

***Assuring value, building confidence***

Invitation to Tender

Online legal resources

## Introduction

* + 1. The Single Source Regulations Office (“**SSRO**”) invites proposals for the provision of the services described in the specification at section 3 of this document (the Invitation to Tender or “**ITT**”).
		2. In order to bid for this contract you are required to submit a tender explaining how you will meet the requirements described in the specification. Your tender must contain the information specified in section 4 of this ITT.
		3. The SSRO will evaluate tenders fairly against the evaluation criteria set out in section 5 of this ITT.

## Instructions to firms submitting a Tender

* + 1. Please read the instructions on the tendering procedures carefully. Failure to comply with the instructions or to return any of the required documents or information may invalidate your tender.

### Timetable

* + 1. The tender timetable is as follows:

| **Event** | **Date** |
| --- | --- |
| Tender documents issued | 12 September 2016 |
| Deadline for receipt of clarification questions | 16 September 2016 |
| SSRO response to supplier questions | 19 September 2016 |
| Tender return deadline | 23 September 2016 |
| Notification of decision | 30 September 2016 |
| Commencement | 15 October 2016 |

* + 1. This is an indicative timetable and may be subject to change. Candidates will be notified if there are any delays to the timetable for evaluation of tenders.

### Content and amendments

* + 1. The information contained in this ITT and the supporting documents and in any related written or oral communication is believed to be correct at the time of issue but the SSRO will not accept any liability for its accuracy, adequacy or completeness and no warranty is given as such. This exclusion does not extend to any fraudulent misrepresentation made by or on behalf of the SSRO.
		2. The SSRO reserves the right to amend the ITT at any time prior to the deadline for receipt of tenders. Where amendments are significant, the SSRO may at its discretion extend the deadline for receipt of tenders.

### Questions about this ITT

* + 1. It is the responsibility of tenderers to obtain at their own expense all additional information necessary for the preparation of their response to this ITT. No claims of insufficient knowledge will be entertained.
		2. You may submit any queries you have relating to this ITT by no later than the date and time specified in the timetable at paragraph 2.2 above.
		3. Please submit such queries by email to the SSRO at: tenders@ssro.gov.uk
		4. Any specific queries should clearly reference the appropriate paragraph in the documentation and, to the extent possible, should be aggregated rather than sent individually.
		5. The SSRO will respond to reasonable requests for clarification of this ITT and supporting documents, provided they are received before the above deadline. No queries received after the above deadline will be answered.
		6. Clarifications provided by the SSRO will be circulated to all tenderers on or before 17:00 hrs on the date specified in the timetable at paragraph 2.2 above. All questions and their answers will be circulated to all bidders (without revealing the identity of the individual bidder that put forward a particular question).

### Instructions for return of tenders

* + 1. Please return your tender by email to the SSRO at: tenders@ssro.gov.uk.
		2. The title of your email must be “Online Legal Resources”. Any documents required to be submitted with your tender should be provided as attachments to your email.
		3. Your tender must be returned by the date and time specified in the timetable at paragraph 2.2 above. Any tender received after this date and time will not be considered. Tenders received before the due date will be retained unopened until after the deadline for submission.
		4. It is your responsibility to ensure that your tender is delivered not later than the appointed time. The SSRO accepts no liability whatsoever for bids that are not processed due to internet connectivity issues, transmission delays or errors.
		5. Bidders are advised to retain for themselves details of their submission. The SSRO reserves the right to make a charge to subsequently provide a copy of a submitted tender.

### Transparency

* + 1. The Freedom of Information Act 2000 (“FOIA”) and the Environmental Information Regulations 2004 (“EIR”) apply to the SSRO. You should be aware of the SSRO’s obligations and responsibilities under FOIA or EIR to disclose, on written request, recorded information held by the SSRO. Information provided by you in connection with this procurement exercise, or with any contract that may be awarded as a result of this exercise, may therefore have to be disclosed by the SSRO, unless the SSRO decides that one of the statutory exemptions under the FOIA or the exceptions in the EIR applies.
		2. If you wish to designate information supplied as part of this response as confidential, or if you believe that its disclosure would be prejudicial to any person’s commercial interests, you must provide clear and specific detail as to the precise information involved. Such designation alone may not prevent disclosure if in the SSRO’s reasonable opinion publication is required by applicable legislation or policy or where disclosure is required by the Information Commissioner or the First-tier Tribunal (Information Rights).
		3. Additionally, for reasons of transparency the SSRO may publish its tender documents (including ITTs such as this) on a publicly searchable web site. The same applies to any contract entered into by SSRO once the procurement is complete. By submitting a tender you agree that your participation in this procurement may be made public. The answers you give in this response will not be published but may fall to be disclosed under FOIA or EIR. Where tender documents issued by the SSRO or contracts with its suppliers are disclosed, the SSRO will redact them as it thinks necessary and in doing so will have regard to the exemptions in the FOIA or EIR.

### Conduct of bidders

* + 1. Offering an inducement of any kind in relation to obtaining this or any other contract with SSRO will disqualify your tender from being considered and may constitute a criminal offence.
		2. You must not:
			- 1. tell anyone else what your tender price is or will be, before the time limit for delivery of tenders;
				2. try to obtain any information about anyone else's tender or proposed tender before the time limit for delivery of tenders; or
				3. make any arrangements with another organisation about whether or not they should tender, or about their or your tender price.
		3. Should it be determined that any bidder has been communicating with any other bidder, the SSRO may, acting reasonably, disqualify both bidders.
		4. The SSRO will investigate tenders where the price appears to be abnormally low. If the bidder cannot provide substantial reasons for the low prices then the SSRO may disqualify the bidder.
		5. You should not withdraw a tender after it has been opened. If you do so, and the SSRO is not satisfied with the reasons for withdrawal, then the SSRO may refuse to accept future tenders from you.
		6. If the SSRO disqualifies a bidder from this procurement, it will also consider whether to exclude the bidder from subsequent procurement exercises.

### Conflicts of interest

* + 1. The SSRO requires that bidders notify immediately should there be any risk of a conflict of Interest. Any bidder failing to notify a conflict that is later identified will be disqualified.

### Acceptance of tenders

* + 1. The SSRO reserves the right to discontinue this procurement at any time or not to select a supplier and does not bind itself to accept the lowest or any tender.
		2. Bidders are advised that a contract between the SSRO and the successful bidder will come into existence upon acceptance in writing of the successful tender by the SSRO’s Head of Legal.
		3. No other purported method of acceptance (e.g. telephone call) or any action by the bidder (e.g. commencement) shall be binding upon the SSRO or have any contractual effect.
		4. Nothing contained in this ITT shall constitute an agreement. Receipt by the bidder of this ITT does not imply the existence of a contract or commitment by or with SSRO for any purpose and bidders should note that the ITT may not result in the award of any business.

### Bid costs

* + 1. Tenders are to be prepared and submitted at the cost of the bidder. The SSRO will not be liable for any costs incurred by the bidder in the preparation and submission of a tender.

## Specification

* + 1. The SSRO is seeking web-based access to legal resources (together referred to as the Service), including the following –
* Up to date legislation and statutory instruments and linked case law references and commentary
* Comprehensive databases of UK and EU case law
* Encyclopaedias, commentary, journals and practice guides in the following areas:

Procurement and contracts;

Administrative and public law;

Civil procedure, including Judicial Review;

Access to information, particularly: freedom of information, data protection and official secrets; and

Employment law, and

* Precedent documents in the above areas
	+ 1. The Service should meet the following requirements:
* resources updated promptly to reflect developments in the law;
* resources available 24 hours a day, 7 days a week, 365 a year, subject to a minimum level of disruption which the bidder should specify in the tender.
	+ 1. The Service should be available for up to two people.

## Contractor’s Proposal

* + 1. A tender must include the following:
			- 1. Price for 1 user for 1 year, 2 years or 3 years and variant prices for 2 users for 1 year, 2 years or 3 years;
				2. Statement of the bidder’s Service offer and how it will meet the specification;
				3. Without limiting (b), the tender should clearly indicate the resources which will be included as part of the Service;
				4. Proposed terms and conditions.
		2. Tenders which omit any of the required information may not be considered.
		3. Additional pre-existing material may be provided, if this assists understanding of the tender.

### Validity of tenders

* + 1. Tenders should state that they remain open for acceptance for 30 days from the closing date for receipt of tenders. If this statement is not included, or you state that your proposal is valid for a shorter period, then it may be rejected by the SSRO as failing to meet the ITT conditions.

## Evaluation

* + 1. The Contract Award will be based on the most advantageous tender meeting the SSRO’s business needs. Tenders will be scored on the basis of price and quality, with the division between these being as follows: Price 50%; and Quality 50%.
		2. In relation to quality, tenders will be evaluated by attaching a score to:
			- 1. the quality of the proposal overall having regard to the requirements of the specification;
				2. the extent to which the Service offer meets the SSRO’s needs in respect of each of the matters in paragraph 3.1 above;
				3. any additional resources included in the Service offer; and
				4. suitability of the supplier’s terms and conditions.
		3. Quality scores will be awarded between 0 and 5, with an indication of how the scores will be assigned as follows:

0 = Unacceptable

1 = Unsatisfactory – well below requirement

2 = Weak - below requirement

3 = Satisfactory – meets requirement with low levels of assurance

4 = Good – meets the requirement with moderate levels of assurance

1. = Outstanding – meets the requirement with high levels of assurance
	* 1. A total quality score will be aggregated based on the assigned scores. A ranked score out of 50 will be assigned to each Bidder based on a comparison of the aggregated quality scores.
		2. The SSRO will score the price of each tender out of 50 based on the relative difference between the bidders. The score will be based on the price for a single user for a one-year contract. However, if it appears from the responses that there is a material advantage to the SSRO in taking a contract for one of the variant options (e.g. 2 users for 3 years), then the SSRO will base the price score on the price for that option.
		3. The scores for quality and price will be added together to arrive at a total score.
		4. Any tender which in the reasonable opinion of the officers conducting the evaluation is fundamentally unacceptable on any key point, regardless of its other merits, may be rejected by the SSRO at its discretion.