enter into any agreement or arrangement with any other person that has the effect of prohibiting or excluding that person from submitting a Tender;
     4. canvass the Authority or any employees or agents of the Authority in relation to this procurement; and/or
     5. attempt to obtain information from any of the employees or agents of the Authority or their advisors concerning another bidder or Tender (except for debrief information requests made through the e-Tendering Portal).
  2. Bidders are responsible for ensuring that no conflicts of interest exist between the Bidder and its advisers, and the Authority and its advisors. Bidders should notify the Authority promptly of any possible conflict and the proposed steps that the Bidder believes can be taken to avoid the conflict. Any Bidder who fails to comply with these requirements may be excluded from the procurement at the discretion of the Authority.

# Authority's rights

* 1. Subject to its obligations to act in a transparent, proportionate and non-discriminatory manner, the Authority reserves the right to:
     1. waive or change the requirements of this ITT from time to time;
     2. seek clarification or documents in respect of a Bidder's submission;
     3. disqualify any Bidder that does not submit a compliant Tender in accordance with the instructions in this ITT;
     4. disqualify any Bidder that is guilty of serious misrepresentation in relation to its Tender or the Tender process;
     5. withdraw this ITT at any time, or re-invite Tenders on the same or any alternative basis;
     6. choose not to award any contract as a result of the current procurement process; and
     7. make whatever changes it sees fit to the timetable, structure or content of the procurement process.

# Bid costs

* 1. The Authority will not be liable for any bid costs, expenditure, work or effort incurred by a Bidder in proceeding with or participating in this procurement, including if the procurement process is terminated or amended by the Authority.

# Language

* 1. Tenders, all documents and all correspondence relating to the Tender must be written in English.

# Transparency

* 1. In accordance with the Public Contracts Regulations 2015 and the Government’s policy on transparency, Bidders should be aware that the Authority intends to make the ITT and details of any subsequent contract publicly available, by publication on the Government's Contracts Finder portal.

# Governing Law and Jurisdiction

* 1. This ITT and any dispute concerning it (including non-contractual disputes or claims) shall be governed by English law and subject to the jurisdiction of the English Courts.

1. TENDER EVALUATION METHODOLOGY AND CRITERIA

# Overview

* 1. This section of the ITT sets out the criteria that the Authority will use to evaluate Tenders.
  2. Bidders are required to submit a Tender strictly in accordance with the requirements set out in this ITT, to ensure the Authority has the correct information to make the evaluation. If a Tender is equivocal or unclear, the Authority may deduct marks when scoring it or it may treat the Tender as non-compliant and reject it.
  3. The Authority will award the contract to the Tender that scores the highest marks, applying the methodology below. Scoring will be carried out as follows:
     1. The Bidder must pass all eligibility questions in Annex B1 of Section B (Annex of eligibility questions and responses) ("**Eligibility Questions**").
     2. The Authority will then mark Annex B3 of Section B (Tender Response Document) ("**Scored Questions**") for all Bidders that pass all the Eligibility Questions.
  4. The Authority will mark Eligibility Questions as described in paragraphs 4.5 to 4.7 below. It will mark the Scored Questions as described in paragraphs 4.8 to 4.12

# Criteria – Eligibility Questions

* 1. The Authority will score Eligibility Questions on the following basis:

Section 1 is for information only. Sections 2, 3, 4, 5, 6, 7, 8 and 9 will be scored on a Pass or Fail basis. Bidders are asked to Self-Certify with in the Bravo qualification envelope that they meet the published evaluation criteria.

* 1. To score a "pass" for the Eligibility Questions, the Tender must adequately address all key points and include adequate supporting evidence / examples / information. It must give a reasonable degree of confidence that the Bidder has the capability, resource and experience to properly perform the contract.
  2. Where a Bidder scores a "fail" for any question, the Authority will treat the Tender as non-compliant and it will not award a mark for the Scored Questions.

* 1. Bidders who meet the Eligibility Questions will have their written submission evaluated on the basis of the following Quality and Pricing criteria.

Quality Questions and Pricing Evaluation

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Criteria Number** | **Award Criteria** | | **Percentage Weightings** | | |
| A | Quality | | 80% | | |
| B | Price | | 20% | | |
| **Quality** | |  | | **80%** |
| 1 | | Please describe your understanding of our requirements | | 10% |
| 2 | | Please set out your proposed approach to the delivery of the requirements, including utilisation of online resources | | 15% |
| 3 | | Please set out your proposed service delivery team including key skills of the team | | 5% |
| 4 | | Please set out your previous experience of delivering similar/equivalent services | | 10% |
| 5 | | Please describe your proposed learning environment/s and structure of course | | 10% |
| 6 | | Please describe how data from feedback will be actioned and shared with CCG, and any follow-up support you can provide to attendees | | 10% |
| 7 | | How will you mobilise the service within the timescales associated with the project | | 10% |
| 8 | | Please describe how you will measure pre course assessment competency and provide accreditation or certification for the training | | 5% |
| 9 | | How will you explain the benefits of Care Navigation and help drive the change in culture and roles of these staff | | 5% |
| **Price** | |  | | **20%** |
| 10 | | Please set out your full costs for the provision of this service | | 20% |

# Criteria – Scored Questions: pricing evaluation

* 1. Tender prices will be scored on a comparative basis, with the lowest compliant Tender (excluding any Tenders that the Authority rejects as being abnormally low or non-compliant) receiving 100% of the available marks 20% following weighting). All other Tenders will be compared against that lowest Tender using the formula:

## (A / B) x 20

## A = price of lowest compliant Tender

## B = price of the Tender being scored

* 1. **This is a below Threshold Procurement and we ask that bidders submit their most competitive offer below the EU threshold**. We have included a budget of £105k plus vat (over the 4 years) and ask that bidders consider their most competitive proposed solution. Any bid that exceeds £105k excluding VAT will be excluded from this process.

* 1. If it appears to the Authority that any Tender may be abnormally low then the Authority may ask the Bidder to explain its price or costs. If following the Bidder's explanations the Authority is not satisfied with the Bidder's account for the low level of price or cost in the Tender, the Authority may treat the Tender as non-compliant and reject it.

# Criteria – Scored Questions: technical and quality evaluation

* 1. The technical evaluation will be scored in accordance with the table below:
  2. There are 9 quality questions which have each been assigned a weighting, which will be scored on the basis of the 0-5 criteria set out below. Each question has been assigned a weighting, the total of which equates to 80%.

The weighted score for each question will be calculated in accordance with the 0-5 scoring, so for example; Question (1) has a weighting of 10%, thus a score of 5 will equal 10%, a score of 4 will equal 8% and a score of 3 will equal 6%, Question (2) has a weighting of 15%, thus a score of 5 will equal 15%, a score of 4 will equal 12% and a score of 3 will equal 9%.

Any bidder scoring less than 60% of the quality score will be excluded from further consideration and will not have their financial submission evaluated.

|  |  |  |
| --- | --- | --- |
| **Assessment** | **Score** | **Interpretation** |
| Excellent | 5 | Exceeds the requirement.   Exceptional demonstration by the supplier of the relevant ability, understanding, experience, skills, resource and quality measures required to provide the services.  Response identifies factors that will offer potential added value, with evidence to support the response. |
| Good | 4 | Satisfies the requirement with minor additional benefits.  Above average demonstration by the supplier of the relevant ability, understanding, experience, skills, resource and quality measures required to provide the services.  Response identifies factors that will offer potential added value, with evidence to support the response. |
| Acceptable | 3 | Satisfies the requirement.   Demonstration by the supplier of the relevant ability, understanding, experience, skills, resource and quality measures required to provide the services with evidence to support the response. |
| Minor Reservations | 2 | Satisfies the requirement with minor reservations.   Some minor reservations of the supplier’s relevant ability, understanding, experience, skills, resource and quality measures required to provide the services with little or no evidence to support the response. |
| Serious Reservations | 1 | Satisfies the requirement with major reservations.  Considerable reservations of the supplier’s relevant ability, understanding, experience, skills, resource and quality measures required to provide the services, with little or no evidence to support the response. |
| Unacceptable | 0 | Does not meet the requirement.  Does not comply and/or insufficient information provided to demonstrate that the supplier has the ability, understanding, experience, skills, resource and quality measures required to provide the services, with little or no evidence to support the response. |

**ANNEX A1  
NHS TERMS AND CONDITIONS**

The Authority intends to enter into a contract with the successful Bidder on the NHS Terms and Conditions for the supply of services.

This Annex A1 contains the NHS Terms and Conditions.

The Specification and Tender Response Document are set out in Annex B2 and B3 section of this ITT.

[**https://www.gov.uk/government/publications/nhs-standard-terms-and-conditions-of-contract-for-the-purchase-of-goods-and-supply-of-services**](https://www.gov.uk/government/publications/nhs-standard-terms-and-conditions-of-contract-for-the-purchase-of-goods-and-supply-of-services)**.**

1. For the list of exclusion please see

   <https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List_of_Mandatory_and_Discretionary_Exclusions.pdf> [↑](#footnote-ref-1)