# Invitation to Tender (ITT) and Statement of Requirement

# Developing leading indicators of passenger and freight train performance

11 October 2024

* + - * + **CPV Code: 79400000**
        + **Tender Reference: ORR/CT/24-50**

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Purpose of the document

The purpose of this document is to invite proposals for the leading indicators of passenger and freight train performance for the Office of Rail and Road (ORR).

This document contains the following sections:

* + - 1. Introduction to the Office of Rail and Road
      2. Statement of Requirement
      3. Tender Proposal & Evaluation Criteria
      4. Procurement Procedures

## Introduction to the Office of Rail and Road

The Office of Rail and Road is the independent safety and economic regulator of Britain’s railways who also hold National Highways to account for its day-to-day efficiency and performance, running the strategic road network, and for delivering the five-year road investment strategy set by the Department for Transport (DfT).

ORR currently employs approximately 360 personnel and operates from 6 locations nationwide. The majority of personnel are located at ORR’s headquarters, 25 Cabot Square, London.

### Our strategic objectives

#### 1. A safer railway:

Enforce the law and ensure that the industry delivers continuous improvement in the health and safety of passengers, the workforce and public, by achieving excellence in health and safety culture, management and risk control.

#### 2. Better rail customer service:

Improve the rail passenger experience in the consumer areas for which we have regulatory responsibility and take prompt and effective action to improve the service that passengers receive where it is required.

#### 3. Value for money from the railway:

Support the delivery of an efficient, high-performing rail service that provides value for money for passengers, freight customers, governments, and taxpayers.

#### 4. Better Highways:

National Highways operates the strategic road network, managing motorways and major roads in England. Our role is to monitor and hold it to account for its performance and delivery, so that its customers enjoy predictable journeys on England’s roads.

### Supplying ORR

The ORR procurement unit is responsible for purchasing the goods and services necessary for ORR to achieve its role as the economic and health & safety regulator of the rail industry.

The ORR Procurement unit subscribes to the following values:

* + - * + to provide a modern, efficient, transparent and responsible procurement service;
        + to achieve value for money by balancing quality and cost;
        + to ensure contracts are managed effectively and outputs are delivered;
        + to ensure that processes have regard for equality and diversity; and
        + to ensure that procurement is undertaken with regard to Law and best practice.

For further information on ORR please visit our website: [www.orr.gov.uk](https://www.orr.gov.uk/).

Small and Medium Enterprises

1. ORR considers that this contract may be suitable for economic operators that are small or medium enterprises (SMEs) and voluntary organisations. However, any selection of tenderers will be based on the criteria set out for the procurement, and the contract will be awarded on the basis of the most economically advantageous tender.

Small and Medium Enterprises and Voluntary Organisations:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Enterprise Category | Headcount | Turnover | Or | Balance Sheet Total |
| Micro | <10 | ≤ € 2 million |  | ≤ € 2 million |
| Small | <50 | ≤ € 10 million |  | ≤ € 10 million |
| Medium | <250 | ≤ € 50 million |  | ≤ € 43 million |
| Large | >251 | > € 50 million |  | > € 43 million |

Please ensure that you indicate how your organisation is categorised on the Form of Tender document which should be submitted along with your proposal.

## Statement of Requirement

### 2.1 Background of the project

ORR’s Final Determination for CP7 (2024-25 – 2028-29) set Network Rail challenging whole industry passenger and freight performance targets. As part of our approach and to support improvements in performance, ORR said it would publish leading indicators of train performance.

ORR’s aim is to “provide greater overall confidence in the direction of the rail network. Sharing this information, with supporting analysis, should demonstrate that the rail industry is collectively acting in ways that will improve medium and long-term outcomes for passengers and freight.”

This set of industry leading measures will also support the work of the Network Performance Board (NPB) in its objectives, primarily in fulfilling the “Performance Restoration Framework” (PRF) that it agreed with the Secretary of State for Transport in August 2024.

This work is being led by ORR’s Operations team whose main role is to monitor and hold Network Rail to account for its delivery of passenger and freight train performance. The team is led by the Deputy Director, Rail Operations, who is supported by an Operations Manager and three Operations Advisers.

While this work is funded by ORR and the outputs will be published on ORR’s website, this is a joint industry workstream between ORR, Network Rail and Rail Delivery Group (RDG).

### 2.2 Project Objectives and Scope

**Objective:** **to develop a set of leading indicators of passenger and freight train punctuality and reliability, which will help improve outcomes by focusing on key preconditions for success.**

These industry metrics may include “true” leading measures or “controllable inputs” which create the precondition for success, giving insight into the steps the rail industry is taking to improve outcomes for passengers and freight**.**

The indicators should be collected at local levels, with the ability to aggregate to TOC/Route/Region/National level. The final set of measures should be developed into a core set of indicators, ideally but not limited to, between 8 and 12.

The leading indicators will be published by ORR on a regular basis, most likely every financial quarter, aligning with railway reporting periods.

The following sections will provide further insight into the scope of work and required activities:

**Key principles**

ORR, Network Rail and RDG have agreed some principles that the leading indicators will conform to:

* + 1. The indicators should cover all five elements of the Performance Restoration Framework (PRF), both Network Rail and Train Operator.

1. They might cover elements of the Whole System Model of performance that are not explicitly in the PRF, such as seasonal impact, if appropriate and if the number of indicators allows.
   * 1. The leading indicators should be an influential driver of future performance:
   1. There should be a correlation between the individual leading indicators and train performance
   2. The causal effect of the individual leading indicators should be understood and accepted by those with suitable seniority, knowledge and experience.
      1. Industry should be able to control or influence the indicators. The timeframe in which the individual indicators effect train performance should be defined.
      2. The indicators should be relevant and understandable at local level (Depot/DU level) but will also be able to be aggregated to TOC/route/regional/National level.
      3. The data for the leading indicators ideally should be easy to obtain, consistent, preferably from an auditable system and with minimal marginal cost.
      4. The measure must be reliable, not easily manipulable or ‘gamed’, and the meaning of its trend must be unambiguous.

**PRF key questions**

As described above, the leading indicators will mainly align with the five key questions set out in the PRF. These are:

1. Does the base train plan actually work? (i.e. does it model to a high level of punctuality both with and without perturbation).
2. Is the train plan properly resourced? (i.e. sufficient competent railway staff, sufficient trains etc).
3. Are we maintaining the railway in line with our plan (service affecting failures, primary delay, maintenance backlogs, Temporary Speed Restrictions (TSRs) etc)
4. How do we reverse the long running adverse trends for trespass and suicide?
5. How do we keep trains running safely more often during disruptive events, taking into account the whole system risk for all customers?

There may be some indicators developed that do not directly inform these questions but reflect other parts of the industry’s PIMS (Performance Improvement Management System) “Whole System Model” of performance, for example on seasonal impact.

**Initial development of list of potential measures**

ORR is currently in the process of developing a ‘long list’ of potential measures based on known data sources. In collaboration with Network Rail and RDG, this list will be refined and a ‘shortlist’ will be shared with the successful bidder. This ‘shortlist’ will need to be considered by the consultants, alongside any other potential suitable measures that emerge during industry engagement, and developed into a final list of core metrics (ideally, but not limited to, 8-12 measures).

**Required activities**

The project is expected to run from 08 November 2024 to 28 February 2025 and has the following activities.

* Review and evaluate the shortlist of measures provided by ORR, alongside any other potential suitable industry metrics, identifying the strengths and weaknesses of each measure, considering the key questions and consistency with the principles.
* Recommend the most appropriate set of core metrics, ideally but not limited to 8-12 measures, to be published quarterly, consistent with the new NPB PRF
* Demonstrate how the set of leading indicators can be used in practice across the industry to influence performance outcomes in the short, medium and long-term.
* Determine the steps needed to sign-off the measures and publish:

i) for local use within the industry;

ii) for NPB; and

iii) externally, on the ORR website.

* Work in close partnership with key stakeholders, including RDG and Network Rail to detail and formalise other data sharing arrangements, e.g. with RDG, that need to be formalised to secure the measures
* Work with ORR to document the collation methodology, and proposed responsibilities for data collection and processing
* To support the pace with which NPB needs to work, we highlight that ORR/NR/RDG may wish to process a small number of preliminary indicators (likely relating to resource availability) for NPB in advance of wider publication; we will work with the successful bidder to prioritise accordingly.

**Data**

There will be constraints, and associated risks, in connection with gathering the data. There may be confidentiality issues with the required data The most suitable data for the leading indicators may not currently be accessible to ORR. The data may need to come from parties who are not obliged to provide ORR with data, and from third party (primarily Network Rail or RDG) systems.

The consultant will be expected to work closely with industry parties to mitigate these, and other constraints associated with managing data and their associated risks.

The successful bidder will demonstrate their ability to work within similar constraints over data collection and will highlight the risks and issues they consider are likely to arise during the project (including IT security considerations). A demonstration of cyber security will also be required through the submission of a Cyber Essentials Plus or ISO27000 certification (or equivalent) as part of the bid response (see Section 3.2 below).

**Relevant experience**

Organisations should share examples of similar projects carried out, demonstrating relevant performance or leading indicators experience in rail or in other relevant industries.

### 2.3 Project Outputs, Deliverables and Contract Management

#### Outputs and Deliverables

* 1. We anticipate the project taking a total of 4 months (November 2024 – February 2025) and for the consultant to deliver:

Interim presentation of the emerging findings to ORR, Network Rail and RDG

A presentation of the findings and recommendations to ORR, Network Rail and RDG

A draft report for comment which details the findings, conclusions and recommendations

A final report, which incorporates the amendments from ORR, Network Rail and RDG.

The supplier should prepare a project plan and present it with the proposal. If a contract is awarded to the supplier, the plan should be kept up-to-date.

Any analysis carried out by the supplier in support of the contract deliverables must be supported by analytical assurance. This must be documented and an analytical assurance statement submitted to summarise the assurance that has been carried out together with the risk of error, scope for challenge and any uncertainties associated with the analysis.

#### Contract Management Requirements

* 1. A list of key individuals involved in the project and their role/responsibilities will be provided to the supplier at the kick off meeting.
  2. Regular updates and engagement are required throughout the project. This includes:

Weekly update meetings to be held with ORR, Network Rail and RDG via Teams

Highlighting any issues or risks to delivery to ORR’s Project Manager as early as possible

All deliverables to be presented in person, where possible, at ORR’s London office (Cabot Square)

### 2.4 Project Timescales

The provisional project timetable is as follows:

Kick off meeting and commencement 11/11/2024.

Presentation of interim findings on w/c 16/12/2024

Presentation of findings and recommendations w/c 20/01/2025

Draft report 31/01/2025

Final report by 28/02/2025

### 2.5 Budget and Payment Schedule

The maximum budget for this piece of work is £50,000 (inc. of expenses, exc. of VAT).

Payment of the total fee will be on the delivery and acceptance by ORR of all required outputs and/or deliverables.

### 2.6 Further project related information for bidders

#### Intellectual Property Rights

ORR will own the Intellectual Property Rights for all project related documentation and artefacts.

#### Transparency requirements

Please note ORR is required to ensure that any new procurement opportunity above £10,000 (excluding VAT) is published on Contracts Finder, unless the ORR is satisfied it is lawful not to. Once a contract has been awarded as a result of a procurement process, ORR is required to publish details of who won the contract, the contract value and indicate whether the winning supplier is a SME or voluntary sector organisation.

#### Confidentiality

All consultants working on the project may be required to sign a confidentiality agreement and abide by the Cabinet Office’s protective marking guidelines, which ORR uses to protectively mark a proportion of its information. In addition, the consultant may be required to sign additional confidentiality agreements as required by external stakeholders.

#### Sub-Contractors

Contractors may use sub-contractors subject to the following:

* + - * + That the Contractor assumes unconditional responsibility for the overall work and its quality;
        + That individual sub-contractors are clearly identified, with fee rates and grades made explicit to the same level of detail as for the members of the lead consulting team.

Internal relationships between the Contractor and its sub-contractors shall be the entire responsibility of the Contractor. Failure to meet deadlines or to deliver work packages by a subcontractor will be attributed by ORR entirely to the Contractor.

#### Conflict of Interest

At the date of submitting the tender and prior to entering into any contract, the tenderer warrants that no conflict of interest exists or is likely to arise in the performance of its obligations under this contract; or

Where any potential, actual or perceived conflicts of interest in respect of this contract exist, tenderers need to outline what mitigation/safeguards would be put in place to mitigate the risk of actual or perceived conflicts arising during the delivery of these services.

The ORR will review the mitigation/safeguards in line with the perceived conflict of interest, to determine what level of risk this poses to them. Therefore, if tenderers cannot or are unwilling to suitably demonstrate that they have suitable safeguards to mitigate any risk then their tender will be deemed non-compliant and may be rejected.

## Tender Response and Evaluation Criteria

### 3.1 The Tender Response

The proposals for this project should include an outline of how bidders will meet the requirement outlined in section (ii) “Statement of Requirement”. The following information should be included:

* 1. **Understanding of customer's requirements**

Demonstrate an understanding of the requirement and overall aims of the project.

* 1. **Approach to customer's requirements**

Provide an explanation of the proposed approach and any methodologies bidders will work to

Details of your assumptions and/or constraints/dependencies made in relation to the project

A project plan to show how outputs and deliverables will be produced within the required timescales, detailing the resources that will be allocated;

An understanding of the risks, and explain how they would be mitigated to ensure delivery;

Willingness to work closely with key stakeholders and other industry parties

Details of your approach to our security requirements as outlined in the SOR.

What support bidders will require from ORR

Demonstrate the “value add” that be brought by the bidder to the project

* 1. **Proposed delivery team**

Key personnel including details of how their key skills, experience and qualifications align to the delivery of the project; and

Project roles and responsibilities

Confirmation that you have carried out the necessary employment checks (e.g. right to work in the UK)

Some relevant examples of previous work that bidders have carried out (e.g. case studies) or details of at least two relevant reference projects along with contact details of clients

* 1. **Pricing**

A fixed fee for the project inclusive of all expense. This should include a breakdown of the personnel who will be involved with the project, along with associated charge rates and anticipated time inputs that can be reconciled to the fixed fee.

* 1. **Conflicts of Interest**

Confirm whether you have any potential, actual or perceived conflicts of interest that may by relevant to this requirement and outline what safeguards would be put in place to mitigate the risk of actual or perceived conflicts arising during the delivery of these services.

### 3.2 Evaluation Criteria

Tenders will be assessed for compliance with procurement and contractual requirements which will include:

* + - * + Completeness of the tender information
        + Completed Declaration Form of Tender and Disclaimer
        + Tender submitted in accordance with the conditions and instructions for tendering
        + Tender submitted by the closing date and time
        + Compliance with contractual arrangements
        + Submission of Cyber Essentials Plus or ISO27000 certification (or equivalent).
        + Tenders that are not compliant may be disqualified from the process. We reserve the right to clarify any issues regarding a Bidder’s compliance. It will be at ORR's sole discretion whether to include the relevant Bidder’s response in the next stage of the process.

The contract will be awarded to the Bidder(s) submitting the **‘most economically advantageous tender’**. Tenders will be evaluated according to weighted criteria as follows:

#### Methodology (25%)

The proposal should set out the methodology by which the project requirement will be initiated, delivered and concluded. In particular, it must:

* 1. Explain the methodology and delivery mechanisms to ensure that the requirements of this specification are met in terms of quality;
  2. Explain how your organisation will work in partnership with ORR’s project manager to ensure that the requirement is met
  3. Explain how your organisation will engage with external stakeholders;
  4. Outline how the proposed approach utilises innovative consultation methodologies to develop a diverse and comprehensive evidence-base

#### Delivery (25%)

The proposal should set out how and when the project requirement will be delivered. In particular, it must:

* 1. Explain how this work will be delivered to timescale and how milestones will be met, detailing the resources that will be allocated to each stage;
  2. Demonstrate an understanding of the risks, and project dependencies and explain how they would be mitigated to ensure project delivery;
  3. Explain the resources that will be allocated to delivering the required outcomes/output, and what other resources can be called upon if required.

#### Experience (25%)

The proposal should set out any experience relevant to the project requirement. In particular, it must:

* 1. Provide CVs of the consultants who will be delivering the project;
  2. Highlight the organisation’s relevant experience for this project, submitting examples of similar projects.

#### Cost / Value for money (25%)

A **fixed fee** for delivery of the project requirement (inclusive of all expenses), including a **full price breakdown for each stage of the project** and details of the **day rates** that will apply for the lifetime of this project.

| Name of consultant | Grade | Role | Day rate | Number of days | Total cost (ex VAT) |
| --- | --- | --- | --- | --- | --- |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |

Please note that consultancy grades should align with the following definitions:

| Grade | Requirement |
| --- | --- |
| Junior consultant | Demonstrable experience in a wide range of projects in their specialist field. Evidence of client facing experience and support services to wider consultancy projects. |
| Consultant | Notable experience and in-depth knowledge of their specialist field. Evidence of a wide range of consultancy projects and client facing experience. Support work in process and organisational design and leading workshops and events. |
| Senior Consultant | Substantial experience in their specialist field and in a consultancy/training role. Previous experience in project management and working in a wide range of high quality and relevant projects. Familiarity of the issues/problems facing public sector organisations. |
| Principal Consultant | Substantial experience in their specialist field and in a consultancy/training role. Sound knowledge of the public sector and current policy and political issues affecting it. Previous experience in project management on at least three major projects, preferably in the public sector and using the PRINCE2 or equivalent method. |
| Managing Consultant | Substantial experience in their specialist field and in a consultancy role. In depth knowledge of the public sector and of current policy and political issues affecting it. Previous experience in project management on at least 5 major projects, preferably in the public sector and using PRINCE2 or equivalent methods. |
| Director / Partner | Extensive experience in their specialist field, in which they are nationally or internationally renowned as an expert. Extensive experience of leading or directing major, complex and business critical projects; bringing genuine strategic insight. In depth knowledge of the public sector and of current policy and political issues affecting it. |

#### Marking scheme

For the Methodology, Delivery and Experience shall be scored using the following:

|  |  |  |
| --- | --- | --- |
| **Table of Evaluation Methodology and Marking Scheme for Quality Criteria** | | |
| **Score** | **Category** | **Definition (Explanation)** |
| 0 | Unacceptable | Unanswered or totally inadequate response to the requirement. Complete failure to understand/reflect the core issues. Fails to demonstrate an ability to meet the requirement. |
| 1 | Poor | Minimal or poor response to meeting the requirement, with little or no relevance. Limited understanding misses some aspects.  The response addresses few elements of the requirement and contains insufficient/limited detail or explanation to demonstrate how the requirement will be fulfilled. |
| 2 | Fair | Response is mostly relevant, but elements of the response are poor. The response addresses most elements of the requirement but contains limited detail or explanation to demonstrate how some of the requirement will be fulfilled. |
| 3 | Acceptable | Response is relevant and acceptable. The response addresses a broad understanding of the requirement but lacks details on how the requirement will be fulfilled in certain areas. |
| 4 | Good | Response is relevant and good. The response is sufficiently comprehensive to assure and demonstrate a good understanding, also providing much detail on how the requirements will be fulfilled. |
| 5 | Excellent | Excellent response fully addressing the requirement and providing significant additional evidence of how the criterion has been met and how value would be added  The response is comprehensive, unambiguous and demonstrates a thorough understanding of the requirement and provides details of how the requirement will be met in full. |

For the Price evaluation the following shall apply:

* + - * + Fixed fee
        + The lowest fixed fee will be awarded the maximum price score of 100.
        + All other bidders will get a price score relative to the lowest fee tendered.
        + The calculation we will use to calculate your score is as follows:

Price Score = Lowest Total Fee x 100

Bidder’s Total Fee

Your score will then be multiplied by the weighting we have applied to this aspect of the price evaluation to provide a weighted score for the fee.

## Procurement Procedures

### Tendering Timetable

The timescales for the procurement process are as follows:

| Element | Timescale |
| --- | --- |
| Invitation to tender issued | 11/10/2024 |
| Deadline for the submission of clarification questions | 24/10/2024 17:00 hrs |
| Deadline for submission of proposals | 01/11/2024 17:00 hrs |
| Award contract | 08/11/2024 |
| Project Inception Meeting | w/c 11/11/2024 |

### Tendering Instructions and Guidance

#### Amendments to ITT document

Any advice of a modification to the Invitation to Tender will be issued as soon as possible before the Tender submission date and shall be issued as an addendum to, and shall be deemed to constitute part of, the Invitation to Tender. If necessary, ORR shall revise the Tender Date in order to comply with this requirement.

#### Clarifications & Queries

Please note that, for audit purposes, any query in connection with the tender should be submitted via the ORR eTendering portal. The response, as well as the nature of the query, will be notified to all suppliers without disclosing the name of the Supplier who initiated the query.

#### Submission Process

Tenders must be uploaded to the ORR eTendering portal no later than the submission date and time shown above. Tenders uploaded after the closing date and time may not be accepted. Bidders have the facility to upload later versions of tenders until the closing date/time.

Please submit the Form of Tender, Disclaimer and relevant security certificates along with your proposal. If you are already registered on our eTendering portal but have forgotten your login details, please contact the portal administrator.

An evaluation team will evaluate all tenders correctly submitted against the stated evaluation criteria.

By issuing this Invitation to Tender ORR does not undertake to accept the lowest tender, or part or all of any tender. No part of the tender submitted will be returned to the supplier

#### Cost & Pricing Information

Tender costs remain the responsibility of those tendering. This includes any costs or expenses incurred by the supplier in connection with the preparation or delivery or in the evaluation of the tender. All details of the tender, including prices and rates, are to remain valid for acceptance for a period of 90 days from the tender closing date.

Tender prices must be in Sterling.

Once the contract has been awarded, any additional costs incurred which are not reflected in the tender submission will not be accepted for payment.

#### References

References provided as part of the tender may be approached during the tender stage

#### Accessibility Guidelines

As a public body we are legally required to comply with accessibility guidelines. Please ensure any commissioned report is in a format that meets web accessibility regulations: [Guidelines for writing accessible reports for ORR - Guidance for external suppliers | Office of Rail and Road.](https://www.orr.gov.uk/media/23638)

#### Contractual Information

Following the evaluation of submitted tenders, in accordance with the evaluation criteria stated in this document, a contractor may be selected to perform the services and subsequently issued with an order.

Any contract awarded, as a result of this procurement will be placed with a prime contractor who will take full contractual responsibility for the performance of all obligations under the contract. Any sub-contractors you intend to use to fulfil any aspect of the services must be identified in the tender along with details of their relationship, responsibilities and proposed management arrangements.

The proposal should be submitted in the form of an unconditional offer that is capable of being accepted by the ORR without the need for further negotiation. Any contract arising from this procurement will be based upon ORR’s standard Terms & Conditions (see Form of Agreement attached). You should state in your proposal that you are willing to accept these Terms & Conditions.

ORR does not expect to negotiate individual terms and expects to contract on the basis of those terms alone. If you do not agree to the Conditions of Contract then your tender may be deselected on that basis alone and not considered further.

**ORR may be prepared to consider non-fundamental changes to the standard terms and conditions in exceptional circumstances. If there are any areas where you feel you are not able to comply with the standard ORR terms and conditions, then details should be submitted as a separate annex to the proposal using the following format:**

| Clause Number | Existing Wording | Proposed Wording | Rational for amendment |
| --- | --- | --- | --- |
|  |  |  |  |
|  |  |  |  |

Any services arising from this ITT will be carried out pursuant to the contract which comprises of:

* + - * + ORR Terms & Conditions;
        + Service Schedules;
        + this Invite to Tender & Statement of Requirement document; and
        + the chosen supplier’s successful tender.

ORR’s Transparency Obligations and the Freedom of Information Act 2000 (the Act)

The ORR is a central Government department and as such complies with the Government’s transparency agenda. As a result, there is a presumption that contract documentation will be made available to the public via electronic means. The ORR will work with the chosen supplier to establish if any information within the contract should be withheld and the reasons for withholding it from publication.

Typically, the following information will be published:

* + - * + contract price and any incentivisation mechanisms
        + performance metrics and management of them
        + plans for management of underperformance and its financial impact
        + governance arrangements including through supply chains where significant contract value rests with subcontractors
        + resource plans
        + service improvement plans

Where appropriate to do so information will be updated as required during the life of the contract, so it remains current;

In addition, as a public authority, ORR is subject to the provisions of the Freedom of Information Act 2000. All information submitted to a public authority may need to be disclosed by the public authority in response to a request under the Act. ORR may also decide to include certain information in the publication scheme which it maintains under the Act. If a bidder considers that any of the information included in its proposal is commercially sensitive, it should 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. Bidders should be aware that even where they have indicated that information is commercially sensitive ORR may be required to disclose it under the Act if a request is received. Bidders should also note that the receipt of any material marked “confidential” or equivalent by the public authority should not be taken to mean that the public authority accepts any duty of confidence by virtue of that marking. If a request is received ORR may also be required to disclose details of unsuccessful bids.

Please use the following matrix: to list such information:

| Para. No. | Description | Applicable exemption under FOIA 2000 |
| --- | --- | --- |
|  |  |  |
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