

**INVITATION TO TENDER**

**&**

**STATEMENT OF REQUIREMENT**

**Procurement of a supplier of recruitment resource to introduce Railway Safety Specialist Staff for the Office of Rail and Road**

**CPV Code: 79600000**

**Tender Reference: ORR/CT/20-42**

**Purpose of document**

The purpose of this document is to invite proposals for the supply of specialist Railway Safety staff into the Office of Rail and Road.

This document contains the following sections:

1. Introduction to the Office of Rail and Road

2. Statement of Requirement

3. Tender Proposal & Evaluation Criteria

4. Procurement Procedures

**1. Introduction to the Office of Rail and Road (ORR)**

The Office of Rail and Road is the independent safety and economic regulator of Britain’s railways who now also hold Highways England to account for its day-to-day efficiency and performance, running the strategic road network, and for delivering the five year road investment strategy set by the Department for Transport (DfT).

ORR currently employs approximately 300 personnel and operates from 6 locations nationwide. The majority of personnel are located at ORR’s headquarters, One Kemble Street, London.

Our strategic objectives

1. **Drive for a safer railway:**Enforce the law and ensure that the industry delivers continuous improvement in the health and safety of passengers, the workforce and public, by achieving excellence in health and safety culture, management and risk control.
2. **Support a better service for customers:**Use our powers to hold the industry to account for performance and standards of service across the railway network, for passengers and freight. Promote fair competition and the on-going improvement in the experience of users, including through the provision of accurate and timely information.
3. **Secure value for money from the railway, for users and funders:** Strengthen incentives for the whole industry, including through competition and contestability in the supply chain, to drive greater efficiency from the use and maintenance of existing railway capacity and more cost-effective investment in the network.
4. **Secure improved performance and value for money from the strategic road network:**Secure improved performance, including efficiency, safety and sustainability, from the strategic road network, for the benefit of road users and the public, through proportionate, risk-based monitoring, increased transparency, enforcement and robust advice on future performance requirements

Supplying ORR

The ORR procurement unit is responsible for purchasing the goods and services necessary for ORR to achieve its role as the economic and health & safety regulator of the rail industry.

The ORR Procurement unit subscribes to the following values:

* to provide a modern, efficient, transparent and responsible procurement service;
* to achieve value for money by balancing quality and cost;
* to ensure contracts are managed effectively and outputs are delivered;
* to ensure that processes have regard for equality and diversity; and
* to ensure that procurement is undertaken with regard to Law and best practice.

For further information on ORR please visit our website: [www.orr.gov.uk](http://www.orr.gov.uk)

Small and Medium Enterprises

ORR considers that this contract may be suitable for economic operators that are small or medium enterprises (SMEs) and voluntary organisations. However, any selection of tenderers will be based on the criteria set out for the procurement, and the contract will be awarded on the basis of the most economically advantageous tender.

Small and Medium Enterprises and Voluntary Organisations:

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| --- | --- | --- | --- | --- | --- |
| **Enterprise Category** | **Headcount** | **Turnover** | **or** | | **Balance Sheet Total** |
| **Micro** | **<10** | **≤ € 2 million** | | **≤ € 2 million** | |
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| **Small** | **<50** | **≤ € 10 million** | | **≤ € 10 million** | |
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| **Medium** | **<250** | **≤ € 50 million** | | **≤ € 43 million** | |
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| **Large** | **>251** | **> € 50 million** | | **> € 43 million** | |

Please ensure that you indicate how your organisation is categorised on the Form of Tender document which should be submitted along with your proposal.**2. Statement of Requirement**

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| **2.1 Background to the project** |
| It's ORR’s responsibility to ensure that those responsible make Britain's railways safe for passengers and provide a safe place for staff to work.  Britain now has one of the safest railways in Europe – for passengers and for workers, but we cannot be complacent. There is always more the industry can do to improve this country's health and safety record even further. We regulate health and safety for the entire mainline rail network in Britain, as well as London Underground, light rail, trams and the heritage sector.  A team of HM Inspectors of Railways covers Great Britain. These inspectors will be able to draw on a deep discipline specialism, broader railway and health and safety knowledge and experience or demonstrable expertise as a health and safety regulator.  We are looking to recruit one occupational hygiene specialist (campaign A) and up to four HM Inspector of Railways (Trainee) (campaign B) now. We have the financial authority to recruit to these 5 posts now, but we also want to have the option to draw on a pool of reserve candidates; as we anticipate that up to 5 further HM Inspector of Railways (Trainee) will be required within the next 18 months.  Both campaigns will use the Civil Service ‘success profiles’ recruitment framework (https://www.gov.uk/government/publications/success-profiles).  This will include:   * Ability – through Psychometric Testing and a pre-interview exercise to test analytical and reasoning capability; * Technical Skills – through a CV supporting the application and at interview; * Strengths –through the application form and Psychometric (personality) Testing; and * Behaviours – at interview.   **Campaign A**  **HM Inspector of Railways (Occupational Hygiene Specialist)**  This role will be part of our specialist team providing expertise to ORR’s Railway Safety Directorate in the areas of Human Factors, Ergonomics and Occupational Health. The successful person’s specialism will be Occupational Hygiene. We are looking for someone who can use their technical expertise and understanding of occupational hygiene principles to further our strategic priorities. We seek skills and knowledge in, amongst other things, exposure monitoring, risk assessment, and application of the control hierarchy for chemical hazards, particularly airborne hazardous substances including dust and fume, and biological hazards. We need someone with an ability to understand and apply the legal requirements for control of chemical and biological agents, and knowledge of relevant technical standards. This post is being recruited at Grade C (Civil Service Grade 7) and the campaign will assess potential recruits at Success Profiles Level 4.  The role is designed to support colleagues in operational teams by:   * Providing technical assistance and expert advice to regulatory colleagues to support inspection, investigation and enforcement of legal requirements for control of occupational hygiene risks, with a particular focus on chemical and biological hazards. * Delivering internal technical training and support development of inspector competency in principles of occupational hygiene, including exposure monitoring, risk assessment and control. * Assisting ORR colleagues in assessing the maturity of employers’ safety management systems for occupational hygiene risks using our RM3 (risk management maturity) model. * Securing and sharing intelligence, information and advice on developments in occupational hygiene policy, research and guidance with ORR colleagues, other government departments and the wider rail industry – and helping to shape ORR’s strategic risk priorities   **Campaign B**  **4 x HM Inspector of Railways (Trainee)**  These roles are key to ORR delivering front line health and safety regulation activities and sit within the Operations Division of the Railway Safety Directorate (RSD).  The successful applicants will be able to demonstrate experience of working in an operational or infrastructure role in the rail industry with applications particularly welcomed from those who can also demonstrate experience of delivering or assessing compliance with the UK health and safety regime, in a railway environment. A level 5 or above health and safety qualification and/or, chartered (or working towards) health and safety practitioner status would be an advantage.  This post would ideally suit applicants who have been working in the rail industry for 3 to 5 years and now want to further a career in health and safety.  We will also consider applications from candidates from a health and safety regulatory background, who can demonstrate experience of permissioning regimes, assessing safety management systems, and hold a level 5 or above qualification in regulating health and safety.  As one of Her Majesty's Inspectors of Railways, successful applicants will regulate health and safety for: passengers; the workforce; and the public; who use, operate and maintain Britain’s railways. The team they will work with is responsible for ensuring the railway industry meets the requirements of health and safety law and is working towards achieving zero industry caused fatalities. As an inspector they will carry-out planned site visits and investigate accidents and incidents. They will provide advice to duty holders and as necessary take formal enforcement action. They will also represent ORR to stakeholders in the railway industry including trade unions.  These 4 posts will be recruited to trainee inspector at Grade D (Civil Service equivalent is SEO) but, on completion of a training programme and demonstration of both regulatory and railway technical competence, move to Grade C (Civil Service equivalent Grade 7) within 3 years. Therefore, this campaign will also assess potential recruits at Success Profiles Level 4.  Those candidates with a demonstrable blend of the skills and experience needed can be expected to be fast-tracked to full Grade C Inspector. |
| **2.2 Project Objectives & Scope** |
| The purpose of the procurement is to select a recruitment partner who is able to conduct a successful recruitment campaign for these specialists, and to provide a reserve list for future appointments.  There is an immediate need for the 5 posts that we have authority to recruit, so we will be looking for a quick response from the market. |
| **2.3 Project Outputs, Deliverables and Contract Management** |
| **Outputs and Deliverables**  The selected partner consultant will deliver:   * A proposed approach to finding the Railway specialist roles * A well-managed and effective campaign * Ongoing progress reports * End-to-end candidate management * High quality candidates to interview   **Contract Management Requirements**  During the campaign to recruit the Specialists, the selected partner will keep HR and the two Team Leaders updated on progress, at least twice-weekly, including a weekly status meeting.  At all stages the partner is responsible for keeping the Team Leaders and the applicants updated with progress, and with managing all aspects – turndowns, interview details, references, etc.  All Civil Service recruitment standards in respect of fair and open principles are to be followed closely.  The search firm partner will be expected to demonstrate a good understanding of the Civil Service strategic aim to be an employer of choice and be able to provide a diverse range of applicants. This is in line with ORR’s diversity and inclusion strategy.  Full diversity statistics will be expected after the campaign. |
| **2.4 Project Timescales** |
| The provisional campaign timetable is as follows:   * Partner selected by 04 December 2020. * Campaigns A and B run so interviews are held at the beginning of January 2021 * Offers made during early February and acceptances mid-February.   Due to the potential for further vacancies to arise in the near future from which ORR may wish to draw on a pool of reserve candidates, this contract shall terminate either   1. 12 months after the interviews have concluded and the number of suitable candidates identified exceeds the vacancies available at time of interview, but subsequently no further vacancies become available, or 2. until such time as the successful candidates commence with ORR, including those reserve candidates matching vacancies which arise before 30November 2021. |
| **2.5 Budget and Payment Schedule** |
| Bidders should set out their proposed payment schedule which should be weighted in terms of payment on the successful appointment of each post.  Bidders should provide costs for optional services they consider relevant.  As the searches will be run concurrently ORR expects efficiency saving to be made by the chosen supplier and these to be passed on to us in the form of reduced fees.  Payment of the total fee will be on the delivery and acceptance by ORR of all required outputs and/or deliverables. |
| **2.6 Further project related information for bidders** |
| **Transparency requirements**  Please note ORR is required to ensure that any new procurement opportunity above £10,000 (excluding VAT) is published on Contracts Finder, unless the ORR is satisfied it is lawful not to. Once a contract has been awarded as a result of a procurement process, ORR is required to publish details of who won the contract, the contract value and indicate whether the winning supplier is a SME or voluntary sector organisation.  **Confidentiality**  All consultants working on the project may be required to sign a confidentiality agreement and abide by the Cabinet Office’s protective marking guidelines, which ORR uses to protectively mark a proportion of its information. In addition, the consultant may be required to sign additional confidentiality agreements as required by external stakeholders.  **Sub-Contractors**  Contractors may use sub-contractors subject to the following:   * That the Contractor assumes unconditional responsibility for the overall work and its quality; * That individual sub-contractors are clearly identified, with fee rates and grades made explicit to the same level of detail as for the members of the lead consulting team.   Internal relationships between the Contractor and its sub-contractors shall be the entire responsibility of the Contractor. Failure to meet deadlines or to deliver work packages by a subcontractor will be attributed by ORR entirely to the Contractor. |
| **2.7 Terms and Conditions** |
| **Terms & Conditions**  Please forward your standard terms and conditions. Please note that, at our absolute discretion, we reserve the right to negotiate the terms and conditions or reject bids if we believe the proposed terms and conditions do not adequately protect our contractual interests or have not taken in to account the requirements of the next paragraph. |

**3. Tender Response & Evaluation criteria**

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| **3.1 The Tender Response** |
| Your proposal should include an outline of how you will meet the requirements outlined in section (2) “Statement of Requirement”. The following information should be submitted:  **a) Understanding of our requirements**   * You should demonstrate an understanding of the requirement and overall aims of the project.   **b) Approach to our requirements**   * An explanation of your proposed approach to undertaking the searches and any methodologies you will use, including the publicity strategy you propose to deliver a diverse field of candidates; * Your views on the deliverability of our outline recruitment timetable, suggestions for reducing the recruitment timescale and any consequential risks that this may cause; * Examples of the ‘testing’ methodologies that you believe are appropriate for the roles, setting out the costs, benefits and shortfalls; * The types of advertising you believe are most appropriate for the roles; * Details of your assumptions and/or constraints/dependencies made in relation to the searches; * A project plan to show how deliverables will be produced within the required timescales, detailing the resources that will be allocated; * Your understanding of the risks, and explain how they would be mitigated to ensure delivery * What support you will require from us and any additional stakeholders;   **c)** **Proposed delivery team and Experience of the Organisation**   * CVs of the key personnel including details of how their key skills, experience and qualifications align to the delivery of the project; and * Project roles and responsibilities * Up to three relevant examples of previous searches you have carried out (e.g. case studies).   **d) Pricing**  An itemised fee including the base search fee, which should include all administration costs, all costs associated with the provision of long and short lists, preparation for and participation in candidate interviews etc.  In addition, please provide costs for any additional services such as psychometric assessment of candidates. Please note any advertising fees will be required to be invoiced separately and charged at cost. |
| **3.2 Evaluation Criteria** |
| Tenders will be assessed for compliance with procurement and contractual requirements which will include:   * Completeness of the tender information * Completed Declaration Form of Tender and Disclaimer * Tender submitted in accordance with the conditions and instructions for tendering * Tender submitted by the closing date and time   Tenders that are not compliant may be disqualified from the process. We reserve the right to clarify any issues regarding a Bidder’s compliance. It will be at our sole discretion whether to include the relevant Bidder’s response in the next stage of the process.  The contract will be awarded to the Bidder(s) submitting the **‘most economically advantageous tender’**. Tenders will be evaluated according to weighted criteria as follows:  **Methodology (30%)**  The proposal should set out the methodology by which the project requirement will be initiated, delivered and concluded. In particular, it must:  a) Explain the methodology and delivery mechanisms to ensure that the requirements of this specification are met in terms of quality, highlighting how well your organisation understands the leadership capability requirements of senior executives working in a policy development and delivery environment;  b) Explain how your organisation will work in partnership with the ORR, and other stakeholders;  c) Explain how your organisation will engage with prospective candidates, including how your organisation has acted to promote diversity;   1. Explanation of how risks will be managed and mitigated   *Optional,if proposed*   1. With regards to the provision of psychometric assessment of candidates please:  * Provide evidence of the professional qualifications of each of the proposed assessors, * Describe the depth and breadth of the experience and expertise in psychometric test interpretation of each proposed assessor * Describe and provide evidence of how well your organisation understands the context and requirements of public sector assessment at senior executive level, and its experience in this sector. Evidence should include the organisation’s reflections on the current key drivers for change in the senior leadership skill-set. Include evidence of the breadth and depth of that understanding, across talent profiling and assessment for selection and development   **Delivery (15%)**  The proposal should set out how and when the project requirement will be delivered. In particular, it must:  a) Explain how this project will be delivered to timescale, (including the delivery of MI and candidate reports), and how milestones will be met, detailing the resources that will be allocated to each stage;  b) Demonstrate your understanding of the risks, and project dependencies and explain how they would be mitigated to ensure project delivery;  c) Explain the resources that will be allocated to delivering the required outcomes/output, and what other resources can be called upon if required.  **Experience (25%)**  The proposal should set out the organisation’s and the delivery team’s experience relevant to the project requirements. In particular, it must:  a) Provide CVs of the consultants who will be delivering the searches;  b) Highlight relevant experience of the proposed team for this project, submitting examples of similar projects – see above.  c) up to three case studies  **Cost / Value for money (30%)**  An itemised fee including the base search fee, which should include all administration costs, all costs associated with the provision of long and short lists, preparation for and participation in candidate interviews etc.  In addition, please provide costs for any additional services such as psychometric assessment of candidates. Please note any advertising fees will be required to be invoiced separately and charged at cost.  **Marking Scheme**   |  |  | | --- | --- | | Score 0 | Unanswered or totally inadequate response to the requirement. Complete failure to grasp/reflect the core issues | | 1 | Minimal or poor response to meeting the requirement. Limited understanding, misses some aspects | | 3 | Good understanding and interpretation of requirements, providing clear evidence of how the criterion has been met | | 5 | Excellent response fully addressing the requirement and providing significant additional evidence of how the criterion has been met and how value would be added | |

**4. Procurement procedures**

Tendering Timetable

The timescales for the procurement process are as follows:

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| **Element** | **Timescale** |
| Invitation to tender issued | 05 Nov 2020 |
| Deadline for the submission of clarification questions | 12 Nov 20 at 1700hrs |
| Deadline for submission of proposals | 19 Nov 20 at 1200hrs |
| ORR panel discussion / short list | 23-26 Nov 20 |
| If required – telephone clarification | 27-30 Nov 20 |
| Award contract | 01-03 Dec 20 |
| Project Inception Meeting | 04 Dec 20 |

Tendering Instructions and Guidance

**Amendments to ITT document**

Any advice of a modification to the Invitation to Tender will be issued as soon as possible before the Tender submission date and shall be issued as an addendum to, and shall be deemed to constitute part of, the Invitation to Tender. If necessary, ORR shall revise the Tender Date in order to comply with this requirement.

**Clarifications & Queries**

Please note that, for audit purposes, any query in connection with the tender should be submitted via the ORR eTendering portal.The response, as well as the nature of the query, will be notified to all suppliers without disclosing the name of the Supplier who initiated the query.

**Submission Process**

Tenders must be uploaded to the ORR eTendering portal **no later** than the submission date and time shown above. Tenders uploaded after the closing date and time may not be accepted. Bidders have the facility to upload later versions of tenders until the closing date/time.

Please submit the Form of Tender and Disclaimer certificate along with your proposal. If you are already registered on our eTendering portal but have forgotten your login details, please contact the portal administrator.

An evaluation team will evaluate all tenders correctly submitted against the stated evaluation criteria.

By issuing this Invitation to Tender ORR does not undertake to accept the lowest tender, or part or all of any tender. No part of the tender submitted will be returned to the supplier.

**Cost & Pricing Information**

Tender costs remain the responsibility of those tendering. This includes any costs or expenses incurred by the supplier in connection with the preparation or delivery or in the evaluation of the tender. All details of the tender, including prices and rates, are to remain valid for acceptance for a period of 90 days from the tender closing date.

Tender prices must be in Sterling.

Once the contract has been awarded, any additional costs incurred which are not reflected in the tender submission will not be accepted for payment.

**References**

References provided as part of the tender may be approached during the tender stage

**Contractual Information**

Following the evaluation of submitted tenders, in accordance with the evaluation criteria stated in this document, a contractor may be selected to perform the services and subsequently issued with an order.

Any contract awarded, as a result of this procurement will be placed with a prime contractor who will take full contractual responsibility for the performance of all obligations under the contract. Any sub-contractors you intend to use to fulfil any aspect of the services must be identified in the tender along with details of their relationship, responsibilities and proposed management arrangements.

The proposal should be submitted in the form of an unconditional offer that is capable of being accepted by the ORR without the need for further negotiation.

Any services arising from this ITT will be carried out pursuant to the contract which comprises of:

* Terms & Conditions;
* Service Schedules;
* This Invite to Tender & Statement of Requirement document; and
* The chosen supplier’s successful tender.

## ORR’s Transparency Obligations and the Freedom of Information Act 2000 (the Act)

The ORR is a central Government department and as such complies with the Government’s transparency agenda. As a result, there is a presumption that contract documentation will be made available to the public via electronic means. The ORR will work with the chosen supplier to establish if any information within the contract should be withheld and the reasons for withholding it from publication.

Typically the following information will be published:

* contract price and any incentivisation mechanisms
* performance metrics and management of them
* plans for management of underperformance and its financial impact
* governance arrangements including through supply chains where significant contract value rests with subcontractors
* resource plans
* service improvement plans

Where appropriate to do so information will be updated as required during the life of the contract so it remains current;

In addition, as a public authority, ORR is subject to the provisions of the Freedom of Information Act 2000. All information submitted to a public authority may need to be disclosed by the public authority in response to a request under the Act. ORR may also decide to include certain information in the publication scheme which it maintains under the Act. If a bidder considers that any of the information included in its proposal is commercially sensitive, it should identify it and explain (in broad terms) what harm may result from disclosure if a request is received and the time period applicable to that sensitivity. Bidders should be aware that even where they have indicated that information is commercially sensitive ORR may be required to disclose it under the Act if a request is received. Bidders should also note that the receipt of any material marked “confidential” or equivalent by the public authority should not be taken to mean that the public authority accepts any duty of confidence by virtue of that marking. If a request is received ORR may also be required to disclose details of unsuccessful bids

Please use the following matrix: to list such information:

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| Para. No. | Description | Applicable exemption under FOIA 2000 |
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