



Highways England Company Limited

Stopped Vehicle Detection (SVD)

Volume 1.00

Invitation to Tender

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Contents amendment sheet

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1 EXECUTIVE SUMMARY

1.1 Context and Highways England's aims for Stopped Vehicle Detection

1.1.1 Highways England is a Government owned company charged with operating, maintaining and improving England's motorways and major A roads, including modernising and maintaining the highways. Highways England also manages and help prevent incidents on England's motorways through our Traffic Officer Service. Highways England manages around 4,300 miles of carriageway and is made up of motorways and trunk roads. The Customer's key strategic and business priorities are to:

- Make our roads safer;
- Improve the experience of all road users;
- Deliver investments as set-out in the Government's RIS.

1.1.2 Highways England requires a Stopped Vehicle Detection (SVD) solution to detect stopped / stationary vehicles in live lanes on All Lane Running sections (ALR) of the Strategic Road Network (SRN) in England. The SVD solution must alert Highways England's Regional Control Centres (RCC)/Regional Operations Centres (ROC) to the stopped / stationary vehicle. The Technical Requirements are provided in the Service Requirements at Schedule 2 (Service Requirements and Service Provider Service Solution) of the Framework Agreement

1.1.3 Highways England will procure a Framework of two distinct Lots for the procurement of a SVD solution. Each lot will require Service Provider capability to supply, support installation, complete commissioning and provide on-going warranty support

1.1.4 The Stopped Vehicle Detection Framework will provide Highways England a Route to Market to purchase a System that will at least:

- detect stopped / stationary vehicles in live lanes and emergency areas on all lane running motorways;
- alert the Customer's RCCs / ROCs to the stopped vehicle;
- improve incident response;
- increase public confidence in the safety of all lane running motorways;
- will operate successfully with traffic volumes of 2000 vehicles per lane per hour;

- is proven and evidenced over an extended period, in an operational landscape;
- is proven and evidenced, to the performance requirements on 4-lane carriageways in each direction; and
- provides a solution that must be deployable safely to meet the programme schedules.

1.1.4.2 This will support Highways England's objective to improve road user safety, further increasing customer confidence in Smart Motorways. This approach will support Highways England objectives to ensure The Strategic Road Network is:

- free-flowing;
- safe and serviceable;
- accessible and integrated.

1.1.5 The System will need to be capable of detecting any vehicle permitted to use motorways in accordance with Technical Requirements set out in the Service Requirements at Schedule 2 (Service Requirements and Service Provider Service Solution) of the Framework Agreement

1.1.6 The Framework will be used to procure SVD solutions for all currently existing ALR sites and future ALR projects which arise during the 4 year term of the Framework Agreement as further described in section 1.2.1 below.

1.1.7 Roadside installation will be managed by the Smart Motorway Alliance (SMA) who act as Principal Contractor for installation works and primary roadside installation is not included as part of this Framework. The successful bidder may however be required to support installation of the SVD solution, which may include roadside support, and will be required to commission the System

1.2 Stopped Vehicle Detection (SVD) Framework Features

1.2.1 The term of the SVD Framework Agreement for both Lots is 4 years (2020 – 2024). This includes works forming part of the following strategies:

- a) Road Investment Strategy: 2015 to 2020
 - <https://www.gov.uk/government/publications/road-investment-strategy-for-the-2015-to-2020-road-period>
- b) Road Investment Strategy: post-2020
 - <https://www.gov.uk/government/collections/road-investment-strategy-post-2020>

1.2.2 Requirements will be called off under the Framework Agreement to cover distinct programmes of work that will be delivered on a scheme by scheme basis;

- Highways England reserve the right to aggregate programmes of work to mitigate risk of delay to delivery

1.2.3 Highways England estimate that the maximum value of all contract which may be called off under both Lots of the SVD Framework is £32m. The maximum estimate value of each Lot is set out in section 3 (Procurement Strategy) below.;

1.2.4 The term of a call-off contract under the framework will be variable depending on extent of the requirement and the warranty arrangement required for the particular task order. Call-offs may extend beyond the 4 year term of the Framework Agreement

1.2.5 The Call-off procedure for awards under the SVD Framework is set out in clause 6 of the Framework Agreement for Lot 1 and in Clause 6 and Schedule 10 (Service Award Criteria) of the Framework Agreement for Lot 2

1.2.6 The Framework comprises two Lots covering the following requirements, further detail is provided in Section 3.1:

1.2.6.1 Lot 1:

- Immediate requirements for the supply and commissioning of a scanning radar solution on the Strategic Road Network (SRN) that meets Highways England Technical Requirements set out in the Service Requirements for Lot 1 in Schedule 2 (Service Requirements and Service Provider Service Solution) of the Framework Agreement.
- The solution must have already been successfully tested on the SRN and Lot 1 is a single supplier framework.

- The Service Provider will need to ensure they are able to meet call-off requirements immediately following Framework award as further detailed in the Service Requirements for Lot 1 in Schedule 2 (Service Requirements and Service Provider Service Solution) to the Framework Agreement. It is Highways England's intention to call-off solutions from Lot 2 from September 2021 but Highways England reserves the right to call-off from either Lot at any time during the 4 year term.
- Tenderers should be aware that no form of exclusivity or volume guarantee will be granted by Highways England for services under the Framework Agreement; and
- Highways England is in any case at all times entitled to enter into other contracts and arrangements with other providers for the provision of any or all services which are the same as or similar to the services under the Framework Agreement.

1.2.6.2 Lot 2:

- Requirements for a multi-supplier lot for the supply and commissioning of radar and/or other technology solutions which have not already been tested on the SRN, but which meet the Technical Requirements set out in the Service Requirements for Lot 2 in Schedule 2 to the Framework Agreement.
- Service Providers who are successfully appointed to Lot 2 are responsible for the activities and costs necessary to achieve successful testing of their solution, but Highways England will facilitate testing to the extent described in Schedule 11 (Solution Testing Process) of the Lot 2 Framework Agreement.
- Bidders should be aware that all requirements under Lot 2 will be called off by way of a mini-competition and it is a condition of participation in any mini-competition that the solution will have been successfully tested on the SRN in accordance with Schedule 11 (Solutions Testing Process). Please see clause 6 and Schedule 10 (Service Award Criteria) for Lot 2 for further details of the call-off procedure under this Lot.

- It is Highways England's intention to call-off solutions from Lot 2 from September 2021 but Highways England reserves the right to call-off from either Lot at any time during the 4 year term.
- Tenderers should be aware that no form of exclusivity or volume guarantee will be granted by Highways England for services under the Framework Agreement; and
- Highways England is in any case at all times entitled to enter into other contracts and arrangements with other providers for the provision of any or all services which are the same as or similar to the services under the Framework Agreement.

2 INTRODUCTION

2.1 Invitation to Tender

2.1.1 This Invitation to Tender (ITT) document is issued pursuant to an Official Journal of the European Union (OJEU) Contract Notice. The SVD Framework is being procured in accordance with the open procedure under the Public Contracts Regulations 2015 (as amended) (the “Regulations”).

2.1.2 The purpose of this document is to provide Tenderers with information about the process, the timetable and Conditions of Tendering. The document describes the purpose of the SVD Framework Agreement. It also sets out the process Tenderers should follow to submit a tender, the Evaluation Assessment process and Award Criteria and how it will be applied to identify which Tenders are successful for appointment to the frameworks for Lot and Lot 2.

2.1.3 The Procurement Officer for this procurement is Andrew Gowanlock. The contact details are: Andrew.Gowanlock@highwaysengland.co.uk. The Procurement Officer must only be contacted if the Tenderer is unable to access the eSourcing Portal.

2.2 Definitions and Interpretation

2.2.1 Words and phrases with an initial capital letter used in this document shall have the meanings set out in Table 1 below.

Term	Definition
Commercial Assessment Panel	Describes the assessors that assess the Commercial Submission.
Commercial Envelope	The area on the eSourcing Portal in which Tenderers should submit their Commercial Submission.
Commercial Submission	Is the submission from Tenderers described in section 6.4.4 of these Instructions.
Conditions of Tendering	The section in these Instructions (section 4) setting out the general processes, procedures and rules to follow when producing and submitting a tender.
Consensus	A meeting held between all members of the Quality Assessment Panel, to agree a Quality Score and rationale for each of the quality questions for each of the tenderers.
eSourcing Portal	The web-based system used to conduct and manage the procurement process from Tender invitation, including all communications, provision of data and information and submissions.
Final Quality Score	A quality score after the Quality Assessment and Consensus has taken place with question weighing having been applied.

Commercial Score	The score for each Tenderer determined by the Commercial Evaluation Panel.
Framework	Used in place of “Framework Agreement”
Framework Agreement	The Framework Agreement and associated schedules set out in Appendix A
Instructions	This ITT comprising the instructions for and conditions of tendering.
Qualification Envelope	The area on the eSourcing Portal in which Tenderers should submit their Selection Questionnaire and Policy Statements.
Quality Assessment Panel	Describes the group of assessors that assess the Quality Submission as further described in section 7 of this ITT.
Quality Questions	The quality questions asked in Appendix B & Appendix D
Quality Score	Means the quality score as agreed at the Consensus before the question weightings are applied.
Quality Statement	The ITT Questions set out in Appendix B & Appendix D to this ITT to be answered by Tenderers as part of a Tender response.
Quality Submission	The quality submission from Tenderers including their answers to the quality questions
Regulations	The Public Contracts Regulations 2015 (as amended).
Road Investment Strategy (RIS)	Road Investment Strategy is the Department of Transport’s (DfT) strategy document which sets out where it will prioritise its investment in the strategic road network.
Selection Questionnaire (SQ)	The Selection Questionnaire to be completed and returned described in section 6 of this ITT
Technical Envelope	The area on the eSourcing Portal in which Tenderers should submit their Quality Submission.
Tender	An offer by a Tenderer in relation to the relevant Lot which complies with all the submission requirements set out in section 6.
Tenderer	The organisation or any of its companies submitting a tender in accordance with these Instructions.
Tender Submission Deadline	The date and time for Lot 1 and Lot 2 set out in Table 3 & Table 4
Total Score	The Total Score is the tenderer’s Final Quality Score combined with the Commercial Score.

Table 1 - ITT Defined Terms

3 PROCUREMENT STRATEGY

3.1 Lot Strategy

3.1.1 In accordance with the OJEU Contract Notice, the Framework Agreement(s) are to be let in 2 'Lots' covering the following:

- a) Lot 1: Immediate requirements for delivery, to which one successful Tenderer shall be appointed to the Framework. Call-offs under this Lot shall be made in accordance with clause 6 of the Framework Agreement
- b) Lot 2: Future requirements (as further described in Section 1 above), to which any Tenderer which meets the Tender evaluation requirements (see section 7 of this Invitation to Tender) will be appointed. There is no cap on the number of Tenderers which may be appointed to this Lot provided their Tender meets the evaluation requirements. Service Providers with a successfully tested solution (in accordance with Schedule 11 (Solution Testing) of the Framework Agreement) may participate in the mini-competitions for Call-offs.

3.1.2 Whilst no guarantee is given as to any minimum value of contracts awarded under the Lots, each Lot has an estimated range of value of between £7-£18m, the intention is to facilitate testing for successful suppliers under Lot 2 to limit the value procured in Lot 1.

Lot	Timescale	Lot Value (£m)
1	From Framework Award onwards. Please note that Highways England intends to call-off solutions from Lot 2 from September 2021 (if multiple solutions are successfully tested) but reserves the right to call-off from either Lot at any time during the 4 year term	£7m – £18m
2	Future Solutions from September 2021 (if sufficient solutions are successfully tested) until the end of the 4 year term. Please note that Highways England reserves the right to call-off from either Lot at any time during the 4 year term.	£7m – £14m

Table 2 – Framework Agreement Lot Structure

3.1.3

Lot 1:

- Immediate requirements for the supply and commissioning of a scanning radar solution on the Strategic Road Network (SRN) that meets Highways England Technical Requirements published with the OJEU Contract Notice.
- The solution must have already been successfully tested on the SRN.
- The Service Provider will need to ensure arrangements for production of units are in place immediately following Framework award
- Production must commence on framework award, to facilitate immediate requirements of the SMA delivery programme detailed in Appendix A of Framework Agreement Schedule 2 Service Requirements
- Lot 1 will be for a single supplier and the estimated value is between £7m and £18m. This value is dependent on successful testing of alternative solutions within Lot 2 of the Framework

3.1.4

Lot 2:

- Requirements for radar and/or other technology solutions which have not already been tested on the SRN and to Highways England standards published with the OJEU Contract Notice.
- Highways England will facilitate testing of the solution on the SRN following framework award and it is a condition of participation in any mini-competition that the solution will have been successfully tested on the SRN. Framework award will take place in Summer/Autumn 2020.
- Lot 2 will be for the procurement of successfully tested radar and/or other technology solution from September 2021 onwards
- Lot 2 will be for multi-suppliers and the estimated value is between £7m and £14m. This value is dependent on successful testing of alternative solutions within this Lot
- Suppliers are required to satisfy testing requirements of Schedule 11 (Testing) before being eligible for mini-competitions in Lot 2

3.1.5

Tenderers may bid for either one, or both of the available Lots. Section 6 of this Invitation to Tender sets out further details of how bidders can submit a Tender for each Lot.

3.2 Timetable – key events and dates

3.2.1 Key dates and deadlines for the procurement process are set out in Table 3 - Tender Programme - Lot 1

3.2.2 below. Tenderers should note that dates marked with an asterisk are estimated and these dates are to be kept under review by Highways England and it reserves the right to change any dates below. Highways England shall notify all Tenderers as soon as practicable of any changes that may be made to the indicative programme and/or the Tender process:

3.2.3 Lot 1:

Item	Activity	Date
1	Issue Tender Documents	24 April 2020
2	Last date for tender queries	04 May 2020 at 12:00
3	Last date for response to Tender Queries	05 May 2020 at 16:00
4	Tender submission deadline	13 May 2020 at 14:00
5	Tender Assessment	14 – 22 May 2020*
7	Selection Questionnaire Assessment	26 – 28 May 2020*
8	Tender outcome letters issued	29 May 2020*
9	Standstill period	01 June 2020 – 11 June 2020*
10	Issue Award letter	12 June 2020

Table 3 - Tender Programme - Lot 1

3.2.4 Lot 2:

Item	Activity	Date
1	Issue Tender Documents	24 April 2020
2	Last date for tender queries	26 June 2020 at 14:00
3	Last date for response to Tender Queries	3 July 2020 at 14:00
4	Tender submission deadline	20 July 2020 at 14:00
5	Tender Assessment	20 July 2020 – 10 August 2020*
7	Selection Questionnaire Assessment	11 - 18 August 2020*
8	Tender outcome letters issued	21 August 2020*
9	Standstill period	22– 31 August 2020*
10	Issue Award letter	1 September 2020*

Table 4 - Tender Programme - Lot 2

4 CONDITIONS OF TENDERING

4.1 General

- 4.1.1 All Tenders must be submitted in accordance with these Instructions. Highways England reserves the right to exclude any Tenderer from the competition which does not comply with these Instructions.
- 4.1.2 Where this ITT states that Highways England reserves a right to, or “may” exclude a Tenderer (e.g. for non-compliance with any requirement of this ITT or a “fail” under any specific criteria) then Highways England is at liberty to exercise such discretion it sees fit, in order to balance fair and equal treatment of all Tenderers with a proportionate response to the relevant failure.
- 4.1.3 The contents of these Instructions and of any other documentation sent to Tenderers in respect of the Tender process remain the property of Highways England and must be treated as private and confidential at all times.
- 4.1.4 Tenderers are required to conduct themselves in good faith in all dealings in relation to the Tender process.
- 4.1.5 All contact with Highways England during the Tender period must be made through the Highways England eSourcing Portal.
- 4.1.6 In relation to these tenders only contact through the portal referred to in paragraph 4.1.5 is permitted. There should be no direct contact by Tenderers direct with Highways England or its advisers, consultants or contractors unless this is expressly agreed in advance by Highways England or expressly permitted by these Instructions. Highways England reserves the right to disqualify a Tenderer if the protocols in paragraphs 4.1.4 and 4.1.5 are not followed.
- 4.1.7 Highways England reserves the right to allow any Tenderer to correct an error in its Tender or clarify elements of its Tender to Highways England’s satisfaction rather than exclude such a Tenderer where Highways England is satisfied such action would be proportionate to the relevant issue and would not result in discrimination to other Tenderers or amount to unfair treatment.
- 4.1.8 The Tender process is conducted in accordance with the open procedure under the Regulations and seeks to identify the most economically advantageous tender(s) (MEAT) to Highways England for each Lot.

4.2 Disclosure Requests and transparency

Under the Freedom of Information Act 2000 (FOI) and the Environmental Information Regulations 2004 (EIR) and the Regulations, Highways England may be obliged (subject to the application of any relevant exemptions and, where applicable, the public interest test) to disclose information relating to the Tender process including any Tenders received. Information tenderers consider is commercially sensitive must be marked as such.

4.2.1 Under the UK Government's Procurement Policy Note 02/17:

<https://www.gov.uk/government/publications/procurement-policy-note-0217-promoting-greater-transparency>

update to Transparency Principles dated February 2017, Highways England is obliged to publish the details of the successful bidders and the provisions of any Framework Agreement let pursuant to it, excluding only information which is exempt from disclosure pursuant to the Freedom of Information Act 2000.

4.2.2 Tenderers must be aware that Highways England could receive requests for any information relating to this procurement exercise. Highways England is under a legal obligation to disclose such information if validly requested, unless an exemption applies. Highways England may also be obliged to make disclosures under other legislation or applicable codes or otherwise as required by law, including by order of a court of competent jurisdiction. Without prejudice to Highways England's obligation to disclose information in accordance with the FOI and EIR, Highways England will, acting reasonably but at its sole discretion, consider the application of any exceptions set out in Section 43 of the FOI to any information identified as genuinely commercially sensitive or any other relevant exemption.

4.2.3 Tenderers are therefore invited to state which information should not be disclosed or published if to do so would prejudice their legitimate commercial interests or is otherwise exempt from disclosure under the FOI using Appendix K. Requests for non-disclosure under the Freedom of Information Act 2000 must accompany the Tender and include:

- a) Clear and substantive justification; and
- b) A time limit when any confidential information could be disclosed.

4.2.4 Highways England will endeavour to consult with the Tenderer and have regard to comments or objections raised by the Tenderer before it releases any

information in response to a request made under FOIA and/or EIR. However, Highways England will be entitled to determine in its absolute discretion, including where it consider that it would not be appropriate to consult with the Tenderer, whether any information is exempt from release under either FOIA and/or EIR, or is to be disclosed in response to a request for information.

- 4.2.5 Any statement by the Tenderer in accordance with paragraph 4.2.3 is for information only and will not be taken into account in the review of the Tender. The Tenderer should note that [Schedule 4.2 (Commercially Sensitive Information) will form part of the Contract between Highways England and the Tenderer, and the Tenderer's submission in that regard is subject to Highways England's discretions as set out in these sub-paragraphs 4.2.
- 4.2.6 All central Government departments, 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.
- 4.2.7 For these purposes, Highways England may disclose within Government any of the Tenderer's documents and information (including any that the Tenderer considers to be confidential and/ or commercially sensitive, such as specific information within the Tender) submitted by the Tenderer to Highways England during this Tender process. The information will not be disclosed outside Government. Tenderers submitting a Tender consent to these terms as part of the procurement exercise.
- 4.2.8 Highways England confirms that it will keep confidential and will not disclose to any third parties any information obtained from a named customer contact, other than to the Cabinet Office and/or contracting authorities defined by the Public Contracts Regulations 2015, or pursuant to an order of the court or demand made by any competent authority or body where Highways England is under a legal or regulatory obligation to make such a disclosure.
- 4.2.9 Tenderers must note that Highways England may be required to publish the name of the Tenderers.

4.3 Non-collusion

4.3.1 Tenderers are required to return an anti-collusion certificate as part of the Tender in the form of the response template provided in the Policy Compliance Submission.

4.3.2 Where collusion between Tenderers (or any relevant parties with an interest in the procurement which may prejudice the outcome of the procurement) has been found to occur, Highways England reserves the right to disqualify any potential Tenderer at its discretion (without prejudice to any other civil remedies available to Highways England and without prejudice to any criminal liability which such conduct by a Tenderer may attract).

4.4 Publicity and marketing

4.4.1 All publicity activity, with any section of the media, in relation to the Framework or subsequent Contract(s) is prohibited except with the prior written agreement of Highways England.

4.4.2 Tenderers must notify, prior to any form of response, Highways England via the Highways England eSourcing Portal, of any enquiries received from the media regarding this competition.

4.5 Change of Status or Consortium

4.5.1 Tenderers must immediately advise Highways England if:

- a) Its tendering Consortium (including proposed JV Partners or their parent company, or key subcontractors) changes; or
- b) Its ownership or the ownership of any member of its tendering consortium (including proposed JV Partners or their parent company, or key subcontractors) changes, or
- c) Any organisation involved in the preparation of any Tender documents (including those of other Tenderers) is acquired by it or by any member of its consortium (or an associated company), or
- d) Its organisation (or an associated company) completes the takeover of, or merges with, another Tenderer (or an associated company) that is tendering for any Lot.

4.5.2 If it is considered that a change in ownership or Consortium under section 4.6 would result in a conflict or more than one opportunity to Tender within the same organisation, Highways England reserves the right to disqualify the relevant corporate group of companies from the competition.

4.5.3 Highways England reserves the right to disqualify any Tenderer that fails to inform or advise Highways England in accordance with paragraphs 4.5.1 and 4.5.2 and/or where a Tenderer otherwise contravenes the Tender rules regarding a Tenderer's change in circumstances.

4.5.4 Highways England reserves the right to disqualify any Tenderer from the process where there is any change in the financial or economic standing meaning a Tenderer would no longer meet the minimum financial requirements set out in the Selection Questionnaire.

4.6 Conflicts of Interest

4.6.1 Where there is any indication that a conflict of interest or potential conflict of interest between a Tenderer, its advisers, Highways England, or Highways England's advisers or any combination thereof arises or may arise it will be the responsibility of the Tenderer to inform Highways England immediately via the e-Sourcing Portal setting out the conflict or potential conflict in detail together with the measures taken and/or to be put in place to prevent, identify and/or remedy any conflict or potential conflict of interest using Appendix L. In such circumstances, Highways England will be the final arbiter on issues of conflict or potential conflicts of interest and, in cases where the actual or potential conflict of interest cannot (in Highways England's opinion) be effectively remedied, Highways England will be entitled to disqualify the relevant Tenderer from the procurement exercise. If Highways England becomes aware of any conflict of interest that the Tenderer has not declared to Highways England, the Tenderer may be disqualified from the procurement exercise.

4.6.2 Tenders by groups of entities or affiliated companies must be submitted autonomously and independently with appropriate evidence provided of measures which ensure this is in accordance with paragraph 4.6.1. Should Highways England suspect that relationships between groups of entities or affiliate companies means that they are not independent and evidence to demonstrate otherwise is not provided, that Tenderer may be disqualified from the procurement exercise in accordance with paragraph 4.6.1.

4.6.3 Highways England considers that a potential conflict of interest could arise where the same entity is bidding in different capacities, for example, bidding in its own right and as a sub-contractor to another Tenderer or as a consortium partner in another bid. In such circumstances the Tenderer should address the potential conflict in the manner set out in paragraph 4.6.1.

4.6.4 A “conflict” or “potential conflict” is any circumstance which creates a conflict of interest for a Tenderer or which could have an impact on the fair, transparent and non-discriminatory nature of this procurement process.

4.7 Tender Warranties and Disclaimers

4.7.1 The ITT and associated documentation is provided in good faith. No warranty is given as to the accuracy or completeness of information contained in it. Any liability for inaccuracy or incompleteness is expressly disclaimed by Highways England. Tenderers are to satisfy themselves they understand all requirements of the Tender process and all associated documents before submitting a Tender.

4.7.2 These Instructions do not constitute an offer or any agreement whether express or implied.

4.7.3 Highways England reserves the right to cancel, amend or vary the Tender process at any point prior to the award of the Framework Agreement (in whole or in part) and with no liability on its part.

4.7.4 Highways England reserves the right not to accept any Tender for any reason given in these instructions or PCR 2015

4.7.5 Highways England is not liable for any costs resulting from any amendment or cancellation of this tendering process nor any other costs, charges, fees, expenses, claims or disbursements (howsoever arising and including third party costs) incurred by those tendering. Tenderers submit a Tender at its own risk and expense.

4.7.6 Neither the receipt of this ITT by any person, nor the supply of any information is to be taken as constituting the giving of investment advice by Highways England or any of its advisers to any Tenderer.

4.7.7 Information provided does not purport to be comprehensive or verified by Highways England or its advisers. Neither Highways England nor its advisers accept any liability or responsibility for the adequacy, accuracy or completeness of any of the information or opinions stated in the ITT.

4.7.8 No representation or warranty, express or implied, is or will be given by Highways England or any of its officers, employees, servants, agents or advisers with respect to the information or opinions contained in the ITT or on which the ITT is based. Any liability in respect of such representations or

warranties, howsoever arising, is hereby expressly disclaimed but nothing in this ITT shall exclude or restrict liability for fraudulent misrepresentations.

- 4.7.9 Tenders will remain open for acceptance by Highways England for a period of 180 days from the closing date for the submission of Tenders after which period such Tenders validity period will be subject to confirmation by the Tenderer.

4.8 Tender Documents

- 4.8.1 The documents provided to Tenderers are listed in 0 – ITT Document Register.
- 4.8.2 If Tenderers experience any difficulty in locating or opening documents listed in 0 – ITT Document Register or within any of the referenced documents, then a Tender query should be raised via the eSourcing Portal.
- 4.8.3 Any designs, drawings, prints, specifications, data, calculations and analyses issued to Tenderers in connection with this Tender remain the property of Highways England. All such information issued to Tenderers may only be used for the purpose of tendering. Such information should not be disclosed to persons unconnected with the Tender and should be returned to Highways England on completion of the Tender procedures.

5 TENDER COMMUNICATIONS

5.1 Tenderers Written Requests for Clarifications

5.1.1 If Tenderers have any queries or require any clarification concerning any aspect of this document, then they should submit questions to Highways England through the online eSourcing Portal.

It is the responsibility of the Tenderer to ensure that their written requests for clarification are complete, consistent and not vague using Appendix J.

5.1.2 Questions will only be permitted until the Tender query submission deadline (see Table 3 and Table 4 in section 3.2). This deadline is designed to permit Highways England to consider and respond to all questions and/or requests for clarification within sufficient time to enable Tenderers to take account of Highways England response ahead of the Tender return date.

5.1.3 Highways England reserves the right not to provide a response to any question or request for clarification raised by a Tenderer received after the Tender query submission deadline.

5.1.4 All clarification questions and responses will be published openly to all Tenderers unless specifically marked “Commercially Sensitive” by the Tenderer at the time of submission.

5.1.5 Tenderers may submit confidential queries in relation to the unique aspects of their Tender. Such questions must be clearly marked as confidential and Tenderers must explain why they consider that the query is confidential. These questions will, subject to paragraph 5.1.6, be responded to in writing and not be circulated to other Tenderers.

5.1.6 If a Tenderer states that a question or request for clarification is in their opinion commercially confidential, but Highways England does not consider that a Tenderer’s request for clarification or question should be treated as confidential, Highways England reserves the right to notify the Tenderer of its decision and reserves the right to offer the Tenderer an opportunity to withdraw the relevant question or request for clarification. If the Tenderer does not elect to withdraw the relevant question or clarification within the specified timeframe or within three working days (whichever is the later), the relevant question or request for clarification and response is circulated to all Tenderers.

5.1.7 Where a clarification request from a Tenderer seeks further information regarding something contained in the Tender or Highways England identifies

further information that is relevant to the Tender then, subject to compliance with the Regulations, such information will be made available to all Tenderers. Any such information will become part of the ITT from the date of its publication.

5.1.8 It shall be Highways England's decision regarding the disclosure of further information arising from Tenderers' written clarifications. Highways England accepts no liability arising from the provision of further information or a decision not to provide further information.

5.1.9 Tender amendments are changes to the tender documents that are made in writing by the Procurement Officer and issued to all Tenderers via the eSourcing portal. Only in exceptional circumstances will tender amendments be issued after the closing date for submission of tenders in the form of a post tender amendment. In such circumstances, the Procurement Officer will notify all Tenderers of the required action.

5.1.10 Highways England officers or consultants do not have the authority to make any change to the tender documents except through a tender amendment issued by the Procurement Officer. If a tender amendment is made by anybody except the Procurement Officer, this is not to be considered an official amendment and the Tenderer must refer the matter to the Procurement Officer immediately.

6 TENDER SUBMISSION REQUIREMENTS

6.1 General

6.1.1 Tenderers may tender for either Lot 1; or Lot 2; or both Lot 1 and 2 but separate Tenders are required for Lot 1 and Lot 2 in all circumstances. Tenders not received by Highways England by the Tender Submission Deadline relevant to the particular Lot may be rejected. In the event that a Tender is submitted after the relevant deadline, the Tenderer may be asked to explain and/or evidence any system or material issue that prevented it from submitting its Tender by the deadline.

6.1.2 Tenders shall only be considered if complete and submitted in accordance with the Tender documents including any Tender amendments.

6.1.3 Tenders shall not be qualified or accompanied by statements or a covering letter that might be construed as rendering the Tender equivocal. Unauthorised alterations or additions must not be made to any component of these Tender documents.

6.1.4 Before a tender can be accepted the Tenderer must answer all the confirmation statements within the eSourcing Portal.

6.2 Document Control

6.2.1 Tenders must be submitted using the Highways England eSourcing Portal in accordance with the Instructions for responding set out in this ITT.

6.2.2 An ITT Checklist of documents is to be returned with the Tender as set out in Appendix A. Tenderers are required to submit separate tenders for Lot 1 and Lot 2 if bidding for both. Each Tender must be presented in 3 online envelopes as follows, further detail is given in Appendix B:

- Qualification Envelope:
- Technical Envelope:
- Commercial Envelope:

6.2.3 It is the responsibility of each Tenderer to ensure that it has all the information it needs to prepare its Tender in accordance with this ITT.

6.2.4 Tenders must comply with the following document restrictions:

- a) Tenders and supporting documents must be written in English and priced in Pounds Sterling;

- b) page limits for any submission Appendix B, including title pages, drawings, diagrams, flow charts and annexes are within Appendix C & Appendix D for the relevant questions;
- c) The pages of any document with a page limit must be numbered. Page numbers and other header or footer information may be included in the margin space;
- d) Tenders may use A3 paper size in lieu of A4, but each A3 sheet will be counted as two A4 sheets;
- e) Text must be presented in “Arial” font and be no smaller than 11 point, single-spaced with the margins set at 2.5cm. Text no smaller than 10 point can be used for drawings, diagrams and flow chart; and
- f) CV’s are limited to two pages of A4 and must be presented in the same format to enable comparison.

6.2.5 If the submitted Quality Submission or any part of it exceeds the page limits, the content of the pages after the limit is reached will be disregarded and not distributed to the assessment team for assessment.

6.2.6 Documents are to be clearly referenced, sequenced and in Microsoft 2016 for Word and Microsoft Excel or PDF formats. (With the exception of templates forming part of these document requiring completion by the tenderer which shall retain their original format). Where a Tenderer wishes to use a different file format this must be raised as a Tender query.

6.2.7 When uploading Tender submissions, upload the electronic files separately in response to the relevant question. Where a question requires multiple files to be uploaded these can be combined in a single zip file. No single file is to be larger than 20Mbytes. Label each file using the naming convention.

- a) Tendering Company initials
- b) Name of document given in Appendix A.

Example Format - “MCA_Selection_Questionnaire.”

6.3 Variants

6.3.1 Highways England will not accept any variants to this invitation and any variants received will be disregarded entirely.

6.4 Tender Submission

6.4.1 Selection Questionnaire Submission

6.4.1.1 Tenderers are required to return separate Selection Questionnaire Submission for Lot 1 and Lot 2 in line with the guidance in Section 2 of the Selection Questionnaire.

6.4.1.2 The submission includes the following:

- a) PART 1: Potential supplier information
- b) PART 2: Exclusion grounds
- c) PART 3: Selection questions

6.4.1.3 All statements and submissions detailed in 6.4.1.2 must be submitted as part of the Tender. Highways England reserves the right to exclude a Tenderer that fails to provide compliance statements.

6.4.1.4 The Tenderer must review the relevant mandatory requirements, and;

- a) Answer "Yes" to the corresponding question in eSourcing Portal; and
- b) Provide the requested documentation as part of its Tender.

6.4.2 Quality Submission Instructions

6.4.2.1 **For Lot 1** - Suppliers are to include in their Quality Submission, via the technical envelope on the e-sourcing portal:

- a) Responses to the quality questions in Appendix C;
- b) In addition, tenderers should be aware that they must confirm acceptance of the following:
 - Fair Payment
 - Anti-Bribery
 - Anti-Fraud

6.4.2.2 **For Lot 2** - Suppliers are to include in their Quality Submission, via the technical envelope on the e-sourcing portal:

- a) Responses to the quality questions in Appendix D;
- b) In addition, tenderers should be aware that they must confirm acceptance of the following:
 - Fair Payment

- Anti-Bribery
- Anti-Fraud

6.4.2.3 **For Both Lots** – the responses to the quality questions referred to in 6.4.2.1 (a) and 6.4.2.2 (a) above must:

- a) Address the specific requirement of each question, setting out a comprehensive methodology and evidence provided to support the methodology in each response so that Highways England can evaluate the response in accordance with the Scoring Matrix in Appendix D.
- b) be compiled in accordance with, and comprehensively provide the information requested each question;
- c) be drafted in language suitable for a Contract, whilst fully addressing all the requirements relevant to that question and supported with appropriate evidence to support your response;
- d) set out in detail your proposals for delivering the element of the Services relevant to the requirements being addressed in that question;
- e) be comprehensive and convincing in explaining how the proposed approach, methodology, plan and/or solution has been developed with the intention of achieving the objectives and requirements specified in relation to the relevant requirement for that question;
- f) provide assurance that the proposed approach, methodology, plan and/or solution can achieve the objectives and requirements specified in relation any question;
- g) demonstrate a genuine commitment of the Tenderer to achieving those objectives and requirements specified in relation to the relevant question, which is reflected in its proposals for clear and robust mechanisms to support its accountability to achieve them; and
- h) explain how timely, effective and efficient delivery (and so as to achieve any required response times) will be maintained at all times and whatever the circumstances.

- i) Where a Tenderer wishes to use evidence from previous contracts in their response to the quality questions to demonstrate the deliverability of their proposed approach, methodology, plan and/or solution, these should be described in each response, and contact details for each example must be included in a table at the end of the responses to questions which mirrors the format following section 6.3 of the Selection Questionnaire. These tables of contact details are to be used for the purposes of verifying evidence at Stage 5 of the Tender Assessment Procedure.

6.4.2.4 The Quality Submission will become the Quality Statement in the Contract Data for both Lot 1 and Lot 2.

6.4.3 **Tender Requirements**

6.4.3.1 The questions set out in Appendix C (Lot 1) and Appendix D (Lot 2) - Quality Questions Assessment Matrices and Quality Statement seek to ensure that the Tenderer would be able to successfully meet all the requirements to deliver a system in accordance with the Service Requirements as described in Framework Agreement Schedule 2 (Service Requirements and Supplier Service Descriptions) for Lot 1 or Lot 2 as applicable.

6.4.3.2 Each requirement must be clearly addressed.

6.4.3.3 The response must detail the specific methodology that will deliver the requirements.

6.4.3.4 Tenderers must provide evidence to support their methodology. Tenderers must demonstrate they have successfully delivered the methodology previously or third parties have successfully delivered. Evidence must consist of verifiable statements showing how the Supplier's approach to other work it has done would contribute to the successful delivery of this service. Evidence should be relevant to the Supplier's approach. It should be backed up with details and factual data, not simply provided in the form of unverifiable statements. Evidence may be verified during Stage 5 Tender Assessment Procedure to ensure legitimacy.

6.4.3.5 Alternatively, if the methodology is untested, evidence of trials i.e. pilot schemes, R&D models or similar, can be used to demonstrate that the methodology will deliver a successful system that fulfils the Service Requirement.

6.4.3.6 The methodology should specifically relate to how the system will be delivered. For Lot 1 the evidence is required to be from the delivery of a system in a roads environment. For Lot 2 the evidence is not required to be from the delivery of services in a roads environment.

6.4.4 **Commercial Submission Instructions**

6.4.4.1 Tenderers are required to submit Commercial Workbooks based on all sections and volumes of this ITT.

6.4.4.2 Tenderers are to complete the Commercial Workbooks in accordance with the Tender information, the guidance notes provided in the Commercial Workbook and the rules contained within this ITT.

6.4.4.3 Tenderers are required to submit a completed Commercial Workbook for Lot 1, which includes a list of all the Lot 1 supply and service requirements that require firm prices, as well as a personnel cost and margin schedule as set out in the spreadsheets in the Workbook. No additional price categories may be added by Tenderers.

6.4.5 Tenderers are required to submit a completed Commercial Workbook for Lot 2, which is comprised of Personnel SFIA 7 Rate Card and Maximum Margin Rate Card as set out in the spreadsheets in the Workbook. No additional price categories may be added by Tenderers

6.4.6 **Commercial Submission Rules**

6.4.6.1 Tenderers must price all values and complete a separate submission for each Lot Tendered.

6.4.6.2 Tenderers must price:

- a) all values;
- b) all values to two decimal places; and
- c) all values separately.

6.4.6.3 Tenderers are not permitted to:

- a) cross subsidise value within any other value,
- b) make any assumptions regarding the use or relevance of value,
- c) duplicate any price.

6.4.6.4 Tenderers who price on any other basis and/or make any such assumptions may be rejected.

6.4.7 In the event that a Tenderer prices a value as zero, Highways England will investigate the abnormally low price. If the Tenderer fails to provide suitable justification, then the Tenderer may be disqualified from the competition.

6.4.8 **Additional Information**

6.4.9 Statement regarding Small and Medium Sized Enterprises (SME)

- a) Highways England is committed to removing barriers to SME participation in its contracts including subcontracting opportunities. Tenderers proposing to subcontract part of this contract, should provide assurance of considering how SMEs could play a part. This shall include details of the measures put in place to encourage and enable participation as subcontractors. Successful tenderers will be asked for regular information about spend with SMEs under the contract and Highways England may publicise good practice on its websites and report such expenditure to other Government Departments.
- b) A SME subcontracting statement is not required if the Tenderer has classified itself as a SME.

6.4.10 Statement of the Tenderer's execution process

- a) Tenderers are to provide a statement summarising their process and timescales for executing the Framework Agreement and how it can be expedited efficiently following the award decision (should they be successful). This time period must not delay the Award process timescale. The maximum timescale you will receive from Highways England to formal signed Agreement should be no longer than two weeks.
- b) This document will not be considered as part of the Tender assessment but is referenced following the award decision.

6.4.11 Draft legal opinion for non-UK registered companies

- 6.4.11.1 If the Tenderer, or a consortium member of the Tenderer, or a proposed Guarantor (where a Guarantor is required in accordance with section 5 of the Selection Questionnaire) is not a company registered within England and Wales and in accordance with the Companies Act 2006, then the Tenderer will be required to confirm it will provide a legal opinion in a form acceptable to Highways England addressing all of the matters in paragraph 6.4.11.2 as part of its Tender. This is required from each of the Tenderer's (or consortium member as the case may be) and/or proposed Guarantor lawyers in the jurisdiction in which the overseas company is incorporated, confirming the validity of the method of execution employed by the overseas company under applicable local law and all the matters set out in paragraph 6.4.11.2 below.
- 6.4.11.2 Highways England will request the full legal opinion as part of its Stage 5 verification requirements from all Tenderers and/or their Guarantors (as necessary under paragraph 6.4.11.1) that progress to Stage 5 to which paragraph 6.4.11.1 above applies. If Tenderers and/or relevant Guarantors fail to provide the full legal opinion in a form acceptable to Highways England at that stage when requested then the relevant Tenderer may be excluded.
- 6.4.11.3 The matters referred to in paragraph 6.4.11.1 that will need to be confirmed regarding the legal opinion are as follows:
- a) confirmation that a legal opinion will be provided on all of the following matters:
 - ii) addressed to Highways England on a full reliance basis and the liability of the lawyers giving the opinion will not be subject to any cap
 - iii) the Tenderer/Guarantor is a corporation duly incorporated in the relevant jurisdiction, validly existing and in good standing under the laws of the jurisdiction in which it is incorporated;
 - iv) the Tenderer/Guarantor has full power to execute, deliver, enter into and perform its obligations under the Framework Agreement and Call-Off Contract/Guarantee;
 - v) all necessary corporate, shareholder and other action required to authorise the execution and delivery by the Tenderer/Guarantor of the Framework Agreement and Call-Off Contract/Guarantee and the performance by it of its obligations under it have been duly taken;

- vi) execution by the proposed signatories in accordance with the method of execution proposed will constitute valid execution by the Tenderer/Guarantor and is binding under applicable local law;
- vii) the execution and delivery by the Tenderer/Guarantor of the Framework Agreement and Call-off Contract/Guarantee and the performance of its obligations under it will not conflict with or violate:
 - the constitutional documents of the Tenderer/Guarantor;
 - any provision of the laws of the jurisdiction in which it is incorporated;
 - any order of any judicial or other authority in the jurisdiction in which it is incorporated; or
 - any mortgage, contract or other undertaking which is binding on the bidder or its assets; and
 - (assuming that it is binding under English law) the Framework Agreement and Call-Off Contract/Guarantee constitutes legal, valid and binding obligations of the Tenderer/Guarantor enforceable in accordance with its terms;
- b) notification of any other formalities to be complied with under local law which may be necessary to enforce the Framework Agreement and Call-Off Contract/Guarantee in the Tenderer/Guarantor's place of incorporation including notarisation, legalisation or registration of the Framework Agreement and Call-Off Contract/Guarantee;
- c) notification of whether any withholding is required to be made by the Tenderer/Guarantor in relation to any monies payable to Highways England under the Framework Agreement and Call-Off Contract/Guarantee;
- d) confirmation of whether Highways England will be deemed to be resident or domiciled in the foreign jurisdiction by reason of its entry into the Framework Agreement and Call-Off Contract/Guarantee; and
- e) confirmation that the Tenderer/Guarantor and its assets are not entitled to immunity from suit, pre-judgment attachment or restraint or enforcement of a judgment on grounds of sovereignty or otherwise in the courts of England and Wales in respect of proceedings against it in relation to the Framework Agreement and Call-Off Contract/Guarantee.

7 TENDER ASSESSMENT PROCEDURE

7.1 Tender Assessment Process

7.1.1 For Lot 1, this identifies the Most Economically Advantageous Tender (MEAT) by first applying any applicable pass/fail tests or mandatory tender requirements (as set out in this ITT), then combining the Quality Scores and Commercial Scores in the ratio of 80 (Quality) to 20 (Commercial) at Stage 4 and finally by applying the pass/fail and mandatory selection questionnaire requirements at Stage 5 and verifying information provided.

7.1.2 For Lot 2, the Assessment firstly applies any applicable pass/fail tests or mandatory tender requirements (as set out in this ITT). The Quality Assessment then identifies the Tenders that pass the Quality threshold score at Stage 3. Any tender that fails the pass the Quality threshold score will not be taken forward to the Commercial Assessment at Stage 4. Tenders that pass the Quality threshold score are taken through to the Commercial Assessment, to identify the tenders that pass the Commercial threshold score at Stage 4. Finally, Tenders that pass both the Quality and Commercial threshold scores will undergo the pass/fail and mandatory selection questionnaire requirements at Stage 5 and verifying of information provided, before being awarded a position on Lot 2.

7.1.3 The assessment of Tenders will be carried out in the following stages:

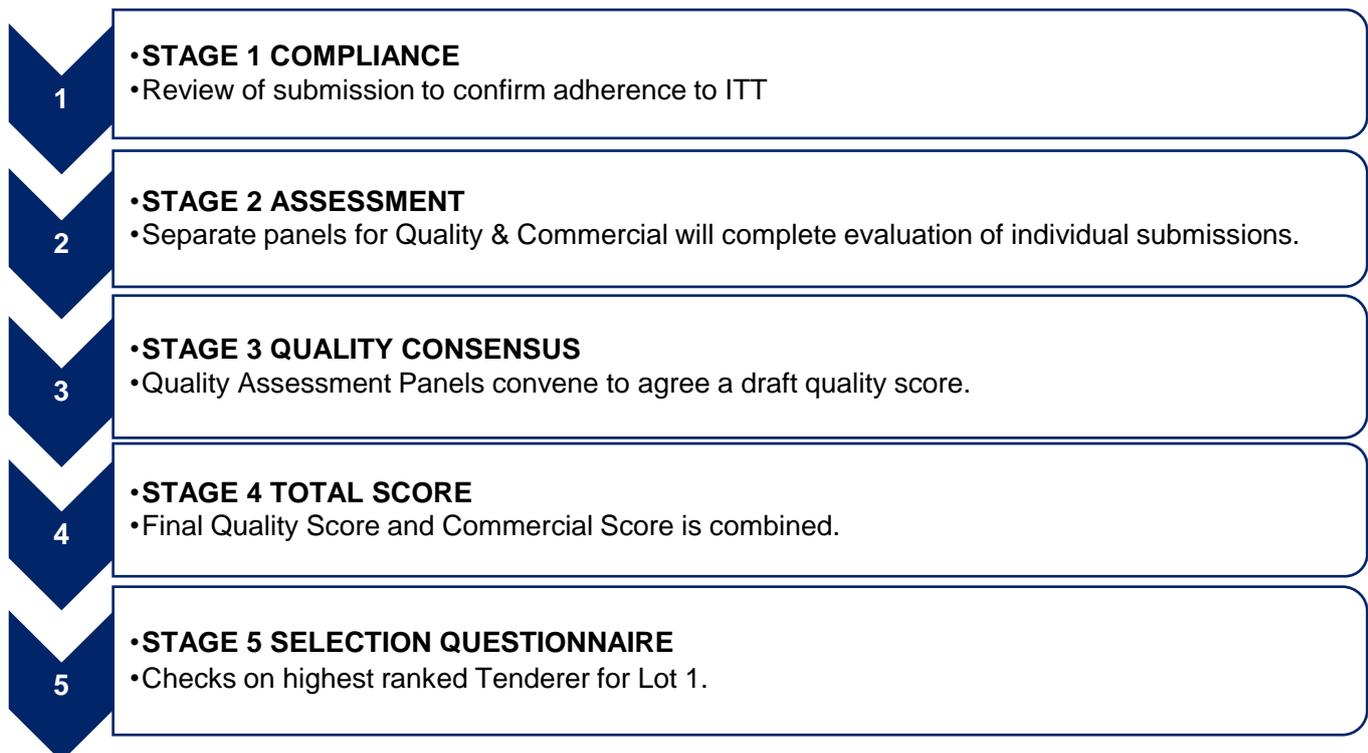


Figure 1 – Lot 1 Tender Assessment Stages

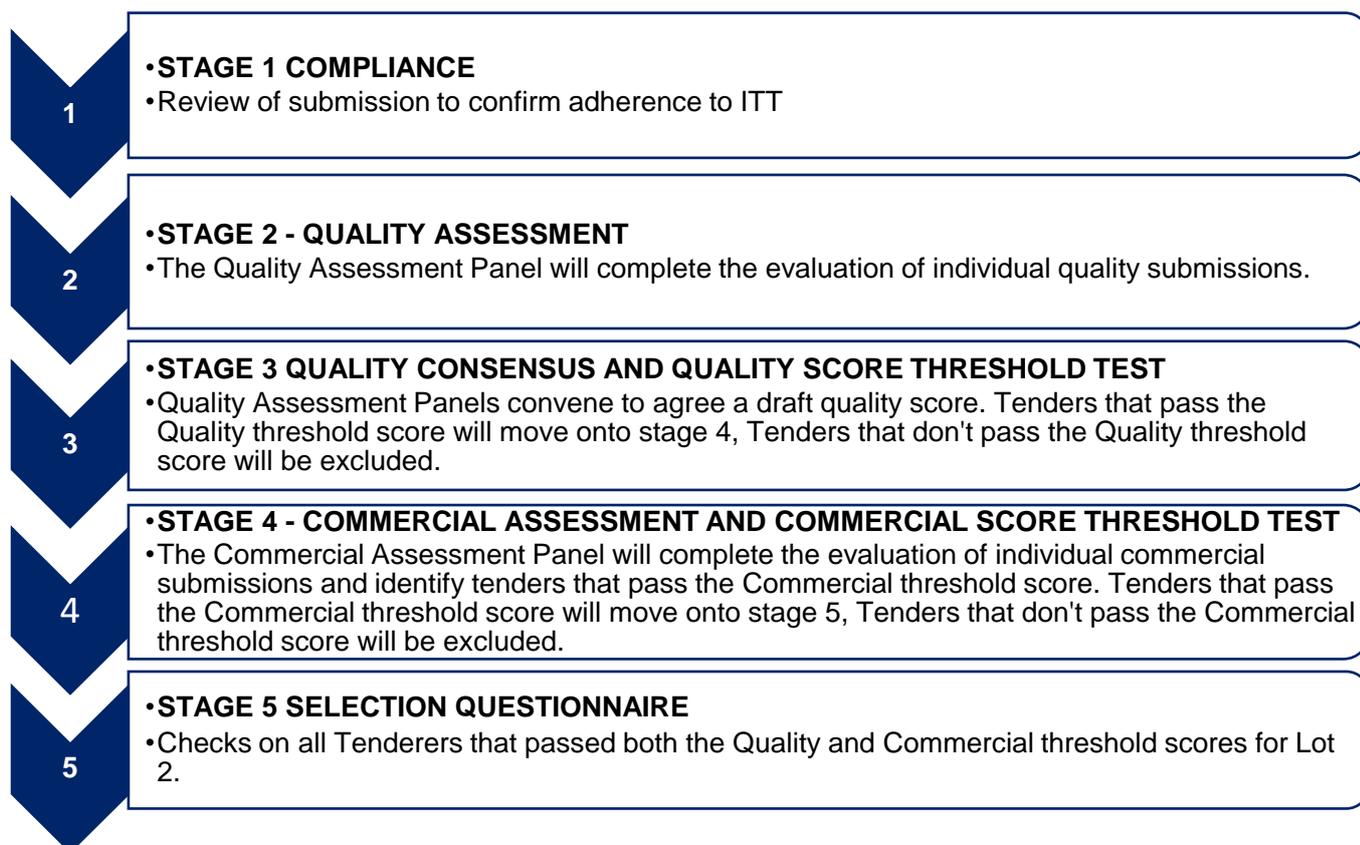


Figure 2 – Lot 2 Tender Assessment Stages

7.2 Lot 1 and Lot 2 – Stage 1 - Compliance

7.2.1 In this stage, Tenders for Lot 1 & Lot 2 are reviewed to establish compliance. Please note that the timetable for Lots 1 and 2 differ so whilst this process is described for both Lots this will be undertaken at different times for Lots 1 and 2. Highways England undertakes an initial check for Tender completeness and compliance, including:

- a) a full and complete set of correct documents and submissions for both the Selection Questionnaire and ITT in accordance with all requirements;
- b) the submitted documents are without qualifications;
- c) that no further documents were submitted beyond those required;
- d) the Selection Questionnaire has been self-certified as a pass in accordance with the Stage 1 Selection Questions evaluation process set out in Section 2 of the Selection Questionnaire

- 7.2.2 Where a Tenderer has not provided a question response, and this is not related to an identified system or eSourcing Portal system error, the question will be automatically scored as “0” and the Quality assessment panel will be informed.
- 7.2.3 Highways England may reject a Tender that does not meet the conditions in paragraph 7.2.1.
- 7.2.4 It is the responsibility of Tenderers to ensure their Tenders are free of errors and comply with these Instructions.
- 7.2.5 No new information can be submitted in response to a clarification, and all clarifications must only increase the clarity of an original statement.

7.3 Lot 1 – Stage 2 – Assessment

- 7.3.1 **The following tender assessment stages 2, 3 and 4 are specific to Lot 1.**
- 7.3.1.1 the Quality Assessment Panel members will independently assess and mark the question responses in the Quality Submission; and
- 7.3.1.2 the Commercial Assessment Panel members will assess the Commercial Submissions.
- 7.3.1.3 During the second stage, tender clarification questions about the Quality Submission or the Commercial Submission may be issued to suppliers by the Procurement Officer via the e-sourcing portal. These are to allow members of the Quality Assessment Panel or the Commercial Assessment Panel to clarify any ambiguous aspects or potential errors. If a response to a clarification question provides information not requested, then this information will not be disclosed to the Quality Assessment Panel or the Commercial Assessment Panel. Note that a supplier may not receive any tender clarification questions; the onus is on the Supplier to ensure that their both their Quality and Commercial Submissions are clear and unambiguous.
- 7.3.1.4 The Quality Assessment Panel assesses the Quality Submission by awarding marks against each of the questions in Appendix C. The score for each quality question is determined using Appendix E.

- 7.3.1.5 In scoring the Commercial Submission the Commercial Assessment Panel will assess two Commercial Elements, as stated in Table 7.
- 7.3.1.6 The assessment of the Price List Commercial Element will use the total prices tendered, as stated in the Price List. Equation 1 at paragraph 7.3.5.3 will be used to convert the tendered total prices into Commercial Element Scores for the Price List. There will be no negative scoring, the minimum lowest Commercial Element Score for the Price List is capped at Zero.
- 7.3.1.7 The assessment of the Volume Purchasing Commercial Element will use the Price Break Structure tendered, as per the completed commercial workbook for Lot 1 (Appendix F). Equation 2 at paragraph 7.3.5.4 will be used to convert each the tendered unit prices for the bands of the Price Break Structure into band scores (expressed to 2 decimal places) that will be added together to give the Commercial Element Score for Volume Purchasing. There will be no negative scoring for the band scores or Commercial Element Score, the minimum lowest band score and Commercial Element Score will be capped at Zero.
- 7.3.1.8 The two Commercial Element Scores will then be added together to give the final Commercial Score for Lot 1. Commercial Element Scores and the final Commercial Score will be expressed to two decimal places.
- 7.3.1.9 Appendix H provides a theoretical tender scenario to demonstrate how the Commercial Element Scores and final Commercial Score are calculated.
- 7.3.1.10 Where rounding is necessary where scores are to be expressed to 2 decimal places, this will use a traditional method of rounding to the nearest significant figure.

7.3.2 Lot 1 Quality Assessment

7.3.2.1 The Quality sub-criteria for Lot 1 are detailed in Table 5 below.

Award criteria	Weighting of Total Score	Questions	Sub-Criteria	Marks Available
Quality	80%	1.1 – 1.2	Health, Safety & Wellbeing	12
		2.1 – 2.3	Customer & Stakeholders	14
		3.1 – 3.6	Production	48
		4.1 – 4.4	Proposed Solution	30
		5.1 – 5.4	Maintenance and Support	22
		6.1 – 6.2	Environmental	9
Commercial	20%	Price List and Volume Pricing Commercial Elements		

Table 5 – Quality Sub-Criteria for Lot 1

- 7.3.2.2 Assessment of the Quality Submission will be undertaken by quality assessors who will evaluate and score in accordance with the assessment methodology, as set out in Appendix E - Quality Questions Scoring Assessment Matrices and Quality Statement.
- 7.3.2.3 Quality assessors award scores to each quality question based wholly on the contents of the written Quality Submissions, and any associated clarifications in accordance with the procedures specified in this ITT.
- 7.3.2.4 Each quality assessor, working independently, award a score using the scoring methodology and criteria set out in the detailed scoring guidance in Appendix B - Quality Questions Scoring Assessment Matrices and Quality Statement.
- 7.3.2.5 The quality assessors record individual scores and rationale.
- 7.3.2.6 Following the recording of an individual assessor's scores, a consensus meeting will be held in accordance with section 7.4.
- 7.3.3 **Lot 1 Commercial Assessment**
- 7.3.3.1 The Commercial Assessment Panel will assess the Commercial Workbooks provided by the tenderer. The Commercial Element Scores are weighted as detailed in Table 6.

Commercial Element	Weighting of Commercial Score	Weighting of Total Score
Total Price as per completed Price List (Appendix F)	40%	8%
Volume Purchasing as per completed Price Break Structure (Appendix F)	60%	12%
Total Commercial Score	100%	20%

Table 6 – Commercial Elements and Weightings for Lot 1

- 7.3.3.2 The Commercial Assessment Panel will evaluate all the price elements included in the Commercial Workbook using the following two stage process in Table 7:

Step	Purpose
Step One: Commercial Compliance	The Commercial Assessment Panel will ensure each Tender is compliant and may reject any tenders failing to meet conditions of this ITT
Step Two: Commercial Assessment for Lot 1	All Tenders will be assessed and scored against the Lowest Price from the Price List and the lowest unit cost for each band of the Price Break Structure.

Table 7 – Commercial Assessment process

7.3.4 **Step One: Commercial Compliance (Lot 1)**

7.3.4.1 The Commercial Assessment Panel will confirm that Tenderers have submitted the Commercial Workbook in accordance with this ITT and guidance notes.

7.3.4.2 For potential non-compliance Highways England may require other information considered relevant.

7.3.4.3 If, following clarification, the response continues to not correspond with conditions stated within the ITT or Commercial Workbook the tender may be rejected for non-compliance.

7.3.4.4 Examination of documents may detect errors in computation that may undermine the reliability of the tender. Highways England will highlight identified errors to Tenderers so they can be corrected. Paragraph 4.1.7 of these Instructions regarding the correction of errors applies to the Commercial Submission (as well as the Quality Submission).

7.3.5 **Step Two Commercial Assessment (Lot 1)**

7.3.5.1 The Commercial Assessment Panel is completely independent of Quality Assessment Panel, and no quality documents or information is shared between the Assessment Panels.

7.3.5.2 The Commercial Assessment Panel will determine a Total Price for each Tenderer for the Price List Commercial Element, built up from the Tenderers completed price list (Appendix F). This Total Price value will then be used in Equation 1 to give rise to the score for the Price List Commercial Element. Further explanation on how to complete the Price List is found in the Lot 1 Commercial Workbook as per Appendix F.

7.3.5.3 The Commercial Element Score for the Lot 1 Price List will be determined by using Equation 1 below:

$$\text{Price List Commercial Element Score} = P_w \times \left(2 - \frac{P_i}{P_{min}} \right)$$

P_w = Weighting for Price List Commercial Element (as stated in Table 7)

P_i = Potential Tenderer's Total Price (as per the completed Price List at Appendix F)

P_{min} = Lowest Tender Price Received (as per the completed Price List as Appendix F)

Equation 1 – for Lot 1 Price List Commercial Element Scores

7.3.5.4 The Commercial Assessment Panel will determine a score for each band of the tendered Price Break Structure by inputting the tendered unit prices for each band into Equation 2 below. The band scores that result from the Equation 2 calculations will then be added together to give a total score that is multiplied by the Volume Purchasing Commercial Element weighting (as stated Table 8) to give the Volume Purchasing Commercial Element score.

$$\text{Band Score (within Price Break Structure)} = Pw \times \left(2 - \frac{Pi}{Pmin} \right)$$

Pw = Weighting of band within Price Break Structure (as stated in Table 8)

Pi = Potential Tenderer's Unit Price for the band (as per completed Price Break Structure)

Pmin = Lowest Unit Price Tendered for the band (as per completed Price Break Structure)

Equation 2 - for Lot 1 Price List Commercial Element Scores

7.3.5.5 The Price Break Structure and weightings that apply to each band within it are shown in Table 8 below.

Quantity of Units (Band)	Band Weighting
18 – 49	22.22% (Recurring)
50 – 99	22.22% (Recurring)
100 – 149	22.22% (Recurring)
150 – 199	11.11% (Recurring)
200 – 249	11.11% (Recurring)
250 – 299	5.55% (Recurring)
≥ 300	5.55% (Recurring)
Volume Pricing Commercial Element Score	100%

Table 8 - Price Break Structure and Band Weightings for Volume Pricing Commercial Element.

7.3.5.6 Further explanation on how to complete the Price Break Structure, as a part of the Lot 1 tender, is found in the Lot 1 Commercial Workbook as per Appendix F.

- 7.3.5.7 The Price List Commercial Element Score and Volume Purchasing Commercial Element Scores then have their relative Commercial Element weightings applied as per Table 6. The two resulting values are then added together and then have the Overall Commercial Weighting applied (as per paragraph 7.1.1.) to give the final Commercial Score for Lot 1.
- 7.3.5.8 Any uncertainty over the meaning of the commercial submission will be removed via clarifications and responses before the Commercial Assessment Panel completes scoring.

7.4 Lot 1 – Stage 3 – Quality Consensus

- 7.4.1 Following the Quality Assessment stage, a consensus meeting will be held between members of the Quality Assessment Panels to agree a quality score and rationale for each question assessed.
- 7.4.2 Each of the assessors will present their rationale and scoring and then the session will be independently facilitated by Highways England's Procurement team to reach an agreed consensus score and rationale for each quality question assessed at Stage 2. These consensus scores will override all individual assessor's scores.
- 7.4.3 The quality consensus meeting may identify further areas of the Quality Submission which need to be tested through written clarifications.
- 7.4.4 In scoring the Quality Submission the Tenderers quality question marks will be converted into Quality Scores using Equation 3 below.

$$\text{Lot 1 Quality Score} = Q_w \times \left(\frac{Q_i}{Q_{max}} \right)$$

Q_w = Quality Weighting for Lot 1 (as stated in paragraph 7.1.1 and Table 5)
Q_i = Potential Tenderer's Total Quality Question Marks
Q_{max} = Highest Quality Marks Awarded for Lot 1

Equation 3 - for Lot 1 Quality Scores

- 7.4.5 Quality scores will be expressed to two decimal places. The rules set out 7.3.10.1 in relation to rounding figures also applies here. Appendix H provides a theoretical tender scenario to demonstrate how quality scores are calculated.
- 7.4.6 To determine the highest scoring bidder, the quality score and the commercial score will be combined in accordance with Stage 4. The provisionally successful bidder will be the Supplier with the highest total score.

7.5 Lot 1 – Stage 4 - Total Score

7.5.1 The Tenderer's Total Score will be derived by adding the final Quality and Commercial scores together. A worked example is provided in Appendix H.

7.5.2 The Total Score will be used to rank Tenderers in Lot 1. The following rules apply to the ranking process:

- e) Tenderers will be ranked in Lot 1 from highest to lowest based on the Total Score.
- f) If Tenderers are tied on the same score then the tenderer with the highest final quality score, derived using Equation 3 at paragraph 7.4.4, will take precedence in the ranking. If Tenderers are still tied, then the Tenderer with the highest scores for Question 3 will take precedence in the ranking.
- g) Ranking based on the Total Score will be used to determine the Tenderer to be taken forward to Stage 5 - Selection Questionnaire in the first instance.

7.5.3 Only the Tenderer who is ranked first for Lot 1 following the application of the rules in paragraph 7.5.22 will initially be taken forward to Stage 5 - Selection Questionnaire.

7.6 Lot 2 – Stage 2 – Quality Assessment

7.6.1 **The following tender assessment stages 2, 3 and 4 are unique to Lot 2**

7.6.1.1 the Quality Assessment Panel members will independently assess and mark the question responses in the Quality Submission; and

7.6.1.2 During the second stage, tender clarification questions about the Quality Submission may be issued to suppliers by the Procurement Officer via the e-sourcing portal. These are to allow members of the Quality Assessment Panel to clarify any ambiguous aspects or potential errors. If a response to a clarification question provides information not requested, then this information will not be disclosed to the Quality Assessment Panel. Note that a supplier may not receive any tender clarification questions; the onus is on the Supplier to ensure that their Quality Submissions is clear and unambiguous.

7.6.1.3 The Quality Assessment Panel assesses the Quality Submission by awarding marks against each of the questions in Appendix D. The score for each quality question is determined using Appendix D.

The Quality sub-criteria for Lot 2 are detailed in Table 9 below.

Award criteria	Questions	Sub-Criteria	Marks Available
Quality	1.1 - 1.2	Health, Safety & Wellbeing	12
	2.1 – 2.3	Customer & Stakeholders	14
	3.1 – 3.3	Production	12
	4.1 – 4.5	Proposed Solution	18
	5.1 – 5.3	Maintenance and Support	22
	6.1 – 6.2	Environmental	8
	7.1 – 7.7	Development	50
Commercial	Maximum Margins and Personnel Rates		

Table 9 - Quality Sub-Criteria– Lot 2

- 7.6.1.4 Assessment of the Quality Submission will be undertaken by quality assessors who will evaluate and score in accordance with the assessment methodology, as set out in Appendix D - Quality Questions Scoring Assessment Matrices and Quality Statement.
- 7.6.1.5 Quality assessors award scores to each quality question based wholly on the contents of the written Quality Submissions, and any associated clarifications in accordance with the procedures specified in this ITT.
- 7.6.1.6 Each quality assessor, working independently, awards a score using the scoring methodology and criteria set out in the detailed scoring guidance in Appendix D - Quality Questions Scoring Assessment Matrices and Quality Statement.
- 7.6.1.7 The quality assessors record individual scores and rationale.
- 7.6.1.8 Following the recording of an individual assessor’s scores, a consensus meeting will be held in accordance with section 7.7.
- 7.7 Lot 2 – Stage 3 – Quality Consensus and Quality Score Threshold Test**
- 7.7.1 Following the Quality Assessment stage, a consensus meeting will be held between members of the Quality Assessment Panels to agree a quality score and rationale for each question assessed.
- 7.7.2 Each of the assessors will present their rationale and scoring and then the session will be independently facilitated by Highways England’s Procurement team to reach an agreed consensus score and rationale for each quality question assessed at Stage 2. These consensus scores will override all individual assessor’s scores.
- 7.7.3 The quality consensus meetings may identify further areas of the Quality Submission which need to be tested through written clarifications.

7.7.4 The minimum quality mark threshold for each quality sub-criteria is 40% of the quality marks available for that sub-criteria (once the question weightings have been applied). Table 10 below shows each of the sub-criteria thresholds that must be passed.

Award criteria	Sub-Criteria	Marks Available	Sub-Criteria Quality Mark Threshold
Quality	Health, Safety & Wellbeing	12	4.8
	Customer & Stakeholders	14	5.6
	Production	12	4.8
	Proposed Solution	18	7.2
	Maintenance and Support	22	8.8
	Environmental	8	3.2
	Development	50	20

Table 10 - Lot 2 Quality Sub-Criteria Thresholds

7.7.5 A Tenderer that fails to achieve the minimum quality mark threshold for any of the quality sub-criteria will not be considered further and have its Tender rejected. This means the assessment of that Tenderer will not proceed onto Stage 4 and the Tenderers completed Commercial Workbook will not be included within the Commercial Assessment for Lot 2.

7.7.6 Appendix I provides a theoretical tender scenario to demonstrate how quality threshold mark are calculated.

7.8 Lot 2 – Stage 4 – Commercial Assessment and Commercial Score Threshold Test

7.8.1.1 the Commercial Assessment Panel members will assess the Commercial Submissions.

7.8.1.2 During this stage, tender clarification questions about the Commercial Submission may be issued to suppliers by the Procurement Officer via the e-sourcing portal. These are to allow members of the Commercial Assessment Panel to clarify any ambiguous aspects or potential errors. If a response to a clarification question provides information not requested, then this information will not be disclosed to the Commercial Assessment Panel. Note that a supplier may not receive any tender clarification questions; the onus is on the Supplier to ensure that their Commercial Submission is clear and unambiguous.

- 7.8.1.3 In scoring the Commercial Submission the Commercial Assessment Panel will use the three rate-based commercial elements tendered by suppliers, as stated in Table 11 below. Equation 4 at paragraph 7.8.3.4 will be used to convert the tendered Personnel Rates into a Commercial Element Score. Equation 5 at paragraph 7.8.3.5 will be used to convert the tendered Maximum Margins into a Commercial Element Score. The three Commercial Element Scores will then be added together to form the final Commercial Score for Lot 2. Commercial Element Scores and the Commercial Score will be expressed to two decimal places. There will be no negative scoring, the minimum lowest Commercial Element Score and Commercial Score will be capped at Zero. Appendix I provides a theoretical tender scenario to demonstrate how Commercial Element Scores and Commercial Scores are calculated.
- 7.8.1.4 The Commercial Assessment Panel will assess the commercial workbook provided by the tenderer. The three Commercial Elements are weighted as detailed in Table 11 below. The minimum score threshold of 30% will be applied to each of the Commercial Elements. Table 8 below shows the Commercial Element Scores and threshold scores that must be passed.
- 7.8.1.5 A Tenderer that fails to achieve the minimum thresholds for the Commercial Elements Scores or the Commercial Score will not be considered further and have its Tender rejected. This means the assessment of that Tenderer will not proceed onto Stage 5.

Commercial Element	Weighting of Commercial Element	Commercial Score Thresholds
SFIA 7 Personnel Rates as per completed Personnel Rate Card (Appendix G)	50	15
Goods Maximum Margin as per completed Maximum Margin Rate Card (Appendix G)	25	7.5
Services Maximum Margin as per completed Maximum Margin Rate Card (Appendix G)	25	7.5
Total Commercial Score	100	30

Table 11 - Commercial Elements and Weightings for Lot 2

- 7.8.1.6 The Commercial Assessment Panel will evaluate all the Commercial Elements included in the Commercial Workbook using the following two stage process:

Step	Purpose
Step One: Commercial Compliance	The Commercial Assessment Panel will ensure each Tender is compliant and may reject any tenders failing to meet conditions of this ITT
Step Two: Commercial Assessment for Lot 2	All Tenders will be assessed and scored against the lowest values tendered for personnel rates and maximum margins. Tenders will need to pass the score thresholds associated to each commercial element as well the overall commercial score threshold.

Table 12 - Commercial Assessment process

7.8.2 Step One: Commercial Compliance

7.8.2.1 The Commercial Assessment Panel will confirm that Tenderers have submitted the Commercial Workbook in accordance with this ITT and guidance notes.

7.8.2.2 For potential non-compliance Highways England may require other information considered relevant.

7.8.2.3 If, following clarification, the response continues to not correspond with conditions stated within the ITT or Commercial Workbook the tender may be rejected for non-compliance.

7.8.2.4 Examination of documents may detect errors in computation that may undermine the reliability of the tender. Highways England will highlight these errors to Tenderers so they can be corrected. Paragraph 4.1.7 of these Instructions regarding the correction of errors applies to the Commercial Submission (as well as the Quality Submission).

7.8.3 Step Two Commercial Assessment

7.8.3.1 The Commercial Assessment Panel is completely independent of Quality Assessment Panel, and no quality documents or information is shared between the Assessment Panels.

7.8.3.2 The Commercial Assessment Panel will determine a total combined value for the SFIA 7 Personnel Rates for each Tender. This is done by adding together all the individual rates from the Tenderer’s completed SFIA 7 Rate Card in the Lot 2 Commercial Workbook (Appendix G). This value will then be used in Equation 4 to award a Commercial Element Score for Personnel Rates.

7.8.3.3 The Commercial Assessment Panel will determine the Maximum Margins applicable to both Goods and Services, by referring to the Tenderer's completed Maximum Margin Rate Card within the Lot 2 Commercial Workbook (Appendix G). These values will then be used in Equation 5 to award Commercial Element Scores for both the Goods Maximum Margin and the Services Maximum Margin.

7.8.3.4 The Commercial Element Score for the Personnel Rates of Lot 2 will be calculated using Equation 4 below:

$$\text{Lot 2 Personnel Rates Commercial Score} = P_w \times \left(2 - \frac{P_i}{P_{min}} \right)$$

P_w = Personnel Rates Commercial Element Weighting (as stated in Table 8)

P_i = Potential Tenderer's Total Combined Personnel Rates (as per completed Lot 2 Commercial Workbook)

P_{min} = Lowest Total Combined Personnel Rates Tendered (as per completed Lot 2 Commercial Workbook)

Equation 4 – for Lot 2 Personnel Rates Commercial Scores

7.8.3.5 The Commercial Element Score for the Maximum Margins for both Goods and Services will be calculated using Equation 5 below:

$$\text{Lot 2 Maximum Margin Commercial Score} = P_w \times \left(\frac{P_{min}}{P_i} \right)$$

P_w = Goods or Services Maximum Margin Commercial Element Weighting (as stated in Table 8)

P_i = Potential Tenderer's Goods/Services Maximum Margin (as per completed Lot 2 Commercial Workbook)

P_{min} = Lowest Goods/Services Maximum Margin Tendered (as per completed Lot 2 Commercial Workbook)

Equation 5 – For Lot 2 Maximum Margin Commercial Scores

7.8.3.6 The three Commercial Element Scores will then be added together to give the final Commercial Score.

7.8.3.7 Any uncertainty over the meaning of the commercial submission will be removed via clarifications and responses before the Commercial Assessment Panel completes scoring.

7.9 Lot 1 and Lot 2 – Abnormally Low Tender

7.9.1 If Highways England considers that a tender appears to be abnormally low, it will conduct an investigation in accordance with Regulation 69 of the Public Contracts Regulations 2015. Highways England reserves the right to undertake such an investigation at any stage during the tender process.

7.9.2 Highways England may reject a tender where the evidence supplied as part of the abnormally low tender investigation does not satisfactorily account for the low level of price or costs proposed.

7.10 Lot 1 and Lot 2 – Stage 5 – Selection Questionnaire & Verification

7.10.1 For Lot 1, the Tenderer who is ranked first following Stage 4 – Total Score, may be required to submit evidence to support declarations in Parts 1 and 2 of the Selection Questionnaire within the time stated. For Lot 2, the Tenderers who pass both the Quality Mark threshold and Commercial Score threshold, may be required to submit evidence to support declarations in Parts 1 and 2 of the Selection Questionnaire within the time stated. Highways England will check the evidence which supports the answers given to the Selection Questionnaire before award. If the required evidence is not provided, within the time stated in the instruction, or the evidence does not support the statements made in the Selection Questionnaire, the Tender may be rejected.

7.10.2 Highways England will verify the responses to Part 3 of the Selection Questionnaire; assessment information is included in Annex A. The assessment of the Part 3 responses will be completed on a pass/fail basis. In the event of a tender being given a “fail” against any of the criteria, the tender will be rejected.

7.10.3 Highways England will contact the Tenderer if a parent company guarantee (or other guarantee agreed in accordance with these Instructions) is required before Tender acceptance specifying the required guarantor.

7.10.4 If the Tenderer ranked first in Lot 1 passes the SQ verification assessment as set out in paragraph 7.10.2 and complies with any request made in paragraph 7.10.3, subject to section 8 – Tender Award Procedure it is awarded the relevant Lot.

7.10.5 If each of the Tenderers which pass the quality mark threshold and the commercial score threshold in Lot 2 passes the SQ verification assessment as set out in paragraph 7.10.2 and complies with any request made in paragraph 7.10.3 subject to section 8 – Tender Award Procedure it is appointed to the Lot.

7.10.6 If the Tenderer ranked first in Lot 1 fails the SQ assessment or fails to comply with any request made in paragraph 7.10.3, the Tenderer who is ranked second in that Lot following Stage 4 – Total Score has its Selection Questionnaire evaluated in accordance with this process. This process is repeated until the highest ranked Tenderer passes the SQ verification assessments.

- 7.10.7 If any of the Tenderers which pass the quality mark threshold and commercial score threshold in Lot 2 fails the SQ assessment as set out, or fails to comply with any request made in paragraph 7.10.3, their Tender will be rejected.
- 7.10.8 During verification, a Quality Score for a Quality Question may either remain unchanged or be reduced, thus reducing the Total Quality Score. If, following verification, the total quality score of the preferred bidder is reduced such that it is no longer the highest scoring Supplier, then the Quality Assessment Panel will proceed to verify the next highest scoring Supplier. The Quality Submission cannot be modified by a Supplier during the verification stage, and marks cannot be increased above those awarded during the Stage Three assessment. Note that not all Quality Assessment Panel members may be involved in verification.

8 Tender Award Procedure

8.1.1 Highways England reserves the right not to proceed with any proposal made in response to this Invitation.

8.1.2 Following assessment of the Total Scores and Selection Questionnaires, approval will be sorted to recommend the highest ranked Tenderers to be awarded a lot, or position with a lot as applicable.

8.1.3 Highways England reserves the right at its absolute discretion to proceed with individual Lots within this competition in the event, either:

- a) that not all Lots proceed to an award of the Framework Agreement;
and
- b) that there remain issues to resolve in certain Lots, but other Lots can proceed to an award of the Framework Agreement whilst those matters are resolved.

8.2 Tender Award and Standstill period

8.2.1 Highways England will inform successful and unsuccessful Tenderers of its decision in accordance with Regulation 86 of the Regulations.

8.2.2 A Standstill letter confirming the Tender outcome will be issued

8.2.3 In addition to regulatory feedback, Tenderers may request a face-to-face Tender debrief to help improve future submissions. Tender debriefs will not be held until after the Framework Agreement Award.

8.2.4 Tenderers recommended for award will be issued with the TA Framework Agreement for execution.

Appendix A ITT Document Register

Document	File Name
Invitation to Tender including:	
Appendix A (ITT Document Register)	
Appendix B (List of Documents to be returned with Tender)	
Appendix C (Lot 1 Quality Questions Scoring Matrices and Quality Statement)	
Appendix D (Lot 2 Quality Questions Scoring Matrices and Quality Statement)	
Appendix E (Scoring Matrices for Lot 1 & 2)	
Appendix F (Lot 1 Commercial Workbook)	
Appendix G (Lot 2 Commercial Workbook)	
Appendix H (Commercial Scoring Example for Lot 1)	
Appendix I (Illustrative Lot 2 Tender Process)	
Appendix J (Clarification Query Template)	
Appendix K (Commercially Sensitive Information Template)	
Appendix L (Conflict of Interest Declaration Template)	
Appendix M (Appendix M Insurance Response Template)	
Selection Questionnaire (including SQ assessment process)	
Invitation to Tender Annex A - Lot 1 Selection Questionnaire	<input type="checkbox"/>
Invitation to Tender Annex B - Lot 2 Selection Questionnaire	<input type="checkbox"/>
Other documents referred to in ITT to be issued in order to be completed by bidders:	
Key Person Schedule	<input type="checkbox"/>
ITT Supporting Information - Fair Payment Charter	<input type="checkbox"/>
ITT Supporting Information - Anti-bribery Code of Conduct	<input type="checkbox"/>
ITT Supporting Information - Anti-fraud Code of Conduct	<input type="checkbox"/>
Framework Agreement	
Main Body Agreement	
Schedule 1 (Definitions)	
Schedule 2 (Service Requirements and Service Provider Service Descriptions) - Lot 1	
Schedule 2 (Service Requirements and Service Provider Service Descriptions) - Lot 2	
Schedule 3 (Commercially Sensitive Information)	
Schedule 4 (Charges)	

Schedule 5 (Task Order)	
Schedule 6 (Governance)	
Schedule 7 (Guarantee)	
Schedule 8 (Financial Distress)	
Schedule 9 (Insurance Requirements)	
Schedule 10 (Service Award Criteria) - Lot 2 only	
Schedule 11 (Solution Testing) - Lot 2 only	
Schedule 12 (Key Personnel) - Lot 1 only	
Schedule 13 (Call-Off Terms)	
Schedule 14 (Selection Criteria)	
Call Off Terms	
Call-Off Terms	
Schedule 1 (Definitions)	
Schedule 2 (Performance Levels)	
Schedule 3 (Standards)	
Schedule 4 (Security Management)	
Schedule 5 (Customer Responsibilities)	
Schedule 6 (Testing Procedure) - Lot 1	
Schedule 6 (Testing Procedure) - Lot 2	
Schedule 7 (Charges and Invoicing) - Lot 1	
Schedule 7 (Charges and Invoicing) - Lot 2	
Schedule 8 (Payments on Termination)	
Schedule 9 (Exit Management)	
Task Orders	
First Task Order under Lot 1	
Technical Requirement	
Technical Requirement Lot 1	
Technical Requirement Lot 2	

Appendix A – Annex A

Lots 1 and 2 Contractual Differences

The agreements to be entered into between Highways England and the Service Provider will be on substantially the same terms for Lots 1 and 2, being in the form set out in [INSERT] of this ITT.

Please note that the following describes the key differences that will be made to the form of agreement set out in [INSERT] of this ITT, for each of Lots 1 and 2.

Provision	Application to Lot 1	Application to Lot 2
Clause 6 (Ordering Procedure) of the Framework Agreement	Option 1 applies.	Option 2 applies.
Clause 7 (Solution Testing) of the Framework Agreement	Not required.	Provision included in the Agreement.
Clause 18.2.1 (Protection of Personal Data – Solution Testing)	Reference to solution testing is not required, drafting in square brackets will be deleted for Lot 1.	Provision included in the Agreement.
Definition of “Key Personnel”	Members of Service Provider Personnel will be described in Schedule 12 (Key Personnel).	Not required.
Schedule 2 (Service Requirements and Service Provider Service Descriptions) of the Framework Agreement	See bespoke Schedule 2 for Lot 1.	See bespoke Schedule 2 for Lot 2.
Paragraph 10 (Volume Based Pricing), Annex 1 , Schedule 5 (Task Order) of the Framework Agreement	Not required.	To be included in the Agreement.
Paragraph 12 (Warranty Period), Annex 1, Schedule 5 (Task Order) of the Framework Agreement	Option 1 applies.	Option 2 applies.
Annex 4 (Performance Levels), Schedule 5 (Task Order) of the Framework Agreement	Option 1 applies.	Option 2 applies.
Schedule 10 (Service Award Criteria) of the Framework Agreement	Not required.	To be included in the Agreement.

Provision	Application to Lot 1	Application to Lot 2
Schedule 11 (Solution Testing) of the Framework Agreement	Not required.	To be included in the Agreement.
Schedule 12 (Key Personnel) of the Framework Agreement	To be included in the Agreement.	Not required.
Schedule 6 (Testing Procedures) of the Call-Off Terms	See bespoke Schedule 6 for Lot 1.	See bespoke Schedule 6 for Lot 2.
Schedule 7 (Charges and Invoicing) of the Call-Off Terms	See bespoke Schedule 7 for Lot 1.	See bespoke Schedule 7 for Lot 2.

Appendix B List of Documents to be returned with Tender:

B.1.1 Qualification Envelope

Document to be returned	Refer to	No required	Response Required via
Selection Questionnaire (including all parts and supporting documents)	Annex A of the ITT	1 per Lot Tendered	Within eSourcing Portal

B.1.2 Technical Envelope

Document to be returned	Refer to	No required	Response Required via
Quality Statement	Appendix C & D of this ITT	1 per Lot Tendered	Within eSourcing Portal ITT question set
Fair Payment Charter	Volume 0 – Supporting Information	1	Confirm compliance within eSourcing Portal
Anti-bribery Code of Conduct	Volume 0 – Supporting Information	1	Confirm compliance within eSourcing Portal
Anti-fraud Code of Conduct	Volume 0 – Supporting Information	1	Confirm compliance within eSourcing Portal
SME Statement	Description in 6.4.9 of this ITT	1	Within eSourcing Portal ITT question set
Statement of Tenderer's execution process	Description in 6.4.10 of this ITT	1 per Lot Tendered	Within eSourcing Portal ITT question set
Draft Legal Opinion for non-UK registered companies	Description in 6.4.11 of this ITT	1	Within eSourcing Portal ITT question set

B.1.3 Commercial Envelope

Document to be returned	Refer to	No required	Response Required via
Lot 1 Commercial Workbook		1	Within eSourcing Portal
Lot 2 Commercial Workbook		1	Within eSourcing Portal

Appendix C Quality Questions and Scoring Matrices Lot 1

	Description	Reference Document	Page Limit	Mark (out of 4)	Sub Weight	Total Mark
1	Health and Safety Management					
1.1	Describe your how you will manage H&S when fulfilling any Call Off Agreement awarded under this framework contract including but not limited to: 1) Adherence to all relevant H&S standards and regulations. 2) H&S responsibilities of Key People 3) Reporting of incidents managed in accordance with Service Requirement	2) Key Person Schedule 3) Schedule 2 Lot 1 11.3	3 Pages Maximum		x 2.00	/ 8
1.2	Provide a Risk Management Register that outlines risks associated with Health and Safety Management and describe how these will be managed throughout the duration of the Framework Agreement & any Call-off	N/A			x 1.00	/ 4
2	Customer & Stakeholder					
2.1	In a Key Person schedule , define the roles and responsibilities of allocated project staff	Key Person Schedule	5 Pages Maximum		x 1.00	/ 4
2.2	In the form of a Stakeholder Management Plan , demonstrate capability and processes that can manage multiple stakeholders during delivery and encourage collaborative working	N/A			x 1.50	/ 6
2.3	Provide a Risk Management Register that outlines risks associated with Customer & Stakeholder and describe how these will be managed throughout the duration of the Framework Agreement & any Call-off	N/A			x 1.00	/ 4
3	Production					
3.1	In the form of a Project Plan , demonstrate your capability to meet the Draft Programme, across multiple geographic locations, with just in time delivery and displaying adaptability to commissioning requirements	Schedule 2 Lot 1 Annex A	16 Pages Maximum		x 2.00	/ 8

3.2	Within your Project Plan , explain how you would maintain service delivery, provide flexibility and resilience to deliver if a change to the Draft Programme accelerated timescales	Schedule 2 Lot 1 Annex A			x 2.00	/ 8
3.3	Within your Project Plan , explain how you would increase production to meet increased demand if required	N/A			x 2.00	/ 8
3.4	Within your Project Plan , demonstrate your ability to produce consistently high-quality Scanning Radar Outstations in large volumes, also demonstrate the effectiveness and suitability of any outsourcing and supply chain arrangements	Schedule 2 Lot 1 8.0			x 2.00	/ 8
3.5	Within your Project Plan , demonstrate capability and readiness to produce and deliver the Service Requirements from June 2020	Schedule 2 Lot 1			x 3.00	/ 12
3.6	Provide a Risk Management Register that outlines risks associated with Production questions and describe how these will be managed throughout the duration of the Framework Agreement & any Call-off	N/A			x 1.00	/ 4
4	Proposed Solution					
4.1	Demonstrate that your solution meets the minimum detection requirements of 80% defined in TR2642 – Schedule 3 Standards and provide an action plan demonstrating how you will achieve an 85% desirable detection rate and what impacts it will have, if any on the other performance metrics for the SVD system detailed in TR2642	Schedule 3 - Standards	10 Pages Maximum		x 1.50	/ 6
4.2	Explain how your proposed solution can meet other aspects of the Service Requirement	Schedule 2 Lot 1			x 2.00	/ 8
4.3	Demonstrate that your proposed solution can be proven for use on Highways England network by June 2020	Schedule 2 Lot 1 8.3			x 3.00	/ 12
4.4	Provide a Risk Management Register that outlines risks associated with your Proposed Solution and describe how these will be managed throughout the duration of the Framework Agreement & any Call-off	N/A			x 1.00	/ 4

5	Maintenance and Support					
5.1	Explain your approach to ensuring equipment supplied is reliable, available and maintainable to ensure continuity of service in accordance with the Service Requirement	Schedule 2 Lot 1	10 Pages Maximum		x 1.50	/ 6
5.2	Explain your approach to preparing maintenance and commissioning plans to support any call-off requirements on this framework	Schedule 2 Lot 1 6.3 D02			x 1.50	/ 6
5.3	Explain how you will ensure your solution is compliant with Remote Access Requirements of Highways England to reduce roadside visitation?	Schedule 2 Lot 1 2.1			x 1.50	/ 6
5.4	Provide a Risk Management Register that outlines risks associated with your Maintenance and Support and describe how these will be managed throughout the duration of the Framework Agreement & any Call-off	N/A			x 1.00	/ 4
6	Environmental					
6.1	Based on the requirements of the Service Requirement, provide a Environmental Sustainability Plan of how your proposed solution can deliver sustainable solutions	Schedule 2 Lot 1 4.0	3 Pages Maximum		x 1.25	/ 5
6.2	Provide a Risk Management Register that outlines risks associated with your Environmental statement and describe how these will be managed throughout the duration of the Framework Agreement & any Call-off	N/A			x 1.00	/ 4
	Subtotal					/ 135
	Total Quality Mark					%

Appendix D Quality Questions and Scoring Matrices Lot 2

	Description	Reference Document	Page Limit	Mark (out of 4)	Sub Weight	Total Mark
1	Health and Safety Management					
1.1	Describe your how you will manage H&S when fulfilling any Call Off Agreement awarded under this framework contract including but not limited to: 1) Adherence to all relevant H&S standards and regulations. 2) H&S responsibilities of Key People	2) Key Person Schedule	3 Pages Maximum		x 2.00	/ 8
1.2	Provide a Risk Management Register that outlines risks associated with Health and Safety Management and describe how these will be managed throughout the duration of the Framework Agreement & any Call-off	N/A			x 1.00	/ 4
2	Customer & Stakeholder					
2.1	In a Key Person schedule , define the roles and responsibilities of allocated project staff	Key Person Schedule	5 Pages Maximum		x 1.00	/ 4
2.2	In the form of a Stakeholder Management Plan , demonstrate capability and processes that can manage multiple stakeholders during delivery and encourage collaborative working	N/A			x 1.50	/ 6
2.3	Provide a Risk Management Register that outlines risks associated with Customer & Stakeholder questions and describe how these will be managed throughout the duration of the Framework Agreement & any Call-off	N/A			x 1.00	/ 4
3	Production					
3.1	In the form of a Project Plan , demonstrate your capability to meet the Draft Programme, across multiple geographic locations, with just in time delivery and displaying adaptability to commissioning requirements	Schedule 2 Lot 2 Annex A	6 Pages Maximum		x 1.00	/ 4

3.2	Within your Project Plan , explain how you would maintain service delivery, provide flexibility and resilience to deliver if a change to delivery timescales was required	Schedule 2 Lot 2 Annex A			x 1.00	/ 4
3.3	Within your Project Plan , demonstrate your ability to produce a consistently high performing solution in sufficient volumes, also demonstrating the effectiveness and suitability of any outsourcing and supply chain arrangements	N/A			x 1.00	/ 4
4	Proposed Solution					
4.1	Within your Project Plan , explain where on the Highways England estate (Strategic Road Network and/or Regional Operational Centres) your proposed solution will be deployed and how your solution will detect objects to meet the requirements of Highways England Technical Requirement number TR2643	Schedule 3 Standards	13 Pages Maximum		x 1.00	/ 4
4.2	Within your Project Plan , explain how your proposed solution can meet other aspects of the Service Requirement	Schedule 2 Lot 2		x 1.00	/ 4	
4.3	Within your Project Plan , demonstrate that your proposed solution could be proven for use on Highways England network from September 2021	N/A		x 1.00	/ 4	
4.4	Within your Project Plan explain the timescales required for deployment of your solution for any requirement	N/A		X 0.50	/ 2	
4.5	Provide a Risk Management Register that outlines risks associated with your Proposed Solution and describe how these will be managed throughout the duration of the Framework Agreement & any Call-off	N/A		X 1.00	/ 4	
5	Maintenance and Support					
5.1	Explain your approach to ensuring equipment supplied is reliable, available and maintainable to ensure continuity of service and to reduce maintenance requirements	Schedule 2 Lot 2 1.5.3.9	5 Pages Maximum		x 2.00	/ 8
5.2	Explain your approach to preparing maintenance and commissioning plans to support any call-off requirements on this framework	Schedule 2 Lot 2 2.1		x 1.75	/ 7	

5.3	Where applicable, explain how you will ensure your solution is compliant with Remote Access Requirements of Highways England to reduce roadside visitation?	TR2597			x 1.75	/ 7
6	Environmental					
6.1	Provide an Environmental Sustainability Plan of how your proposed solution can deliver sustainable solutions	N/A	3 Pages Maximum		x 1.00	/ 4
6.2	Provide a Risk Management Register that outlines risks associated with your Environmental statement and describe how these will be managed throughout the duration of the Framework Agreement & any Call-off	N/A			X 1.00	/ 4
7	Development					
7.1	In the form of a Project Plan , explain why your proposed solution is a suitable starting point for further developing into a HE approved SVD system to meet the requirements in TR2643. Explain what Technology Readiness Level you believe your solution is and provide evidence to support that statement including any testing and evaluation results.	Table 1 Annex D ITT	18 Pages Maximum		x 2.00	/ 8
7.2	Within your Project Plan , explain how you will react to changing requirements to meet accelerated development & testing timescales if required	N/A			x 1.25	/ 5
7.3	Within your Project Plan , explain how you would increase production and resource to meet increased testing requirements if required	N/A			x 1.25	/ 5
7.4	Within your Project Plan , identify which of our requirements your proposed solution currently fulfils	TR2643			x 2.00	/ 8
7.5	Within your Project Plan , identify which of our requirements your proposed solution doesn't currently fulfil and explain your approach to developing a solution that can fulfil these identified requirements.	TR2643			x 2.00	/ 8
7.6	Using your submitted Project Plan , demonstrate how you will develop your Technology Readiness Level to meet our requirements	TR2643			x 2.00	/ 8

7.7	Provide a timeline of development required to demonstrate your ability to effectively integrate your solution and systems into HE's systems and processes. Please describe your approach for achieving integration	TR2643				x 2.00	/ 8
	Subtotal						/ 138
	Total Quality Mark						%

TRL	Stage		Description
0	IDEA	Idea	Unproven concept, no testing has been performed
1		Basic Research	You can now describe the need(s) but have no evidence (basic principles observed)
2		Technology Formulation	Concept and application have been formulated
3		Needs Validation	You have an initial 'offering' (experimental proof of concept)
4	PROTOTYPE	Small Scale Prototype	Built in a laboratory environment
5		Large Scale Prototype	Tested in relevant environment
6	VALIDATION	Prototype System	Tested in relevant environment close to expected performance (technology demonstrated)
7		Demonstration System	Operating in operational environment at pre-commercial scale
8	PRODUCTION	First of a kind Commercial System	All technical processes and systems to support commercial activity in ready state (system complete and qualified)
9		Full Commercial Application	Technology on 'general availability' for all consumers (actual system proven in operation environment)

Table 1 – Technology Readiness Levels (TRL), referenced in Question 7.1

Appendix E Scoring Matrices for Lot 1 & 2

	Scoring Matrices	Mark
<p>For the purposes of this table, “Requirements” refers to the content of the relevant question and corresponding reference documentation for the question being scored, and that the response complies with the Tender Submission Instructions set out in 6.4.2.3</p>		
Unacceptable	<p>An unacceptable score will be applied if:</p> <p>The methodology has little or no detail relevant to the Requirements and there is little, or no supporting evidence provided</p>	0
Acceptable	<p>An acceptable score will be applied if:</p> <p>The methodology has a satisfactory level of detail relevant to the Requirements, but is supported by evidence that is lacking in detail in major areas</p>	1
Good	<p>A good score will be applied if:</p> <p>The methodology has a good level of detail relevant to the Requirements, but is supported by evidence lacking detail in minor areas only</p>	2
Very Good	<p>A very good score will be applied if:</p> <p>The response meets the standard for good and both methodology and evidence are fully detailed</p>	3
Excellent	<p>An excellent score will be applied if the response:</p> <p>Meets the standard for very good; and demonstrates capability to deliver a solution that exceeds the expectations outlined within the question</p>	4

Tenderers have to meet both the methodology and evidence criteria requirements to fit into an any category. For example, a methodology submitted may be deemed “Good”, however if the supporting evidence is only suitable for an “Acceptable” scoring, the overall result will remain “Acceptable”

Appendix F Lot 1 Commercial Workbook

D1. The Microsoft Excel 2016 file titled as [SVD-ITT_Lot-1_Commercial-Workbook_Appendix F] is the Lot 1 Commercial Workbook and Appendix F to this ITT. The file is accessible on the e-sourcing portal. This Commercial Workbook includes further instructions and should be completed as part of the Commercial Submission for Lot 1.

Appendix G Lot 2 Commercial Workbook

E1. The Microsoft Excel 2016 file titled as [SVD-ITT_Lot-2_Commercial-Workbook_Appendix G] is the Lot 2 Commercial Workbook and Appendix G to this ITT. The file is accessible on the e-sourcing portal. This Commercial Workbook includes further instructions and should be completed as part of the Commercial Submission for Lot 2.

Appendix H Commercial Scoring Example for Lot 1

G.1 Tables 1 – 7 below provide an example of a theoretical tender assessment for Lot 1. This appendix has been included for demonstration purposes only, so that the Lot 1 tender assessment process can be better understood by the tenderers.

Table 1 – Overall Price and Quality Weightings (as stated in paragraph 7.1.1.)

Criteria	Total Weighting (out of 100)
Quality	80%
Price	20%

Table 2 – Lot 1 Commercial Element Weightings

Commercial Element	Weighting of Commercial Score (out of 100)	Weighting of Total Score
Price List	40	8%
Volume Pricing	60	12%
Total Commercial Score		20%

Table 3 –Price List Commercial Element Assessment – Lot 1

Tender	Total Price (as per completed Price List)	Application of Equation 1	Price List Commercial Element Score
A	£810,900	$40 \times \left(2 - \frac{£810,900}{£742,100} \right)$	36.29
B	£980,900	$40 \times \left(2 - \frac{£980,900}{£742,100} \right)$	27.13
C	£742,100	$40 \times \left(2 - \frac{£742,100}{£742,100} \right)$	40.00

Table 4 – Volume Pricing Element Assessment – Lot 1

Quantity of Units (Band)	Band Weighting	Tender A			Tender B			Tender C		
		Unit Price Tendered	Application of Equation 2	Band Score	Unit Price Tendered	Application of Equation 2	Band Score	Unit Price Tendered	Application of Equation 2	Band Score
18 – 49	20	£1200	$20 \times \left(2 - \frac{£1200}{£1100}\right)$	18.18	£1800	$20 \times \left(2 - \frac{£1800}{£1100}\right)$	7.27	£1100	$20 \times \left(2 - \frac{£1100}{£1100}\right)$	20.00
50 – 99	20	£1100	$20 \times \left(2 - \frac{£1100}{£1100}\right)$	20.00	£1700	$20 \times \left(2 - \frac{£1700}{£1100}\right)$	9.09	£1100	$20 \times \left(2 - \frac{£1100}{£1100}\right)$	20.00
100 – 149	20	£1000	$20 \times \left(2 - \frac{£1000}{£1000}\right)$	20.00	£1600	$20 \times \left(2 - \frac{£1600}{£1000}\right)$	8.00	£1100	$20 \times \left(2 - \frac{£1100}{£1000}\right)$	18.00
150 – 199	10	£900	$10 \times \left(2 - \frac{£900}{£900}\right)$	10	£1500	$10 \times \left(2 - \frac{£1500}{£900}\right)$	3.33	£1100	$10 \times \left(2 - \frac{£1100}{£900}\right)$	7.77
200 – 249	10	£800	$10 \times \left(2 - \frac{£800}{£800}\right)$	10	£1400	$10 \times \left(2 - \frac{£1400}{£800}\right)$	2.50	£1000	$10 \times \left(2 - \frac{£1000}{£800}\right)$	7.50
250 – 299	5	£700	$5 \times \left(2 - \frac{£700}{£700}\right)$	5	£1300	$5 \times \left(2 - \frac{£1300}{£700}\right)$	0.71	£1000	$5 \times \left(2 - \frac{£1000}{£700}\right)$	2.86
≥ 300	5	£600	$5 \times \left(2 - \frac{£600}{£600}\right)$	5	£1200	$5 \times \left(2 - \frac{£1200}{£600}\right)$	0.00	£950	$5 \times \left(2 - \frac{£950}{£600}\right)$	2.01
		Combined Total of Band Scores		88.18	Combined Total of Band Scores		30.9	Combined Total of Band Scores		78.14
Application of Volume Pricing Commercial Element Weighting (60%)		0.6 × 88.18 = 52.91			0.6 × 30.9 = 18.54			0.6 × 78.14 = 46.88		
		Volume Pricing Commercial Element Score for Tender A		52.91	Volume Pricing Commercial Element Score for Tender B		18.54	Volume Pricing Commercial Element Score for Tender C		46.88

Table 5 – Final Commercial Scores – Lot 1

Tender	Price List Commercial Element Score	Volume Purchasing Commercial Element Score	Combined Commercial Element Scores	Application of Lot 1 Commercial Weighting	Final Commercial Score for Lot 1
A	36.29	52.91	89.20	$0.2 \times 89.20 = 17.84$	17.84
B	27.13	18.54	45.67	$0.2 \times 45.67 = 9.13$	9.13
C	40.00	46.88	86.88	$0.2 \times 86.88 = 17.38$	17.38

Table 6 – Quality Question Markings and Final Quality Score for Lot 1

Tender	Sub-Criteria	Questions	Combined Marks Awarded for all Questions within Sub-Criteria	Tender Total Quality Marks	Application of Equation 3	Final Quality Score
A	Health, Safety & Wellbeing	1.1 – 1.2	6	79.5	$80 \times \left(\frac{79.5}{99.0}\right)$	64.24
	Customer & Stakeholders	2.1 – 2.3	7			
	Production	3.1 – 3.6	26			
	Proposed Solution	4.1 – 4.4	18			
	Maintenance and Support	5.1 – 5.4	18			
	Environmental	6.1 – 6.2	4.5			
B	Health, Safety & Wellbeing	1.1 – 1.2	10	99.0	$80 \times \left(\frac{99.0}{99.0}\right)$	80
	Customer & Stakeholders	2.1 – 2.3	8			
	Production	3.1 – 3.6	36			
	Proposed Solution	4.1 – 4.4	20			
	Maintenance and Support	5.1 – 5.4	16			
	Environmental	6.1 – 6.2	9			
C	Health, Safety & Wellbeing	1.1 – 1.2	8	69.5	$80 \times \left(\frac{69.5}{99.0}\right)$	56.16
	Customer & Stakeholders	2.1 – 2.3	12			
	Production	3.1 – 3.6	20			
	Proposed Solution	4.1 – 4.4	15			
	Maintenance and Support	5.1 – 5.4	11			
	Environmental	6.1 – 6.2	3.5			

Table 7 – Final Total Tender Score – Lot 1

Tender	Final Quality Score	Final Commercial Score	Final Total (Combined) Tender Score
A	64.24	17.84	82.08
B	80.00	9.13	89.13
C	56.16	17.38	73.54

Appendix I Illustrative Lot 2 Tender Process

I.1 Tables 1 – 7 below provide an example of a theoretical tender assessment for Lot 2. This example is for demonstration purposes only, so that the Lot 2 tender assessment process can be better understood by the tenderers.

Table 1 – Quality Question Markings and Quality Threshold Tests for Lot 2

Tender	Sub-Criteria	Questions	Combined Marks Awarded for all Questions within Sub-Criteria	Sub-Criteria Quality Mark Threshold	Was Sub-Criteria Threshold Passed? (Y/N)	Reject Tender or Proceed to Commercial Assessment
A	Health, Safety & Wellbeing	1.1 – 1.2	9	4.8	Y	Proceed Tender onto Commercial Assessment
	Customer & Stakeholders	2.1 – 2.3	8	5.6	Y	
	Production	3.1 – 3.3	7	4.8	Y	
	Proposed Solution	4.1 – 4.5	10	7.2	Y	
	Maintenance and Support	5.1 – 5.3	14.5	8.8	Y	
	Environmental	6.1 – 6.2	6	3.2	Y	
	Development	7.1 – 7.7	29.5	20	Y	
B	Health, Safety & Wellbeing	1.1 – 1.2	6	4.8	Y	Proceed Tender onto Commercial Assessment
	Customer & Stakeholders	2.1 – 2.3	8.5	5.6	Y	
	Production	3.1 – 3.3	9	4.8	Y	
	Proposed Solution	4.1 – 4.5	12	7.2	Y	
	Maintenance and Support	5.1 – 5.3	13.25	8.8	Y	
	Environmental	6.1 – 6.2	7	3.2	Y	
	Development	7.1 – 7.7	36	20	Y	
C	Health, Safety & Wellbeing	1.1 – 1.2	3	4.8	N	Reject Tender and do not proceed Tender onto Commercial
	Customer & Stakeholders	2.1 – 2.3	7.5	5.6	Y	
	Production	3.1 – 3.3	7	4.8	Y	
	Proposed Solution	4.1 – 4.5	6	7.2	N	
	Maintenance and Support	5.1 – 5.3	11	8.8	Y	
	Environmental	6.1 – 6.2	4	3.2	Y	
	Development	7.1 – 7.7	25.5	20	Y	

Table 2 – Lot 2 Commercial Element Weightings

Commercial Element	Weighting of Lot 2 Commercial Score	Commercial Score Thresholds
Personnel Rates	50	15
Goods Maximum Margin	25	7.5
Services Maximum Margin	25	7.5
Lot 2 Total Commercial Score	100	30

Table 3 –Goods Maximum Margin Commercial Element Assessment – Lot 2

Tender	Goods Maximum Margin Tendered	Application of Equation 5	Goods Maximum Margin Commercial Element Score	Commercial Element Score Threshold Passed? (Y/N)
A	55%	$25 \times \left(\frac{0.15}{0.55} \right)$	6.81	N
B	15%	$25 \times \left(\frac{0.15}{0.15} \right)$	25.00	Y
C	Tender Rejected for failing to pass Quality Threshold Test – Commercial Submission not considered within Commercial Assessment.			

Table 4 – Services Maximum Margin Commercial Element Assessment – Lot 2

Tender	Services Maximum Margin Tendered	Application of Equation 5	Services Maximum Margin Commercial Element Score	Commercial Element Score Threshold Passed? (Y/N)
A	35%	$25 \times \left(\frac{0.15}{0.10} \right)$	10.71	Y
B	15%	$25 \times \left(\frac{0.10}{0.10} \right)$	25.00	Y
C	Tender Rejected for failing to pass Quality Threshold Test – Commercial Submission not considered within Commercial Assessment.			

Table 5 – Personnel Rates Commercial Element Assessment – Lot 2 (Please note the below is only an extract of the SFIA 7 Personnel Rate Card and does not include all the SFIA 7 sub-categories/levels that require pricing as per the Lot 2 Commercial Workbook (Appendix XX).

Tender	Category	Sub-Category	SFIA 7 Levels of Responsibility							Total Combined Value of Personnel Rates
			1. Follow	2. Assist	3. Apply	4. Enable	5. Ensure, Advise	6. Initiate and Influence	7. Set strategy, inspire and mobile	
A	C – Development and Implementation	C1 – Systems development	£120	£150	£180	£250	£350	£500	£800	£5260
		C2 – User Experience		£140	£170	£220	£300	£400		
		C3 – Installation and integration	£120	£150	£200	£280	£380	£550		
B	C – Development and Implementation	C1 – Systems development	£150	£200	£250	£300	£500	£800	£1200	£8150
		C2 – User Experience		£200	£250	£300	£500	£800		
		C3 – Installation and integration	£200	£300	£400	£500	£600	£700		
C	Rejected for failing to pass Quality Threshold Test – Commercial Submission not considered within Commercial Assessment.									

Table 6 – Personnel Rates Commercial Element Assessment (Converting Combined Rates into a Commercial Element Score) – Lot 2

Tender	Total Combined Value of Personnel Rates	Application of Equation 4	Personnel Rates Commercial Element Score	Commercial Element Score Threshold Passed? (Y/N)
A	£5260	$50 \times \left(2 - \frac{£5260}{£5260}\right)$	50.00	Y
B	£8150	$50 \times \left(2 - \frac{£8150}{£5260}\right)$	22.53	Y
C	Rejected for failing to pass Quality Threshold Test – Commercial Submission not considered within Commercial Assessment.			

Table 7 – Summary of Score Threshold Assessments – Lot 2

Tender	Quality Sub-Criteria Mark Thresholds Passed? (Y/N)	Goods Maximum Margin Commercial Element Score – Threshold Passed? (Y/N)	Services Maximum Margin Commercial Element Score – Threshold Passed? (Y/N)	Personnel Rates Commercial Element Score – Threshold Passed? (Y/N)	Accept or Reject Tender for Lot 2
A	Y	N	Y	Y	Reject Tender
B	Y	Y	Y	Y	Accept Tender
C	N	Commercial Submission not evaluated			Reject Tender

Appendix J Clarification Query Template

ID	Document reference	Query	Date submitted

Appendix K Commercially Sensitive Information Template

Commercially sensitive items ¹	Rationale	Duration of confidentiality

¹E.g. document, paragraph reference

Appendix L Conflict of Interest Declaration Template

Please explain the conflict of interest or potential conflict of interest	
Please explain measures you will put in place to mitigate or remove the conflict of interest	

Appendix M Insurance Response Template

Class of insurance	Insurer(s) identity (including any excess layer insurers)	Schedule 9 of the Framework Agreement Annex 1 (Insurance Requirements) proposed maximum deductible threshold
Third Party Public & Products Liability Insurance		
Professional Indemnity Insurance		
Employers Liability Insurance		
Motor Vehicle Third Party Liability Insurance		
Other (Please Specify) []		