



Department  
for Work &  
Pensions

## **Invitation to Tender**

# **Instructions to Potential Suppliers**

**Retail Trade Framework  
The Service of Supplying Goods to DWP Customers**

**UI\_DWP\_100923**

**July 2014**

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## **INSTRUCTIONS AND INFORMATION ON TENDERING PROCEDURES**

### **1. General Information**

- 1.1 Please note that, unless otherwise indicated, references to the "Authority" or to "DWP" throughout these documents mean the Secretary of State for Work and Pensions acting as part of the Crown through his/her representatives in the Department for Work and Pensions. References to "Potential Supplier" means any person or organisation responding or, where the context requires, potentially responding to this Invitation to Tender (ITT)
- 1.2 These instructions, together with the specification and all other information and documents to which they refer, 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.
- 1.3 This document contains the information and instructions Potential Suppliers need to submit a completed tender, for example:
  - Information regarding the procurement, such as the timetable, specific conditions of contract, evaluation process and award/evaluation criteria
  - How to submit questions and requests for clarification
  - Instructions explaining how to complete and submit a tender
- 1.4 Please read the information and instructions carefully because non-compliance with the instructions may result in disqualification of your tender from this procurement.
- 1.5 The Terms and Conditions form an integral part of this ITT and will apply throughout this procurement. They set out further rights and obligations which apply to the Authority and successful suppliers.
- 1.6 Potential Suppliers need to ensure that they have read all the documentation contained within this ITT (Specification, Background Information, Terms and Conditions and these Instructions) thoroughly so that questions or clarifications are not raised unnecessarily.

### **Briefing Session**

- 1.7. It is our intention to hold a Supplier development day during the week commencing 11<sup>th</sup> August 2014. Details of location and timings will be provided following your registration.
- 1.8. This opportunity will allow us to provide you with more details about the ITT Documents and Service Requirement and will give you an opportunity to ask any questions you may have, or raise any issues that you feel are important.

- 1.9. Following feedback from the Pre ItT Supplier day, this session will be mainly focused on individual surgeries as we recognise this is the area of maximum benefit. Further information will be provided following registration
- 1.10. Due to space limitations within the venue each organisation is asked to send no more than four representatives. In order that appropriate security arrangements can be made, will you please advise the DWP Commercial team via BravoSolutions no later than 10am on the 5<sup>th</sup> August 2014, whether you wish to take advantage of this opportunity with the names of those who will attend.
- 1.11. All Potential Suppliers need to be aware that all Central Government Departments and their Executive Agencies and Non Departmental Public Bodies are subject to control and reporting within Government. In particular, they report to the Cabinet Office and HM Treasury for all expenditure. Further, the Cabinet Office has a cross-Government role delivering overall Government policy on public procurement – including ensuring value for money and related aspects of good procurement practice. For these purposes, the Authority may disclose within Government any of the Potential Suppliers documentation/information (including any that the Potential Supplier considers to be confidential and/or commercially sensitive such as specific bid information) submitted by the Potential Supplier to the Authority during this procurement. The information will not be disclosed outside Central Government and their Executive Agencies and Non Departmental Public Bodies.
- 1.12. The Authority actively encourages Potential Suppliers to utilise SMEs (where relevant to do so and provides value for money) within their supply chains. Please see [relevant](#) section of this document for more detailed information regarding the Authority's approach to engaging with SMEs.

## **2. Administration of the Procurement Process**

- 2.1 The Authority will be administering the procurement process electronically via the [DWP e-Procurement Solution \(ePS\)](#) portal. No hard copy documents will be issued and all communications with the Authority (including final submission of tenders) will be conducted via the DWP e-Procurement Solution Portal.
- 2.2 To ensure all communications relating to this procurement are received the Potential Supplier must ensure that the point of contact it nominates in the DWP e-Procurement Solution Portal is accurate at all times. Access to the Portal is available 24 hours a day, 7 days a week, and 365 days a year

anywhere in the world via the internet unless notified otherwise by the DWP e-Procurement Solution portal.

- 2.3 Support available to help you to understand and use the system includes:
- Freephone helpdesk (0800 368 4850), available Mon-Fri 8am to 6pm (UK time in English language only);
  - Help guides.
- 2.4 Potential Suppliers must ensure that their DWP e-Procurement Solution registration directly relates to the part of the supplier organisation that submits the tender (i.e. some larger suppliers may have several subsidiaries so registration needs to apply to that part of organisation responsible for this particular requirement).
- 2.5 Where a consortium/Special Purpose Vehicle (SPV) is formed to submit a tender, this must only be submitted by and in the name of the supplier chosen as the “Lead” supplier for that consortium/SPV.
- 2.6 Where a consortium/SPV is formed one of its members should be nominated to lead the tender process. If the consortia/SPV legally exists, then the consortia/SPV should lead and complete the tender in its name and ‘voice’. If the consortia/SPV does not yet exist then it should nominate a lead member to complete the tender.
- 2.7 The lead member will then be treated as the “Potential Supplier” by the Authority for the purposes of this tender and to communicate with the consortium/SPV.
- 2.8 Where there is a change of supplier chosen to “lead” a consortium/SPV PRIOR to tender submission, the new lead supplier must register on the DWP e-Procurement Solution portal and the previous lead supplier should immediately “decline” their option to submit a tender.
- 2.9 Please note that the Authority will require the consortium/SPV to form a single legal entity for the purpose of concluding the framework agreement.
- 2.10 Should you have any queries with accessing the portal, please contact DWP e-Procurement Solution’s dedicated supplier helpdesk by calling 0800 368 4850 or by emailing: [help@bravosolution.co.uk](mailto:help@bravosolution.co.uk).

### **3. Conditions Applying to this Tender**

#### **Open Procedure**

- 3.1 This requirement is classed as a Part B service the Authority is not obliged to apply the main Regulations in the Public Contract Regulations (2006).**

- 3.2 It is the Authorities intention that this Competitive Procurement Exercise will comply with the overriding EU Procurement Directive principles for open and transparent competition to ensure value for money.

### **Authority's Terms and Conditions**

- 3.3 Potential Suppliers are not permitted to submit their own terms and conditions, whether standard or otherwise and no material amendments which alter the balance of commercial risk, legal risk or any other type of risk between the Authority and the Potential Supplier, to the Authorities terms and conditions will be considered. Please see technical response envelope (Annex R) should you wish to propose non-material changes to the Terms and Conditions.

### **Costs and Expenses**

- 3.4 Potential Suppliers will not be entitled to claim from the Authority any costs or expenses which may be incurred in preparing and/or submitting it's tender.
- 3.5 This applies whether or not the Supplier or any other organisation is successful and also applies to any additional cost a Potential Supplier may incur if the Authority modifies or amends its requirements or if the Authority cancels this procurement for whatever reason.

### **Confidentiality**

- 3.6 All information supplied by the Authority to you must be treated in confidence and not disclosed to third parties other than is necessary to obtain sureties or quotations for the purpose of submitting this tender. All information supplied by you to the Authority will similarly be treated in confidence except: -
- I. For the disclosure of such information with regard to the outcome of the procurement process as may be required to be published in the Official Journal of the European Union in accordance with EU Directives or elsewhere in accordance with the requirements of UK government policy on the disclosure of information relating to government contracts;
  - II. That as part of the debriefing process we will inform any eliminated tenderer, who has made an admissible tender, of the characteristics and relative advantages of the successful tender(s), as well as, where appropriate, the qualitative evaluation score(s) achieved by and name(s) of the successful tenderer(s);

- III. In pursuance of the Authority's statutory obligations under the Freedom of Information Act 2000 or the Environmental Information Regulations or the UK Government's requirements on transparency;
  - IV. That references may be sought from banks, existing or past clients, or other referees submitted by the tenderer.
- 3.7 The Potential Supplier acknowledges and agrees that all Central Government Departments and their Executive Agencies and Non Departmental Public Bodies are subject to control and reporting within Government and that they report to the Cabinet Office and HM Treasury for all expenditure; and the Cabinet Office has a cross-Government role delivering overall Government policy on public procurement - including ensuring value for money and related aspects of good procurement practice.
- 3.8 For the purposes mentioned at paragraph above, the Authority may disclose within Government any of the Potential Supplier's documentation/information (including any that the Potential Supplier considers to be confidential and/or commercially sensitive, such as specific bid information) submitted by the Potential Supplier to the Authority during this Procurement. The information will not be disclosed outside Government

### **Contract Period**

- 3.9 The framework agreement will be for the period 1<sup>st</sup> December 2014 to 30<sup>th</sup> November 2016 unless terminated by the Authority in accordance with the terms of the framework. Subject to satisfactory performance and with the agreement of both parties the contract may be extended up to a maximum of 2 years on a 1 plus 1 basis.

### **Potential Supplier Visits (where appropriate)**

- 3.10 Where it is anticipated that the Authority's premises are to be used for the delivery of the contract the Authority will arrange site visits for all Potential Suppliers who wish to visit the locations concerned.

### **Amendments to the Tender Process or Tender Documents by the Authority**

- 3.11 The Authority reserves the right to vary the tender process and/or amend the tender documents (including this ITT Instructions to Potential Suppliers document) at any time prior to the deadline for receipt of tenders. Any such amendment will be numbered, dated and issued by the Authority via the DWP e-Procurement Solution portal. Where amendments are significant, the Authority may at its discretion extend the deadline for receipt of tenders.

- 3.12 The Authority reserves the right to discontinue this tendering process at any time and not to award a framework agreement.

### **Previous or current contracts with DWP**

- 3.13 Potential Suppliers who currently undertake, or have previously undertaken, work for DWP should note that the tender will be evaluated purely on their response to this ITT. DWP's prior knowledge or experience of organisations will not form part of the evaluation.

### **Inducements**

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

### **Collusion**

- 3.15 Please note that qualification envelope of the ITT contains a "Certificate of Bona Fide Tendering". If you answer NO to question 1 you must complete annex C so you can demonstrate to the Authority that adequate remedial action has been implemented. If you answer NO to any other question under Bona Fide Tendering your tender will not be evaluated.

### **Potential Supplier Clarification (Q&A)**

- 3.16 Potential Suppliers have the opportunity to raise questions about the ITT and request clarification about the requirement. All questions raised must be submitted via the [DWP e-Procurement Solution](#) portal.
- 3.17 The Question and Answer log will be published on the DWP e-Procurement Solution portal and updated regularly. It will be the responsibility of the Potential Supplier to monitor the portal for the latest activity.
- 3.18 The last date for the submission of questions along with the date of the publication of the final Q&A log on the DWP e-Procurement Solution portal is shown in the procurement timetable.
- 3.19 The final date for questions and answers and dissemination allows sufficient time for Potential Suppliers to impact this information before finalising their tenders for submission.
- 3.20 If a question is deemed by a Potential Supplier to be commercially confidential, then the supplier should indicate that they believe this is the case. The Authority will consider this and if in agreement, will exercise

due discretion in handling the question and limiting the circulation of the answer(s) to your organisation.

- 3.21 Questions not deemed to be commercially confidential will be considered by the Authority to be of significance to all Potential Suppliers. All questions and answers will be made anonymous and made available to all Potential Suppliers via the [DWP e-Procurement Solution](#) portal. If the Authority intends to follow this course of action it will inform you before sharing the question and response with all Potential Suppliers which will provide you with an opportunity for the question to be withdrawn.

### **Acceptance and Return of Tenders**

- 3.22 By issuing the ITT the Authority is not bound in any way and does not have to accept any tender.
- 3.23 The tender, comprising of the information set out in the ITT must be completed and submitted in its entirety to the DWP e-Procurement Solution portal by the stipulated deadline.
- 3.24 Tenders will remain unopened until the deadline for receipt has passed and then they will be opened and logged in accordance with DWP procurement procedures. The tenders will undergo an initial compliance check to ensure that all information requested has been received. Tenders will be rejected if the complete information requested is not included as part of the tender documentation.

### **Declaration by Potential Supplier (Technical Envelope)**

- 3.25 This document is your offer to enter into a contract with the Authority. It is the responsibility of the Potential Supplier to ensure that your final submission corresponds with the information stated on this Declaration Statement as this will form the basis of your tender proposal.
- 3.26 This document should also act as a final checklist to confirm that you have submitted all of the required responses. To ensure equality of treatment for all Potential Suppliers you must return all of the information required to enable a full evaluation of your tender to take place. If any of the documents are missing at tender opening stage your tender will be classed as non-compliant and will not be evaluated resulting in your disqualification from the procurement exercise.
- 3.27 You will note that this document requires a scanned signature and if your proposal is successful then a “wet signature” will be required at contract award stage.

### **Period for which Tenders shall Remain Valid**

- 3.28 Tenders shall remain valid and capable of acceptance for 180 days from the closing date for receipt of tenders.

### **Variant Proposals**

- 3.29 Variant proposals will not be accepted unless otherwise stated in the Contract Notice.

### **Welsh Language (only relevant if the contract delivers a customer facing service to customers in Wales)**

- 3.30 Where appropriate Potential Suppliers should be aware that If the contract delivers a service to members of the public in Wales then the Potential Supplier must comply with and fully understand their contractual obligations regarding the DWP Welsh Language Scheme. Full details can be found in the Welsh Language Scheme Contract Schedule and further details found by accessing ['A guide for DWP Contractors when delivering services to DWP customers in Wales'](#) .

### **Tax Compliance (ITT- Qualification Envelope)**

- 3.31 Potential Suppliers bidding for government contracts are required to self-certify their tax compliance for all procurements which have or likely to have a value of £5million or over. Potential Suppliers are not required to certify on behalf of any subcontractor or any other members of the supply chain.
- 3.32 Where a Potential Supplier has declared occasions of non-compliance they will also need to provide details of any mitigating factors, such as the measures that have been implemented to ensure future tax compliance.
- 3.33 Please note that the Authority may disqualify a Potential Supplier from participating in a procurement process if it has not fulfilled its tax obligations under UK law or the relevant State in which the Potential Supplier is established.

## **4. Data Security**

### **Draft Security Plan - (ITT – Technical Envelope & Annex E)**

- 4.1 Cabinet Office has introduced mandatory requirements relating to data handling, security and information assurance in government contracts. Information must be protected, together with systems, equipment and processes which support its use. Our contractors must provide an appropriate level of security.
- 4.2 Potential Suppliers (whether for a contract or place on a framework) are required to submit a Draft Security Plan detailing how you will comply

with the DWP Security Policy for Contractors. A copy of this document can be found on ['Gov UK - Other DWP procurement and policy documents'](#) and full guidance is provided in the relevant document and in schedule 6 of the DWP Standard Terms and Conditions. A full Security Plan will be due 20 days after contract award.

- 4.3 For those Suppliers who are successful in obtaining a place on a framework agreement the provisions of this requirement (full security plan) will become active on the department placing its first contract under the framework agreement and will be relevant to each specific award subsequently called off that framework.

#### **Off-shoring - (ITT Technical Envelope & Annex F)**

- 4.4 In accordance with the DWP Offshoring Policy, prior written consent from DWP must be sought where Potential Suppliers (and/or their sub-contractors) are proposing to host or access Departmental systems, services or official information outside of the United Kingdom, or to bring foreign nationals to the United Kingdom to provide services in delivery of the Contract.
- 4.5 Potential Suppliers must be aware of this and must submit an application for approval together with their tender. Where DWP gives consent, the Potential Supplier shall comply with any reasonable instructions notified to it by DWP in relation to the Authority Data in question. More information can be found in the document A Guide to DWP Offshoring Policy which can be found on ['Gov UK - Other DWP procurement and policy documents'](#).

#### **Baseline Security Standard (Part of Terms and Conditions).**

- 4.6 Where contractors staff are to be given access to Authority's assets (defined as premises, systems, information or data) the attention of Potential Suppliers is drawn to their contractual obligation. Full details of the actions required to comply with the above procedures, can be found in the guidance document 'HMG Baseline Personnel Security Standard – A Guide for DWP Contractors'. A PDF version of this document can be viewed at: ['Gov UK - Other DWP procurement and policy documents'](#)
- 4.7 Contractors' staff working in Northern Ireland will be required to be cleared via the Access NI procedures, more information can be obtained at [www.dojni.gov.uk/accessni](http://www.dojni.gov.uk/accessni). A copy of this document in Microsoft Word format can be provided on request. Please note that Potential Suppliers are expected to meet any costs this may involve.
5. **Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE) - (ITT Technical Envelope & Annexes G & H)**

- 5.1 Your attention is drawn to the Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE). It is the Authority's view that TUPE is unlikely to be applicable if this ITT results in a Contract being placed. Nevertheless, it is your responsibility to consider whether or not TUPE applies in the individual circumstances of your tender, particularly if you are proposing to submit an innovative tender.
- 5.2 If you have a contrary view to that of the Authority on the applicability of TUPE, it would be helpful if you would advise the Authority using Annex G, giving the reasons no later than 1 week prior to the tender return date.

**6. Freedom of Information Act - (ITT Technical Envelope & Annex Q)**

- 6.1 The Authority is committed to open government and to meeting its legal responsibilities under the Freedom of Information Act 2000. All information submitted to the Authority may need to be disclosed by the Authority in response to a request under the Act. If you consider that any of the information included in your tender is commercially sensitive, please 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.
- 6.2 You should be aware that even where you have indicated that information is commercially sensitive, the Authority may be required to disclose it under the terms of the Act if a request is received. Please note that the receipt of material marked 'confidential' or equivalent by the Authority should not be taken to mean that the Authority accepts any duty of confidence by virtue of that marking. If a request is received, the Authority may also be required to disclose details to unsuccessful tenderers.

**7. Procurement Timetable**

- 7.1 Set out below is the proposed procurement timetable. This is intended as a **guide** and, whilst the Authority does not intend to depart significantly from it, there may be occasions especially around obtaining Ministerial Approval where the timetable will be subject to minor change.

Activity	Date
Publication of the OJEU Contract Notice (Day 1 of 120 day timeline)	24 <sup>th</sup> July 2014
Publication of the ITT to all Potential Suppliers	24 <sup>th</sup> July 2014
Q&A - Set up and run an online/electronic Q&A facility	24 <sup>th</sup> July 2014
Final date for Q&A and dissemination to Potential Suppliers	25 <sup>th</sup> August 2014

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Deadline for return of tenders	10 am 2 <sup>nd</sup> September 2014
Evaluate tenders	2 <sup>nd</sup> September – 3 <sup>rd</sup> October
Procurement and Commercial Board/Independent Approval	<b>13<sup>th</sup> October 2014</b>
Obtain Ministerial Approval to award contract <b>Note: The following steps and associated dates are subject to change depending on the time taken to get approval</b>	15 <sup>th</sup> October – 12 <sup>th</sup> November 2014
Intention to Award notification issued to successful and unsuccessful tenderers	13 <sup>th</sup> November 2014
Standstill period (Alcatel – see paragraph 10.7) and offer debrief to both successful and unsuccessful tenderer's	14 <sup>th</sup> November – 23 <sup>rd</sup> November 2014
Sign contract	24 <sup>th</sup> November 2014
Go Live	1 <sup>st</sup> December 2014

## 8. Tender Submission Process

### Background

8.1 The DWP e-Procurement Solution portal relies on the completion of 3 envelopes which will contain all of the information the Authority requires to enable full evaluation to take place. All information should be uploaded as per instructions into the relevant envelopes on the DWP e-Procurement Solution portal.

- Qualification Envelope – Is used for gathering information to qualify Potential Suppliers for further evaluation
- Technical Envelope – Is used for gathering information to allow for full evaluation of the technical side of the proposal
- Commercial Envelope – Is used to gather the Pricing Proposal

### Tender Completion

8.2 The information or text contained within the ITT (including its Annexes) and your response, any variation of them and any formal interchange of correspondence or information, may be incorporated, whether by reference or otherwise, into any subsequent contract/framework agreement that the Authority may enter into as a result of this ITT.

8.3 To participate in this procurement, Potential Suppliers are required to submit a fully compliant tender and must answer all questions accurately

and concisely as possible. Only information provided in response to the ITT will be evaluated. To ensure equality of treatment of all Potential Suppliers the Authority reserves the right to reject any non compliant tender.

- 8.4 You should answer all questions using the templates provided, presenting them in the same sequence and using the same references. Please ensure all answers are self contained with no cross-referencing. Only information entered into the appropriate answer boxes (which may be extended as necessary but should not exceed any applicable word limit/page count) or in additional documents supplied as requested will be taken into consideration for the purposes of evaluating the tender.
- 8.5 Responses must not exceed the pre-set margins and space allocation. In some cases the Authority may put a word limit on your response to some or all questions. These limits are provided in the Invitation to Tender document and any response in excess of these allocations will be disregarded and will not be evaluated.
- 8.6 Therefore, bullets, tables, graphs and charts in support of your responses are all permitted. Responses must be presented using Arial font size 12 (English Language and black typeface) this includes instances where information may be tabulated as part of the response. The only exception permitted is for illustrative screen shots, graphs and charts, which should be presented within the allocated page limit for the question they are relevant to and must not be embedded separately as this information will be disregarded.
- 8.7 Tenders must be completed using Microsoft Word and MS Excel 1997 – 2003 format. **Files submitted in Microsoft Project format and PDF will not be accepted.**
- 8.8 All acronyms and abbreviations, if used, must be fully explained.
- 8.9 Where a YES, NO or Not Applicable response is required, please click the appropriate YES, NO or Not Applicable statement on the drop down options bar

#### **Tender Submission Procedure**

- 8.10 The ITT and any attachments have been specifically designed to be compatible with DWP e-tendering and e-evaluation requirements and must not, under any circumstance, be altered.
- 8.11 All tenders must be submitted to the Authority using the DWP e-Procurement Solution Portal. Tenders submitted by any other means will not be accepted.

- 8.12 A tender may be completed and submitted at any time before the tender submission deadline using the DWP e-Procurement Solution Portal. Instructions explaining how to submit and complete the tender to the Authority are located within the e-Sourcing Portal.
- 8.13 The Potential Supplier is responsible for ensuring that its tender has been successfully completed and all information uploaded to the DWP e-Procurement Solution Portal prior to the tender submission deadline.
- 8.14 Please allow sufficient time to submit your tender, it is recommended that the Potential Supplier allows time for a final check to be undertaken prior to the submission deadline. It will not be possible for you to upload any further information after the tender submission deadline. IT problems within your own system will not be considered reasonable grounds for late submission.
- 8.15 A Potential Supplier may modify and resubmit its tender at any time prior to the tender submission deadline. Tenders cannot be modified by Potential Suppliers after the tender submission deadline. Upon the tender submission deadline, the Potential Supplier must ensure that it has only submitted a single tender through the DWP e-Procurement Solution Portal. The only exception to this is where the Authority has stated in the contract notice that variant proposals will be accepted and the Potential Supplier has chosen to submit a variant proposal in addition to the main compliant proposal.
- 8.16 Financial information should be submitted in the format requested (usually MS Excel). Documents which have related financial information should be submitted in GBP (£). Instructions on the DWP e-Procurement Solution Portal will clearly identify the format and where these documents should be uploaded.

### **Labelling your Tender Forms (File Names)**

- 8.17 Potential Suppliers will be invited to submit responses to online questions and upload a suite of documentation that reflect the requirements of the ITT. It is vitally important that when using the DWP e-Procurement Solution Portal Potential Suppliers correctly name any documents and attachments that are required to be uploaded as a response to questions within each of the envelopes..

- **Qualification Envelope**

- 8.18 This envelope contains questions the Potential Supplier may have already answered in setting up their organisation Profile and the answers to those questions will be used to pre-populate your response.
- 8.19 Potential Suppliers may change these answers so they differ from those saved in their Organisation Profile and save those new answers on their

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response. These answers will be applied back to their Organisation Profile when the ITT is evaluated by the Buyer.

- 8.20 Potential Suppliers may also supply different answers to these questions in other ITT's they submit. In this case the response saved to your Organisation Profile will always be the response which was most recently evaluated by the Buyer.
- 8.21 Where Potential Suppliers do not want to change any information they will be given a prompt to confirm that everything recorded is current and correct.
- 8.22 Where there is a requirement to upload documents within the envelope, the suggested format is as follows. Please note this is an example and your submission should reflect what is requested in ITT.

ITT Response required	How your response should be uploaded
Financial and Economic Standing (Regulation 24)  Annex D	Contract title (i.e. supply of widgets), Annex D - Financial & Economic Standing (Because of the complexity of financial accounts you do not have to use the Annex D provided as long as the uploaded documents are labelled Annex D) 2010/2011 accounts Company Name (i.e. ABC Ltd) 2011/2012 accounts Company Name (i.e. ABC Ltd)

- **Technical Envelope**

- 8.23 This envelope contains specific questions to which a response is required. It is this information which will enable the Authority to carry out a qualitative evaluation of the proposal. Where there is a requirement to upload attachments to questions within this envelope the suggested format is as follows.

ITT Response required	How your response should be uploaded
Draft Security Plan  Annex E – Draft Security Plan	Contract title (i.e. supply of widgets) Annex E - Draft Security Plan Company Name (i.e. ABC Ltd)

- **Commercial Envelope**

8.24 This envelope is where the Pricing Proposal should be uploaded. This information should be uploaded as follows.

ITT Response required	How your response should be uploaded
Pricing Proposal Commercial Envelope, Annex S – Pricing Proposal	Contract title (i.e. supply of widgets), Annex S – Pricing Proposal Company Name (i.e. ABC Ltd)

**Action to take where requirement has been divided into Lots**

8.25 On the occasions that the requirement is divided into Lots the ITT will be individually labelled to reflect the requirement for each Lot. This still requires the Potential Supplier to insert their company name where requested. A separate technical and commercial envelope must be completed **for each Lot in which a Potential Supplier wishes to submit a tender.**

8.26 The details in the qualification envelope will need to be completed only once but Potential Suppliers should still familiarise themselves with the instructions shown on the DWP e-Procurement Solution Portal as confirmation will be needed that the details are correct for each lot that a proposal is being submitted.

8.27 These labels are also part of DWP e-tendering and e-evaluation requirements and must not be altered. In addition, the other tender document file names must not be altered under any circumstance].

**Deadline for Submission of Tenders**

8.28 All tenders must be received by the Authority by the tender submission deadline which is shown in the procurement timetable.

8.29 To ensure that all Potential Suppliers are treated fairly tenders received after the tender submission deadline may be rejected by the Authority. The decision whether to reject a tender received after the tender submission deadline is made entirely at the Authority’s discretion.

8.30 A Potential Supplier may withdraw from this procurement by choosing not to submit a tender by the tender submission deadline. It would be useful to the department if you can advise us in advance that you will not be submitting a proposal and if possible the reasons behind your decision.

**Additional Materials, Documents and Attachments**

8.31 No additional documentation should be submitted with a tender unless specifically requested by the Authority

- 8.32 Information that forms part of general company literature or promotional brochures will not form part of the evaluation process and should not be submitted.
- 8.33 The tender should not contain any inserted, pasted or embedded pictures or documents (image files, Adobe Acrobat documents or other Word documents) unless specifically requested by the Authority
- 8.34 Any additional documents requested by the Authority must be clearly referenced within the body of the tender using a unique, un-ambiguous and relevant file name. They must be saved using MS Word (in Web Page, filtered format only), MS Excel, MS Power Point, Adobe Acrobat or jpeg formats. No other file formats should be used.

### **Subcontractors and Consortia**

- 8.35 It is important that the tender is completed accurately to enable the Authority to establish a full understanding of the proposed approach to provision of the requirement.
- 8.36 The tender must be completed in the name of the economic operator (typically a company or similar legal entity) that will ultimately enter into a contract with the Authority and therefore assumes liability for performance of the contract.
- 8.37 With the exception of subcontractors identified in Annexes A & I of the tender response, no organisation other than the Potential Supplier will be able to provide services through the contract, whether group company, subsidiary, parent company, holding company, associated company, franchisor, fellow franchisee, strategic partner or organisation in any other relationship whatsoever. For the avoidance of doubt, the use of any kind of group companies associated with the Potential Supplier can be only as subcontractors identified in the ITT Response.
- 8.38 The Authority recognises that on occasions new subcontractors may be added to the supply chain. In these cases the Potential Supplier must seek approval from the Authority via the normal contract management procedures. Acceptance of the additional subcontractor will be at the Authority's discretion.
- 8.39 When responding to the Authority's questions in the tender, the Potential Supplier should give examples of its own experience and capability to demonstrate its ability to provide the services in accordance with the requirements of the ITT.
- 8.40 The Authority is happy to receive tenders from economic operators collaborating as a consortium or subcontracting elements of its obligations. Where one of these approaches is adopted the following guidance set out in this paragraph must be followed.
  - 8.40.1 Subcontracting proposals
    - a) If a Potential Supplier needs to rely on the capability and/or experience of one or more subcontractors in its tender to

demonstrate the Potential Supplier's ability to provide the services in accordance with the requirements of the ITT and the framework agreement, it must inform the Authority in its tender. A Potential Supplier using this approach should indicate that it is a 'prime contractor' for the purposes of responding to the relevant question(s) in the selection questionnaire.

- b) A Potential Supplier's tender must clearly identify in response to any question, when it is relying on a subcontractor, the name of the particular subcontractor and explain the subcontractor's capability and experience as the context of the question requires.
- c) The Authority does not require all subcontractors be disclosed. It only requires a Potential Supplier to disclose those subcontractors who directly contribute to the Potential Supplier's ability to meet its obligations under the contract or framework agreement. There is no need to specify those subcontractors providing general services to the Potential Supplier (such as window cleaners, lawyers, desktop software providers etc) that indirectly enable the Potential Supplier to perform the contract, or framework agreement. For example if the Authority requires a Potential Supplier to hold a particular licence – then the Potential Supplier may indicate that 'XYZ Co' holds the licence and indicate that services covered by the scope of this licence will only be performed by its subcontractor 'XYZ Co'.

#### 8.40.2 Consortium proposals

- a) If a group of economic operators wish to act jointly to provide the Services they may do so:

with all parties signing the resultant framework agreement and assuming joint and several responsibility for performance of the framework agreement. Please note that in accordance with Regulation 28 the Authority may require the consortium to form a single legal entity for the purpose of concluding the framework agreement; **or**

using a separate entity (often referred to as a special purpose vehicle or "SPV") which will ultimately enter into the framework agreement with the Authority. Please note that if the SPV does not yet exist or has a limited trading history it is likely that the consortium members will need to nominate a guarantor for the SPV's performance of the framework agreement.

- b) The consortium should nominate one of its members to lead the tendering process. If the SPV exists, then the SPV should lead and complete the tender in its name and 'voice'. If the SPV does not yet exist or the consortium plans to collaborate on a joint and several basis, then it should nominate a lead consortium member. The lead member will then be treated as the "Potential Supplier" by the Authority for the purposes of this ITT and to communicate with the consortium.
- c) Where the Potential Supplier relies on the capability and/or experience of one or more consortium members in its tender to demonstrate the consortium's ability to provide the available services in accordance with the requirements of the ITT it must inform the Authority in its tender.
- d) A Potential Supplier's tender must clearly identify in response to any question, when it is relying on another consortium member, the name of the particular consortium member and explain the consortium member's capability and experience as the context of the question requires.

#### 8.40.3 Other Scenarios

- a) It is difficult for these instructions to deal with all potential consortium and subcontracting scenarios. If a Potential Supplier is unsure how to classify and communicate its contracting arrangements in its tender, then it should contact the Authority at the earliest opportunity in accordance with the questions and clarification section.

### **Changes to the Contracting Arrangements**

8.41 The Authority recognises that arrangements in relation to consortia and subcontracting may be subject to occasional change. Potential Suppliers should therefore respond in the light of such arrangements as are currently envisaged. Potential Suppliers are reminded that any future change in relation to the consortium membership and subcontracting arrangements must be notified to the Authority at the earliest opportunity. The Authority will make a further assessment of the tender by applying the selection criteria and/or award criteria to the new information provided.

## **9. TENDER EVALUATION**

### **Overview of the Evaluation Process**

- 9.1 All Competitive Procurements have both selection and award stages as defined in the Public Contract Regulations.
- 9.2 The Authority will undertake a selection appraisal of your organisation to satisfy itself that you are fundamentally eligible to tender. In this regard, the ITT contains questions relating to mandatory and discretionary grounds for exclusion of Potential Suppliers on the grounds of eligibility. In addition the information provided under Economic and Financial Standing will be subject to a financial risk assessment which also may give the department grounds to exclude you from further evaluation.
- 9.3 All compliant tenders who pass this initial selection stage will then be subject to separate Qualitative and Financial Evaluation.

### **Selection Appraisal**

- 9.4 At the selection stage Potential Suppliers are assessed against the following:
- a. Regulation 23, criteria for the rejection of economic operators;
  - b. Regulation 24, information as to the economic and financial standing;
  - c. Directive 2004/18/EC & the Public Contract Regulations 2006 (minimum standards for reliability based on past performance);
  - d. Public Contract Regulations 2006 (tax obligations).

### **Qualitative Evaluation (Award Stage)**

- 9.5 Evaluators will assess responses to the questions in the ITT and will award scores based on the award criteria and sub-criteria set out in 9.11 and 9.12 of this guidance.
- 9.6 The criteria are shown in descending order of importance

### **Financial Evaluation (Award Stage)**

- 9.7 The financial evaluation will be based on the information provided in the financial proposal documentation and evaluated as the guidance shown in 9.13 of this guidance.
- 9.8 Financial evaluation will be undertaken by the Authority's Commercial Directorate Finance Team who are different evaluators to those individuals involved with the quality evaluation process.

### **Evaluation Summary Table**

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Response Heading	Marking Methodology
<b>Whole Document</b>  <b>Preliminary Tender Compliance Check</b>  <b>Please complete – Declaration by Potential Supplier</b>	Compliance checks to ensure that tenders include all the relevant information requested as part of the ITT and that it has been submitted in the format required.  <b>Tenders not meeting requirements will give the Authority grounds for exclusion for non-compliance.</b>
<b>Qualification Envelope</b>	
<b>Organisation and Contact Details</b>	Not scored, but full information must be provided. <b>Additionally <u>Annex A</u> must be completed if you will be sub-contracting part/all of the service or if you are tendering as part of a Consortium.</b>
<b>Grounds for Mandatory Rejection (Regulation 23)</b>	If you answer “Yes” to any question in this section it is unlikely your proposal will be evaluated further
<b>Grounds for Discretionary Rejection (Regulations 23, 24, 25 &amp; 26 of the Public Contract Regulations 2006).</b>	If you answer “Yes” to any question in this section it is possible your proposal will not be evaluated further. However, if you can demonstrate that suitable remedial action ( <b><u>Complete Annex B</u></b> ) was taken then this information will be taken into account by the Authority when considering putting your proposal forward for further evaluation.
<b>Bona Fide Tendering</b>	If you answer ‘No’ to any of the questions in 2 – 6 inclusive your proposal will not be evaluated. If you answer ‘NO’ to question 1 you must complete <b><u>Annex C</u></b> advising the Authority of the remedial action taken.
<b>Economic and Financial Standing (Regulation 24)</b>	Using the financial information uploaded as <b><u>Annex D</u></b> (e.g. accounts, etc) a financial risk assessment will be carried out on the financial standing of your company. This will be Risk Rated as Red, Amber or Green. <b>Those assessed as being a Red Risk will be eliminated from the exercise.</b>
<b>Tax Compliance</b>	Suppliers must self-certify their tax compliance. If you answer ‘yes’ to any question you must complete <b><u>Annex T.</u></b> This information will be taken into

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	account by the Authority when considering putting your proposal forward for further evaluation
<b>Technical and Professional ability (Regulation 25)</b>	Details of up to three contracts that have been performed in the last 3 years that are relevant to the Authority's requirement. These can be from either the public or private sector. These contacts may be contacted by the Authority to confirm accuracy of information provided. Tenders will be scored using predetermined scoring criteria as detailed within this document.
<b>Technical Envelope</b>	
<b>Draft Security Plan</b>	You <b>must</b> provide a Draft Security Plan at <b><u>Annex E</u></b>
<b>DWP Offshore Proposal Questionnaire</b>	If applicable, you <b>must</b> complete Off-shoring questionnaire at <b><u>Annex F</u></b>
<b>TUPE</b> Contrary View to that of the Authority	If you have a contrary view to that of the Authority as to whether or not TUPE applies you <b>must</b> complete <b><u>Annex G</u></b> . Response is required no later than 1 week prior to the stated tender return date.
<b>TUPE (Employee Liability Information)</b> N/A	<b>NOT USED FOR THIS PROCUREMENT</b> <b>Annex H</b> is used when the Authority believes TUPE will apply.
<b>Qualitative Evaluation</b> (Specific Service Delivery Questions)	Tenders will be scored using predetermined scoring criteria as detailed within this document. Annex U should be completed and uploaded.
Implementation and Delivery Plan	Tenders will be scored using predetermined scoring criteria as detailed within this document <b>Please use Annex I</b>
Organisation Structure	Tenders will be scored using predetermined scoring criteria as detailed within this document <b>Annex J</b>
Supplier Locations	Tenders will be scored using predetermined scoring criteria as

	detailed within this document <b>Annex K</b>
N/A	Annex L
N/A	Annex M
N/A	Annex N
N/A	Annex O
N/A	Annex P
<b>Commercial Envelope</b>	
<b>Pricing Proposal (Financial Evaluation)</b>  Linked to Annex S	The financial evaluation will be undertaken separately to the Qualitative Evaluation using predetermined scoring criteria as detailed within this document. Your pricing proposal <b>must</b> be uploaded to <b>Annex S</b>

### Award Criteria and Weighting

9.9 The information provided in the tender proposal will be evaluated against the pre-determined Award Criteria as stated in the Invitation to Tender.

9.10 The ITT set up on the DWP e-Procurement Solution Portal requests Potential Suppliers to submit responses which directly correspond with the Award Criteria. The overarching Award Criteria will often be made up of sub-criteria by which the Award Criteria will be evaluated.

9.11 The table below gives full details on how the qualitative side of proposal will be evaluated.

Question	Description	Weighting	Maximum Score	%
1.	Implementation and Delivery	1	3	4
2	Resource	1	3	4
3.	Training and Development	2	6	8
4.	Operational Flexibility	1	3	4
5.	Quality	3	9	12
6	Returns and Exchange Policy and Process	2	6	8
7.	Contract and Performance Management	4	12	15
8.	Customer Care	6	18	23
9.	Accessibility	6	18	23

Total			<b>78</b>	<b>100%</b>

**Evaluation Criteria**

<b>Key Criteria</b>	<b>Criteria Questions</b>	<b>Evaluation Criteria</b>	<b>Weighting</b>
1  Implementation and Delivery	<p>Explain how you will Implement, deliver and meet the service requirements detailed in the specification, identifying key associated risks and assumptions, including your critical dependencies. You should also detail your risk management of service delivery processes.</p> <p>Please also detail the challenges identified within the service requirements, any challenges or efficiencies you have identified which would impact service delivery, and how you would deal with these.</p> <p>Please upload as <b>Annex I</b>, your detailed “overarching” Implementation and Delivery Plan in Microsoft Excel Format. The document should be clearly named;  <b>“Supplier Name”            Overarching            Implementation and            Delivery Plan_ Annex I</b></p> <p><b>A page limit does not apply to your Implementation/Delivery plan. Where possible, use</b></p>	<p>Your response should must include:</p> <ul style="list-style-type: none"> <li>• key milestones, timescales for activities including start and end dates for implementation tasks;</li> <li>• how you will set up and mobilise in challenging timescales</li> <li>• a narrative rationale to support the proposed Implementation / Delivery including critical dependencies;</li> <li>• your process for identifying and securing proposed Resource requirements for the operational management and operational Implementation/ Delivery;</li> <li>• your risk management processes for Implementation / Delivery; with mitigation actions required &amp; likelihood</li> </ul>	1

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	<p><b>universally understood terminology, or give an explanation of internally used terminology.</b></p>	<p>&amp; impact of the risk materialising</p> <ul style="list-style-type: none"> <li>• your timescales for training design, development and delivery;</li> <li>• your process for Implementation / Delivery testing;</li> </ul>	
2 Resource	<p>Please detail the staff resource you will need to deliver and manage the Retail Trade Framework Service across ALL aspects of service delivery to include Key Personnel for example: operational manager; administrative roles , Customer Service/or Sales Advisors.          Your response should specifically refer to responsibilities with regard to processing and monitoring invoices to the Department including collation of MI to monitor the service          Please upload as <b>Annex J</b> your organisational structure showing the ratios for each role in a typical store.</p>	<p>Within your response you must detail this staff resource by job role and the indicative numbers of staff that you will have in each of those roles, their skills and experience, including how you intend to organise staff and your rationale to support your proposals.          Your response should address how you will ensure that the right personnel are given responsibility and training.</p>	1
3 Training and Development	<p>Clearly identify how you will provide your staff with professional and dedicated training; experienced and effective leadership; and on-going management in order to ensure that all of your stores provide, and maintain high quality customer service.</p>	<p>Your response should include:</p> <ul style="list-style-type: none"> <li>• how you will ensure that all training and development requirements for staff are identified and met</li> <li>• how you will ensure there will be strong and effective leadership including management with knowledge of the</li> </ul>	2

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		<p>Retail Trade Framework processes</p> <ul style="list-style-type: none"> <li>• an outline of your training approach and how you ensure your trainers have the appropriate skills, including on-going refresher training</li> <li>• how you will manage internal communication processes amongst your staff to ensure that ALL staff are aware of the Retail Trade Framework agreement. including team meetings and knowledge management</li> </ul>	
4 Operational Flexibility	<p>Please provide details of your organisations ability to deliver significant flexibility to meet any rapid changes in demand including detail on stock levels maintained for the goods you will be supplying. Please detail how you would ensure the Authority would always receive the quality of goods offered within your proposal.</p>	<p>The response should cover how you will address volume fluctuations whilst maintaining quality of service and should include your typical lead times in which to handle increase in demand.</p> <p>The response should also take into account how you will impact any special offers on the price to the authority</p>	1
5 Quality	<p>Please provide detail on the quality assurance plans and/or systems you have in place to ensure the quality of the goods you will provide. Your response should include detail to</p>	<p>Your response should include detail on any professional or trade bodies your organisation is a member of and detail how you implement</p>	3

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	<p>evidence that</p> <ul style="list-style-type: none"> <li>• the goods are fit for purpose</li> <li>• meet any standards for the purpose for which they were bought</li> <li>• you adhere to the ISO 9000 and BS5750 standards</li> <li>• adhere to a Corporate Social Responsibility policy</li> </ul>	<p>industry best practice and how this will benefit the authority.</p> <p><b>For lot 4 Bicycles and accessories– Your response should include detail on any cycle build service you have, including any associated additional cost to the authority</b></p>	
6 Returns and Exchange Policy and Process	<p>Please provide full details of your organisations returns policy and your proposals on how this will</p> <ul style="list-style-type: none"> <li>• identify and accommodate the requirement for any refunds to be made to the authority</li> <li>• operate a strict “like for like” exchange policy</li> <li>• how you will identify if any returns have been purchased via the RTF to prevent customer fraud</li> </ul>	<p>Your response should include details of any return/collection arrangements and/or costs, if applicable.</p>	2
7 Contract and Performance Management	<p>Please provide details of the processes you will adopt in the areas of contract management, performance management and continuous service development and improvement.</p>	<p>You response should include,</p> <ul style="list-style-type: none"> <li>• your processes to ensure that performance targets and customer service levels are met.</li> <li>• complaint handling processes, including escalation and reporting to the</li> </ul>	4

		<p>DWP Contract Manger and how you will ensure that these are used to refine your processes</p> <ul style="list-style-type: none"> <li>• your approach to quality of service and continuous improvement of the processes. to ensure that the service is of a consistently high standard leading to efficiencies including reductions in complaints</li> <li>• how you will interact with the authority contract manager</li> </ul>	
<p>8 Customer Care</p>	<p>Please provide detail on your customer care procedures and proposals for dealing with Jobcentre Plus customers.</p> <p>You should also detail how you will facilitate and ensure smooth interaction with Jobcentre Plus advisors who may be required to make contact with you on behalf of the customer.</p>	<p>In relation to customers you should specifically focus on</p> <ul style="list-style-type: none"> <li>• an assurance that their consumer statutory rights are maintained, including guarantees' and warranties</li> <li>• that they receive the same services as any other customer</li> <li>• they are in no way</li> </ul>	<p>6</p>

		<p>disadvantaged or stigmatised</p> <ul style="list-style-type: none"> <li>• ensure compliance with equality and diversity legislation</li> <li>• how procedures and customer care processes are conveyed to your staff</li> <li>• how your customer complaint process will be conveyed to the customer and managed to ensure a satisfactory result</li> </ul>	
<p>9. Accessibility</p>	<p><b>Lot 1</b>                  As set out within the specification suppliers are expected to have a high street/local presence in the area for which you are bidding</p> <p>Please detail how you will achieve this including any mitigation for lack of a local presence in a particular area. Make reference to your completed Annex K</p> <p><b>Lot 2-5</b>                  As set out within the specification a high street/local presence is preferable but other methods of ordering and delivery/collection would be considered.</p> <p>Please provide detail on the</p>	<p>Your response should include, but does not need to be limited to,</p> <ul style="list-style-type: none"> <li>• detail on media requirements/solutions – e.g. internet based solutions ,</li> <li>• accessibility for multiple Jobcentre Plus advisors,</li> <li>• delivery or collection proposals – including any additional costing and/or accessibility issues for particularly remote areas in which you do not have a high</li> </ul>	<p>6</p>

	<p>level of high street/local presence you will have and detail of any other proposals you may have to meet customer need and individual District requirements. Make reference to your completed Annex K</p> <p><b>Please complete and upload the attached stencil annex K with details of your available stores for each of the Jobcentre Plus Districts within the Group you are bidding for</b></p>	<p>street presence.</p> <ul style="list-style-type: none"> <li>• Lead times</li> <li>• Additional costings</li> </ul>	
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### Qualitative Scoring Methodology

9.12 The responses to the ITT will then be scored against the criteria and weightings stipulated in the table above using the scoring scale set out below.

Score	Description
0	Evidence provided fails to satisfy the stated requirement
1	Evidence provided does not satisfy significant parts of the requirement
2	Evidence provided satisfies most of the requirement with minor gaps in certain areas
3	Well detailed evidence provided which fully meets the requirement

### Price Evaluation Methodology

9.13 The Financial Evaluation will be based on the information provided in the Pricing Proposal Documentation. DWP will take VAT into account as part of the cost where it is not recoverable by DWP.

- 9.14 There are 2 stages involved in the financial evaluation of Tenders;
- Financial Viability Risk Assessment (FVRA) of the Tenderer;
  - Pricing Proposal
- 9.15 The information provided in Part 5 (Economic and Financial Standing) will be subject to financial risk assessment which may give the department grounds to exclude you from the competition.
- 9.16 For further details on the Financial Evaluation please see the Pricing Proposal Documentation, FVRA and Supporting Guidance for Completion which form part of this ItT pack.

### **Combined Scores**

- 9.17 The Quality Assessment will account 40% of the overall tender mark and the Financial assessment will account for the remaining 60%.
- 9.18 For the purpose of this evaluation the Combined Score will be produced by combining the Qualitative Score (out of 40) with the Financial Score (out of 60). An example of the calculation of the Combined Score is as follows:

### **Quality Tender Mark**

<b>Bidder</b>	<b>Quality Score</b>	<b>Quality Tender Score out of 40</b>
A	139	<b>40</b>
B	120	<b>34.53</b>
C	110	<b>31.66</b>

- 9.19 The highest quality tender is awarded 40 marks, with all other tenders being awarded marks in relation to their percentage variance from the highest quality tender e.g. Bidder B has scored 120 which is 13.67% less than 139 therefore Bidder B will score 13.67% less than 40 (13.67% of 40 is 5.47) resulting in quality tender score of 34.53.

### **Pricing Proposal Tender Mark**

- 9.20 The Pricing Proposal element of the competition will be worth up to 60% of the overall scores. The bid that scores the highest mark in the financial element will be awarded a score of 60, with all other tenders being awarded their score relative to this.

For further information see the Invitation to Tender (ITT) Financial  
Evaluation Methodology.

### Overall Tender Mark

The Qualitative and Pricing Proposal scores will be brought together to give an  
overall score of 100 as demonstrated in the table below.

Bidder	Qualitative Score	Financial Score	Overall Tender Mark - Out of a maximum score of 100.
A	40.00	60.00	<b>100</b>
B	60.43	20.83	<b>81.26</b>
C	59.40	16.67	<b>76.07</b>

### Tie Breaker

9.21 The Authority will apply a tie breaker in the event that two or more  
Bidders have the same combined score. Where a tie breaker is  
required, it will be applied to the scores of all Suppliers with joint scores.

9.22 Please note that the use of one tie breaker may not be sufficient to  
clearly identify the leader so a subsequent tie breaker will be used in the  
event that the first tie breaker does not produce a result which  
differentiates the Suppliers who have the same score.

9.23 The application of the tie-breaker will be as follows. If at any step this  
produces a clear result which differentiates the Suppliers who have the  
same score, the process will be terminated.

- **Step 1 Highest Score** – Accessibility
- **Step 2 Highest Score** – Customer Care
- **Step 3 Highest Score** – Finance

### Tender Clarification

9.24 DWP may need to clarify details of your tender and in those instances  
DWP will send any questions using the DWP e-Procurement Solution  
portal to the named person (by email) that is registered on the system,  
who should arrange for a reply to be provided by the stipulated deadline.

9.25 DWP may seek independent financial and market advice to validate  
information declared, or to assist in the evaluation.

### Potential Supplier Presentations

- 9.26 There is no intention to undertake Supplier Presentations during the evaluation stage or prior to contract award.

#### **e-Auction Process**

- 9.27 An e-Auction will not be used as part of the evaluation for this procurement exercise.

### **10. Contract Award**

#### **Parent Company Guarantee (PCG)**

- 10.1 If your company has a parent company and should you be deemed successful in tendering for this contract, then DWP will require a signed Parent Company Guarantee (PCG) to be in place prior to any contract(s) being signed.
- 10.2 The PCG will not be negotiable; however there may be exceptional circumstances where the wording needs to be amended or an equivalent deed of guarantee supplied. These may include Special Purpose Vehicles (SPVs), consortia and organisations that have parent companies based abroad.
- 10.3 If the parent company is a charity, the Authority would need to understand whether there is anything in the provisions of the charity's constitution that prevents them from being able to offer a PCG. In these circumstances the Authority may require an alternative guarantor.

#### **Ranking of Supplier Submissions – Recommendation for Contract Award**

- 10.4 The tender process has been designed to ensure that tenders are evaluated fairly to ascertain the most economically advantageous tender and once the qualitative and financial aspects have been evaluated the Authority will produce a ranked merit list based on this tender process.
- 10.5 The Potential Supplier(s), who obtains the highest overall score from the evaluation process, taking into account the Award Criteria weightings, will be recommended for a place on the framework agreement – the number of Potential Suppliers awarded a place on the framework is detailed in the Invitation to Tender- Specification.
- 10.6 Before any contract can be entered into the Authority is mandated to seek and obtain Independent, Ministerial Approval and possibly Crown Representative Approval.

##### **10.6.1 Independent Approval**

The results of the Qualitative and Price Evaluation Process (resultant rankings along with the marks awarded) will be independently checked and verified by individual(s) not previously involved in the procurement process.

Subject to this Independent Approval the Department will then seek Ministerial Approval before an award of contract can be made.

### **10.6.2 Ministerial Approval**

The final decision to award will be subject to Ministerial Approval. No communication of any details regardless of whether a tenderer has been successful or otherwise will be issued until this approval has been granted and authorised by the Minister concerned. Once this approval has been communicated to the procurement team they will have responsibility for the issue of the appropriate successful/unsuccessful letters to all those suppliers that submitted a response to the ITT.

### **10.6.3 Crown Representative Approval**

[Crown Representative](#) (CR) approval must be sought when after final evaluation the preferred supplier is identified as being a key supplier. No action (i.e. no communication on award, including advising preferred supplier status) should be taken without involving the CR in the evaluation process, and obtaining CR agreement in awarding the contract.

## **Mandatory Standstill Period**

- 10.7 The standstill period is a 10 day pause between contract award decision and the formal award of the contract, and is a legal requirement of Part A Services, which all Government Departments must comply with. As this contract is for Part B Services, there is no legal requirement for The Authority to apply a standstill period.

## **Publication of Contract Award on Contracts Finder**

- 10.8 Irrespective of whether or not publication of a Contract Award Notice in OJEU is required, details of all contracts awarded with a value greater than £10,000 will be published on the Contracts Finder website. Details will be published after 20 days following the end of the standstill period, or after 20 days from the award of contract where no standstill applies.

## **11. Post Contract Award**

### **Contract Documentation**

- 11.1 The Authority will be responsible for producing a final contract document and issuing to the successful suppliers.

### **Sustainable Development**

- 11.2 In accordance with the Sustainable Development Contract Schedule the successful supplier is required to complete and provide a policy statement (within 6 months of contract (or call-off) start date and annually thereafter) to demonstrate how they will satisfy and adhere to the principles of sustainable development. Also at the 6-month stage the successful supplier will need to produce an Sustainable Development Action Plan detailing (but not limited to) how they will tackle key issues such as waste minimisation, water consumption reduction and carbon emissions within their business and in relation to this contract.

### **Diversity and Equality**

- 11.3 In accordance with the Diversity and Equality Contract Schedule the successful supplier is required to complete and provide a Diversity and Equality Delivery Plan (within 6 months of contract start date and annually thereafter) detailing their approach to Diversity and Equality within their business and in relation to this contract.

### **Apprenticeships and Skills**

- 11.4 In accordance with the Apprenticeships and Skills Contract Schedule and in line with the Governments objective to support economic growth the successful supplier is required to submit an apprenticeships and skills report (within 6 months of contract start date) which should be specific to this contract.

### **Expenditure with SMEs**

- 11.5 The Authority is required to provide regular reports on the level of procurement spend with SMEs to the Cabinet Office. To measure and accurately report on this, the Contractor, and where applicable, its sub-contractors shall identify the volume of indirect expenditure the Authority undertakes with SMEs and shall provide this information on a quarterly basis to the Authority or Cabinet Office.

### **12. Use of Small and Medium Enterprises (SMEs) in Contractor's Supply Chain**

- 12.1 The Authority recognises the important role SMEs have in helping to deliver economic growth and prosperity. SMEs are defined as enterprises which employ fewer than 250 persons and which have an annual turnover not exceeding 50 million euro, and/or an annual balance sheet total not

exceeding 43 million euro. The Authority is committed to supporting the governments target of 25% of government spending with third party suppliers to go to SMEs through either direct spend or indirectly through the supply chain where it is relevant to the contractual requirement to do so and provides value for money.

12.2 In support of the government's commitment on SMEs, the Authority is putting in place processes to promote greater engagement with SMEs. The Authority encourages its suppliers to make their sub-contracting opportunities accessible to smaller companies and implement SME-friendly policies in their supply-chains.

12.3 The Contractor is encouraged to:

- Open opportunities for SMEs in supply chains by splitting requirements into smaller elements to make them more attractive to the SME market whilst bringing innovation, flexibility and value for money;
- Advertise any sub-contracting opportunities where appropriate and economical to do so, for example by using Contracts Finder or informing local networks/partners;
- Where possible pay SMEs earlier than the contractual requirement of 30 days from receipt of valid invoice; and
- Work with SMEs throughout the life of the contract to develop innovative and cost effective solutions delivered through the supply chain.

12.4 Regular contract review meetings should be used to enable both parties to explore continued and increased use of SMEs where appropriate throughout the life of the contract. Additional information may be requested by the Authority on the volume of business undertaken throughout the supply chain with SMEs

### **13. DWP Complaints Procedure**

13.1 The Authority has published a [Commercial Complaints Process](#) for use during competitive procurement.

This process gives details of : -

- DWP Commercial Code of Practice – Competitive Tendering
- The DWP Commercial Complaints Process
- Information to accompany a commercial complaint