**To note, we have made the following changes to this document on 9 September:**

* **We have made changes to the Indicative procurement timetable including extending the deadline to Thursday 23 September, as we have made minor changes to the specification to ensure that it is more consistent in its references to schools and colleges.**

Department for Education

Sanctuary Buildings

Great Smith Street

London SW1P 3BT

Dear Companies,

**INVITATION TO TENDER (ITT) FOR DESIGNATED SAFEGUARDING LEAD ONLINE RESOURCE**

1 Your organisation along with others is invited to offer a tender for provision of the above, to the specification outlined in the attached documents.  Enclosed are:

Document 1 Instructions on the tendering procedures

Document 2 Departmental standard requirements

Document 3 Service Specification

Document 4 Evaluation Criteria

Document 5 ITT Supplier Response form

Document 6 Cost Matrix

Document 7 Terms and Conditions

Document 8 Declarations and information to be provided by tenderer.

2 Please read the instructions on the tendering procedures carefully.  Failure to comply with them may invalidate your tender which must be returned by the date and time given below using the address label provided.

3 Please submit your response through Jaggaer, no later than**midday, Thursday 23 September.** Late tenders will **not** be considered.

4 If having read the enclosed specification you decide not to submit a tender, I would be grateful if you could also provide your reasons (though you are under no obligation to do so).

5 If you have any questions about the tendering procedure please do contact us via the messaging function in Jaggaer.

**DOCUMENT 1**

**INSTRUCTIONS ON THE TENDERING PROCEDURES**

1 These instructions are designed to ensure that all tenders are given equal and fair consideration.  It is important therefore that you provide all the information asked for in the format and order specified. If you have any clarification questions about this tender or any doubts as to what is required or you have difficulty in providing the information requested, please submit these via the messaging facility in Jaggaer.   Pre-tender negotiations are notallowed. The Department for Education (DfE) will be administering the procurement process electronically via the DfE e-Procurement Solution (ePS) portal; Jaggaer.  No hard copy documents will be issued and all communications with DfE (including final submission of tenders) will be conducted via the Jaggaer Portal. Bidders can register here: <https://education.app.jaggaer.com/web/login.html>.

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

**Summary of requirements**

The DfE is seeking a supplier, or consortium of suppliers, to deliver a Designated Safeguarding Lead (DSL) Online Resource. This involves the development of a set of online resources for DSLs to assist them in their role. The resources will be hosted on .GOV.UK. The requirements will be delivered over a period from October 2021 up to March 2022.

The core objective is to create online resources/ materials specified by users, which should reflect user needs and meet policy objectives, in order to give appropriate support to DSLs.

The contract value is capped at a maximum value of £250k (inclusive of VAT) over the total contract period, taking into account any available extensions.

**Contract Period**

3 The contract is to be for a period of up to 6 months.

**Terms of participation**

This procurement process falls under the Schedule 3 services defined by Public Contract Regulations 2015 (regulations 74 – 77). The Department is managing this Procurement in a process akin to the ‘Open’ tendering procedure as defined by the Public Contracts Regulations 2015 (Regulation 28).

A fully compliant Tender must adhere to the following instructions;

* All answers in the Tender must be inserted into the relevant response field, unless an attachment is permitted. Only information entered into the relevant response field or as an attachment supplied in accordance with the Department’s instructions will be taken into consideration for the purposes of evaluating a Tender;
* The Tender must be submitted in the English (UK) language;
* All prices must be shown excluding VAT and in British Pounds;
* The Potential Contractor must answer all requirements accurately and as fully as possible within the specified word limits;
* The Potential Contractor must not answer questions by cross referring to other answers or to other materials (e.g. annual company reports located on a web site). Each question answered must be complete in its own right; and
* The Department may disregard any part of a response to a question which exceeds the specified word/character limit (that is the excess will be disregarded, not the whole response). Any stated word/character limit is assumed to include spaces and punctuation.

**Incomplete Tender**

4 Tenders may be rejected if the information asked for in the ITT and Specification is not given at the time of tendering. Please read this ‘Instructions on the tendering procedures’ document carefully as non-compliance with the instructions contained in this document or any other tender document may result in exclusion of your Tender from this Procurement. If you have read all the instructions and information carefully but are still unsure at any point how to respond, please submit a question as described in paragraph 6.

**Indicative procurement timetable**

5 The indicative timetable for the procurement is:

|  |  |
| --- | --- |
| ITT launched | 16th Aug |
| Clarifications Deadline | 5pm 15th September (5pm 6 days before submission deadline) |
| Invitation to Tender submission deadline | Midday 23 September |
| Bidder clarification meetings | w/c 4 October (if needed) |
| Successful bidder notified | Mid October |
| Standstill period ends | Mid October |
| Contract fine-tuning with preferred bidder to take account of the solution | Late October |
| Contract signed and commences | Late October/early November |

5.1 This timetable may be changed by the Department at any time. Changes to any of the dates will be made in accordance with the Regulations (where applicable).

5.2 Potential Contractors will be informed through the Jaggaer Portal if the Department decides that changes to this timetable are necessary.

If a Potential Contractor wishes to ask a question or seek clarification without the Department revealing the question and the answer, then the Potential Contractor must notify the Department and provide its justification for withholding the question and any response. If the Department does not consider that there is sufficient justification for withholding the question and the corresponding response, the Department will inform the Potential Contractor who will have an opportunity to withdraw the question or clarification. If the question and or clarification is not withdrawn, then the response will be issued to all Potential Contractors.

**Questions and clarifications**

6 Potential Contractors may raise questions or seek clarification regarding any aspect of this Procurement at any time prior to the Invitation to Tender Clarifications Deadline (see the Procurement Timetable set out in paragraph 5) via the messaging function in Jaggaer.

6.1 To ensure that all Potential Contractors have equal access to information regarding this Procurement, the Department will publish all its responses to any questions raised in a “Questions and Answers” document, which will be available in the Jaggaer Portal.

**Returning Tenders**

7 Bids must be submitted by midday 23 September.

The Department is using the Jaggaer Portal to manage this Procurement and to communicate with you. No hard copy documents will be issued and all communications with the Department (including the submission of Tenders) will be conducted via Jaggaer. You must ensure that the details of the point of contact you nominate in Jaggaer are accurate at all times as the Department will not be under any obligation to contact any other point of contact.

**Receipt of Tenders**

8 Tenders will be received up to the time and date stated.  Those received before the due date will be retained unopened until then. A Potential Contractor may modify and resubmit its Tender at any time prior to the submission deadline. It is the responsibility of the tenderer to ensure that their tender is delivered not later than the appointed time.

**Acceptance of Tenders**

9 By issuing this invitation the Department is not bound in any way and does not have to accept the lowest or any tender, and reserves the right to accept a portion of any tender, unless the tenderer expressly stipulates otherwise in their tender.

**Department's Rights**

Subject to its obligations to act in a transparent, proportionate and non-discriminatory manner and in addition to the Department’s rights specified in these Instructions to Tenderers, the Department reserves the right to:

1. change the requirements of these Instructions to Tenderers at any time prior to the Submission Deadline. Any such amendment will be numbered, dated and issued by the Department via the Jaggaer portal. Where amendments are significant, the Department may at its discretion extend the Submission Deadline and if so, will communicate details of any such extension via the Jaggaer portal.
2. withdraw these Instructions to Tenderers at any time, or re-invite Tenders on the same or any alternative basis.
3. choose not to award any contract as a result of the procurement process.

The Department will reject a Tender and/or exclude a Tenderer from further participation in the Procurement Process where a Tender is submitted late, is incomplete, is submitted other than via the Jaggaer Portal or otherwise fails to meet any of the Department's submission requirements/instructions which have been notified to Tenderer, including those set out in these Instructions to Tenderers.

**Inducements**

10 Offering an inducement of any kind in relation to obtaining this or any other contract with the Department will disqualify your tender from being considered and may constitute a criminal offence.

**Confidentiality of Tenders**

11 Please note the following requirements, you must not:

* Tell anyone else what your tender price is or will be, before the time limit for delivery of tenders.
* Try to obtain any information about anyone else's tender or proposed tender before the time limit for delivery of tenders.
* Make any arrangements with another organisation about whether or not they should tender, or about their or your tender price.

Failure to comply with these conditions may disqualify your tender.

**Costs and Expenses**

12 The Department will not be liable for any costs or expenses incurred by any Tenderer or the Tenderer's Team or any other person in connection with the Procurement Process, including (but not limited to) the submission of Tenders, nor will the Department or any of its officers, ministers, employees, agents or advisors will be liable in any way to any Tenderer, any member of the Tenderer's Team or any other person for any costs, expenses or losses incurred by any Tenderer, any member of the Tenderer's Team or any other person in connection with this Procurement Process, including (but not limited to) where the Procurement Process is cancelled or amended or the Department otherwise decides not to award a Contract pursuant to the Procurement Process.

**Debriefing**

13 Following the award of contract, debriefing will be available to unsuccessful tenderers on request.

If having read the enclosed specification you decide not to submit a tender, I would be grateful if could send your reasons (though you are under no obligation to do so) through the Jaggaer procurement portal marked 'No Tender'.

**Evaluation Criteria**

14 The procurement will be conducted in one stage. The evaluation procedure comprises 2 steps:

* + 1. Compliance / Validation – The Department will check your Submission to ensure it is compliant. This includes satisfying word count compliance, budgetary compliance and all the participation requirements listed in Document 8 – Declarations and Information to be Provided by the Tenderer.
    2. Tender Evaluation – The Department will assess your response to Document 5 Supplier Response form and Document 6 Cost Matrix.

Document 4 Evaluation Criteria provides full detail of the evaluation process and criteria.

14.2 The tender process will be conducted in a manner that ensures tenders are evaluated fairly to ascertain the economically most advantageous tender.

14.3 Your capability to perform the contract will be evaluated using the criteria set out in Document 4.

**SUB-CONTRACTORS AND GROUPS OF ECONOMIC OPERATORS**

The Department is happy to receive and welcomes tenders from Potential Contractors collaborating as a consortium or sub-contracting elements of their obligations. Where one of these approaches is adopted the remaining provisions of this paragraph must be followed.

15 When a consortium or sub-contracting approach is proposed, all information requested should be given in respect of the proposed prime Contractor (as defined in Document 7). The Declarations forms should also be completed in respect of consortium members or sub-contractors who directly contribute to the Potential Contractors ability to meet its obligations under the Contract.

The Department does not require all Sub-Contractors be disclosed. It only requires a potential Contractor to disclose those Sub-Contractors who directly contribute to the potential Contractors ability to meet its obligations under the Contract. There is no need to specify those Sub-Contractors providing general services to the potential Contractor (such as window cleaners, lawyers, desktop software contractors etc.) that indirectly enable the potential Contractor to perform the Contract. Please read the definition of Sub-Contractor in paragraph

The Contractor shall act as the prime Contractor responsible for the delivery of all the Services required under this Contract. Whilst the use of approved third parties/sub-contractors is permitted, the Contractor will manage, control and maintain all Department facing activities.

16 You need to complete question 1.2 (b) - (ii) in the Declarations Document 8 if you propose to use one or more Sub-Contractors. A potential Contractor’s submission must clearly identify in response to any question, when it is relying on a sub-contractor, the name of the particular Sub-Contractor and explain the Sub-Contractor’s capability and experience as the context of the question requires.

17 When completing Document 5 ITT Supplier Response form, potential Contractors must clearly identify when it is relying on a sub-contractor to demonstrate their experience, capability or capacity to provide the Services in accordance with the requirement.

**Tender Period**

18 Due to the intensive evaluation process the Department requires tenders to remain valid for 6 months.

**Basis of the Contract**

19 The Service Specification in Document 3, together with any special requirements, will form the basis of the contract between the successful tenderer and the Secretary of State for Education. The contract Terms and Conditions are available at Document 7. Please carefully review this document so that you fully to understand the rights and obligations they confer on the parties. Following the Department’s decision to award and prior to execution, the Department will update the Terms and Conditions to incorporate elements of the Tender including (but not limited to) the successful Potential Contractor’s prices and approach to delivering the Services

**Format of Bids**

20 Tenderers should present their proposals in the following format:

1.        Document 5 - ITT Supplier Response form

2.        Document 6 - Cost Matrix template

3.        Document 8 - Declarations and other information to be provided by the tenderer

**Conclusions**

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