



Single Source
Regulations Office

Invitation to Tender

Security and Information Risk Advisor (SIRA) services

October 2019

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1. Introduction

- 1.1 This Invitation to Tender (ITT) is issued by the Single Source Regulations Office (SSRO) for the appointment of a contractor to provide Security and Information Risk Advisor (SIRA) services.
- 1.2 The content of this ITT is for use by prospective bidders who wish to submit a Tender Response in relation to the delivery of the Service, which is set out in the Specification (**Appendix 1**).
- 1.3 This ITT is provided on the basis that it is and shall remain the property of the SSRO and must only be used for the purposes of responding to this tender opportunity.
- 1.4 This document contains the information and instructions that suppliers will need in order to submit a compliant Tender Response. The SSRO will evaluate compliant Tender Responses against the evaluation criteria, in accordance with the methodology set out in this ITT.

2. The SSRO

- 2.1 The Single Source Regulations Office (SSRO) is an executive non-departmental public body, sponsored by the Ministry of Defence. We play a key role in the regulation of single source, or non-competitive defence contracts.
- 2.2 When undertaking our statutory functions, we aim to ensure that good value for money is obtained in government expenditure on qualifying defence contracts, and that persons who are parties to qualifying defence contracts are paid a fair and reasonable price under those contracts.
- 2.3 The Defence Reform Act 2014 ('the Act') created a regulatory framework for single source defence contracts. The framework came fully into force in December 2014, following Parliamentary approval of the Single Source Contract Regulations 2014. The framework places controls on the prices of qualifying contracts and requires greater transparency on the part of defence contractors. The SSRO is at the heart of the regulatory framework, supporting its operation.
- 2.4 Additional general information about the SSRO can be found on the website:
<http://www.gov.uk/government/organisations/single-source-regulations-office>

3. Service requirements

- 3.1 The SSRO is seeking to appoint a provider of Security and information Risk Advisor (SIRA) services to deliver advice on the management of security and information risk consistent with the UK Government's information assurance policy and other sector specific guidance, with particular emphasis on specific requirements of the Single Source Regulations Office as an independent agency of the Ministry of Defence. The specification is provided as a separate attachment to this ITT at **Appendix 1**, and it sets out the requirements of the SSRO. The specification will form part of the contract with the successful bidder.
- 3.2 The successful bidder will be able to demonstrate a full understanding of the requirements and will have the ability and commitment to provide a comprehensive service to the SSRO.
- 3.3 The contract duration is up to **48 months** (24 months plus the option of up to two extensions of 12 months each at the sole discretion of the SSRO).

3.4 Based on previous requirements, the SSRO anticipates that it may need (and the estimated contract value has been based on):

- between eight and fifteen days of service per annum (or approximately 50 days over the contract period) for the purposes of the programme of planned activities (paragraph 2.14 of the Specification); and
- up to 35 days for the purposes of potential additional services (paragraph 2.17 of the Specification).

3.5 Any bidder that does not meet the following requirements will be rejected automatically and will be disqualified from further participation in the procurement process.

Bidders must hold and maintain the following certifications (certificates or other supporting evidence must be provided with tender submissions) for the duration of the contract period:

- SIRA Certified Cyber Professional (CCP), a certification scheme driven by the National Cyber Security Centre (NCSC);
- Cyber Essentials Plus;
- UK HMG security clearance at SC level or above for all individuals assigned for the contract, including as a minimum the Lead Practitioner and Senior Practitioner.

4. Guidance for bidders

Instructions to suppliers submitting a Tender

- 4.1 Please read this guidance on the tendering procedures carefully. Bidders must ensure that they are familiar with the nature and extent of the obligations in participating in this procurement process. The SSRO reserves its right to revise the procurement documentation and, in so doing, will re-issue such documentation via Contracts Finder where appropriate.
- 4.2 Tenders must be submitted strictly in accordance with the instructions contained within this ITT. Failure to comply with the instructions, or failure to return a compliant Tender may invalidate a Tender Response. It is important, therefore, that bidders provide all the information required and, in the format, specified in this ITT.
- 4.3 The information contained in this ITT, the supporting documents and in any related written or oral communication is believed to be correct at the time of issue. However, the SSRO will not accept any liability for its accuracy, adequacy or completeness and no warranty is given in that regard. This exclusion does not extend to any fraudulent misrepresentation made by the SSRO.

Timetable

- 4.4 The SSRO anticipates that the tender process will be run in accordance with the timetable set out below. However, the SSRO reserves the right to vary, amend or cancel the timetable or process at any stage prior to contract award, without liability. Where amendments are significant, the SSRO may at its discretion extend the deadline for receipt of Tenders.

Stage	Target date
Tender documents issued	21 October 2019
Deadline for receipt of clarification questions	28 October (5pm)
SSRO response to supplier questions	4 November 2019
Tender return deadline	15 November 2019 (5pm)
Notification of first stage decision to: <ul style="list-style-type: none"> • Top 3 scoring bidders who are invited to present; and • Remaining unsuccessful bidders 	21 November 2019 (5pm)
Presentation (top 3 scoring bidders only)	28 November 2019
Notification of final stage decision	16 December 2019
Contract commencement date	2 January 2020

Questions about this ITT

- 4.5 It is the responsibility of bidders to obtain at their own expense all additional information necessary for the preparation of their response to this ITT. No claims of insufficient knowledge will be entertained.
- 4.6 You may submit any clarification questions you have relating to this ITT by no later than the date and time specified in the timetable above. The SSRO will respond to reasonable requests received before the deadline. Questions received after the deadline may not be answered.
- 4.7 Please only submit such queries by email to the SSRO at: tenders@ssro.gov.uk
- 4.8 The title of the email should be “**SIRA: Clarification Question**”. Any clarification questions should clearly reference the document and the relevant paragraph. To the extent possible, multiple questions should be aggregated rather than sent individually.
- 4.9 Clarifications provided by the SSRO will be published on Contracts Finder on or before the date specified in the table in paragraph 4.4. All questions and their answers will be published without revealing the identity of the individual bidder that put forward the question.
- 4.10 Clarifications issued, where deemed relevant by the SSRO, will form part of the contractual agreement between the SSRO and the contractor.

Return of Tenders

- 4.11 Bidders should address the requirements of the Specification in their Tenders, by providing responses to the Tender Questions in **Appendix 2**.
- 4.12 Tenders must be returned by the date and time specified in the timetable above. Any Tender received after this date and time will not be considered. Tenders received will be retained unopened until after the deadline for submission has lapsed. It is the bidders' responsibility to ensure that their Tender is received no later than the stated date and time. The SSRO accepts no liability whatsoever for Tenders that are not received before the deadline, including for reasons of internet connectivity, transmission delays or errors.
- 4.13 Please only return Tenders by email to the SSRO at: tenders@ssro.gov.uk.

4.14 The title of the email should be “***SIRA: Tender Submission***”. The documents required to be submitted with the proposal should be provided as attachments to the email.

Tender requirements

4.15 All submitted Tenders **must** include the following:

- a completed Form of Tender;
- response to Tender Questions;
- a completed Pricing Schedule;
- evidence of required insurance cover and levels as noted at paragraph 4.28;
- consortium/sub-contracting proposals (where relevant);
- a completed Statement of Conduct; and
- a copy of any certificates, evidence or accreditations noted in paragraph 3.5.

4.16 Tenders which omit any of the documents listed in 4.15, or which include documents that are not properly completed, **may be rejected**.

4.17 No qualifications, caveats or unauthorised alterations are to be included or made to the documentation supplied (including the Specification and the SSRO's Terms and Conditions). Tenders containing such qualifications, caveats or unauthorised alterations may be rejected.

4.18 Any additional pre-existing material which may expand upon the Tender may be included as appendices with cross-references to this material in the main body of the Tender submission.

4.19 Bidders are advised to retain for themselves a copy of their submission. The SSRO reserves the right to make a charge to subsequently provide a copy of a submitted Tender.

Form of Tender

4.20 Bidders must provide a completed Form of Tender, which is provided at **Appendix 5**.

4.21 The Form of Tender requires that bids remain valid for acceptance for **90 days** from the deadline for receipt of Tenders. If this statement is excluded, amended or qualified, the bid may be rejected.

Response to Tender Questions

4.22 Bidders must complete and submit the Response to Tender Questions, which is provided at **Appendix 2**. Bidders must respond in full to each of the questions (except the “Presentation” criterion, for which a written response is not required).

4.23 If a question is similar to a question included elsewhere in the Response to Tender Questions document, bidders should repeat the response where relevant and expand upon it as necessary. Bidders should not, however, exceed the word limits (if such word limits are indicated within the question). The SSRO will disregard any excess text which exceeds any stated word limit.

Pricing Schedule

4.24 Bidders must complete and submit the Pricing Schedule, which is provided at **Appendix 3**.

- 4.25 Bidders must quote on the basis that the rates or prices set out in the Pricing Schedule remain fixed for the period of the contract, including any extension periods. Bidders are strongly advised to check all figures and calculations before submitting their Tenders. The SSRO will not allow bidders to amend their pricing schedules after submission. If the Tender is accepted, the bidder will not be entitled to claim, and the SSRO will not allow, any increase in the price.
- 4.26 The rates or prices set out in the Pricing Schedule must be inclusive of all disbursements, including travel and subsistence. The SSRO estimates that, for approximately half of the engagement days, the contractor's appointed personnel will be able to deliver the services from their office or remotely. It is estimated that the remainder of the engagement days will be spent at the SSRO's offices, or other sites as the SSRO directs (acting reasonably).
- 4.27 The Tender must be based on prices which exclude Value Added Tax (VAT). This tax, if applicable, will be paid by the SSRO as an addition at the appropriate rate on the invoices when submitted.

Insurance

- 4.28 Bidders must include, as part of their Tender, evidence to show the following types and levels of insurance are held:
- Public Liability Insurance to a minimum value of five million pounds for each and every claim or series of claims arising out of one event;
 - Employer's Liability Insurance to a minimum value of five million pounds for each and every claim or series of claims arising out of one event; and
 - Professional Indemnity Insurance to a minimum value of one hundred thousand pounds for each and every claim or series of claims arising out of one event.
- 4.29 Failure to demonstrate the required insurance cover and levels may result in the bid being rejected.

Sub-contractors and consortiums

- 4.30 If you are bidding for this contract in association with another bidder, you must explain the structure of the Tender. If you do not do so, then it may be disqualified. Bidders may not participate in more than one Consortium Tender.
- 4.31 Bidders must indicate whether they are reliant on any third parties for any aspects of fulfilling the service as specified, or if this is a consortium Tender. In such cases you should provide full details of sub-contractors, the nature of the relationship and the intended balance of work to be completed, and copies of quality assurance arrangements operating between the sub-contractors. Failure to provide this information may result in the Tender being disqualified.
- 4.32 Bidders and contractors must not, without the prior consent of the SSRO, appoint sub-contractors or add consortium partners who have not been declared as part of the initial submission. The SSRO may refuse consent for any reason, acting reasonably. This is to ensure that services are delivered in a timely, good quality and cost-effective fashion.
- 4.33 The SSRO may request a copy of the consortium's legal arrangements or the form of contract to be entered between the contractor and any proposed sub-contractor. Failure to provide this information may lead to the Tender being disqualified or the SSRO withholding its consent to the appointment of sub-contractors.

Statement of Conduct

4.34 Bidders must provide a completed Statement of Conduct which is provided at **Appendix 6**.

5. Evaluation

- 5.1 Prior to evaluating the Tenders, the SSRO will carry out an initial review of each Tender to confirm completeness and compliance with the requirements of this ITT. A bid which is incomplete and/or non-compliant may be rejected.
- 5.2 Appropriate individuals have been selected to undertake the evaluation and moderation of Tenders and will collectively be referred to as the "Evaluation Team".
- 5.3 The Evaluation Team will only consider the information provided by bidders in their Tender submission, the responses provided to the SSRO during any subsequent clarification process carried out and, where relevant, as part of the presentation.
- 5.4 The evaluation process will be conducted in two stages:
- (i) *first stage*: the Evaluation Team will evaluate the compliant written Tenders in accordance with the methodology set out below. At the end of the first stage, the bidders whose Tenders are ranked in the top three, based on the total weighted scores allocated to the Tender Questions and the Pricing Schedule, will be invited to participate in the second stage. Bidders whose Tenders are not ranked in the top three will not participate any further in the process and will be notified accordingly.
 - (ii) *second stage*: remaining bidders will be invited to make a presentation to the Evaluation Team at the SSRO's offices. Arrangements for the presentation, including the presentation topic or question, will be communicated to the remaining bidders after the first stage evaluation.
- 5.5 The SSRO will act reasonably in the event that a bidder is unavailable to give a presentation on the allocated date. Where, despite the reasonable efforts of the SSRO to rearrange the date, a bidder remains unavailable, that bidder will be rejected and will not participate any further in the process. In the event that one or more bidders do not, or are unavailable to, make a presentation, the SSRO reserves the right to permit the next lower ranked bidder back into the process and to make a presentation.
- 5.6 Bidders are advised that overall (first stage and second stage) quality and price scores will be rounded to the nearest two (2) decimal places. For example: a score of 25.3268 will become 25.33 whereas a score of 25.3236 will become 25.32.
- 5.7 The contract will be awarded to the highest-ranking bidder, at the end of the second stage evaluation, based on the Most Economically Advantageous Tender. Tenders may be rejected, however, if:
- any answer or key element of a Tender is fundamentally unacceptable to the SSRO, regardless of its other merits; or
 - the price or rates submitted are considered by the SSRO to be unreasonably high by reference to market prices or rates.

Award criteria are set based on Price (50%) and Quality/Technical (50%).

- 5.8 In the event of two or more bids being awarded the same overall (first stage or second stage) score, the SSRO shall choose the Tender with the lowest price to present (first stage) or to be awarded the contract (second stage).

Presentation

- 5.9 The presentation forms part of the Quality/Technical award criteria. It accounts for 15% of the overall marks available and will be scored in accordance with the scoring methodology set out below.
- 5.10 The proposed date for the presentation is provided in the timetable at paragraph 4.4 and bidders are expected to ensure that appropriate personnel are available to deliver the presentation on that date. The top three ranked bidders following the first stage evaluation process will be notified in advance of the arrangements for the day.

Quality/Technical

- 5.11 Bidders are required to complete the Response to Tender Questions document as the answers provided will be used to evaluate part of the Quality/Technical section. The Quality/Technical criteria have an overall weighting of 50%, with 35% allocated to the Response to Tender Questions and 15% allocated to the presentation.
- 5.12 The relevant weightings assigned to each Quality/Technical section is set out in the table below:

Quality/Technical Section	Weighting%*
Tender Questions	
1. Service delivery	20%
2. Approach to delivery of the services	10%
3. Conflict of interest management and security arrangements	5%
Presentation	
4. Presentation	15%
Total	50%

*Sub-weightings, where used, are assigned under each section, and are set out in the Response to Tender Questions (Appendix 2)

- 5.13 Items 1 to 3 of the Quality/Technical sections will be assessed based on the responses provided to each of the Tender Questions. Item 4 will be assessed based on a presentation. Each criterion has been assigned a weighting and, some, a sub-weighting, from the overall section weighting. Each criterion (and, where relevant, sub-criterion) will be awarded a score of between 0 and 5 based on the assessment table at paragraph 5.15. Scores will then be weighted to calculate the total Quality/Technical score (as part of the first evaluation stage and, then, incorporating the presentation criterion, at the end of the second stage).
- 5.14 Bidders can gain scores of 5 by providing innovative proposals that exceed the SSRO's core expectations as expressed in the Specification. The SSRO also encourages bidders to present innovative methods of service delivery that will add value to the services.
- 5.15 The assignment of a score to each answer will be based on the following assessments:

Assessment	Score
Completely fails to meet required standard or does not provide a response	0
Proposal significantly fails to meet the standards required and/or contains significant shortcomings	1
Proposal falls short of achieving the expected standard in several identifiable respects	2

Assessment	Score
Proposal meets the required standard in most material respects	3
Proposal meets the required standard in all material respects	4
Proposal exceeds the required standard in all material respects	5

Price

5.16 Bidders are required to complete the table in the Pricing Schedule (**Appendix 3**).

5.17 The Price criterion has an overall weighting of 50%. The relevant sub-weightings assigned to each competency level are set out in the table below:

Pricing element	Weighting%*
1. Lead Practitioner Day Rate	10%
2. Senior Practitioner Day Rate	40%
Total	50%

5.18 The figures used for the purposes of evaluating price are the rates so identified in Table 1 of the Pricing Schedule (Appendix 3).

5.19 The lowest-price rate, for each pricing element, among all compliant tenders will receive the full marks available for that pricing element. The rate quoted for each pricing element in each of the other bids will be scored proportionately to the lowest-priced, according to the following calculation:

(Lowest-priced Lead Practitioner day rate / price of Lead Practitioner day rate
being scored) x 10% x 100

+

(Lowest-priced Senior Practitioner day rate / price of the Senior Practitioner day
rate being scored) x 40% x 100

Example:

Bidder A submits a bid with day rates of £1,250.00 for the Lead Practitioner and £1,000.00 for the Senior Practitioner.

The lowest-priced Lead Practitioner day rate was £900.00. Bidder A's score for the Lead Practitioner pricing element will be calculated as follows:

$$900/1,250 = 0.72$$

$$0.72 \times 10\% = 0.072$$

$$0.072 \times 100 = 7.20$$

Bidder A will therefore receive a score of 7.20 for the Lead Practitioner pricing element.

The lowest-priced Senior Practitioner day rate tender received was £750.00. Bidder A's score for the Senior Practitioner pricing element will be calculated as follows:

$$750/1,000 = 0.75$$

$$0.75 \times 40\% = 0.30$$

$$0.30 \times 100 = 30.00$$

Bidder A will therefore receive a score of 30 for the Senior Practitioner price element.

Bidder A would receive an overall weighted score of 37.20 for price.

Ranking for the purposes of first stage evaluation and provisional award of contract

- 5.20 Price and weighted Quality/Technical scores will be added together to give a total score for each bidder, based on the marks available at that stage, and each bidder will be ranked accordingly.
- 5.21 For the purposes of the second evaluation stage, the bidders who are ranked in the top three will be invited to make a presentation. Bidders who are not, will be rejected from the process.
- 5.22 Following presentations, the highest-ranking bidder, based on the total marks available, will be recommended for contract award. Should there be a tie in scores between the bidders ranked first and second, the bidder with the lowest-priced Tender will be recommended for contract award.

6. Transparency

- 6.1 The Freedom of Information Act 2000 ("FOIA") and the Environmental Information Regulations 2004 ("EIR") apply to the SSRO. You should be aware of the SSRO's obligations and responsibilities under FOIA and EIR to disclose, on written request, recorded information held by the SSRO. Information provided by you in connection with this procurement exercise, or with any contract that may be awarded as a result of this exercise, may be required by law to be disclosed, unless the SSRO considers that an exemption can be applied.
- 6.2 If you wish to designate information supplied as part of this response as confidential, or if you believe that its disclosure would be prejudicial to any person's commercial interests, you must provide clear and specific detail as to the information concerned and the justification for it to not be disclosed. Such designation alone may not prevent disclosure if, in the SSRO's reasonable opinion, it is required by applicable legislation or policy, or where disclosure is required by the Information Commissioner, the First-tier Tribunal (Information Rights) or a court.
- 6.3 Additionally, for reasons of transparency, the SSRO may publish its Tender documents on a publicly searchable website. The same applies to any contract entered into by the SSRO as a result of this procurement exercise. By submitting a Tender, the supplier agrees that their participation in this procurement and any resultant contract may be made public. Where Tender documents or contracts are disclosed, the SSRO will redact them as it considers necessary and, in doing so, will have regard to the exemptions in the FOIA or EIR.

7. Canvassing and bidders conduct

- 7.1 Offering an inducement of any kind in relation to obtaining this or any other contract with the SSRO will disqualify a suppliers Tender from being considered and may constitute a criminal offence.
- 7.2 Bidders will be disqualified if they:
- tell anyone else what their Tender price is or will be, before the submission deadline;

- try to obtain any information about anyone else's Tender or proposed Tender before the submission deadline; or
- make any arrangements with another bidder about whether or not they should Tender, or about either Tender price.

- 7.3 Should it be determined that any bidder has been communicating with any other bidder in respect to this Tender, the SSRO may, acting reasonably, disqualify both bidders.
- 7.4 The SSRO will investigate Tenders where the price appears to be abnormally low. If the bidder cannot provide substantial reasons for the low prices (which may include justifying the sustainability of the bid over the life of the contract), then the SSRO may reject the Tender.
- 7.5 You should not withdraw a Tender after the submission deadline. If you do so, and the SSRO is not satisfied with the reasons for withdrawal, then the SSRO may refuse to accept future Tenders from you.
- 7.6 If the SSRO disqualifies a bidder from this procurement, it will also consider whether to exclude the bidder from subsequent procurement exercises.

8. Conflicts of interest

- 8.1 The SSRO is keen to avoid any actual and/or potential conflicts of interest. Therefore, the SSRO requires that bidders notify it immediately should there be any risk of a conflict of interest. Any bidder failing to notify a conflict that is later identified will be disqualified.

9. Acceptance of Tenders

- 9.1 The SSRO reserves the right to discontinue this procurement at any time or not to award any contract, without liability, and does not bind itself to accept any Tender.
- 9.2 Bidders are advised that in the event of their Tender being successful, the contract between the SSRO and the Contractor will only come into existence once it has been duly executed in writing by both parties.
- 9.3 No other purported method of acceptance (e.g. telephone call) or any action by the bidder (e.g. commencement of any work) shall be binding upon the SSRO or have any contractual effect.
- 9.4 Nothing contained in this ITT shall constitute an agreement. Receipt by the bidder of this ITT does not imply the existence of a contract or commitment by or with the SSRO for any purpose and bidders should note that the ITT may not result in the award of any business.

10. Bid costs

- 10.1 Tenders are to be prepared and submitted at the cost of the bidder. The SSRO will not be liable for any costs incurred by the bidder in the preparation and submission of a Tender. For the avoidance of doubt, bid costs include fees incurred by the bidder directly or indirectly as a result of preparation and submission of this Tender.

11. Terms and Conditions

- 11.1 In the event of a conflict between the ITT (including any of the supporting documents) and the Terms and Conditions, the Terms and Conditions shall take precedence.

11.2 The Contract will be awarded on the Terms and Conditions at **Appendix 4**. Suppliers are asked not to submit their own terms and conditions, as these will be disregarded.

11.3 The Contract will comprise:

- the SSRO's Terms and Conditions (including schedules contained therein);
- the Tender (including pricing schedule, presentation documentation and, where relevant, any clarifications);
- the Specification (including, where relevant, any clarifications); and
- any other agreed Schedules.

12. Documents provided with this ITT

12.1 The ITT documentation pack is comprised of the following appendices:

- Appendix 1: Specification
- Appendix 2: Response to Tender Questions
- Appendix 3: Pricing Schedule
- Appendix 4: Terms and Conditions
- Appendix 5: Form of Tender
- Appendix 6: Statement of Conduct