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Request for Quotation

**Stakeholder workshops for Natural England’s review of wild take licensing for falconry and aviculture. Development, facilitation and analysis.**

**Request for Quotation**

**Stakeholder workshop for Natural England’s review of wild take licensing for falconry and aviculture. Development, facilitation and analysis.**

You are invited to submit a quotation for the requirement described in the specification below.

Your response should be returned as follows:

Email: James.hoggett@naturalengland.org.uk

Date: 24/01/2023

Time: 17:00

Ensure you state ‘Final Submission’ in the subject field to make it clear that it is the response you wish us to assess.

**Contact Details and Timeline**

Dr James Hoggett will be your contact for any questions linked to the content of the quote pack or the process. Please submit any questions by email and note that, unless commercially sensitive, both the question and the response will be circulated to all tenderers.

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| --- | --- |
| Action | Date |
| Date of issue of RFQ (request for quotation) | 16/12/2022 |
| Deadline for clarifications questions | 17/01/2023 |
| Deadline for receipt of Quotation | 24/01/2023 |
| Intended date of Contract Award | 31/01/2023 |
| Intended Contract Start Date | 08/02/2023 |
| Intended Contract completion date | 09/11/2023 |

### Glossary

Unless the context otherwise requires the following words and expressions used within this Request for Quotation shall have the following meanings (to be interpreted in the singular or plural as the context requires):

|  |  |
| --- | --- |
| “Authority” | Means the Department for Environment, Food and Rural Affairs acting as part of Natural England |
| “RFQ” | Means this Request for Quotation and all related documents published by the Authority and made available to suppliers |
| “Contract” | Means the contract to be entered into by the Authority and the successful supplier. |

### Conditions applying to the RFQ

You should examine your response to the RFQ and related documents ensuring it is complete prior to submitting your completed quotation.

Your quotation must contain sufficient information to enable the Authority to evaluate it fairly and effectively. You should ensure that you have prepared your quotation fully and accurately and that prices quoted are arithmetically correct for the units stated.

The supplier by submitting a quotation is deemed to accept the terms and conditions in the RFQ. Failure to comply with the instructions set out in the RTQ may result in the supplier’s exclusion from this procurement.

**Acceptance of Quotations**

By issuing this RFQ the Authority does not bind itself to accept any quotation and reserves the right not to award a contract to any supplier who submits a quotation.

#### Costs

The Authority will not reimburse you for any costs and expenses which you incur preparing and submitting your quotation, even if the Authority amends or terminates the procurement process.

#### Mandatory Requirements

The RFQ includes mandatory requirements and, if you do not comply with them, your quotation will not be evaluated.

#### Clarifications

The Authority reserves the right to discuss, confidentially, any aspect of your quotation with you prior to any award of Contract to clarify matters.

#### Amendments

The Authority may amend the RFQ at any time prior to the deadline for receipt. If it amends the RFQ the Authority will notify you in writing and may extend the deadline for receipt to give you a reasonable time in which to take the amendment into account.

#### Conditions of Contract

The standard Condensed Terms and Conditions [available on GOV.UK here](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/914956/standard-condensed-terms.odt) will be included in any contract awarded as a result of this RFQ process. The Authority will not accept any material changes to these terms and conditions proposed by a supplier.

**Specification**

Stakeholder participation in Natural England’s review of wild take licensing for falconry and aviculture. Developing, delivering, and analysing

stakeholder workshops.

## Background

### 1.1 Natural England

Natural England is the government’s advisor on the natural environment. We provide practical advice, grounded in science, on how best to safeguard England’s natural wealth for the benefit of everyone. Our remit is to ensure sustainable stewardship of the land and sea so that people and nature can thrive. It is our responsibility to see that England’s rich natural environment can adapt and thrive for future generations to enjoy.

Natural England was formally established on 01 October 2006 following the successful passage of the Natural Environment and Rural Communities (NERC) Act 2006 through Parliament. We are an independent statutory Non-Departmental Public Body.

### 1.2 Natural England, Wild take licence

All wild birds are fully protected under law. However, falconry and aviculture are listed in the legislation as purposes for which licences may be granted in certain circumstances, provided there are no satisfactory alternatives and no negative conservation impacts. Natural England is responsible for determining applications for such licences on behalf of the Environment Secretary.

Falconry and aviculture have been practised in England for centuries and formerly involved the taking of birds from the wild. However, due to concerns about bird of prey population declines, legal wild take for these purposes has not been practised in England for several decades, with the sector relying instead on the use of captive-bred birds. As populations of species like the peregrine falcon have recovered, there has been renewed interest in this activity. This has led to an increase in applications for wild take licences and a need to review the evidence base to determine decisions.

Natural England has been in discussions with Defra since 2019 about the policy for licensing this activity. In January 2022, a decision was made to undertake a review and develop a proposal setting out a future approach to wild take licensing. Natural England is leading this review with support from Defra. The review will enable Natural England to streamline its assessment of future wild take licence applications and ensure that decisions on whether or not to grant licences are transparent and based on the most up-to-date evidence available. Natural England has sought to obtain and review evidence to make judgements against key legislative tests. The five main questions or tests that arise for wild take cases under applicable legislation and case law are:

1. Is the application applied for a permitted purpose under s16(1) of the Wildlife and Countryside Act 1981 (“the 1981 Act”)?

2. Is there no other satisfactory solution (s16(1A)(a) the 1981 Act)?

3. Would the licence be on a selective basis and in respect of a small number of birds? A small number ensures licence does not adversely affect species. S16(1A)(b) of the 1981 Act provides the statutory test and there is a requirement that the licence does not adversely affect the conservation status of the species or undermine the overall objective of the Birds Directive. There is also an implicit requirement to consider impacts on conservation status that comes from the Birds Directive and, of course the legislation was designed to protect the conservation of species, so it is the core aim of the law.

4. Is it proportionate in the circumstances to grant the licence?

5. Is the grant of licence compatible with protection afforded to protected sites (European sites and SSSIs (Sites of Special Scientific Interest))?

The evidence gathering and review has involved an 8-week public call for evidence through which falconry, aviculture, conservation and welfare groups, academic experts and members of the public were encouraged to submit their views and provide supporting information and evidence on issues including the modern practice of falconry and aviculture in England, potential alternatives to sourcing birds from the wild, the conservation and welfare implications of licensed wild take, and risks associated with the illegal export trade. Follow up interviews with a subsample of call for evidence respondents are also being carried out (both those involved in falconry and aviculture and those not) as part of this evidence gathering process. A literature review examining the role of wild take and the cultural traditions of falconry was commissioned and will also form part of the evidence basis. A draft report synthesising all this evidence will be prepared in early 2023 and made available to the successful contractor as a means to informing workshop design.

Stakeholder engagement and participation in the evidence gathering and policy development process is a central aspect of the project. A key project outcome is to ensure that the approach taken is perceived by stakeholders to be inclusive, transparent and evidence-led, and for this to lead to greater understanding of Natural England’s role in sustainable use licensing and the licensing process. Adopting an approach broadly based on principles associated with procedural justice theory (see e.g., Ruano‐Chamorro, C., Gurney, G.G. and Cinner, J.E., 2022. *Advancing procedural justice in conservation*. Conservation Letters, 15(3)) Natural England want to engage stakeholders throughout the review and policy development process, providing stakeholders with opportunities to inform and shape our approach.

One of the ways we want to create this opportunity is through organisational stakeholder participation in workshops. We envisage these workshops will focus on two different components of the wild take review process, 1) the evidence gathering and analysis process and 2) the draft licensing policy development process. Therefore, these workshops will occur at different times in the overall review process.

Workshop 1: The first set of workshops, which we propose run in March 2023, will focus on the evidence we have gathered (from the sources identified above) and our analysis of it. We identify this as an important component for creating trust and legitimacy in the process as previous evidence identifies different stakeholders often hold divergent interpretations of the same piece of research, emphasising different findings and outcomes. To try to mitigate against the evidence review exacerbating any existing rifts between stakeholders we want to improve the inclusiveness and transparency of the evidence review process and give stakeholders opportunity to comment on, discuss and identify areas of agreement, disagreement, and potential gaps in the evidence base. Analysis of and reporting on these discussions will then form another component of the overall evidence that Natural England will use to inform licensing policy development.

Workshop 2: The second set of workshops, which we propose running in September/October 2023, will focus on the draft licensing policy developed by the Natural England project team on the basis of the results of the evidence gathering process (incl. the first set of workshops). The purpose will be for stakeholders to be able to review, comment on and discuss the draft policy, understand how the evidence base has informed it and identify any issues they envisage that implementing the policy in practice might have. The workshops will again seek to create trust and legitimacy in the process by enabling stakeholders to engage and inform Natural England’s approach. While Natural England are ultimately responsible for the draft policy design and subsequent licensing decision making, participation in these workshops should enable stakeholders to contribute towards the policy formation process. Subsequent analysis of the workshop outputs will then feed into the final stages of the policy design process.

We have a list of approximately 20-25 key stakeholder organisations that we would seek to engage in this process. Each stakeholder may wish to provide more than one participant so in order to be able to accommodate and manage participation we envisage that three/four workshops will be required for each of the two component parts. This means that in total we require the contractor to deliver 6/8 workshops, three/four for component 1 and three/four for component two. Please develop costs accordingly.

## Contract requirements

This contract is for the planning/development, chairing/facilitation, and analysis of discussions of stakeholder workshops described above which are anticipated to be held in March 2023 and September/October 2023, and an evaluation of this process in terms of the extent to which it has met key project objectives around stakeholder engagement and participation. The content of the two sets of workshops will be based on information Natural England have gathered (evidence summary, draft policy), which the contractor will have access too with sufficient time to design the workshops. The contractor will also be able to attend project meetings and speak to project leads to help inform their workshop planning. Subsequent suggestions about how this information is used to inform and structure (design) the workshops will be led by the contractor.

**Outputs**

In undertaking this work the contractor will specifically be required to:

* Lead on the design (including content, structure, and format) of the two sets of stakeholder workshops, with agreement from Natural England.
* Contribute to the development of any materials including an agenda, to be sent to participants in advance of the workshops and anything required for the workshops.
* Chair/facilitate/manage the stakeholder workshops.
* Analyse the discussions generated in the workshops, including stakeholder feedback on Natural England’s approach to the review process as part of the evaluative component and produce a report after each set of workshops summarising key themes/issues and any recommendations arising.

These requirements will necessitate engagement with the project team as well as review of key documents/sources of information and this should be built into submission and costs to enable adequate time for this.

This contract will cut across two financial years, 2022/23 and 2023/24, and payment will be required to be split between these years. See contract management section (page 9 below) for details. Prices will remain fixed for the duration of the contract award period. We may at our sole discretion extend this contract to include related or further work. Any extension shall be agreed in advance of any work commencing and may be subject to further competition.

**Prices**

Prices must be submitted in an Excel spreadsheet. Prices should be in £ sterling, **inclusive of VAT.**

**Quotation Submission**

A completed submission should include the following items;

* evidence that you meet the quality criteria set out in the specification
* your proposed pricing structure – see specification for items to cover
* your flexibility for accommodating proposed timing plans - given the provisional dates outlined in the specification

**Evaluating the quotation submission**

Submissions will be reviewed and then evaluated as set out below:

* each criterion will be given a score from 0 to 100
* the criteria scores will be weighted 50% quality 50% cost, to create a final submission score
* all the final submission scores will be ranked
* the agency with the highest weighted score will be awarded the contract - subject to the terms and conditions within the RFQ

Your initial application will be judged excluding expenses. However, expenses may be included to differentiate applications with similar over-all scores.

If the start date should change, then agencies will be asked for their availability in the order of ranked final submission score.

We will award this contract in line with the most economically advantageous tender (MEAT) as set out in the following award criteria:

Detailed criteria

|  |  |  |
| --- | --- | --- |
| **Criteria** | Weighting | **To include:** |
| Price | 50 | Ability to complete work within timeframes (in particular any flexibility to work around workshop deadlines which depend on work being completed by NE in advance)  Staff costs based on day rate and time spent on project.  Costs for in person or online workshops (or hybrid) or costs for each to enable comparison. |
| Quality Measures (subdivided as below) | 50 | See specification details and below. |
| * *Relevant experience* | *25* | Staff cv’s; experience of similar projects; breakdown of staff experience v individual staff time allocated to the project |
| * *Workshop methodology/planning overview* | *25* | Outline proposal of how you would seek to develop and deliver the workshops. This could include the approach you propose to adopt (e.g., framing or guiding approach), the proposed structure and format of the workshops, ideal number of participants, whether virtual and or in person, and the rationale for this approach. |

To enable an appropriate evaluation, you will need to provide the following details.

Regarding the price, complete an excel spreadsheet for the project to provide a quotation for the whole specification **including VAT where applicable**

Regarding the **timing,** comment on your ability to be flexible in terms of dates of workshops and time requirement needed to develop and prepare before workshops and time required to analyse outputs to produce summary reports after workshops.

Regarding the **quality measures,** you will need to provide a **succinct summary** setting out:

* details of any previous experience in relation to carrying out similar types of work;
* details of who will be working on the workshops, their role in them and the time they will allocated to do this work;
* the approach you propose to use to design, facilitate and analyse the workshops and rationale for approach.

You may attach supporting documents to supplement your summary information.

**The criteria are scored in the following fashion:**

|  |  |
| --- | --- |
| **Score** | **Justification** |
| For a score of hundred (100): | Excellent - Response is completely relevant and excellent overall.  The response is comprehensive, unambiguous and demonstrates a thorough understanding of the requirement and provides details of how the requirement will be met in full. |
| For a score of seventy (70): | Good - Response is relevant and good.  The response demonstrates a good understanding and provides details on how the requirements will be fulfilled. |
| For a score of fifty (50): | Acceptable - Response is relevant and acceptable.  The response provides sufficient evidence to fulfil basic requirements. |
| For a score of twenty (20): | Poor - Response is partially relevant and/or poor.  The response addresses some elements of the requirements but contains insufficient / limited detail or explanation to demonstrate how the requirement will be fulfilled. |
| For a score of zero (0): | Unacceptable - Nil or inadequate response.  Fails to demonstrate an ability to meet the requirement. |

**Contract Management**

This contract shall be managed on behalf of the Authority by

James Hoggett – [James.hoggett@naturalengland.org.uk](mailto:James.hoggett@naturalengland.org.uk) Tel - 07917 076947

The outputs of this contract are included in the specification.

We will raise purchase orders to cover the cost of the services and will issue to the awarded supplier following contract award.

You can invoice:

* 20% of the agreed cost on award of the contract.
* 25% of the agreed cost after completion of evidence review workshops March 2023.
* 5% of agreed costs on receipt of first workshop analysis report (April 2023)
* 25% of the agreed cost after completion of the licensing policy review workshops September/October 2023.
* 25% on completion of final report after policy review workshops (October/November 2023)

### Disclosure

All Central Government Departments, their Executive Agencies and Non-Departmental Public Bodies are subject to control and reporting within Government. They report to the Cabinet Office and HM Treasury for all expenditure. Further the Cabinet Office has a cross-Government role delivering overall Government policy on public procurement, including ensuring value for money and related aspects of good procurement practice.

For these purposes, the Authority may disclose within Government any details contained in your quotation. The information will not be disclosed outside Government during the procurement.

In addition, the Authority is subject to the Freedom of Information Act 2000 and the Environmental Information Regulations 2004, which provide a public right of access to information held by public bodies. In accordance with these two statutes, the Authority may be required to disclose information contained in your quotation to any person who submits a request for information pursuant to those statutes.

By submitting a quotation, you consent to these terms as part of the procurement.

### Disclaimers

Whilst the information in this RFQ and any supporting information referred to herein or provided to you by the Authority have been prepared in good faith the Authority does not warrant that this information is comprehensive or that it has been independently verified.

The Authority does not:

* make any representation or warranty (express or implied) as to the accuracy, reasonableness, or completeness of the RFQ;
* accept any liability for the information contained in the RFQ or for the fairness, accuracy, or completeness of that information; or
* accept any liability for any loss or damage (other than in respect of fraudulent misrepresentation or any other liability which cannot lawfully be excluded) arising as a result of reliance on such information or any subsequent communication.

Any supplier considering entering into contractual relationships with the Authority following receipt of the RFQ should make its own investigations and independent assessment of the Authority and its requirements for the goods and/or services and should seek its own professional financial and legal advice.

**Protection of Personal Data**

To comply with the General Data Protection Regulations 2018, the contractor must agree to the following:

* You must only process any personal data in strict accordance with instructions from the Authority
* You must ensure that all the personal data that we disclose to you, or you collect on our behalf under this agreement are kept confidential.
* You must take reasonable steps to ensure the reliability of employees who have access to personal data.
* Only employees who may be required to assist in meeting the obligations under this agreement may have access to the personal data.
* Any disclosure of personal data must be made in confidence and extend only as far as that which is specifically necessary for the purposes of this agreement.
* You must ensure that there are appropriate security measures in place to safeguard against any unauthorised access or unlawful processing or accidental loss, destruction or damage or disclosure of the personal data.
* On termination of this agreement, for whatever reason, the personal data must be returned to us promptly and safely, together with all copies in your possession or control.

**General Data Protection Regulations 2018**

For the purposes of the Regulations the Authority is the data processor.

The personal information that we have asked you provide on individuals (data subjects) that will be working for you on this contract will be used in compiling the tender list and in assessing your offer. If you are unsuccessful the information will be **held and destroyed within two years** of the award of contracts. If you are awarded a contract, it will be retained for the duration of the contract and destroyed within **seven years** of the contract’s expiry.

We may monitor the performance of the individuals during the execution of the contract, and the results of our monitoring, together with the information that you have provided, will be used in determining what work is allocated under the contract, and in any renewal of the contract or in the award of future contracts of a similar nature. The information will not be disclosed to anyone outside the Authority without the consent of the data subject unless the Authority is required by law to make such disclosures.



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