

Invitation to Quote (ITQ) on behalf of Advisory Conciliation and Arbitration Service (ACAS)

Subject: Acas Early Conciliation Data Assessment and Analysis Feasibility Study 2021

Sourcing Reference Number: CR21044

Section 6 - Evaluation questionnaire

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

Guidance on how to register and use the e-sourcing portal is available at http://www.uksbs.co.uk/services/procure/Pages/supplier.aspx

PLEASE NOTE THE QUESTIONS ARE NOT NUMBERED SEQUENTIALLY

COMMERCIAL QUESTIONNAIRE

SEL1.1	Please state the full legal name and address and contact details of the organisation tendering (or organisation acting as lead contact where a consortium bid is being submitted).		
Bidder Guidance	The information should be based on the details of the organisation bidding (or organisation acting as lead contact where a consortium bid is being submitted).		
Scoring Criteria	This is the legal entity with whom we will Contract if successful. For information only		
Answer Type	Text (a) Bidders full legal name (b) Address line 1 Address line 2 Address line 3 Address line 4 Town / City Country Post code (or equivalent) (c) Bidder contact (d) Telephone No. (e) Email		

SEL1.2	In the last three years, has any finding of unlawful discrimination been made against your organisation by an Employment Tribunal, an Employment Appeal Tribunal or any other court (or in comparable proceedings in any jurisdiction other than the UK)? And/or; In the last three years, has your organisation had a complaint upheld following an investigation by the Equality and Human Rights Commission or its predecessors (or a comparable body in any jurisdiction other than the UK), on grounds of alleged unlawful discrimination?
Bidder	The Bidder shall answer Yes or No
Guidance	Yes – Fail – Please provide details within SEL1.2.1 No – Pass – No response required to SEL1.2.1
	*If you have answered "yes" please provide, as an attachment to SEL1.2.1 a summary of the nature of the investigation and an explanation of the outcome of the investigation to date.
	If the investigation upheld the complaint against your organisation, please use the attachment to explain what action (if any) you have taken to prevent unlawful discrimination from reoccurring.
	You may be excluded if you are unable to demonstrate to the Contracting Authority's satisfaction that appropriate remedial action has been taken to prevent similar unlawful discrimination reoccurring.
Scoring Criteria	Mandatory Pass / Fail
Answer Type	Yes – Fail – Please provide details within SEL1.2.1 No – Pass – No response required to SEL1.2.1

SEL1.2.1	Supporting Documentation for SEL1.2.1
Bidder Guidance	Where a bidder has responded 'Yes' to SEL1.2 please provide a supporting document attached to this question, including a summary of the nature of the investigation and an explanation of the outcome of the investigation to date.
	If the investigation upheld the complaint against your organisation, please use the attachment to explain what action (if any) you have taken to prevent unlawful discrimination from reoccurring.
	You may be excluded if you are unable to demonstrate to the Contracting Authority's satisfaction that appropriate remedial action(s) have been taken to prevent similar unlawful discrimination reoccurring.
	This information should be provided as an attachment to this question. Any bidder declaring unlawful discrimination within SEL1.2 but not providing evidence may not be considered.
Scoring	For Information Only
Criteria	
Answer	Document Upload
Туре	

SEL1.3	If you are Commercial organisation with a minimum financial turnover of £36M, please confirm that you are compliant with Section 54 of the Modern Slavery Act 2015.	
Bidder Guidance	The Bidder shall choose from the following options; A. N/A – our turnover is less than £36M B. Yes – We are compliant and have attached information in SEL1.3.1 C. No (with justification) – we are not compliant but will be prior to commencement of a contract. See information attached in SEL1.3.1 D. No – we are not and will not be compliant at the time of award of the contract	
	Bidders selecting option 'D' will be considered non-compliant for this Procurement.	
Scoring Criteria	Mandatory Pass/ Fail	
Answer Type	A. N/A – our turnover is less than £36M B. Yes – We are compliant and have attached information in SEL1.3.1 C. No (with justification) – we are not compliant but will be prior to commencement of a contract. See information attached in SEL1.3.1 D. No – we are not and will not be compliant at the time of award of the contract	

SEL1.3.1	Supporting Documentation for SEL1.3
Bidder guidance	Where a bidder has responded 'Yes' or 'No (with justification)' to SEL1.3, please provide your supporting information as an attachment. Any bidder declaring they are compliant within SEL1.3 but not providing
	evidence may not be considered.
Scoring	For information only

Criteria	
Answer	Document upload
Туре	
SEL2.10	Cyber Essentials has been mandatory for central government contracts advertised after 1 October 2014 which involve handling personal information and providing certain ICT products and services. It is mandatory for bidders to demonstrate that they meet the technical requirements prescribed by Cyber Essentials for those contracts featuring any of the characteristics set out below in bidders' guidance. Cyber Essentials is for all organisations, of all sizes, and in all sectors. This is not limited to companies in the private sector, but is also applicable to universities, charities, and public sector organisations.
	Further details are available at: https://www.cyberstreetwise.com/cyberessentials/
Bidder Guidance	Any of the following but not limited to typical characteristics, will necessitate the mandatory requirement for bidders to have an up to date Cyber Essentials Certificate:
	 i) Where personal information of citizens, such as home addresses, bank details, or payment information is handled by a supplier. ii) Where personal information of Government employees, Ministers and Special Advisors such as payroll, travel booking, or expenses information is handled by a supplier. iii) Where ICT systems and services are supplied which are designed to store, or process, data at the OFFICIAL level of the Government Protective Marking scheme. iv) Contracts that are considered by the Contracting Authority to be sensitive in character
	Bidders can answer
	Yes – the Cyber Essential Certificate is currently in place
	Intend – the Cyber Essential Certificate is not in place and we intend to have it in place for commencement of the contract.
	No – the Cyber Essential Certificate is not in place and we have no intention of having it in place for commencement of the contract
	A response of 'Yes' or 'Intend' will result in a pass and a response of 'No' will result in a fail against this question.
Scoring Criteria	Mandatory Pass / Fail
Answer Type	Multiple Choice Dropdown Yes – the Cyber Essential Certificate is currently in place Intend – the Cyber Essential Certificate is not in place and we intend to have
	it in place for commencement of the contract. No – the Cyber Essential Certificate is not in place and we intend to have it in place for commencement of the contract. No – the Cyber Essential Certificate is not in place and we have no intention

of having it in place for commencement of the contract

SEL2.12	General Data Protection Regulations (GDPR)
	The GDPR is mandatory requirement for all contracts or agreements both in the Contracting Authority and the private sectors that involves the transfer and processing of personal data and came into force on the 25th May 2018.
	It is mandatory for bidders to demonstrate that they will be able to meet the technical requirements and obligations prescribed by the GDPR, even if the contract or agreement is concluded prior to it coming into force, so as the contract is future proofed and complies with all aspects with the GDPR, this is mutually beneficial to both parties and saves the Contracting Authority and the bidder the additional burden of amending the contract or agreement once the GDPR comes into force. All contracts or agreements that are awarded by the Contracting Authority (the data controller) shall contain terms and conditions that oblige the successful bidder and any bidder supply chain (data processor) to comply with the GDPR and indemnify the Contracting Authority (data controller).
	Further information and guidance relating to the GDPR is available from the Information Commissioners Office (ICO) at: https://ico.org.uk/
Bidder Guidance	Bidders can answer
Guidance	Yes – We will / are able to demonstrate compliance as is required by the GDPR now
	Intend – We are not compliant with the GDPR, but we confirm that we will be compliant prior to commencement of the contract. A response of 'Yes' or 'Intend' will result in a pass and a response of 'No' will result in a fail against this question.
	No – We will not be compliant prior to any award and we have no intention of being compliant
Scoring Criteria	Mandatory Pass / Fail
Answer	Multiple Choice Dropdown
Туре	Yes – We can demonstrate full compliance as is required by the GDPR now – Pass
	Intend – We are not compliant with the GDPR, but we confirm that we will be compliant prior to commencement of the contract - Pass.
	No – We will not be compliant prior to any award and we have no intention of being compliant – Fail
SEI 2 12	Data Storage

SEL2.13	Data Storage		

	Please confirm where GDPR data will be stored for the duration of this Contract, including any additional Countries that data may be transferred to throughout the life of this Contract.
Bidder Guidance	Bidders are required to confirm where GDPR data will be stored for the duration of this Contract, including any additional Countries that data may be transferred to throughout the life of this Contract
	Please note, where bidders confirm that data may be stored or transferred outside of the UK, there may be a requirement to include additional Contract Clauses to ensure GDPR Compliance.
Scoring Criteria	For Information Only
Answer Type	Free Text

FOI1.1	FREEDOM OF INFORMATION ACT 2000 (FOIA) AND / OR ENVIRONMENTAL INFORMATION REGULATIONS 2004 (EIR) Information provided in the course of the procurement process may be disclosed under Freedom of Information Act 2000 or Environmental Information Regulations 2004. Please note that some of the information provided may be protected under the FOIA exemptions and EIR exceptions. More information on applying the exemptions or exemptions can be found under the
	applying the exemptions or exceptions can be found under the information Commissioners Office (ICO) website http://ico.org.uk
	Please confirm you have been informed that information provided under this Bid may be disclosed under the FOIA and EIR and agree to it being published.
Bidder	The Bidder shall answer Yes or No
Guidance	
	Yes – Pass
	No – Fail
Scoring	Mandatory Pass / Fail
Criteria	
Answer	Yes – Pass
Туре	No – Fail

FOI1.2	FREEDOM OF INFORMATION ACT 2000 AND / OR ENVIRONMENTAL INFORMATION REGULATIONS 2004 EXEMPTIONS
	Please complete this section <u>only</u> if you have agreed for your information to be disclosed under the FOIA or EIR in FOI1.1 If you have not agreed for your information to be disclosed under the FOIA or EIR in Question FOI1.1 please complete each field 'N/A' (not applicable)
	If you have agreed for your information to be disclosed under the FOIA or EIR in Question FOI1.1 please tell us what exemptions or exceptions may apply to your information and why?
Bidder Guidance	The Bidder shall provide details of their proposed exemptions/exception in the fields below.

	The Bidder shall note that if the Contracting Authority believes that the suggested exemptions or exceptions have not been applied properly, the Contracting Authority will disclose the requested information unless another exemption or exception can be applied by the Contracting Authority.
	Be aware that by completing FOI1.1 and answering 'yes' you have agreed for the Contracting Authority to disclose the provided information under the Freedom of Information Act 2000 or Environmental Information Regulation 2004; therefore, you will not be approached for consent.
	Bidders are required to complete the table fields below, highlighting your proposed exemptions to this question.
	If you are not relying on any exemptions or exceptions, please complete each field 'N/A' (not applicable).
Scoring Criteria	For information only
Answer Type	Confidential Information and justification for exemption/exception under FOI Act
	Large Text Field
	Commercially sensitive information and justification for exemption/exception under FOI Act
	Large Text Field

AW1.1 FORM OF BID

I declare that to the best of my knowledge the answers submitted in this ITQ are correct. I understand that the information will be used in the process to assess my organisation's suitability to be invited to bid for the Contracting Authority's requirement and I am signing on behalf of my organisation. I understand that the Contracting Authority may reject this ITQ if there is a failure to answer all relevant questions fully or if I provide false/misleading information.

I understand that the Government's transparency agenda requires that sourcing documents, including ITQ templates such as this, are published on a designated, publicly searchable web site, and, that the same applies to other sourcing documents issued by the Contracting Authority, including the ITQ, and any contract entered into by the Contracting Authority or its customers with its preferred supplier once the procurement is complete.

By submitting a response to this ITQ I agree that our participation may be made public.

I understand that the answers given in this response will not be published on the web site (but may fall to be disclosed under Freedom of Information Act 2000 or Environmental Information Regulations 2004).

By submitting a response to this ITQ I agree and accept the justification for the Contracting Authority's evaluation criteria.

By submitting a response to this ITQ I agreed and accept that the Contracting Authority reserves the right to change without notice the procedure for awarding the Contract, to reject any or all bids for the Contract, to stop the process and not award the Contract (in whole or in part) at any time without any liability on its part. By submitting a response to this ITQ I agree and accept that nothing in this process is intended to form any express or implied contractual relationship between the Parties unless and until a Contract is awarded. The Contracting Authority is not liable for any costs resulting from cancellation of this process nor any costs incurred by Bidders taking part in this procurement process. I understand that where sourcing documents issued by the Contracting Authority or contracts with its suppliers fall to be disclosed the Contracting Authority will redact them as it thinks necessary, having regard (inter alia) to the exemptions/exceptions in the FOIA or EIR. The Bidder shall answer Yes or No Bidder Guidance Yes – Pass No - Fail Scoring Mandatory Pass / Fail Criteria Answer Yes - Pass

AW1.3 CERTIFICATE OF BONA FIDE BID

No – Fail

Type

The essence of procurement is that the customer shall receive bona fide competitive Bids, from all those Bidding. In recognition of this principle, we certify that this is a bona fide Bid, intended to be competitive and that we have not fixed or adjusted the amount of Bid by or under or in accordance with any agreement with any other person.

We also certify that we have not done, and we undertake that we will not do at any time before the hour and date specified for the return of this Bid any of the following:

- (a) Communicate to a person other than the person calling for these Bids the amount or approximate amount of the proposed Bid, except where the disclosure, in confidence, of the approximate amount of the Bid was necessary to obtain insurance premium quotations for the preparation of the Bid:
- (b) Enter into any agreement or arrangement with any other person that he shall refrain from bidding or as to the amount of any Bid to be submitted;
- (c) Offer to pay or agree to pay or give any sum of money or valuable consideration directly or indirectly to any person for doing or having done or causing or have caused to be done in relation to any other Bid or proposed Bid for the said supply / service any act or thing of the sort described above.

Bidder	The Bidder shall answer Yes, No with justification or No
AW4.1	Please confirm your acceptance of the Contract Terms that can be found within the Stage One: Overview section.
Туре	No – Fail
Criteria Answer	Yes – Pass
Scoring	No – Fail Mandatory Pass / Fail
	requirement. Yes – Pass
Bidder Guidance	The Bidder is not required to complete the validation check at this stage but will be required to respond to the questions in the event of providing the most advantageous offer to the Contracting Authority's against a procurement
	If the Bidder fails to meet the Contracting Authority's expectations, we reserve the right to not award the Contract to the relevant Bidder and either award to the Bidder with the second most advantageous response or run a new procurement.
AW3.1	In the event of a Bidder successfully providing the most advantageous offer to the Contracting Authority against a procurement requirement, the Bidder is expected to provide an answer to the validation check that can be seen within Stage One: Overview Section prior to the award of any Contract.
Answer Type	Yes - Pass No - Fail
Scoring Criteria	Mandatory Pass / Fail
	Yes - Pass No - Fail
Guidance	
Bidder	processes, including value for money and related purposes. The Bidder shall answer Yes or No
	We agree that the Contracting Authority may disclose the Bidders information / documentation (submitted to the Contracting Authority during this Procurement) more widely within Government for the purpose of ensuring effective cross-Government procurement
	contract or any other contract with the Contracting Authority or shall employ any corrupt or illegal practices either in the obtaining or execution of this contract or any other contract with the Contracting Authority.
	We acknowledge that the Contracting Authority will be entitled to cancel the contract and to recover from us the amount of any loss resulting from such cancellation if we or our representatives (whether with our without our knowledge) shall have practiced collusion in Bidding for this
	In this certificate, the word "person" includes any persons and anybody or association, corporate or unincorporated, and any "agreement or arrangement" includes any such transaction, formal or informal, and whether legally binding or not.

Guidance	Yes, we accept the terms and condition in their entirety – Pass
	No with justification – Pass. Complete the document upload attached to AW4.2 with details of what amounts to a valid justification.
	No – Fail
	For absolute clarity should a bidder select 'Yes' or 'No' you are not required to respond to AW4.2, however if you select 'No with Justification' you will be required to complete AW4.2 in order to be considered.
Scoring Criteria	Mandatory Pass / Fail
Answer Type	Multiple Choice Dropdown
71 -	Yes, we accept the terms and condition in their entirety – Pass No with justification – Pass. Complete the document upload attached to AW4.2 with details of what amounts to a valid justification. No – Fail

AW4.2 Where a Bidder has answered question AW4.1 with 'No with justification' they must detail the justification and the proposed change to the clause. Where a bidder has responded 'Yes' or 'No' to AW4.1 you are not required to respond to this question. Bidder A justification for not accepting a specific clause or series of clauses from the Guidance attached Contract Terms is that the Bidder would be in breach of legal requirements or statutory regulations by complying with that clause or series of clauses (i.e. for the avoidance of doubt, being unable to comply with a clause or series of clauses because of an internal policy reason will not be considered to be a justification for a legal requirement or statutory regulation). Where the Bidder has answered question AW4.1 as "no with justification", the Bidder shall provide a Contract mark-up utilising track changes detailing the relevant clause, the proposed changes to the clause and the justification for the changes. In this case, the Bidder shall score a pass if (but only if) the Contracting Authority considers both the following requirements are satisfied: the reasons stated as justifying the Bidder's statement that it cannot accept the Contract Terms due to legal requirements or statutory regulations are valid: and the changes submitted do not create significant risk for the Contracting Authority and are reasonably necessary and proportionate to ensure the Bidder complies with the legal requirements and statutory regulations. In the event of a Bidder answering Yes or No to Question AW4.1 and then providing a proposed mark-up, rejection of a clause or a justification for a change then the response will be a Fail. Any bidder selecting 'No with Justification' to AW4.1 and failing to upload an attachment to this question detailing the information above may not be considered further. Bidders are to note that any requested modifications to the Contracting Authority Terms and Conditions on the grounds of statutory and legal matters

	only, should be raised as a formal clarification during the permitted clarification period.
Scoring Criteria	Mandatory Pass / Fail
Answer	Document Upload
Type	

PRICE QUESTIONNAIRE

AW5.1	Maximum Budget
	As stated within the tender documents, the maximum budget for this requirement will be £30,000.00 ex VAT. This should include all costs relating to the projects as well as Travel, Subsistence and Overhead costs.
	Please confirm that your final price submitted within AW5.2 will fall within this budget.
Bidder guidance	The Bidder shall answer Yes or No
	Yes – Pass No – Fail
Scoring criteria	Mandatory Pass / Fail
Answer Type	Yes / No
AW5.2	Bidders are required to complete the Excel Pricing Schedule attached in the Document Upload attachments.
	All prices shall be in £ GBP and exclusive of VAT.
	All costs appearing elsewhere in the Bid but not mentioned in this Pricing Schedule shall be presumed waived.
Bidder Guidance	Bidders shall confirm they have completed the Pricing Schedule.
Guidance	The scoring methodology for this question shall be:
	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.
	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: Score/Total Points multiplied by $50 (80/100 \times 50 = 40)$
	The lowest score possible is 0 even if the price submitted is more than 100%

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.

greater than the lowest price.

The lowest score possible is 0.

For example, assuming the lowest bid is £100,000.

	Bid Price £100,000 Differential to the lowest price which meets mandatory pass criteria ('Differential') 0 Score 100 Bid price - £120,000 Differential - 20% Score - 80
	Bid price - £120,000 Differential - 20% Score - 60
	Bid Price - £150,000 Differential - 50% Score - 50
	Bid Price - £175,000 Differential - 75% Score - 25
	Bid Price - £200,000 Differential - 100% Score - 0
	Bid Price - £300,000 Differential - 200% Score - 0
Scoring	Maximum Marks 20.00%
Criteria	
Answer	Price Document Upload
Туре	

QUALITY QUESTIONNAIRE

AW6.1	Please confirm your compliance to the requirements of Section 4 Specification
Bidder Guidance	The Bidder shall answer Yes or No Yes – Pass
Odidanoo	No – Fail
Scoring	Mandatory Pass / Fail
Criteria	
Answer	Yes – Pass
Type	No – Fail

AW6.2	Variable Bids
Bidder	The Contracting Authority shall not accept variable bids as part of this
Guidance	Procurement. The criteria in regard to variable bids for this Procurement is outlined below.
	The Bidder shall answer Yes or No
	Yes - We have provided a variable bid only – Fail
	No - We have chosen to only offer a main bid and have not chosen to provide
	an alternative bid submission – Pass
Scoring	Mandatory Pass / Fail
Criteria	
Answer	Yes - We have provided a variable bid only - Fail
Туре	No - We have chosen to only offer a main bid and have not chosen to provide
	an alternative bid submission – Pass

AW6.3	DBS Checks
Bidder Guidance	Please confirm that all individual consultants and sub-consultants (where applicable) will have satisfactorily completed a DBS (Disclosure and Barring Service) application form and received a DBS Certificate prior to commencing any services as part of this contract.
	The Bidder shall answer Yes or No
	Yes - I can confirm all individual consultants and sub-consultants will have a valid DBS Certificate in place prior to commencement of services – pass
	No - Fail
Scoring Criteria	Mandatory Pass / Fail
Answer Type	Yes - I can confirm all individual consultants and sub-consultants will have a valid DBS Certificate in place prior to commencement of services – pass No - Fail

PROJ1.1	Approach/ Methodology
	Please clearly explain and give reasoning for your proposed methodology and approach to achieving the objectives and delivering the outputs highlighted in

	the specification.
Bidder guidance	As a minimum your response should include:
	Potential challenges you foresee
	 Give a <u>detailed description</u> of the approach to be used in undertaking the project, indicating the resources that will be utilised, outlining a clear justification as to why your chosen approach will provide the best outcome; Set out how your approach meets the project objectives; Overview of methods and technologies you anticipate drawing on in the proposed analysis
	An attachment is allowed for this question
	This question is limited to 6 sides of A4 Any additional content provided beyond this will not be considered or scored during the evaluation process. Responses should be submitted in Font Arial 11pt using single line spacing. Please use the Normal margin setting 2.54cm.
Scoring	Scoring shall be based on 0-100 scoring methodology.
criteria	
	Maximum Mark: 30.00%
Answer Type	Document Upload

PROJ1.2	Staff to Deliver Please demonstrate your knowledge of the skills and expertise that are essential to the successful delivery of this project. Please provide your methodology as to how you will maintain your ability to deliver these through the lifetime of the project.
Bidder guidance	 As a minimum your response should include: Any support that would be needed and from whom, in order to undertake and complete this project. You approach to delivering quality and how this is managed Your approach during the event of outgoing and/or absent staff An attachment is allowed for this question This question is limited to 6 sides of A4. Any additional content provided beyond this will not be considered or scored during the evaluation process. Responses should be submitted in Font Arial 11pt using single line spacing. Please use the Normal margin setting 2.54cm.
Scoring criteria	Scoring shall be based on 0-100 scoring methodology. Maximum Mark: 30.00%
Answer Type	Document upload

PROJ1.3	Risk Management
	Please provide details of all key risks that could affect the delivery of this

	project
Bidder guidance	Bidders are asked to provide details of all key risks that could affect the delivery of this project. As a minimum your response should include:
	 Risk associated with specific project deliverables A Demonstration of your tools and processes to mitigate risk in this project;
	An attachment is allowed for this question.
	This question is limited to 2 side of A4 Any additional content provided beyond this will not be considered or scored during the evaluation process. Responses should be submitted in Font Arial 11pt using single line spacing. Please use the Normal margin setting 2.54cm.
Scoring criteria	Scoring shall be based on 0-100 scoring methodology.
	Maximum Mark: 10.00 %
Answer Type	Document Upload

PROJ1.4	Project Plan and Timescales
PKUJ1.4	Project Plan and Timescales
	Please outline your proposed project plan and timescales, ensuring the key deadlines outlined in the specification are met.
Bidder guidance	Bidders are asked to demonstrate/provide:
	In your response you should clearly identify the specific outputs, the tasks to be performed, and set out the following to demonstrate how the project will be delivered:
	A detailed timetable for carrying out the work based on the proposed approach and method
	Highlight key milestones and deadlines, including suggested meetings and progress reports.
	How the bidder will ensure successful delivery of the project within the specified timeline and overall contract.
	An attachment is allowed for this question
	This question is limited to 2 sides of A4. Any additional content provided beyond this will not be considered or scored during the evaluation process. Responses should be submitted in Font Arial 11pt using single line spacing. Please use the Normal margin setting 2.54cm
Scoring criteria	Scoring shall be based on 0-100 scoring methodology.
Ontona	Maximum Mark: 10.00%
Answer Type	Document Upload