

Invitation to Quote



Department for
Business, Energy
& Industrial Strategy

Invitation to Quote (ITQ) on behalf of The Department for Business, Energy, and Industrial Strategy (BEIS)

Subject: The provision of testing services for market surveillance purposes to determine heavy metal 'action limits' in cosmetic products

Sourcing Reference Number: FM21190

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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VAT registration GB618 3673 25
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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.

Privacy Notice

This notice sets out how the Contracting Authority will use your personal data, and your rights. It is made under Articles 13 and/or 14 of the UK General Data Protection Regulation (UK GDPR).

YOUR DATA

The Contracting Authority will process the following personal data:

Names and contact details of employees involved in preparing and submitting the bid;
Names and contact details of employees proposed to be involved in delivery of the contract;
Names, contact details, age, qualifications and experience of employees whose CVs are submitted as part of the bid.

Purpose

The Contracting Authority are processing your personal data for the purposes of the tender exercise, or in the event of legal challenge to such tender exercise.

Legal basis of processing

The legal basis for processing your personal data is processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the data controller, such as the exercise of a function of the Crown, a Minister of the Crown, or a government department; the exercise of a function conferred on a person by an enactment; the exercise of a function of either House of Parliament; or the administration of justice.

Recipients

Your personal data will be shared by us with other Government Departments or public authorities where necessary as part of the tender exercise. The Contracting Authority may share your data if required to do so by law, for example by court order or to prevent fraud or other crime.

Retention

All submissions in connection with this tender exercise will be retained for a period of (7) years from the date of contract expiry, unless the contract is entered into as a deed in which case it will be kept for a period of (12) years from the date of contract expiry.

Your Rights

You have the right to request information about how your personal data are processed, and to request a copy of that personal data.

You have the right to request that any inaccuracies in your personal data are rectified without delay.

You have the right to request that any incomplete personal data are completed, including by means of a supplementary statement.

You have the right to request that your personal data are erased if there is no longer a justification for them to be processed.

You have the right in certain circumstances (for example, where accuracy is contested) to request that the processing of your personal data is restricted.

You have the right to object to the processing of your personal data where it is processed for direct marketing purposes.

You have the right to object to the processing of your personal data.

International Transfers

As your personal data is stored on our IT infrastructure and shared with our data processors Microsoft and Amazon Web Services, it may be transferred and stored securely in the UK and European Economic Area. Where your personal data is stored outside the UK and EEA it will be subject to equivalent legal protection through the use of Model Contract Clauses.

Complaints

If you consider that your personal data has been misused or mishandled, you may make a complaint to the Information Commissioner, who is an independent regulator. The Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
0303 123 1113
casework@ico.org.uk

Any complaint to the Information Commissioner is without prejudice to your right to seek redress through the courts.

Contact Details

The data controller for your personal data is:

The Department for Business, Energy & Industrial Strategy (BEIS)

You can contact the Data Protection Officer at:

BEIS Data Protection Officer, Department for Business, Energy and Industrial Strategy, 1 Victoria Street, London SW1H 0ET. Email: dataprotection@beis.gov.uk.

Section 2 – About the Contracting Authority

Department for Business, Energy & Industrial Strategy (BEIS)

The Department for Business, Energy and Industrial Strategy (BEIS) was created as a result of a merger between the Department of Energy and Climate Change (DECC) and the Department for Business, Innovation and Skills (BIS), as part of the Machinery of Government (MoG) changes in July 2016.

The Department is responsible for:

- developing and delivering a comprehensive industrial strategy and leading the government's relationship with business;
- ensuring that the country has secure energy supplies that are reliable, affordable and clean;
- ensuring the UK remains at the leading edge of science, research and innovation; and
- tackling climate change.

BEIS is a ministerial department, supported by 46 agencies and public bodies.

We have around 2,500 staff working for BEIS. Our partner organisations include 9 executive agencies employing around 14,500 staff.

<http://www.beis.gov.uk>

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 | Department for Business, Energy, and Industrial Strategy (BEIS) - 1 Victoria Street, Westminster, London, SW1H 0ET |
| 3.2. | Buyer name | Alexandra Richards |
| 3.3. | Buyer contact details | fmprocurement@uksbs.co.uk |
| 3.4. | Maximum value of the Opportunity | £75,000.00 (Maximum) Excluding VAT |
| 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 | | |
|------------------------|------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------|
| 3.6. | Date of Issue of Contract Advert on Contracts Finder | Wednesday, 22 September 2021 Contracts Finder |
| 3.7. | Latest date / time ITQ clarification questions shall be received through Delta eSourcing messaging system | Wednesday, 06 October 2021 11:00 |
| 3.8. | Latest date / time ITQ clarification answers should be sent to all Bidders by the Buyer through Delta eSourcing Portal | Friday, 08 October 2021 |
| 3.9. | Latest date and time ITQ Bid shall be submitted through Delta eSourcing | Friday, 15 October 2021 11:00 |
| 3.10. | Anticipated notification date of successful and unsuccessful Bids | Wednesday, 20 October 2021 |
| 3.11. | Anticipated Contract Award date | Friday, 22 October 2021 |
| 3.12. | Anticipated Contract Start date | Friday, 29 October 2021 |
| 3.13. | Anticipated Contract End date | Thursday, 31 March 2022 |
| 3.14. | Bid Validity Period | 90 Days |

Section 4 – Specification

1. Introduction

This project is part of the BEIS Office for Product Safety and Standards Strategic Research Programme (SRP), which was launched in March 2018. This programme provides high quality strategic research to strengthen the evidence base for Safety and Standards policy development, delivery and enforcement, giving business the confidence to innovate and protecting consumers from unsafe products. The wide range of evidence-based research supported by the SRP helps to address critical questions relating to current product safety, and/or issues that might arise due to future market developments.

Heavy metals are banned in cosmetic products due to their toxicity and skin sensitising properties. As they are naturally found in the environment, trace amounts can be present in certain cosmetic ingredients. In the UK cosmetics regulation, the non-intended presence of a small quantity of a prohibited substance (stemming from impurities of natural or synthetic ingredients, the manufacturing process, storage, migration from packaging, etc.) which is technically unavoidable in good manufacturing practice, shall be permitted provided the cosmetic product is safe. When a cosmetic product contains trace amounts of a prohibited substance, such as heavy metals, an 'action limit' can help define 'technically unavoidable levels.'

Action limits for heavy metals have been created by a small number of other countries which have previously helped inform a UK view however, at present, there are no UK-specific 'action limits' for heavy metals in cosmetic products. To determine these limits, countries undertook large sampling and testing campaigns on a range of cosmetic product types using Inductively Coupled Plasma-Mass Spectrometry (ICP-MS). Limits were based on a measurement approach as opposed to a hazard/risk-based approach due to the varying presence and complex nature of heavy metals across cosmetic products. Specifically, the products were analysed for the presence of heavy metals and in some cases the 90th percentile for each heavy metal determined within the product categories served as the 'action limit' for each metal.

2. Aims & Objectives

The aim of this tender exercise is to provide clear guidance to national authorities, test houses and industry regarding acceptable levels of unavoidable heavy metal impurities, thus strengthening the safety of UK cosmetic products. This aim can be fulfilled by completing the following objectives:

- Carry out a short literature review of relevant work previously completed to ensure a considered approach.
- Engage with key stakeholders to ensure consideration of practical aspects from end-user perspectives.
- Identify a variety of suitable cosmetic products that provide a representative sample of the UK population and market.
- Utilise an acceptable analytical approach for a minimum of five heavy metals including Lead, Arsenic, Cadmium, Antimony and Mercury.
- Carry out data analysis to determine action limits for the heavy metals examined.

- Publish the findings of this work in a reputable scientific journal.

3. Scope

We expect a minimum of five heavy metals to be targeted for analysis ideally including Lead, Cadmium, Arsenic, Antimony and Mercury, with other analytes selected based on the findings of the initial literature review.

We expect up to 250 cosmetic products to be analysed within the projects 5 month timeline. The total number of products tested will depend on the awarded laboratories overall capability and capacity over the project duration (see section 7.0). Products will need to be purchased and tested by the awarded supplier following the relevant cosmetic enforcement sampling and testing protocols. Product types selected in similar studies included:

- Lipsticks/lip gloss and lip liners (various colours acceptable).
- Make-up powders (various colours acceptable).
- Eye makeup products (e.g. eye shadow, eye liner, mascara, kajal).
- Toothpastes/teeth whitening products (children's toothpaste is also acceptable).
- Body and baby powders.
- Deodorants.
- Body and facial creams (including tinted facial creams).

Although this does not preclude other product types, the products outlined above are more likely to be heavily pigmented and contain natural mineral ingredients which may have heavy metal impurities present.

To meet our project objectives, products should not only vary in function but also range in price point, form, texture, colour, tone and application to various skin types and conditions.

4. Requirement

The contractor will undertake the following activities to meet the aims of this work:

- a) Attend a 'kick-off' meeting with OPSS to clarify the scope and requirements of the project.
- b) Submit an initial 1-page report to OPSS confirming how and when deliverables and milestones will be achieved.
- c) Carry out a mini-literature review and present the findings to a small group of key stakeholders (OPSS will help identify relevant contacts) to discuss testing approach, next steps and other practical considerations.
- d) Arrange monthly meetings with the OPSS project manager to provide updates on ongoing testing, summarising recent and imminent work including any issues arising that could lead to delays.
- e) Present a summary of the test results to the original group of key stakeholders, outlining key findings and recommendations for action limits.
- f) Prepare and submit a scientific article to a high-quality journal.
- g) Provide a presentation on this work and its outputs to OPSS staff members.

The following requirements must be met by the awarded supplier:

- ICP-MS offers sufficient sensitivity and selectivity to quantify various metals present at low levels and we expect the supplier to have the necessary resources and expertise to carry out this analysis in-house.
- Due to the nature of the testing and the potential use of results for enforcement purposes, it is essential for the test house to be (at least in part) publicly funded and be able to demonstrate expertise supporting the relevant authorities on cosmetic product testing for market surveillance purposes. In addition, the laboratory must have a suitable quality system in place such as ISO 17025, or similar, and not have any conflicts of interest in the work outlined above.
- The project must be completed by March 18th 2022.
- The final report is expected to be submitted for publication in a high-quality scientific journal by the end of this project. We expect the supplier to lead the response to any subsequent reviewer comments, if required after project completion.

5. Timetable

The project is expected to kick-off mid-October 2021 and is scheduled for completion before the end of March 2022.

Proposed Timetable:

- Week 1 - 'Kick-off' meeting.
- Week 3 - Initial literature review report received by OPSS.
- Week 4 - Proposed methodology presented at stakeholder meeting and write-up of minutes and next steps circulated to group.
- Weeks 4-8 - Sampling products.
- Weeks 6-16 – Sample analysis and data interpretation.
- Week 17 – Stakeholder engagement with presentation of results
- Weeks 14-20 - Scientific paper write up, review and submission.
- Week 20 - OPSS presentation of project summary and outputs.

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 | SEL2.12 | 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 | Maximum Budget |
| Quality | AW6.1 | Compliance to the Specification |
| Quality | AW6.2 | Variable Bids |
| - | - | 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 | 25% |
| Quality | PROJ1.1 | Approach | 20% |
| Quality | PROJ1.2 | Staff to Deliver | 15% |
| Quality | PROJ1.3 | Understanding the Environment | 20% |
| Quality | PROJ1.4 | Project Plan and Timescales | 20% |

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: 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. |

| | |
|-------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | <ul style="list-style-type: none"> 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 |
| 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.ukpbs.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 90 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 90 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 not 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 |
| "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 Contracts Finder Contract Notice |
| "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 |
| "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 ## Delete if not used ## |

| | |
|-------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| “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 |
| “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> ##GUIDANCE the specification must be finalised at the time of the Find a Tender / Contracts Finder notice## |