



Invitation to Quote

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

Subject: **Employment Law e-resource solution**

Sourcing Reference Number: **DDaT21327**

UK Shared Business Services Ltd (UK SBS)
www.uksbs.co.uk

Registered in England and Wales as a limited company. Company Number 6330639.
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Version 7.0

UKSBS
Shared Business Services

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Section 1 – About UK Shared Business Services

Putting the business into shared services

UK Shared Business Services Ltd (UK SBS) brings a commercial attitude to the public sector; helping our Contracting Authorities improve efficiency, generate savings and modernise.

It is our vision to become the leading service provider for the Contracting Authorities of shared business services in the UK public sector, continuously reducing cost and improving quality of business services for Government and the public sector.

Our broad range of expert services is shared by our Contracting Authorities. This allows Contracting Authorities the freedom to focus resources on core activities; innovating and transforming their own organisations.

Core services include Procurement, Finance, Grants Admissions, Human Resources, Payroll, ISS, and Property Asset Management all underpinned by our Service Delivery and Contact Centre teams.

UK SBS is a people rather than task focused business. It's what makes us different to the traditional transactional shared services centre. What is more, being a not-for-profit organisation owned by the Department for Business, Energy & Industrial Strategy (BEIS), UK SBS' goals are aligned with the public sector and delivering best value for the UK taxpayer.

UK Shared Business Services Ltd changed its name from RCUK Shared Services Centre Ltd in March 2013.

Our Customers

Growing from a foundation of supporting the Research Councils, 2012/13 saw Business, Energy and Industrial Strategy (BEIS) transition their procurement to UK SBS and Crown Commercial Services (CCS – previously Government Procurement Service) agree a Memorandum of Understanding with UK SBS to deliver two major procurement categories (construction and research) across Government.

UK SBS currently manages £700m expenditure for its Contracting Authorities. Our Contracting Authorities who have access to our services and Contracts are detailed [here](#).

Privacy Statement

At UK Shared Business Services (UK SBS) we recognise and understand that your privacy is extremely important, and we want you to know exactly what kind of information we collect about you and how we use it.

This privacy notice link below details what you can expect from UK SBS when we collect your personal information.

- We will keep your data safe and private.
- We will not sell your data to anyone.

- We will only share your data with those you give us permission to share with and only for legitimate service delivery reasons.

<https://www.uksbs.co.uk/use/pages/privacy.aspx>

Section 2 – About the Contracting Authority

Advisory Conciliation and Arbitration Service (ACAS)

An independent body funded by the Department for Business Energy and Industrial Strategy (BEIS), Acas was established formally by statute in 1976.

Acas aims to improve organisations and working life through better employment relationships and through a range of services delivered with independence, impartiality and are confidential.

Acas provides dispute resolution service both in collective and individual disputes. Acas offers a collective conciliation service for dealing with disputes between groups of workers and their employers. Acas also deals with disputes where individuals claim their employer has breached their legal rights and Acas has a statutory duty to promote the resolution of claims which might result in an Employment Tribunal.

Acas provides expert advice and guidance on workplace rights and good practice through their website and helpline. They also offer training on a wide range of topics. Acas' team of advisers help organisations improve workplace relations and solve problems through tailored projects.

Section 3 - Working with the Contracting Authority.

In this section you will find details of your Procurement contact point and the timescales relating to this opportunity.

Section 3 – Contact details		
3.1.	Contracting Authority Name and address	Advisory, Conciliation and Arbitration Service (ACAS), 8th Floor Windsor House, 50 Victoria Street, London, SW1H 0TL
3.2.	Buyer name	DDaT Procurement
3.3.	Buyer contact details	DDaTprocurement@uksbs.co.uk
3.4.	Estimated value of the Opportunity	The maximum budget for this opportunity shall not exceed £150,000.00 excluding VAT over the three year contract term.
3.5.	Process for the submission of clarifications and Bids	All correspondence shall be submitted within the Messaging Centre of the e-sourcing. Guidance Notes to support the use of Delta eSourcing is available here. Please note submission of a Bid to any email address including the Buyer <u>will</u> result in the Bid <u>not</u> being considered.

Section 3 - Timescales		
	Date of Issue of Contract Advert on Contracts Finder	Friday, 31 December 2021 Contracts Finder
b.	Latest date / time ITQ clarification questions shall be received through Delta eSourcing messaging system	Thursday, 13 January 2022 14:00
c.	Latest date / time ITQ clarification answers should be sent to all Bidders by the Buyer through Delta eSourcing Portal	Monday, 17 January 2022
d.	Latest date and time ITQ Bid shall be submitted through Delta eSourcing	Monday, 24 January 2022 14:00
e.	Anticipated Demonstrations	W/C 31st January 2022
f.	Anticipated User Testing	W/C 7 th - 11th February 2022
g.	Anticipated Evaluation Dates	W/C 14-18 th Feb 2022
h.	Anticipated notification date of successful and unsuccessful Bids	Friday, 25 February 2022 14:00
i.	Anticipated Contract Award date	Monday, 07 March 2022
j.	Anticipated Contract Start date	Friday, 01 April 2022
k.	Anticipated Contract End date	Monday, 31 March 2025
l.	Bid Validity Period	60 Days

Section 4 – Specification

1. Introduction

An independent body, largely funded by the Department for Business, Energy and Industrial Strategy (BEIS), Acas was established formally by statute in 1976. Today it employs around 1035 people with a devolved structure with offices across England, Scotland and Wales. The Head Office for Acas is based in London and houses a wide range of corporate support functions and policy makers including the Strategy Directorate who are commissioning this work. Within this Directorate there is Workplace Policy unit including guidance subject matter experts, Communication teams and Research and Evaluation Section.

Acas aims to improve organisations and working life through better employment relationships and through a range of services which are delivered with independence, impartiality and are confidential. Acas is well known for its role in providing a dispute resolution service both in collective and individual disputes. Acas offers a collective conciliation service for dealing with disputes between groups of workers and their employers. Acas also deals with disputes where individuals claim their employer has breached their legal rights and Acas has a statutory duty to promote the resolution of claims which might result in an Employment Tribunal.

Acas also provides authoritative advice and guidance on employment and work matters to organisations and their employees, through online and telephone channels. Acas national and regional advisers help organisations improve their employment practice, as well as solve problems when things go wrong, Acas training and tailored projects help organisations develop employee engagement and productive working environments.

Acas uses its insight and knowledge of workplace relations to inform policy development working with Government and wider stakeholders.

2. Background to the Requirement

Reasons of the tender exercise:

Acas has an employment law e-resource contract providing information on Employment Law. This is due to expire on 31/03/2022 and we are now seeking to re-procure this via a suitable e-resource supplier to provide Acas with a comprehensive employment law e- resource, delivering a high-quality product with suitable licence numbers at a competitive price.

The current e-resource is used by Policy, Helpline, Conciliation and Delivery teams.

Our staff access a range of areas that are available, such as;

- Dispute Resolution
- Employment
- Bulletins
- Cases
- Citators & Digests
- Commentary
- Current Awareness
- Forms & Precedents
- Legal Journals
- Legislation
- Mags & Journals
- Tax
- Restructuring & Insolvency
- International
- Family

3. Main aims

- Provide a suitable e-resource delivering accurate and timely Employment Law information and updates for Acas staff so that high-quality advice and guidance can be provided to customers
- Achieve improved VFM
- Service is easily navigable and content easily retrievable
- Service meets government accessibility standards
- Service is delivered consistently to the required numbers of staff across Acas
- Ongoing training and administration support needs are met

4. Business functions & processes

- Dealing with Helpline customers
- Provide a legal knowledge underpinning for conciliators
- Delivering training events
- Writing guidance, commentary and policies
- Developing website content

4. Statement of Requirement

a. Contract Term

3 Years

b. Licence numbers

200 licences

5. On-line employment law commentary and guidance

- Easily accessible guidance, explanation and commentary on employment law
- Easy access to up-to-date relevant legislation
- Easily accessible case-law library
- In-depth commentary and discussion on changes to employment cases and law.
- Version control and changes made to commentary and discussion are visible.
- Future tracker – details of forthcoming appeals and legislative
- Government consultation exercises/changes are provided within two weeks of these events occurring
- Central e-resource to be provided by 24/7 accessible web connection

6. Navigation and customisation

Easy / intuitive navigation and search functionality – to include:

- in-document hyper links between guidance, legislation and case law;
- effective search engine function to retrieve or identify content based on key words, descriptions, tags
- Ability to customise the resource such as the ability to create sub-libraries e.g. saving common searches or creating topic folders, save pages to Favourites within the resource.

7. Updates and version control

- Timely updates regarding changes of employment legislation, case law. Including version tracker of changes to legislation, case law etc. regional assemblies' law vs. English law.

- Regular (weekly or monthly) updates such as via email, briefings, journals etc. updates cycle – retaining Version control and updates log of changes to library and wider content articles.

8. Lifetime training and licence/account management support

- Interactive 'Help' function available for licence users to use via chat, web portal, or similar media.
- Training support, licence administration support provided – to include
- provision of training sessions and demos for all licence holders,
- monthly usage analytics and trends with data broken down by up to staff member level, to be provided to Acas contract management team
- assistance with allocation of licences to specific Acas staff members
- responses to queries and support requests provided in acceptable timescales (3 days or less)

9. Demonstration

As part of the ITQ process, Bidders will be required to deliver a system demonstration to the Acas

Bidders are asked to provide a 45-minute demonstration remotely via Video Conference covering the following criteria:

- How to navigate the portal
- Show the desk instructions or guidance on the portal
- Show the Employment Law resources content and other information available that would be suitable for Acas frontline staff in their jobs
- Any brief or journals that are available
- Mi data available

Following the submission of the bids, Acas will evaluate the commercial, quality and price submissions and the 3 top scoring Bidders will be invited to deliver demonstrations.

The System demonstration shall take place at the agreed date/time remotely over Zoom and shall not exceed 45 minutes. Zoom details will be shared closer to the demonstration dates.

At the end of the system demonstration, there will be a 15-minute Q&A session to answer questions from the evaluation panel.

Bidders can bring up to 2 people to this demonstration round.

10. User Testing

Acas require access to the e-resource to allow up to 14 users for testing/assessment of the product in order to assess the ease of use of the proposed solution.

After the evaluation of the quality and price submissions the top 3 scoring Bidders will be asked to provide a sandbox environment for the user testing.

The users will assess how easy it is to:

- Navigate around the solution
- Retrieve content
- Access helpline service
- Navigate the website to find any pre-recorded training materials
- Access guidance on the practical application of employment law, key case law for employment relations

- Run searches within the solution effectively to retrieve or identify content based on key words, descriptions, tags.
- Find and use interactive 'Help' function available for licence users to use via live chat, web portal, or similar media.

Please note that the user testing (PROJ1.7) will be scored using the below 0-100 scoring matrix:

0	Solution is not fit for purpose. Navigation around the solution is extremely difficult in all areas and functionality is extremely complex.
10	Extremely poor solution provided. Navigation around the solution is highly difficult in almost all areas and functionality is highly complex to use.
20	Very poor solution and not wholly acceptable. Navigation around the solution is difficult and functionality is complex to use in the majority of areas.
40	Poor solution only partially satisfying the requirements with deficiencies apparent. Navigation and functionality of the solution is not straight-forward in most areas.
60	Solution is acceptable but remains basic in the solution's functionality. Navigation and functionality of the solution is acceptable, solution is not easy to use in some areas.
80	Navigation around the solution and functionality is good and demonstrates ease of use of the solution which provides high levels of assurance consistent with a quality provider. The solution is easy to use.
100	Navigation around the solution and functionality is exceptional and clearly demonstrates they are capable of meeting the requirement of the solution to be user friendly. The solution is very easy to use in all areas. No weaknesses noted.

11.Terms and Conditions

Bidders are to note that any requested modifications to the Contracting Authority Terms and Conditions on the grounds of statutory and legal matters only, shall be raised as a formal clarification during the permitted clarification period.

Section 5 – Evaluation model

The evaluation model below shall be used for this ITQ, which will be determined to two decimal places.

Where a question is 'for information only' it will not be scored.

The evaluation team may comprise staff from UK SBS and the Contracting Authority and any specific external stakeholders the Contracting Authority deems required.

The evaluation and if required team may comprise staff from UK SBS and the Contracting Authority and any specific external stakeholders the Contracting Authority deems required. After evaluation and if required moderation scores will be finalised by performing a calculation to identify (at question level) the mean average of all evaluators (Example – a question is scored by three evaluators and judged as scoring 5, 5 and 6. These scores will be added together and divided by the number of evaluators to produce the final score of 5.33 ($5+5+6=16 \div 3 = 5.33$))

Pass / Fail criteria		
Questionnaire	Q No.	Question subject
Commercial	SEL1.2	Employment breaches/ Equality
Commercial	SEL1.3	Compliance to Section 54 of the Modern Slavery Act
Commercial	SEL2.10	Information security requirements
Commercial	SEL2.12	General Data Protection Regulations (GDPR) Act and the Data Protection Act 2018
Commercial	FOI1.1	Freedom of Information
Commercial	AW1.1	Form of Bid
Commercial	AW1.3	Certificate of Bona Fide Bid
Commercial	AW3.1	Validation check
Commercial	AW4.1	Compliance to the Contract Terms
Commercial	AW4.2	Changes to the Contract Terms
Price	AW5.1	Firm and Fixed Price
Price	AW5.4	E Invoicing
Quality	AW6.1	Compliance to the Specification
Quality	AW6.2	Variable Bids
Quality	PROJ1.5	Bidder's availability to attend demonstrations and to provide sandbox environment for user testing
-	-	Invitation to Quote – received on time within e-sourcing tool
In the event of a Bidder failing to meet the requirements of a Mandatory pass / fail criteria, the Contracting Authority reserves the right to disqualify the Bidder and not consider evaluation of any of the Award stage scoring methodology or Mandatory pass / fail criteria.		

Scoring criteria

Evaluation Justification Statement

In consideration of this particular requirement the Contracting Authority has decided to evaluate Potential Providers by adopting the weightings/scoring mechanism detailed within this ITQ. The Contracting Authority considers these weightings to be in line with existing best practice for a requirement of this type.

Questionnaire	Q No.	Question subject	Maximum Marks
Price	AW5.2	Price	30%
Quality	PROJ1.1	Employment law commentary and guidance – relevance and accuracy	20%
Quality	PROJ1.2	Navigation and customisation – ability to find content and tailor the resource	15%
Quality	PROJ1.3	Updates and version control – content is frequently updated with changes made clear	10%
Quality	PROJ1.4	Lifetime training and licence management support	5%
Quality	PROJ1.6	Demonstration	5%
Quality	PROJ1.7	Sandbox User Testing	15%

Evaluation of criteria

Non-Price elements

Each question will be judged on a score from 0 to 100, which shall be subjected to a multiplier to reflect the percentage of the evaluation criteria allocated to that question.

Where an evaluation criterion is worth 20% then the 0-100 score achieved will be multiplied by 20%.

Example if a Bidder scores 60 from the available 100 points this will equate to 12% by using the following calculation:

$$\text{Score} = \{\text{weighting percentage}\} \times \{\text{bidder's score}\} = 20\% \times 60 = 12$$

The same logic will be applied to groups of questions which equate to a single evaluation criterion.

The 0-100 score shall be based on (unless otherwise stated within the question):

0	The Question is not answered, or the response is completely unacceptable.
10	Extremely poor response – they have completely missed the point of the question.

20	Very poor response and not wholly acceptable. Requires major revision to the response to make it acceptable. Only partially answers the requirement, with major deficiencies and little relevant detail proposed.
40	Poor response only partially satisfying the question requirements with deficiencies apparent. Some useful evidence provided but response falls well short of expectations. Low probability of being a capable supplier.
60	Response is acceptable but remains basic and could have been expanded upon. Response is sufficient but does not inspire.
80	Good response which describes their capabilities in detail which provides high levels of assurance consistent with a quality provider. The response includes a full description of techniques and measurements currently employed.
100	Response is exceptional and clearly demonstrates they are capable of meeting the requirement. No significant weaknesses noted. The response is compelling in its description of techniques and measurements currently employed, providing full assurance consistent with a quality provider.

All questions will be scored based on the above mechanism. Please be aware that there may be multiple evaluators. If so, their individual scores will be averaged (mean) to determine your final score as follows:

Example

Evaluator 1 scored your bid as 60

Evaluator 2 scored your bid as 60

Evaluator 3 scored your bid as 40

Evaluator 4 scored your bid as 40

Your final score will $(60+60+40+40) \div 4 = 50$

Once the above evaluation process has been undertaken and the scores are apportioned by evaluator(s) this will then be subject to an independent commercial review and moderation meeting, if required by the commercial lead, any and all changes will be formally recorded relative to the regulatory obligations associated with this procurement, so as to ensure that the procurement has been undertaken in a robust and transparent way.

Price elements will be judged on the following criteria.

The lowest price for a response which meets the pass criteria shall score 100. All other bids shall be scored on a pro rata basis in relation to the lowest price. The score is then subject to a multiplier to reflect the percentage value of the price criterion.

For example - Bid 1 £100,000 scores 100.

Bid 2 £120,000 differential of £20,000 or 20% remove 20% from price scores 80

Bid 3 £150,000 differential £50,000 remove 50% from price scores 50.

Bid 4 £175,000 differential £75,000 remove 75% from price scores 25.

Bid 5 £200,000 differential £100,000 remove 100% from price scores 0.

Bid 6 £300,000 differential £200,000 remove 100% from price scores 0.

Where the scoring criterion is worth 50% then the 0-100 score achieved will be multiplied by 50.

In the example if a supplier scores 80 from the available 100 points this will equate to 40% by using the following calculation: $\text{Score/Total Points multiplied by 50}$ $(80/100 \times 50 = 40)$

The lowest score possible is 0 even if the price submitted is more than 100% greater than the lowest price.

This evaluation criteria will therefore not be subject to any averaging, as this is a mathematical scoring criteria, but will still be subject to a commercial review.

Evaluation process

The evaluation process will feature some, if not all, the following phases.

Stage	Summary of activity
Receipt and Opening	<ul style="list-style-type: none">• ITQ logged upon opening in alignment with UK SBS's procurement procedures.• Any ITQ Bid received after the closing date will be rejected unless circumstances attributed to the Contracting Authority or the e-sourcing tool beyond the bidder control are responsible for late submission.
Compliance check	<ul style="list-style-type: none">• Check all Mandatory requirements are acceptable to the Contracting Authority.• Unacceptable Bids maybe subject to clarification by the Contracting Authority or rejection of the Bid.
Scoring of the Bid	<ul style="list-style-type: none">• Evaluation team will independently score the Bid and provide a commentary of their scoring justification against the criteria.
Clarifications	<ul style="list-style-type: none">• The Evaluation team may require written clarification to Bids
Re - scoring of the Bid and Clarifications	<ul style="list-style-type: none">• Following Clarification responses, the Evaluation team reserve the right to independently re-score the Bid and Clarifications and provide a commentary of their re-scoring justification against the Evaluation criteria.
Moderation meeting (if required to reach an award decision)	<ul style="list-style-type: none">• To review the outcomes of the Commercial review• To agree final scoring for each Bid, relative rankings of the Bids• To confirm contents of the feedback letters to provide details of scoring and relative and proportionate feedback on the unsuccessful Bidders response in comparison with the successful Bidders response
Due diligence of the Bid	<ul style="list-style-type: none">• the Contracting Authority may request the following requirements at any stage of the Procurement.• Submission of insurance documents from the Bidder• Request for evidence of documents / accreditations referenced in the / Invitation to Quote response / Bid and / or Clarifications from the Bidder• Taking up of Bidder references from the Bidders Customers.• Financial Credit check for the Bidder
Validation of unsuccessful Bidders	<ul style="list-style-type: none">• To confirm contents of the letters to provide details of scoring and meaningful feedback on the unsuccessful Bidders Bid in comparison with the successful Bidders Bid.

Section 6 – Evaluation questionnaire

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

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

PLEASE NOTE THE QUESTIONS ARE NOT NUMBERED SEQUENTIALLY

Section 7 – General Information

What makes a good bid – some simple do's 😊

DO:

- 7.1 Do comply with Procurement document instructions. Failure to do so may lead to disqualification.
- 7.2 Do provide the Bid on time, and in the required format. Remember that the date/time given for a response is the last date that it can be accepted; we are legally bound to disqualify late submissions. Responses received after the date indicated in the ITQ shall not be considered by the Contracting Authority, unless the Bidder can justify that the reason for the delay, is solely attributable to the Contracting Authority
- 7.3 Do ensure you have read all the training materials to utilise e-sourcing tool prior to responding to this Bid. If you send your Bid by email or post it will be rejected.
- 7.4 Do use Microsoft Word, PowerPoint Excel 97-03 or compatible formats, or PDF unless agreed in writing by the Buyer. If you use another file format without our written permission, we may reject your Bid.
- 7.5 Do ensure you utilise the Delta eSourcing messaging system to raise any clarifications to our ITQ. You should note that we will release the answer to the question to all Bidders and where we suspect the question contains confidential information, we may modify the content of the question to protect the anonymity of the Bidder or their proposed solution
- 7.6 Do answer the question, it is not enough simply to cross-reference to a 'policy', web page or another part of your Bid, the evaluation team have limited time to assess bids and if they can't find the answer, they can't score it.
- 7.7 Do consider who the Contracting Authority is and what they want – a generic answer does not necessarily meet every Contracting Authority's needs.
- 7.8 Do reference your documents correctly, specifically where supporting documentation is requested e.g. referencing the question/s they apply to.
- 7.9 Do provide clear, concise and ideally generic contact details; telephone numbers, e-mails and fax details.
- 7.10 Do complete all questions in the questionnaire or we may reject your Bid.
- 7.11 Do ensure that the Response and any documents accompanying it are in the English Language, the Contracting Authority reserve the right to disqualify any full or part responses that are not in English.
- 7.12 Do check and recheck your Bid before dispatch.

What makes a good bid – some simple do not's Ⓜ

DO NOT

- 7.13 Do not cut and paste from a previous document and forget to change the previous details such as the previous buyer's name.
- 7.14 Do not attach 'glossy' brochures that have not been requested, they will not be read unless we have asked for them. Only send what has been requested and only send supplementary information if we have offered the opportunity so to do.
- 7.15 Do not share the Procurement documents, they are confidential and should not be shared with anyone without the Buyers written permission.
- 7.16 Do not seek to influence the procurement process by requesting meetings or contacting UK SBS or the Contracting Authority to discuss your Bid. If your Bid requires clarification the Buyer will contact you. All information secured outside of formal Buyer communications shall have no Legal standing or worth and should not be relied upon.
- 7.17 Do not contact any UK SBS staff or the Contracting Authority staff without the Buyers written permission or we may reject your Bid.
- 7.18 Do not collude to fix or adjust the price or withdraw your Bid with another Party as we will reject your Bid.
- 7.19 Do not offer UK SBS or the Contracting Authority staff any inducement or we will reject your Bid.
- 7.20 Do not seek changes to the Bid after responses have been submitted and the deadline for Bids to be submitted has passed.
- 7.21 Do not cross reference answers to external websites or other parts of your Bid, the cross references and website links will not be considered.
- 7.22 Do not exceed word counts, the additional words will not be considered.
- 7.23 Do not make your Bid conditional on acceptance of your own Terms of Contract, as your Bid will be rejected.
- 7.24 Do not unless explicitly requested by the Contracting Authority either in the procurement documents or via a formal clarification from the Contracting Authority send your response by any way other than via e-sourcing tool. Responses received by any other method than requested will not be considered for the opportunity.

Some additional guidance notes

- 7.25 All enquiries with respect to access to the e-sourcing tool and problems with functionality within the tool must be submitted to Delta eSourcing, Telephone 0845 270 7050
- 7.26 Bidders will be specifically advised where attachments are permissible to support a question response within the e-sourcing tool. Where they are not permissible any attachments submitted will not be considered as part of the evaluation process.
- 7.27 Question numbering is not sequential and all questions which require submission are included in the Section 6 Evaluation Questionnaire.
- 7.28 Any Contract offered may not guarantee any volume of work or any exclusivity of supply.
- 7.29 We do not guarantee to award any Contract as a result of this procurement
- 7.30 All documents issued or received in relation to this procurement shall be the property of the Contracting Authority / UKSBS.
- 7.31 We can amend any part of the procurement documents at any time prior to the latest date / time Bids shall be submitted through the Delta eSourcing Portal.
- 7.32 If you are a Consortium you must provide details of the Consortiums structure.
- 7.33 Bidders will be expected to comply with the Freedom of Information Act 2000, or your Bid will be rejected.
- 7.34 Bidders should note the Government's transparency agenda requires your Bid and any Contract entered into to be published on a designated, publicly searchable web site. By submitting a response to this ITQ Bidders are agreeing that their Bid and Contract may be made public
- 7.35 Your bid will be valid for 60 days or your Bid will be rejected.
- 7.36 Bidders may only amend the contract terms during the clarification period only, only if you can demonstrate there is a legal or statutory reason why you cannot accept them. If you request changes to the Contract terms without such grounds and the Contracting Authority fail to accept your legal or statutory reason is reasonably justified, we may reject your Bid.
- 7.37 We will let you know the outcome of your Bid evaluation and where requested will provide a written debrief of the relative strengths and weaknesses of your Bid.
- 7.38 If you fail mandatory pass / fail criteria we will reject your Bid.
- 7.39 Bidders are required to use IE8, IE9, Chrome or Firefox in order to access the functionality of the Delta eSourcing Portal.
- 7.40 Bidders should note that if they are successful with their proposal the Contracting Authority reserves the right to ask additional compliancy checks prior to the award of

any Contract. In the event of a Bidder failing to meet one of the compliancy checks the Contracting Authority may decline to proceed with the award of the Contract to the successful Bidder.

- 7.41 All timescales are set using a 24-hour clock and are based on British Summer Time or Greenwich Mean Time, depending on which applies at the point when Date and Time Bids shall be submitted through the Delta eSourcing Portal.
- 7.42 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 Contracting Authority may disclose within Government any of the Bidders documentation/information (including any that the Bidder considers to be confidential and/or commercially sensitive such as specific bid information) submitted by the Bidder to the Contracting Authority during this Procurement. The information will not be disclosed outside Government. Bidders taking part in this ITQ consent to these terms as part of the competition process.

- 7.43 The Government introduced its new Government Security Classifications (GSC) classification scheme on the 2nd April 2014 to replace the current Government Protective Marking System (GPMS). A key aspect of this is the reduction in the number of security classifications used. All Bidders are encouraged to make themselves aware of the changes and identify any potential impacts in their Bid, as the protective marking and applicable protection of any material passed to, or generated by, you during the procurement process or pursuant to any Contract awarded to you as a result of this tender process will be subject to the new GSC. The link below to the Gov.uk website provides information on the new GSC:

<https://www.gov.uk/government/publications/government-security-classifications>

The Contracting Authority reserves the right to amend any security related term or condition of the draft contract accompanying this ITQ to reflect any changes introduced by the GSC. In particular where this ITQ is accompanied by any instructions on safeguarding classified information (e.g. a Security Aspects Letter) as a result of any changes stemming from the new GSC, whether in respect of the applicable protective marking scheme, specific protective markings given, the aspects to which any protective marking applies or otherwise. This may relate to the instructions on safeguarding classified information (e.g. a Security Aspects Letter) as they apply to the procurement as they apply to the procurement process and/or any contracts awarded to you as a result of the procurement process.

USEFUL INFORMATION LINKS

- [Contracts Finder](#)
- [Find a Tender](#)
- [Equalities Act introduction](#)
- [Bribery Act introduction](#)
- [Freedom of information Act](#)

8.0 Freedom of information

8.4.1 In accordance with the obligations and duties placed upon public authorities by the Freedom of Information Act 2000 (the 'FoIA') and the Environmental Information Regulations 2004 (the 'EIR') (each as amended from time to time), UK SBS or the Contracting Authority may be required to disclose information submitted by the Bidder to the to the Contracting Authority.

8.4.2 In respect of any information submitted by a Bidder that it considers to be commercially sensitive the Bidder should complete the Freedom of Information declaration question defined in the Question FOI1.2.

8.4.3 Where a Bidder identifies information as commercially sensitive, the Contracting Authority will endeavour to maintain confidentiality. Bidders should note, however, that, even where information is identified as commercially sensitive, the Contracting Authority may be required to disclose such information in accordance with the FoIA or the Environmental Information Regulations. In particular, the Contracting Authority is required to form an independent judgment concerning whether the information is exempt from disclosure under the FoIA or the EIR and whether the public interest favours disclosure or not. Accordingly, the Contracting Authority cannot guarantee that any information marked 'confidential' or "commercially sensitive" will not be disclosed.

8.4.4 Where a Bidder receives a request for information under the FoIA or the EIR during the procurement, this should be immediately passed on to UK SBS or the Contracting Authority and the Bidder should not attempt to answer the request without first consulting with the Contracting Authority.

8.4.5 Bidders are reminded that the Government's transparency agenda requires that sourcing documents, including ITQ templates such as this, are published on a designated, publicly searchable web site, and, that the same applies to other sourcing documents issued by UK SBS or the Contracting Authority, and any contract entered into by the Contracting Authority with its preferred supplier once the procurement is complete. By submitting a response to this ITQ Bidders are agreeing that their participation and contents of their Response may be made public.

8.5. Response Validity

8.5.1 Your Response should remain open for consideration for a period of 60 days. A Response valid for a shorter period may be rejected.

8.6. Timescales

8.6.1 [Section 3](#) of the ITQ sets out the proposed procurement timetable. the Contracting Authority reserves the right to extend the dates and will advise potential Bidders of any change to the dates.

8.7. The Contracting Authority's Contact Details

8.7.1 Unless stated otherwise in these Instructions or in writing from UK SBS or the Contracting Authority, all communications from Bidders (including their sub-contractors, consortium members, consultants and advisers) during the period of this procurement must be directed through the e-sourcing tool to the designated UK SBS contact.

8.7.2

All enquiries with respect to access to the e-sourcing tool may be submitted to Delta eSourcing on 0845 270 7050 please note this is a free self-registration website, and this can be done by completing the online questionnaire at <https://uksbs.delta-esourcing.com/>

8.7.3 Bidders should be mindful that the designated Contact should not under any circumstances be sent a copy of their Response outside of the e-sourcing tool. Failure to follow this requirement will result in disqualification of the Response.

Appendix 'A' Glossary of Terms

GUIDANCE - GLOSSARY When adding new definitions always use Capital letters at the start of each word and inverted commas (") and the start and end of the definition, for example "Call Off Contract" and ensure the format of the definition is consistent throughout the document. Please also check the existing list of definitions and remove those that are not used.

TERM	MEANING
"UK SBS"	means UK Shared Business Services Ltd herein after referred to as UK SBS.
"Bid", "Response", "Submitted Bid", or "ITQ Response"	means the Bidders formal offer in response to this Invitation to Quote
"Bidder(s)"	means the organisations being invited to respond to this Invitation to Quote
"Call Off Contract"	means the document set out in Schedule AW5.1 of the tender documentation
"Central Purchasing Body"	means a duly constituted public sector organisation which procures supplies/services/works for and on behalf of contracting authorities
"Conditions of Bid"	means the terms and conditions set out in this ITQ relating to the submission of a Bid
"Contract"	means the agreement to be entered by the Contracting Authority and the Supplier following any award under the procurement
"Contracting Bodies"	means the Contracting Authority and any other contracting authorities described in the Find a Tender
"Contracting Authority"	A public body regulated under the Public Procurement Regulations on whose behalf the procurement is being run
"Customer"	means the legal entity (or entities) for which any Contract agreed will be made accessible to.
"Due Diligence Information"	means the background and supporting documents and information provided by the Contracting Authority for the purpose of better informing the Bidders responses to this ITQ
"EIR"	mean the Environmental Information Regulations 2004 together with any guidance and/or codes of practice issued by the Information Commissioner or relevant Government department in relation to such regulations
"Find a Tender"	Means the UK Government Portal that superseded the OJEU as from 1/1/2021 https://www.find-tender.service.gov.uk/Search
"FoIA"	means the Freedom of Information Act 2000 and any subordinate legislation made under such Act from time to time together with any guidance and/or codes of practice issued by

	the Information Commissioner or relevant Government department in relation to such legislation
“Further Competition”	means re-opening competition under a framework if applicable to this procurement
“Invitation to Quote” or “ITQ”	means this Invitation to Quote documentation and all related documents published by the Contracting Authority and made available to Bidders and includes the Due Diligence Information. NOTE: This document is often referred to as an Invitation to Tender within other organisations
“Lot”	means a discrete sub-division of the requirements
“Mandatory”	Means a pass / fail criteria which must be met in order for a Bid to be considered, unless otherwise specified.
“Named Procurement person ”	means the single point of contact for the Contracting Authority based in UK SBS that will be dealing with the procurement
“Order”	means an order for served by any Contracting Body on the Supplier
“Other Public Bodies”	means all Contracting Bodies except the Contracting Authority
“Supplier(s)”	means the organisation(s) awarded the Contract
“Supplies / Services / Works”	means any supplies/services and supplies or works set out at within <u>Section 4 Specification</u>