**Tendring District Council**

**Open ITT Bidder Guidance**

**Levelling Up Fund**

**Reference: TE00016**



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This document has been split into the following two main sections:

**Part One – General Instructions and Guidance**

**Part Two – Bidder ITT Guidance**

# PART ONE – GENERAL INSTRUCTIONS AND GUIDANCE

Tendring District Council (**the Authority**) invites tenders for the provision of the requirement. Bidders should make themselves fully aware of the content of these General Instructions and Guidance, together with any other information/instructions issued by the Authority during this procurement exercise.

The estimated timetable for the award of a contract is as follows:

|  |  |
| --- | --- |
| *Invitation to Tender issued* | 19/04/2022 |
| ***Final Date for Clarifications from Bidders*** | **26/04/2022** |
| ***Tender Return Date*** | **03/05/2022 12:00 noon** |
| *Preferred Bidder Shortlisted* | 04/05/22 – 06/05/22 dependent on interview requirement |
| *Contract Preparation* | 09/05/2022 |
| *Contract Signature* | 11/05/2022 |
| *Contract Start Date* | 12/05/2022 |

The Authority will not be bound by this timetable if extensive bid clarification is required during evaluation.

All communications, enquiries, questions, or requests for clarification by Bidders should be addressed in writing and sent to [tendringdc@essex.gov.uk](mailto:tendringdc@essex.gov.uk). Bidders should note that the Authority will not respond to any enquiry, question, or request not submitted in this manner.

Bidders should be aware that where a clarification has a fundamental and/or material impact on the ITT, that clarification and the Authority’s response will be circulated to all bidders.

**Please email** [**tendringdc@essex.gov.uk**](mailto:tendringdc@essex.gov.uk) **to confirm you will be intending to bid, so that clarifications can be circulated to you.**

Any bidder who considers their clarification to be confidential must indicate this in writing to the Authority when submitting that clarification. The Authority will consider the Bidder’s written position into consideration when deciding whether to release the clarification and the Authority’s response to all bidders.

Any Bidder who directly or indirectly canvasses any member or officer of the Authority concerning this procurement or the award of any contract pursuant to this procurement, or who directly or indirectly obtains or attempts to obtain information from any such member or officer concerning any other public procurement will be disqualified.

It is the responsibility of Bidders to obtain for themselves at their own expense all information necessary for the preparation of their tenders. Information supplied by the Authority (whether in the ITT or otherwise) is supplied for general guidance in the preparation of the tenders. Bidders must satisfy themselves by their own investigations with regard to the accuracy of any such information and no responsibility is accepted by the Authority for any inaccurate information obtained by Bidders.

All information supplied by the Authority in connection with this ITT shall be regarded as confidential by the Bidder except that such information may be disclosed for the purpose of obtaining sureties and quotations necessary for the preparation of the tender.

No servant or agent of the Authority has authority to vary or waive any part of the ITT other than the Authorised Officer nominated by the Authority who shall only do so in writing.

The Bidder shall be deemed to have satisfied himself before submitting his tender as to the correctness of the rates and prices stated by him in the Tender (Commercial Response), which shall (except insofar as is otherwise provided in the Contract) cover all his obligations under the Contract.

All rates and prices quoted must exclude Value Added Tax.

All questions and/or documents must be fully completed and be accompanied by all requested supporting information. Any tender containing gaps or omissions are likely to be rejected. Any tender containing information which has not been requested is likely to be rejected.

Bidders must comply with the limit to the number of words or pages stated within this tender. For submissions that exceed the word/page limit the information provided beyond the limit will not be evaluated. Bidders are advised that they should not incorporate embedded documents or URL links in their response unless specifically requested to do so. Failure to do so may result in your tender being rejected.

Tenders must be for the supply of the whole of the services upon the terms of the Contract. Tenders for part or parts only of the service or for different standards or frequencies of service or made subject to alternative or additional terms or conditions may be rejected or may be rejected for the reasons of such alterations or additions only.

Any document requiring a signature must be signed:

(i) where the Bidder is an individual by the individual;

(ii) where the Bidder is a partnership, by two duly authorised

partners;

1. where the Bidder is a company, by two Directors or by a Director and the Secretary of the Company, such persons being duly authorised for that purpose.

In addition to any more specific obligations imposed by the terms of the Contract, Bidders must satisfy the Authority of their ability to provide the service set out in the Contract.

Every tender received by the Authority shall be deemed to have been made subject to the terms and conditions of the Contract unless the Authority shall previously have expressly agreed in writing to the contrary. Any alternative terms or conditions (which must be submitted on a separate form) offered on behalf of the Bidder shall, if inconsistent with the terms and conditions of the Contract, be deemed to have been rejected by the Authority unless expressly accepted in writing.

Your tender submission must be submitted to the Authority electronically by sending to [Democratictenderbox8@tendringdc.gov.uk](mailto:Democratictenderbox8@tendringdc.gov.uk)

* + not later than 12:00 hours on 03.05.2022.
  + It is the Authority’s policy to reject any tenders received after the above deadline.

There is a receipt limit of 20 megabytes per email on the Council email system. We do not accept files from download sites. For large files you may like to send zip files up to 20 Meg per email. (We have a large file rejection automated notice set up.)

There is an automated delivery receipt on our secure email accounts. If you do not receive this response from the Procurement team it is likely that your submission has failed to reach our Server so please resend and failing that contact [procurement@tendringdc.gov.uk](mailto:procurement@tendringdc.gov.uk).

You are advised to allow enough time before the deadline for any delays or errors reaching our server or rejection for oversize etc.

The onus is on you, the responder, to ensure that emails are received by us before the deadline.

Do not attempt to edit your response after the deadline has passed. Should you do this your tender will be considered late and will be rejected.

The Authority will not consider individual requests for extensions to the closing date and the time specified in above but may at its own absolute discretion extend generally the closing date and time. Where the Authority extends that deadline it will notify all Bidders in writing via a message in the e-sourcing system.

The Bidder is expected to keep his tender valid for acceptance for a period of 120 days from the closing date specified above.

The Authority is not bound to accept the lowest or any tender. The tender evaluation process will be conducted fairly in accordance with the published evaluation criteria to ascertain the most economically advantageous tender.

As you have agreed to the Authority’s Bidder Agreement you have confirmed your acceptance that the Authority reserves the right to amend, modify or withdraw the tender. The Authority reserves the right to accept or reject all or part of the Bidder proposal. Submission of a bid does not create a contract or any expectation by the Bidder of a future business relationship. Rather, by submitting a bid, you are making a firm offer which the Authority may accept to form a contract.

The Authority is not liable for any costs incurred by Bidder in the preparation, presentation, or any other aspect of Bidder's bid. The Authority will not reimburse any expense incurred by you in preparing your bid. You take part in this tender entirely at your own risk and cost.

Except to the extent the Authority allows a non-binding bid, all Bids which a Bidders submit are legally valid quotations without qualification, except for data entry errors.

The Authority has considered this procurement in relation to the Transfer of Undertakings (Protection of Employment) Regulations 2006 (the Regulations). The Authority’s preliminary view is that those Regulations do not apply to the transfer of activity envisaged by this contract. This is a preliminary view only and ultimately whether or not the Regulations apply is a matter of law. Providers should not rely upon the Authority's preliminary view and are therefore advised to seek their own independent legal advice on whether or not the Regulations apply. Providers should indicate whether or not their tender is submitted on the basis that the Regulations do or do not apply.

Please note that all response attachments must be in Arial 11 font in Microsoft Word, with standard margins (2.54cm top and bottom margins 3.17cm left and right margins) and formatted for printing onto A4 paper. Any submission response not complying with the stated format and specified page limit(s) may be excluded from the tender process. Any internet link included within any responses must comply with the specified response requirements.

# PART TWO – BIDDER ITT GUIDANCE

### Introduction

This ITT has been issued by the Authority in connection with a competitive procurement conducted under the Public Contract Regulations 2015. Below, please find some guidance regarding the content of the ITT. Please note that the Authority can only accept one bid per organisation/contracting entity.

Should a Bidder have any questions or clarifications regarding the ITT they must raise them via the email provided for clarifications [tendringdc@essex.gov.uk](mailto:tendringdc@essex.gov.uk). Please clearly mark the tender reference number TE00016 in your clarification . Any questions or clarifications raised, and the response to the same, will be shared with all Bidders unless they are marked as commercially confidential, and the Authority agrees this to be the case.

### Instructions, Key Documents & Declarations

This procurement is being undertaken using a single stage tender process with the ITT split into two sections - Section A and Section B. Therefore to express an interest and for your bid to be considered you will need to complete all questions within both sections and ensure that any requested documentation is attached.

BEFORE YOU CAN SUBMIT A RESPONSE YOU MUST CONFIRM THAT YOU HAVE READ, UNDERSTOOD AND ACCEPT THE TERMS AND CONDITIONS, SPECIFICATIONS AND OTHER ATTACHMENTS BY SIGNING THE ATTACHED FORM OF TENDER DECLARATION

If you have questions concerning the documentation you will need to submit the question via the email address provided above. Only questions asked in this manner will be responded to and broadcast.

The last date for questions to be asked is provided in the table above. Questions asked after this date will be responded to at the discretion of the Authority.

**SECTION A - SSQ Submission** (Appendix document SSQ)

Section A includes the Standard Selection Questionnaire (SSQ) which is designed to assess the suitability of a Supplier to deliver the Authority’s contract requirements.

The Standard Selection Questionnaire is structured in 3 separate parts:

Part 1 of the Standard Selection Questionnaire covers the basic information about the supplier, such as the contact details, trade memberships, details of parent companies, group bidding and so on.

Part 2 covers a self-declaration regarding whether or not any of the exclusion grounds apply.

Part 3 covers a self-declaration regarding whether or not the company meets the selection criteria in respect of their financial standing, technical and professional ability and the Authority’s additional questions.

Bidders are required to answer all questions in the format specified.

### Guidance to completing the SSQ

### Part 1: Potential Supplier Information (Section 1)

This section requires the Bidder to specify relevant details concerning their organisation.

Please see EU definition of SME: <http://ec.europa.eu/enterprise/policies/sme/facts-figures-analysis/sme-definition/>

UK companies, Societates European (SEs) and limited liability partnerships (LLPs) will be required to identify and record the people who own or control their company. Companies, SEs and LLPs will need to keep a PSC register and must file the PSC information with the central public register at Companies House.

Please see PSC guidance <https://www.gov.uk/government/publications/guidance-to-the-people-with-significant-control-requirements-for-companies-and-limited-liability-partnerships>

Please note, a criminal record check for relevant convictions may be undertaken for the preferred suppliers and the persons of significant control of them.

The Contact Details section details the individual contact details of the representative who is response for completing the Bidder ITT documentation and who the Authority should contact in the event of any clarifications or queries.

The Bidder is to identify if they are bidding as a Prime Contractor or a Consortium. Where reference is made to a consortium, this should be read as also including any other proposed partnership, joint venture or significant sub-contracting arrangement

For bidding purposes, a consortium bid is acceptable but for the purpose of entering into a contract, the Authority reserves the right to require groupings of organisations, consortia, partnerships or other form of joint venture to take a particular legal form or to require a single lead organisation to take primary liability under the contract or to require that each party in a consortium/partnership/joint venture undertakes joint and several liability under the contract.

Where a consortium structure is proposed, all information requested should be given, unless otherwise instructed, in respect of the proposed prime contractor/consortium leader and in respect of consortium members or sub-contractors who will play a significant role in the delivery of services or work under any ensuing contract. Responses must enable the Authority to assess the overall service proposed.

The Authority recognises that arrangements in relation to consortia and sub-contracting may be subject to future change. Service providers/suppliers should therefore respond in light of such arrangements as they are currently envisaged. Potential suppliers are reminded that any future changes in relation to consortia and sub-contracting must be notified to the Authority so that it can make further assessment by applying the selection criteria to the new information provided and the Authority reserves the right to reject any change which does not satisfy the selection criteria and any Bidder who no longer satisfies the selection criteria.

* Are you bidding as a Prime Contractor and will deliver 100% of the key contract deliverables yourself?
* Are you bidding as a Prime Contractor and will use third parties to deliver some of the services?
  + Please provide details of your proposed bidding model that includes members of the supply chain, the percentage of work being delivered by each sub-contractor and key contract deliverables each sub-contractor will be responsible for.
* Are you bidding as Prime Contractor but will operate as a Managing Agent and will use third parties to deliver all of the services?
* Are you bidding as a consortium but not proposing to create a new legal entity?
  + Please provide details of your consortium to explain the alternative arrangements i.e. why a new legal entity is not being created.
  + Please note that the Authority may require the consortium to assume a specific legal form if awarded the contract, to the extent that it is necessary for the satisfactory performance of the contract.
* Are you bidding as a consortium and intend to create a Special Purpose Vehicle (SPV)?
  + Please provide details of your consortium, current lead member and intended SPV including full details of the bidding model.

### Part 2: Exclusion Grounds

**(Section 2) - Ground for mandatory exclusion**

The purpose of this section is to establish the propriety of bidders.

If a bidder answers “Yes” to any of the questions in this section there will be serious doubts about propriety and the council is obliged to reject them from the procurement.

Any bidder that answers ‘Yes’ to any of the questions in this section should provide sufficient evidence, in a separate attachment, that the provides a summary of the circumstance and any remedial action that has been taken place subsequently and effectively “self-cleans” the situation referred to in the questions. The bidder has to demonstrate it has taken such remedial action, to the satisfaction of the authority.

For the list of exclusions please see: <https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List_of_Mandatory_and_Discretionary_Exclusions.pdf>

**(Section 3) – Grounds for discretionary exclusion**

The purpose of this section is to establish the propriety of bidders.

If a bidder answers ‘Yes’ to any of the questions in this section there may be doubts about the propriety of the bidder. However, the Authority will consider any information that the bidder provides which clearly indicates that any past conduct or problem has been resolved and that steps have been taken to prevent its recurrence.

Any bidder that answers ‘Yes’ to any of the questions in this section should provide sufficient evidence, in a separate attachment, that the provides a summary of the circumstance and any remedial action that has been taken place subsequently and effectively “self-cleans” the situation referred to in the questions. The bidder has to demonstrate it has taken such remedial action, to the satisfaction of the Authority.

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>

### (Section 4) - Economic & Financial Standing

The purpose of this section is to ascertain that bidders are able to provide relevant financial information where required by the Authority. The questions in this section assume that information will only be required from the winning bidder, but in the event that evidence is required at an earlier stage of the procurement process, the Authority will indicate this in the wording in question 4.1 which will be amended to say, “Please indicate which of the following you have provided to demonstrate your economic/financial standing”.

The financial information required in this section is intended to gain a basic indication that the successful bidder is not a significant financial risk in relation to the particular procurement.

The key objective of financial appraisal is to analyse a bidder’s financial position and determine the level of risk that it would represent to the council – having regard to the contract requirement and value, criticality, and the nature of the market. The assessment of risk will be based on sound business judgement rather than just the mechanistic application of financial formulae.

Where a contract is divided into lots then the minimum yearly turnover shall be twice the expected contract value of each individual lot(s) bid for, but the Authority may set a minimum yearly turnover that a successful bidder is to have in the event they are awarded several lots to be executed at the same time.

For contracts based on a framework agreement the minimum yearly turnover of a bidder shall be based on the estimated value of the framework agreement. In the case of dynamic purchasing systems agreements, the minimum yearly turnover shall be based on the expected maximum size of the specific contracts to be awarded under the systems.

The Authority shall reserve the right to reject any bidder’s ITT submission where no formal guarantee can be provided by the bidder e.g., parent company guarantee, bank bond or performance bond when the organisation consolidated risk category is “high”.

The bidder is requested to indicate they can provide a copy of their accounts for the most recent two years, where legally applicable these should be audited accounts. In the event that the bidder is not in a position to present accounts, then required financial information is to be presented in the spreadsheet provided by the Authority in the SQ.

There is no scoring criterion for this section, but the successful bidder will be categorised by the consolidated risk categories outlined on the ‘Risk Ratings’ tab of the Financial Certification Form. The ‘Financial Risk Rating Ratios’ tab of the same document sets out how each of the consolidated risk categories are calculated.

# (Section 5) – Bidding Model

Where a Bidder has identified in response to Q1.2 of the SSQ that they are part of a wider group who will be delivering the services/goods they will use this section to provide additional information.

Bidders will be required to provide the following information;

* Name of Organisation
* Relationship to the Bidder completing these questions
* Provision of Parent Company Accounts if requested.
* Provide a Parent Company Guarantee if required
* If no Parent Company Guarantee then provide another guarantee, e.g., bank.

The responses to the question in this section will enable the Buyer to assess the potential Bidders’ relevant experience and ability to deliver the requirement.

**(Section 6) – Technical and Professional Ability**

**6.1 Relevant Experience and contract examples**

The Bidder is to provide up to three contracts, in any combination from either the public sector or private sector that are relevant to the Authority’s requirement by completing the attached template within this section. The contract provided must be in the last three years for Supplies or Services Contracts and within the last five years for Works contract.

A newly set-up Bidder might be unable to provide three contract examples, but a least one or two should be available. Where a Bidder is unable to provide an example then they will need to complete Q6.3.

You will be scored for this question if it is relevant to you. If not, you will be scored against Q6.3 instead, but not both.

**6.2 Sub-contracting**

Where the Bidder intends to sub-contract a proportion of the contract they are to demonstrate how they have previously maintained healthy supply chains with their sub-contractor(s)

Evidence should include, but is not limited to, details of supply chain management tracking systems to ensure performance of the contract and including prompt payment or membership of the UK Prompt Payment Code (or equivalent schemes in other countries)

**Section 7 Modern Slavery Act 2015**

The Modern Slavery Act 2015 (the “Act”) aims to eradicate modern slavery, which encompasses human trafficking, slavery, forced labour and servitude.

Organisations with a global turnover of £36 million and over are required to publish a slavery and human trafficking statement for each financial year. The statement must set out the steps an organisation has taken to ensure that slavery and human trafficking is not taking place in its supply chain or in any part of its own organisation**.**

Bidders are required to identify if they are a relevant commercial organisation as defined by Section 54 (Transparency in supply chains etc...) of the Act. Where a Bidder has answered ‘Yes’ then they are to provide an URL to the relevant annual report.

If a Bidder indicates that this is not applicable they are to provide an explanation.

Further details concerning the Modern Slavery Act can be found at: <https://www.gov.uk/government/uploadTransparency_in_Supply_Chains_etc__A_practical_guide__final_.pdf>

### (Section 8) - Additional questions

General Note - The questions in this section will be assessed in accordance with Scoring Methodology Table A.

**8.1 Insurance**

The ITT will outline the insurance requirements applicable for the procurement exercise. If a Bidder answers ‘Yes’ or ‘Willing to Obtain’ it is likely that the Authority will require evidence of the insurance cover at an appropriate stage during the procurement exercise, and prior to contract award.

Employer’s Liability Insurance is a legal requirement (except for businesses employing only the owner / close family members). If a Bidder believes that they fall into this category they must answer the question and provide further details justifying the exemption.

**8.2 Skill and Apprentices**

Apprenticeships and skills development are seen as a way of minimising the social and economic impacts of youth unemployment which is high on the political agenda. The Authority supports the expansion of the use of apprenticeships, with many of our suppliers already employing apprenticeships in the delivery of services.

Bidders should provide details demonstrating how they have provided apprenticeship opportunities and skills development to date, including how the number of apprenticeships are calculated (e.g., value of contract or another mechanism). The Authority is also interested to understand how individual apprentices are developed and progressed, including the Bidder’s apprenticeship completion rate and succession rate.

Procurement Policy Note 14/15– Supporting Apprenticeships and Skills Through Public Procurement.

**8.3 Licensing and Registration**

The Bidder is to detail if their organisation is registered with the appropriate trade or professional register(s) with the member state or country they are established. Details of these can be found in Annex XI of the Public Contracts Regulations 2015.

**8.4 Professional Capacity**

**Organisation Management Structure**

The responses to the question in this section enable the Buyer to understand the organisational structure, key personnel/managers and their qualifications and seniority.

**Resources**

The response to the question in this section enables the Buyer to understand the resources you have drawn on, including any intent to sub-contract, or employ apprentices in order to help deliver similar contracts.

The Authority supports the expansion of the use of apprenticeships because it offers added value to the Council and benefits the community. Volunteering is an important expression of citizenship and a powerful force for change. Volunteers can make a unique contribution to society and must be valued, supported and well managed during delivery of services.

Bidders may show an awareness of how they have supported the local economy through similar contracts, for example recruiting local labour and sub-contracting to local SME’s.

The Authority is committed to improving quality of life, reducing the demand upon public services and supporting the local economy by increasing employment opportunities for people with a disability. People with learning disabilities in particular are underrepresented in the workforce, with only 13% of our service users currently employed. If the contracts you have undertaken previously are within an industry which is likely to support roles which provide an entry to the job market, this should be considered in your response.

**8.5 Equality & Diversity**

The bidder is to detail if there has been any finding of unlawful discrimination against their organisation by an Employment Tribunal, an Employment Appeal or any other court. A summary of the investigation is to be provided, as well as any remedial action that organisation has undertaken to prevent reoccurrence.

In you are an organisation located outside of UK please refer to equivalent legislation in the country you are based.

The bidder is to provide details of any complaint upheld by the Equality and Human Rights Commission in the last three year. A summary of the investigation is to be provided, as well as any remedial action that organisation has undertaken to prevent reoccurrence

The bidder is also required to provide overview of any processes they have in place to check whether any of the above circumstances apply to any of their sub-contractors.

Further information regarding the areas covered in this section can be found at:

[www.equalityhumanrights.com](http://www.equalityhumanrights.com) or [www.gov.uk](http://www.gov.uk).

**8.6 Environmental Management**

The Bidder is to provide details of any breaches of the environmental legislation in the last three years. A summary of any investigation is to be provided, as well as any remedial action that the organisation has undertaken to prevent reoccurrence.

Has your organisation been convicted of breaching environmental legislation, or had any notice served upon it, in the last three years by any environmental regulator or authority (including local authority)?

Please provide details of the conviction or notice and details of any remedial action or changes you have made as a result of conviction or notices served.

The Authority will not select Bidder(s) that have been prosecuted or served notice under environmental legislation in the last 3 years, unless the Authority is satisfied that appropriate remedial action has been taken to prevent future occurrences/breaches.

If you use sub-contractors, do you have processes in place to check whether any of these organisations have been convicted or had a notice served upon them for infringement of environmental legislation?

Further information regarding the areas covered in this section can be found at [www.gov.uk](http://www.gov.uk)

**8.7 Health & Safety**

The bidder is to self-certify that their organisation has a Health and Safety Policy that complies with current legislation.

The bidder is to provide details of receipts of any enforcement orders in relation to the Health and Safety Executive given to their Directors or Executive Officers in the last three years. A summary of the investigation is to be provided, as well as any remedial action that organisation has undertaken to prevent reoccurrence.

The bidder is also required to provide an overview of any processes they have in place to check whether any of the above circumstances apply to any of their sub-contractors.

Further information regarding the areas covered in this section can be found at:

[www.hse.gov.uk](http://www.hse.gov.uk)

**8.8 E-Procurement**

The purpose of this section is to identify your organisation’s current e-Procurement capabilities to ensure that your organisation can meet with Tendring District Council’s e-Procurement requirements. E-Procurement refers to electronic methods used to purchase goods, works and services in order to maximise the benefits to both the Authority and suppliers through efficient processes and prompt payment.

Please Note: If an alternative approved system is utilised for a contract, for example for Social Care (e.g., A4W or Mosaic), the Buyer will amend these standard questions as applicable with the appropriate requirements for that contract. Information on particular P2P processes for specific sectors such as Social Care can be requested.

If you cannot meet the minimum standards but your organisation is currently developing its IT capabilities which will enable your organisation to meet with the requirements from the date of commencement of the contract, please provide details explaining this and detail what action you are taking.

If you have not done so already, you may want to set up a single email account for your organisation. Please note that one single email account must be provided for the organisation, the Authority is unable to accept multiple e-mail addresses for different depots within/across an organisation.

Please familiarise yourself with the Proactis marketplace information which can be found on the Authority’s website.

**8.9 Information Handling & Security**

The bidder is required to complete the Data Protection Compliance Questionnaire – Self-Assessment. In addition where data processing occurs then a Data Processing Agreement will be completed in the final contract.

Tendring District Council has a duty to ensure that solutions/services are compliant with the Data Protection Act (2018) and General Data Protection Regulations.

Tendring District Council holds and processes personal information about the people of Tendring, including the people who work with and on behalf of the Council. Information is received from many sources, including other public agencies and is also produced as part of providing day to day services.

The [information policy requirements for contractors](http://www.essex.gov.uk/Business-Partners/Supplying-Council/Documents/ECC_information_policy_requirements_for_contractors.pdf) details the minimum information handling standards that will apply to any contractor who undertakes business on behalf of the Council.

Any contractor who is successfully awarded a contract shall be governed by the terms and conditions detailed in the formal agreement.

Further information on Data Protection can be found on [www.ico.org.uk](http://www.ico.org.uk)

**Contingency Plan**

Bidders are required to upload a copy of their Business Continuity Plan.

### SECTION B

### Technical Response

Bidders are required to complete all relevant questions and/or complete any documents as required by this tender.

You are required to answer **all** of the questions within Section B and submit the responses as requested. Document responses should state the question with the answer following it. Make sure that your company name appears on each page.  
  
If you fail to answer any question(s) the Authority may consider your tender non-compliant and may exclude your bid from further evaluation.  
  
Your responses to the questions in this section will form **50%** of the overall evaluation scoring and will be added to the score in your commercial response.

### Commercial Response

Bidders will be required to provide a price for the services/goods that they are tendering for. Their completed pricing model/matrix will need to be uploaded. Your commercial response in this section will form 50% of the overall evaluation scoring.

The net price offered by the Bidder will be used to evaluate their price submission.

The bidder is required to complete the attached Pricing Matrix in the prescribed format in accordance with the instructions set out in above in this Bidder Guidance

### Commercial Response Evaluation Methodology:

The commercial response will be evaluated as follows:

1. Bids will be evaluated on the net price for the entire contract as calculated within the Pricing Matrix for each bidder.
2. The award model will then compare all the net prices submitted for all bids and the bid with the lowest net price will be awarded a commercial score equivalent to the maximum % weighting available for the price element of the bid.
3. All other bid prices will then be compared against the lowest net price and awarded a score on the basis of a pro-rata calculation of the maximum score. Example: Weighting of 70% to Price: the scores awarded would be as follows:-

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Price: 70%** | **Bidder 1** | **Bidder 2** | **Bidder 3** | **Bidder 4** |
| **Tendered Price** | £10,000 | £10,000 | £13000 | £12500 |
| **Net Price** | £9950 | £10,000 | £12,740 | £12,310 |
| **Score** | 70% | 69.65% | 54.67% | 56.58% |
|  |  |  |  |  |
| **Outcome** | Lowest (Best) Price | £9950 | Highest (Worst) Price | £12740 |

### Freedom of Information

If a Bidder considers that any information supplied for the purposes of this ITT is either confidential in nature or commercially sensitive and an exemption applies this should be highlighted in the body of the ITT submission and the reasons for its sensitivity given in the table in the form supplied.

Submission of a completed table does not guarantee that the information highlighted will be recognised as an exemption, this will be subject to clarification.

**Form of Tender**

The Bidder is to acknowledge they have read and agree to the Form of Tender document through providing the requested details and signing by the authorised signatory.

# Scoring Methodology Table A

**Scores will be weighted as detailed in the Technical Evaluation column provided within section B, with scoring awarded on a 0-5 basis in line with the table below.**

**If on any question you score below 3, this will classify as a failed score and a failed bid overall.**

**Scoring Methodology Table A:**

|  |  |
| --- | --- |
| **0** | **Unacceptable Response** The response is not relevant to the question, or the question has simply not been answered. Where the question has been answered, the response raises major concerns about understanding or approach which are potentially highly detrimental to satisfactory service delivery or Contract performance. The submission failed to cover any of all areas that should have been addressed within the response |
| **1** | **Poor Response** The response suggests significant shortcomings of understanding or approach which is likely to impact on service delivery or Contract performance. The submission failed to cover a number of all areas that should have been addressed within the response |
| **2** | **Fair Response** The response suggests minor shortcomings of understanding or approach which may impact to a limited extent on service delivery or Contract performance. The submission partially covered all areas that should have been addressed within the response |
| **3** | **Satisfactory Response** The response raises no concerns about understanding or approach to service delivery or Contract performance.  The submission covered all areas that should have been addressed within the response |
| **4** | **Good Response** The response raises no concerns about understanding or approach to service delivery or Contract performance. The response also demonstrates how relevant added value will be provided.  The submission covered all areas that should have been addressed within the response to a high standard |
| **5** | **Excellent Response**  The response raises no concerns about understanding or approach to service delivery or Contract performance. The response demonstrates how relevant added value will be provided including examples of the application of good practice, demonstration of how the study could be consider other perspectives not considered by the client or explores innovative ways to address climate change and net zero targets  The submission covered all areas that should have been addressed within the response to a high standard and demonstrated a commitment to go above and beyond requirements |