



Invitation to Quote

Questions

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

**Subject UK SBS Labour Market Enforcement Scale and Nature of
Non-compliance Scoping Paper**

Sourcing reference number UK SBS CR18097

Section 6 – Evaluation questionnaire

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

Guidance on completion of the questionnaire is available at
<http://www.ukpbs.co.uk/services/procure/Pages/supplier.aspx>

PLEASE NOTE THE QUESTIONS ARE NOT NUMBERED SEQUENTIALLY

COMMERCIAL QUESTIONNAIRE

SEL1.1	Please state the full legal name and address and contact details of the organisation tendering (or organisation acting as lead contact where a consortium bid is being submitted).																								
Bidder guidance	The information should be based on the details of the organisation bidding (or organisation acting as lead contact where a consortium bid is being submitted). This is the legal entity with whom we will Contract if successful.																								
Scoring criteria	For information only																								
Bidder response	<table border="1"> <tr> <td colspan="2">Table</td></tr> <tr> <td>Bidders full legal name</td><td></td></tr> <tr> <td>Address line 1</td><td></td></tr> <tr> <td>Address line 2</td><td></td></tr> <tr> <td>Address line 3</td><td></td></tr> <tr> <td>Address line 4</td><td></td></tr> <tr> <td>Town / City</td><td></td></tr> <tr> <td>Country</td><td></td></tr> <tr> <td>Post code (or equivalent)</td><td></td></tr> <tr> <td>Bidder contact</td><td></td></tr> <tr> <td>Telephone No.</td><td></td></tr> <tr> <td>Email</td><td></td></tr> </table>	Table		Bidders full legal name		Address line 1		Address line 2		Address line 3		Address line 4		Town / City		Country		Post code (or equivalent)		Bidder contact		Telephone No.		Email	
Table																									
Bidders full legal name																									
Address line 1																									
Address line 2																									
Address line 3																									
Address line 4																									
Town / City																									
Country																									
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Bidder contact																									
Telephone No.																									
Email																									

SEL1.2	In the last three years, has any finding of unlawful discrimination been made against your organisation by an Employment Tribunal, an Employment Appeal Tribunal or any other court (or in comparable proceedings in any jurisdiction other than the UK)? And/or; In the last three years, has your organisation had a complaint upheld following an investigation by the Equality and Human Rights Commission or its predecessors (or a comparable body in any jurisdiction other than the UK), on grounds of alleged unlawful discrimination?
Bidder guidance	The Bidder shall answer Yes or No Yes – Fail No – Pass *If you have answered “yes” please provide, as an attachment to this question, a summary of the nature of the investigation and an explanation of the outcome of the investigation to date. If the investigation upheld the complaint against your organisation, please use the attachment to explain what action (if any) you have taken to prevent unlawful discrimination from reoccurring. You may be excluded if you are unable to demonstrate to the Contracting Authority’s satisfaction that appropriate remedial action has been taken to prevent similar unlawful discrimination reoccurring.
Scoring Criteria	Mandatory Pass / Fail
Bidder response	Yes / No

SEL3.11	If you are Commercial organisation with a minimum financial turnover of £36M, please confirm that you are compliant with Section 54 of the Modern Slavery Act 2015.
Bidder guidance	The Bidder shall choose from the following options; A. N/A – our turnover is less than £36M B. Yes – information attached C. No (with justification) – we are not compliant but will be prior to commencement of a contract D. No – we are not and will not be compliant at the time of award of the contract
Scoring Criteria	Mandatory Pass/ Fail
Bidder response	Selection

SEL3.12	Cyber Essentials is mandatory for central government contracts advertised after 1 October 2014 which involve handling personal information and providing certain ICT products and services. It is mandatory for bidders to demonstrate that they meet the technical requirements prescribed by Cyber Essentials for those contracts featuring any of the characteristics set out below in bidders' guidance. Cyber Essentials is for all organisations, of all sizes, and in all sectors. This is not limited to companies in the private sector, but is also applicable to universities, charities, and public sector organisations. Further details are available at: https://www.cyberstreetwise.com/cyberessentials/
Bidder guidance	Any of the following characteristics will necessitate the mandatory requirement for bidders to have an up to date Cyber Essentials Certificate: i) Where personal information of citizens, such as home addresses, bank details, or payment information is handled by a supplier. ii) Where personal information of Government employees, Ministers and Special Advisors such as payroll, travel booking or expenses information is handled by a supplier. iii) Where ICT systems and services are supplied which are designed to store, or process, data at the OFFICIAL level of the Government Protective Marking scheme. Bidders can answer Yes – the Cyber Essential Certificate is currently in place

	No – the Cyber Essential Certificate is not in place and we have no intention of having it in place for commencement of the contract Intend – the Cyber Essential Certificate is not in place and we intend to have it in place for commencement of the contract. A response of 'Yes' or 'Intend' will result in a pass and a response of 'No' will result in a fail against this question.
Scoring criteria	Mandatory Pass / Fail
Bidder response	Drop down menu – Yes / No/Intend

SEL3.13	General Data Protection Regulations (GDPR) The GDPR is mandatory requirement for all contracts or agreements both in the contracting authority and the private sectors that involves the transfer and processing of personal data and comes into force on the 25th May 2018. It is mandatory for bidders to demonstrate that they will be able to meet the technical requirements and obligations prescribed by the GDPR, even if the contract or agreement is concluded prior to it coming into force, so as the contract is future proofed and complies with all aspects with the GDPR, this is mutually beneficial to both parties and saves the Contracting Authority and the bidder the additional burden of amending the contract or agreement once the GDPR comes into force. All contracts or agreements that are awarded by the Contracting Authority (the data controller) shall contain terms and conditions that oblige the successful bidder and any bidder supply chain (data processor) to comply with the GDPR and indemnify the Contracting Authority (data controller). Further information and guidance relating to the GDPR is available from the Information Commissioners Office (ICO) at: https://ico.org.uk/
Bidder guidance	Bidders can answer

	Yes – We will are able to demonstrate compliance as is required by the GDPR now No – We will not be compliant prior to any award and we have no intention of being compliant Intend – We are not compliant with the GDPR but we confirm that we will be compliant prior to commencement of the contract. A response of 'Yes' or 'Intend' will result in a pass and a response of 'No' will result in a fail against this question.
Scoring criteria	Mandatory Pass / Fail
Bidder response	Drop down menu – Yes / No / Intend

FOI1.1	FREEDOM OF INFORMATION ACT 2000 (FOI) AND / OR ENVIRONMENTAL INFORMATION REGULATIONS 2004 (EIR) Information provided in the course of the procurement process may be disclosed under Freedom of Information Act 2000 or Environmental Information Regulations 2004 if requested under an FOI request or EIR request. Please note that some of the information provided may be protected under the FOI Act exemptions and EIR Exceptions. More information on applying the exemptions or exceptions can be found under the Information Commissioners Office (ICO) website http://ico.org.uk Please confirm you have been informed that information provided under this Bid may be disclosed under the FOI Act 2000 and Environmental Information Regulations 2004 and agree to it being published irrespective of submitting a successful or unsuccessful Bid.
Bidder guidance	The Bidder shall answer Yes or No Yes – Pass No – Fail
Scoring criteria	Mandatory Pass / Fail
Bidder response	Yes / No

FOI1.2	FREEDOM OF INFORMATION ACT 2000 (FOI) AND / OR ENVIRONMENTAL INFORMATION REGULATIONS 2004 (EIR) EXEMPTIONS Please complete this section <u>only</u> if you have agreed for your information to be disclosed under the FOI Act or EIR in Question FOI1.1. If you have not agreed to your information to be disclosed under the FOI Act or EIR in Question FOI1.1 please complete a field 'N/A' (Not
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	applicable) If you have agreed for your information to be disclosed under the FOI Act or EIR in Question FOI1.1 please tell us what exemptions or exceptions may apply to your information and why? If you are not relying on any exemptions or exceptions please complete each field 'N/A' (Not applicable)	
Bidder guidance	The Bidder shall provide details of their proposed exemptions/exception in the table below. The Bidder (irrespective of submitting a successful or unsuccessful Bid) shall note that if the Contracting Authority believes that the suggested Exemptions or Exceptions have not been applied properly as per the Act or Regulation, the Contracting Authority will disclose the requested information unless another exemption or exception can be applied by the Contracting Authority. Be aware that by completing FOI1.1 and answering 'Yes' you have agreed for UK SBS to disclose the provided information under the Freedom of Information Act 2000 or Environmental Information Regulation 2004, therefore you will not be approached for consent.	
Scoring criteria	For information only	
Bidder response	Confidential Information	Justification for exemption/exception under FOI Act
	Commercially sensitive information	Justification for exemption/exception under FOI Act

AW1.1	FORM OF BID I declare that to the best of my knowledge the answers submitted in this ITQ are correct. I understand that the information will be used in the process to assess my organisation's suitability to be invited to bid for the Contracting Authority's requirement and I am signing on behalf of my organisation. I understand that the Contracting Authority may reject this ITQ if there is a failure to answer all relevant questions fully or if I provide false/misleading information. I understand that the Government's transparency agenda requires that sourcing documents, including ITQ templates such as this, are published on a designated, publicly searchable web site, and, that the same applies to other sourcing documents issued by the Contracting Authority, including the ITQ, and any contract entered into by the Contracting Authority or its customers with its preferred supplier once the procurement is complete. By submitting a response to this ITQ I agree that our participation may be made public. I understand that the answers given in this response will not be published on the web site (but may fall to be disclosed under Freedom of Information Act 2000 or Environmental Information Regulations 2004). By submitting a response to this ITQ I agree and accept the justification for the Contracting Authority's evaluation criteria.
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	By submitting a response to this ITQ I agree and accept that the Contracting Authority reserves the right to change without notice the procedure for awarding the Contract, to reject any or all bids for the Contract, to stop the process and not award the Contract (in whole or in part) at any time without any liability on its part. By submitting a response to this ITQ I agree and accept that nothing in this process is intended to form any express or implied contractual relationship between the Parties unless and until a Contract is awarded. The Contracting Authority is not liable for any costs resulting from cancellation of this process nor any costs incurred by Bidders taking part in this procurement process. I understand that where sourcing documents issued by the Contracting Authority or contracts with its suppliers fall to be disclosed the Contracting Authority will redact them as it thinks necessary, having regard (inter alia) to the exemptions/exceptions in the FOIA or EIR.
Bidder guidance	The Bidder shall answer Yes or No Yes – Pass No – Fail
Scoring criteria	Mandatory Pass / Fail
Bidder response	Yes / No

AW1.3	CERTIFICATE OF BONA FIDE BID The essence of procurement is that the customer shall receive bona fide competitive Bids, from all those Bidding. In recognition of this principle, we certify that this is a bona fide bid, intended to be competitive and that we have not fixed or adjusted the amount of bid by or under or in accordance with any agreement with any other person. We also certify that we have not done and we undertake that we will not do at any time before the hour and date specified for the return of this bid any of the following: (a) Communicate to a person other than the person calling for these bids the amount or approximate amount of the proposed bid, except where the disclosure, in confidence, of the approximate amount of the bid was necessary to obtain insurance premium quotations for the preparation of the bid; (b) Enter into any agreement or arrangement with any other person that he shall refrain from bidding or as to the amount of any bid to be submitted; (c) Offer to pay or agree to pay or give any sum of money or valuable consideration directly or indirectly to any person for doing or having done or causing or have caused to be done in relation to any other bid or proposed bid for the said supply / service any act or thing of the sort described above. In this certificate, the word "person" includes any persons and any body or association, corporate or unincorporated, and any "agreement or arrangement" includes any such transaction, formal or informal, and whether legally binding or not. We acknowledge that the Contracting Authority will be entitled to cancel the contract and to recover from us the amount of any loss resulting from such cancellation if we or our representatives (whether with our without our knowledge) shall have practiced collusion in Bidding for this contract or any other contract with the Contracting Authority or shall employ any corrupt or illegal practices either in the obtaining or execution of this contract or any other contract with the Contracting Authority. We agree that the Contracting Authority may disclose the Bidders information/documentation (submitted to the Contracting Authority during this Procurement) more widely within Government for the purpose of ensuring effective cross-Government procurement processes, including value for money and related purposes.
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Bidder guidance	The Bidder shall answer Yes or No Yes – Pass No – Fail
Scoring criteria	Mandatory Pass / Fail
Bidder response	Yes / No

AW3.1	In the event of a Bidder successfully providing the most advantageous offer to the Contracting Authority against a procurement requirement, the Bidder is expected to provide an answer to the attached questions as a validation check prior to the award of any Contract. If the Bidder fails to meet the Contracting Authority's expectations we reserve the right to not award the Contract to the relevant Bidder and either award to the Bidder with the second most advantageous response or run a new procurement.
Bidder guidance	The Bidder is not required to complete the validation check at this stage but will be required to respond to the questions in the event of providing the most advantageous offer to the Contracting Authority's against a procurement requirement. Yes – Pass No – Fail
Scoring criteria	Mandatory Pass / Fail
Bidder response	Yes I have understood that I need to complete the validation check in the event of providing the most advantageous offer to the Contracting Authority against a procurement requirement.

AW4.1	Please confirm your acceptance of the attached Contract Terms.  CR18097 S1 Final.pdf
Bidder guidance	The Bidder shall answer Yes, No with justification or No Yes – Pass No with justification – Pass. See question AW4.2 for details of what amounts to a valid justification. No – Fail
Scoring criteria	Mandatory Pass / Fail
Bidder response	Drop down menu - Yes, No with justification, No

AW4.2	Where a Bidder has answered question AW4.1 with 'no with justification' they must detail the justification and the proposed change to the clause.
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Bidder guidance	A justification for not accepting a specific clause or series of clauses from the attached Contract Terms is that the Bidder would be in breach of legal requirements or statutory regulations by complying with that clause or series of clauses (i.e. for the avoidance of doubt, being unable to comply with a clause or series of clauses because of an internal policy reason will not be considered to be a justification for a legal requirement or statutory regulation). Where the Bidder has answered question AW4.1 as "no with justification", the Bidder shall provide a Contract mark-up utilising track changes detailing the relevant clause, the proposed changes to the clause and the justification for the changes. In this case, the Bidder shall score a pass if (but only if) the Contracting Authority considers both the following requirements are satisfied: • the reasons stated as justifying the Bidder's statement that it cannot accept the Contract Terms due to legal requirements or statutory regulations are valid; and • the changes submitted do not create significant risk for the Contracting Authority and are reasonably necessary and proportionate to ensure the Bidder complies with the legal requirements and statutory regulations. Where a Bidder has answered Question AW4.1 with 'Yes' or 'No' it must answer 'not applicable' to achieve a Pass to question AW4.2 (noting that an answer of 'No' to question AW4.1 has already resulted in a fail). In the event of a Bidder answering Yes or No to Question AW4.1 and then providing a proposed mark up, rejection of a clause or a justification for a change then the response will be a Fail.
Scoring criteria	Mandatory Pass / Fail
Bidder response	Drop down menu 'N/A' 'I have answered AW4.1 'No with justification' and attach modifications / requested / justification'.

PRICE QUESTIONNAIRE

AW5.2	Bidders are required to complete the Excel Pricing Schedule attached in the Bidder Response section. All prices shall be exclusive of VAT. All costs appearing elsewhere in the Bid but not mentioned in this Pricing Schedule shall be presumed waived.  CR18097 - AW5.2 Price Schedule .xlsx																								
Bidder guidance	Bidders shall confirm they have completed the Pricing Schedule. The scoring methodology for this question shall be: The lowest price for a response which meets the pass criteria shall score 100. All other bids shall be scored on a pro rata basis in relation to the lowest price. The score is then subject to a multiplier to reflect the percentage value of the price criterion. Where the scoring criterion is worth 50% then the 0-100 score achieved will be multiplied by 50 In the example if a supplier scores 80 from the available 100 points this will equate to 40% by using the following calculation: Score/Total Points multiplied by 50 (80/100 x 50 = 40) The lowest score possible is 0 even if the price submitted is more than 100% greater than the lowest price. The lowest price for a response which meets the pass criteria shall score 100. All other bids shall be scored on a pro rata basis in relation to the lowest price. The lowest score possible is 0. For example, assuming the lowest bid is £100,000. <table><tr><th>Bid Price</th><th>Differential to the lowest price which meets the mandatory pass criteria</th><th>Score</th></tr><tr><td>£100,000</td><td>0</td><td>100</td></tr><tr><td>£120,000</td><td>20%</td><td>80</td></tr><tr><td>£140,000</td><td>40%</td><td>60</td></tr><tr><td>£150,000</td><td>50%</td><td>50</td></tr><tr><td>£175,000</td><td>75%</td><td>25</td></tr><tr><td>£200,000</td><td>100%</td><td>0</td></tr><tr><td>£300,000</td><td>200%</td><td>0</td></tr></table>	Bid Price	Differential to the lowest price which meets the mandatory pass criteria	Score	£100,000	0	100	£120,000	20%	80	£140,000	40%	60	£150,000	50%	50	£175,000	75%	25	£200,000	100%	0	£300,000	200%	0
Bid Price	Differential to the lowest price which meets the mandatory pass criteria	Score																							
£100,000	0	100																							
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£150,000	50%	50																							
£175,000	75%	25																							
£200,000	100%	0																							
£300,000	200%	0																							
Scoring criteria	Maximum Marks 20%																								
Bidder response	Yes																								

QUALITY QUESTIONNAIRE

AW6.1	Please confirm your compliance to the requirements of Section 4 Specification
Bidder guidance	The Bidder shall answer Yes or No Yes – Pass No – Fail
Scoring criteria	Mandatory Pass / Fail
Bidder response	Yes / No

PROJ1.1	<u>Understanding</u> Bidders are asked to demonstrate sufficient understanding of the issues to answer the research questions
Bidder guidance	As a minimum your response should include: • Interpretation of the project and what is required • How the bidder will ensure the successful delivery of this project within the working environment An attachment is allowed for this question This question is limited to 5 sides of A4. Any additional content provided beyond this will not be considered or scored during the evaluation process. Responses should be submitted in Font Arial 11pt using single line spacing. Please use the Normal margin setting 2.54cm.
Scoring criteria	Scoring shall be based on 0-100 scoring methodology. Maximum Mark: 20%
Bidder response	Yes, I have attached my answer as a pdf.

PROJ1.2	<u>Approach</u> Bidders are asked to give a detailed description of the methods to be used in undertaking the scoping study, indicating the resources that will be utilised, outlining a clear justification as to why your chosen methodology will provide the best outcome.
Bidder guidance	While bidders are invited to propose in detail the specific approach that will be used to address the research questions, the final proposal should

	include: • an introduction that explains the purpose of the research; • a literature review that considers existing evidence, methods, and frameworks applicable to the labour market enforcement landscape, both in the UK and internationally; and • a section that describes in detail how the proposed methodology will be able to effectively answer the primary research question and subsidiary issues set out above. An attachment is allowed for this question This question is limited to 5 sides of A4. Any additional content provided beyond this will not be considered or scored during the evaluation process. Responses should be submitted in Font Arial 11pt using single line spacing. Please use the Normal margin setting 2.54cm.
Scoring criteria	Scoring shall be based on 0-100 scoring methodology. Maximum Mark: 30%
Bidder response	Yes, I have attached my answer as a pdf.

PROJ1.3	<u>Ability to deliver</u> Bidders are asked to demonstrate their ability to deliver a project of value to the Director of Labour Market Enforcement. To do so, bidders must provide details of their project plan, including timescales, risks, and resources that would ensure the successful delivery of this project.
Bidder guidance	As a minimum your response should cover: • A detailed timetable for carrying out the work based on the proposed approach and method; • Timeline of key milestones and deadlines, including suggested meetings and progress reports; • Note of all key risks that could affect the delivery of the specified outputs, including their respective likelihood and impact. Should also suggest possible mitigations for identified risks; • Details of the staff involved in the research team and of how that team shall be managed. To assess the suitability of the research team, bidders must demonstrate that the project team has relevant skills in undertaking research in this area. An attachment is allowed for this question This question is limited to 5 sides of A4. Any additional content provided beyond this will not be considered or scored during the evaluation process. Responses should be submitted in Font Arial 11pt using single line spacing. Please use the Normal margin setting 2.54cm.
Scoring criteria	Scoring shall be based on 0-100 scoring methodology. Maximum Mark: 30%
Bidder response	Yes, I have attached my answer as a pdf.

PROJ1.4	<u>Cabiility of Staff</u> Please provide a Curriculum Vitae for each of the key members of the project team as a pdf document. Please confirm you have provided CV's of all the key members of the project team as a pdf document.
Bidder guidance	Bidders should attach their answer as a pdf to this question. This question will be for information only. The Bidder shall make a declaration that they have provided the requested information in the form and content as required.
Scoring criteria	For Information Only
Bidder response	I confirm I have uploaded my response as a pdf document.