

Invitation to Quote

Questions



Invitation to Quote (ITQ) on behalf of **Advisory Conciliation and Arbitration Service (Acas)**

Subject: **Employment Law e-resource solution**

Sourcing Reference Number: **DDaT24447**

Section 6 – Response Evaluation Questionnaire

Bidders should note that the response evaluation questionnaire is located within the eSourcing questionnaire.

Guidance on how to register and use the e-sourcing portal is available at <https://beisgroup.ukp.app.jaggaer.com/>

PLEASE NOTE THE QUESTIONS ARE NOT NUMBERED SEQUENTIALLY

QUALIFICATION 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 group/consortium bid is being submitted). This is the legal entity with whom we will Contract if successful.																								
Scoring Criteria	For information only																								
Answer Type	<table border="1"> <tr> <td colspan="2">Text</td> </tr> <tr> <td>(a)</td> <td>Bidders full legal name</td> </tr> <tr> <td>(b)</td> <td>Address line 1</td> </tr> <tr> <td></td> <td>Address line 2</td> </tr> <tr> <td></td> <td>Address line 3</td> </tr> <tr> <td></td> <td>Address line 4</td> </tr> <tr> <td></td> <td>Town / City</td> </tr> <tr> <td></td> <td>Country</td> </tr> <tr> <td></td> <td>Post code (or equivalent)</td> </tr> <tr> <td>(c)</td> <td>Bidder contact</td> </tr> <tr> <td>(d)</td> <td>Telephone No.</td> </tr> <tr> <td>(e)</td> <td>Email</td> </tr> </table>	Text		(a)	Bidders full legal name	(b)	Address line 1		Address line 2		Address line 3		Address line 4		Town / City		Country		Post code (or equivalent)	(c)	Bidder contact	(d)	Telephone No.	(e)	Email
Text																									
(a)	Bidders full legal name																								
(b)	Address line 1																								
	Address line 2																								
	Address line 3																								
	Address line 4																								
	Town / City																								
	Country																								
	Post code (or equivalent)																								
(c)	Bidder contact																								
(d)	Telephone No.																								
(e)	Email																								
SEL1.2	<p>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;</p> <p>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?</p>																								
Bidder Guidance	<p>The Bidder shall answer Yes or No</p> <p>Yes – Fail – Please provide details within SEL1.2.1 No – Pass – No response required to SEL1.2.1</p> <p>*If you have answered “yes” please provide, as an attachment to SEL1.2.1 a summary of the nature of the investigation and an explanation of the outcome of the investigation to date.</p> <p>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.</p> <p>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.</p>																								
Scoring Criteria	Mandatory Pass / Fail																								
Answer Type	Option List																								

Yes – Fail – Please provide details within SEL1.2.1 No – Pass – No response required to SEL1.2.1

SEL1.2.1	Supporting Documentation for SEL1.2.1
Bidder Guidance	<p>Where a bidder has responded 'Yes' to SEL1.2 please provide a supporting document attached to this question, including a summary of the nature of the investigation and an explanation of the outcome of the investigation to date.</p> <p>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.</p> <p>You may be excluded if you are unable to demonstrate to the Contracting Authority's satisfaction that appropriate remedial action(s) have been taken to prevent similar unlawful discrimination reoccurring.</p> <p>This information should be provided as an attachment to this question. Any bidder declaring unlawful discrimination within SEL1.2 but not providing evidence may not be considered.</p>
Scoring Criteria	For Information Only
Answer Type	Attachment

SEL1.3	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	<p>The Bidder shall choose from the following options;</p> <ul style="list-style-type: none"> A. N/A – our turnover is less than £36M B. Yes – We are compliant and have attached information in SEL1.3.1 C. No (with justification) – we are not compliant but will be prior to commencement of a contract. See information attached in SEL1.3.1 D. No – we are not and will not be compliant at the time of award of the contract <p>Bidder guidance Bidders selecting A. a statement of truth, that the MSA does not apply to them will achieve a Pass.</p> <p>Bidders selecting B. that the MSA applies then failing to complete Section SEL1.31 will result in a Fail.</p> <p>Bidders selecting C. then either failing to complete Section SEL1.31 or failing to meet the satisfactory equivalent levels required by the Contracting Authority or failing to implement the requirements of the Modern Slavery Act prior to any award decision will result in a Fail. Bidders selecting D. will be considered non-compliant for this Procurement and will result in a Fail.</p> <p>Bidder guidance All non-UK bidders with a Turnover of at least £36 million that are not captured by the Modern Slavery Act, must provide an equivalent standard of undertaking if successful being selected to be awarded this opportunity.</p>

	<p>In order to be considered for this opportunity this may be in the form of an equivalent law within your own legal jurisdiction or a clear statement and supporting documentation in SEL1.31 that satisfies the Contracting Authority that this will be in place prior to any award and addressed during any performance of the contract, should you be successful. This is necessary so that all parties in this procurement process are treated equally.</p> <p>The Contracting Authority’s reserves the right of audit under any contract awarded, to ensure that the requirements and needs of the Modern Slavery Act are being complied with, which is understood and acknowledged as a part of this bidding process by bidders.</p>
Scoring Criteria	Mandatory Pass/ Fail
Answer Type	<p>Option List</p> <ul style="list-style-type: none"> A. N/A – our turnover is less than £36M B. Yes – We are compliant and have attached information in SEL1.3.1 C. No (with justification) – we are not compliant but will be prior to commencement of a contract. See information attached in SEL1.3.1 D. No – we are not and will not be compliant at the time of award of the contract

SEL1.3.1	Supporting Documentation for SEL1.3
Bidder guidance	<p>Where a bidder has responded ‘Yes’ or ‘No (with justification)’ to SEL1.3, please provide your supporting information as an attachment.</p> <p>Any bidder declaring they are compliant within SEL1.3 but not providing evidence will not be considered.</p>
Scoring Criteria	For information only
Answer Type	Attachment

SEL1.4	Please state the relevant classification of your organisation (state whether you fall within one of these, and if so which one)
Bidder Guidance	<p>The Bidder shall choose from the following options;</p> <ul style="list-style-type: none"> A. SME B. Voluntary Community Social Enterprise (VCSE) C. Sheltered Workshop D. Public Service Mutual E. N/A <p>Where options A, B,C and D are not applicable to your organisation please respond with option E</p>
Scoring Criteria	For information only
Answer Type	<p>Option List</p> <ul style="list-style-type: none"> A. SME B. Voluntary Community Social Enterprise (VCSE) C. Sheltered Workshop

	D. Public Service Mutual E. N/A
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SEL1.5	Please state the size of your organisation at the time of bid submission
Bidder Guidance	The Bidder shall choose from the following options; A. Micro – fewer than 10 persons employed B. Small – 10-49 persons employed C. Medium – 50-249 persons employed D. Large – 250 or more persons employed
Scoring Criteria	For information only
Answer Type	Option List A. Micro – fewer than 10 persons employed B. Small – 10-49 persons employed C. Medium – 50-249 persons employed D. Large – 250 or more persons employed

SEL1.10	Information Security The following information security requirements are mandatory for this procurement: 1. ISO 27001 certification or 2. SOC 2 type II or 3. Cyber Essentials certification or 4. Cyber Essentials Plus certification
Bidder Guidance	Bidders can answer Yes – the requirements are currently in place Intend – the requirements are not in place and we intend to have them in place for commencement of the contract. No – the requirements are not in place and we have no intention of having them 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
Answer Type	Options List Yes – the requirements are currently in place Intend – the requirements are not in place and we intend to have them in place for commencement of the contract. No – the requirements are not in place and we have no intention of having

	them in place for commencement of the contract
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SEL1.10.1	Supporting Documentation for SEL1.10
Bidder Guidance	<p>Where a bidder has responded 'Yes' to SEL1.10 please provide a copy of the valid certificate.</p> <p>This information should be provided as an attachment to this question.</p> <p>Any bidder responding Yes to SEL1.10 but not providing evidence may not be considered.</p> <p>Bidders that responded "Intend" to SEL1.10 will be asked to provide evidence of meeting these requirements in order for the contract to be awarded. Failure to evidence compliance to these requirements prior contract award will result in the contract not being awarded to the bidder.</p>
Scoring Criteria	For Information Only
Answer Type	Attachment

SEL2.12	<p>United Kingdom General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018</p> <p>The UK GDPR is a mandatory requirement for all contracts or agreements both in the Public, Private and Third sectors that involves the transfer, storing and processing of personal data. The UK GDPR sits alongside the Data Protection Act 2018 as the UK's data privacy law that governs the processing of personal data domestically.</p> <p>The UK GDPR was drafted as a result of the UK leaving the EU, which resulted in the EU's GDPR not applying domestically to the UK any longer. The UK GDPR sits alongside the Data Protection Act 2018. It is mandatory for bidders to demonstrate that they are able to meet the technical requirements and obligations prescribed by the UK GDPR and Data Protection Act 2018 and that they will adhere to their processing obligations and as detailed in the supporting Annex A.</p> <p>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 or sub-processors) used under this Contract to comply with their information law obligations and indemnify the Contracting Authority (data controller) Please note that the appointment of any sub-processor/s should only occur after authorisation is received in writing from the Data Controller or UKSBS.</p> <p>Further information and helpful guidance relating to the UK GDPR is available from the Information Commissioners Office (ICO) at: https://ico.org.uk/</p>
Bidder Guidance	The Contracting Authority actively encourages all bidders to ensure that they visit the ICO website via the advised link and understand the implications of information legislation in the UK (including Data Protection Act, UK GDPR and other relevant legislation) and have your Data Protection Officer complete this section if you have one or alternatively seek external professional advice

	<p>before completing this section of your bid</p> <p>Bidders can answer</p> <p>Yes – We can demonstrate full compliance as is required by the UK GDPR now and will adhere to the processing obligations detailed within Annex A – Pass</p> <p>No – We will not be compliant prior to any award – Fail</p>
Scoring Criteria	Mandatory Pass / Fail
Answer Type	<p>Yes – We can demonstrate full compliance as is required by the UK GDPR and Data Protection Act 2018 now and will adhere to the processing obligations detailed within Annex A – Pass</p> <p>No – We will not be compliant prior to any award – Fail</p>

SEL2.13	<p>Data Storage Please confirm where UK GDPR data, as detailed within the Annex A, will be stored for the duration of this Contract, including any additional Countries that data may be transferred to / accessed from throughout the life of this Contract.</p>
Bidder Guidance	<p>Bidders are required to confirm where UK GDPR data, as detailed within the Annex A, will be stored for the duration of this Contract, including any additional Countries that data may be transferred to / accessed from throughout the life of this Contract.</p> <p>Please note, where successful bidders confirm that data may be stored, transferred, or accessed outside of the UK, there may be a requirement to include additional Contract Clauses to ensure UK GDPR and Data Protection Act 2018 Compliance prior to Contract Award.</p>
Scoring Criteria	For Information Only
Answer Type	Text

FOI1.1	<p>FREEDOM OF INFORMATION ACT 2000 (FOI) AND / OR ENVIRONMENTAL INFORMATION REGULATIONS 2004 (EIR)</p> <p>Information provided in the course of the procurement process may be disclosed under Freedom of Information Act 2000 or Environmental Information Regulations 2004.</p> <p>Please note that some of the information provided may be protected under the FOIA 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</p> <p>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.</p>
Bidder Guidance	The Bidder shall answer Yes or No

	Yes – Pass No – Fail
Scoring Criteria	Mandatory Pass / Fail
Answer Type	Option List Yes – Pass No – Fail

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 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?
Bidder Guidance	The Bidder shall provide details of their proposed exemptions/exception in the fields below. The Bidder shall note that if the Contracting Authority believes that the suggested exemptions or exceptions have not been applied properly, 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 the Contracting Authority 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. Bidders are required to complete the table fields below, highlighting your proposed exemptions to this question. If you are not relying on any exemptions or exceptions, please complete each field 'N/A' (not applicable).
Scoring Criteria	For information only
Answer Type	Confidential Information and justification for exemption/exception under FOI Act
	Text
	Commercially sensitive information and justification for exemption/exception under FOI Act
	Text

AW1.1	<u>FORM OF BID</u> 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
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	<p>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.</p> <p>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.</p> <p>By submitting a response to this ITQ I agree that our participation may be made public.</p> <p>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).</p> <p>By submitting a response to this ITQ I agree and accept the justification for the Contracting Authority’s evaluation criteria.</p> <p>By submitting a response to this ITQ I agreed 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.</p> <p>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.</p> <p>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.</p>
Bidder Guidance	<p>The Bidder shall answer Yes or No</p> <p>Yes – Pass No – Fail</p>
Scoring Criteria	Mandatory Pass / Fail
Answer Type	<p>Option List</p> <p>Yes – Pass No – Fail</p>
AW1.3	CERTIFICATE OF BONA FIDE BID

	<p>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.</p> <p>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:</p> <ul style="list-style-type: none"> (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. <p>In this certificate, the word "person" includes any persons and anybody or association, corporate or unincorporated, and any "agreement or arrangement" includes any such transaction, formal or informal, and whether legally binding or not.</p> <p>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.</p> <p>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.</p>
Bidder Guidance	<p>The Bidder shall answer Yes or No</p> <p>Yes – Pass No – Fail</p>
Scoring Criteria	Mandatory Pass / Fail
Answer Type	<p>Option List</p> <p>Yes – Pass</p>

	No – Fail
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AW3.1	<p>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 validation check that can be seen within Attachments section prior to the award of any Contract.</p> <p>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.</p>
Bidder Guidance	<p>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.</p> <p>Yes – Pass No – Fail</p>
Scoring Criteria	Mandatory Pass / Fail
Answer Type	<p>Option List</p> <p>Yes – Pass No – Fail</p>

AW3.2	<p>Conflict of Interest</p> <p>Please confirm you have nothing to declare with respect to any current or potential interest or conflict in relation to this project (or any subcontractors or consortium member where applicable) which could be reasonably perceived to affect the actual or perceived deliverables.</p>
Bidder Guidance	<p>By conflict of interest, we mean, anything which could be reasonably perceived to affect the impartiality of this project, or to indicate a professional or personal interest in the outcomes from this project.</p> <p>The Bidder shall answer Yes or No with justification.</p> <p>Yes, we can confirm we are not in a position of a conflict of interest – Pass</p> <p>No with justification, we declare all interests and have given full details in response to AW3.2.1. Please refer to AW3.2.1 for details of what amounts to a valid justification - Pass</p> <p>If your situation changes during the procurement process you must promptly notify the Contracting Authority via the eSourcing Portal if any conflicts of interest arise or any additional information arise in relation to the conflict of interest you have declared.</p> <p>For absolute clarity should a bidder select ‘Yes’ you are not required to respond to AW3.2.1, however if you select ‘No with Justification’ you will be required to complete AW3.2.1 in order to be considered.</p>
Scoring Criteria	Mandatory Pass/Fail

Answer Type	<p>Option List</p> <p>Yes, we can confirm we are not in a position of a conflict of interest – Pass</p> <p>No with justification, we declare all interests and have given full details in response to AW3.2.1. Please refer to AW3.2.1 for details of what amounts to a valid justification.</p>
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AW3.2.1	<p>Where a Bidder has answered question AW3.2 with ‘No with justification’ they must provide full details of any current or potential interest or conflict in relation to this project (including any subcontractors or consortium member where applicable) which could be reasonably perceived to affect the actual or perceived deliverables.</p> <p>Bidders are also required to give a full account of the actions or processes that it will use to ensure that a conflict of interest is avoided. In any statement of mitigating actions, bidders are to outline how they propose to achieve a robust, impartial and credible approach to the project.</p> <p>Where a bidder has responded ‘Yes’ to AW3.2 you are not required to respond to this question.</p>
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Bidder Guidance	<p>By conflict of interest, we mean, anything which could be reasonably perceived to affect the impartiality of this project, or to indicate a professional or personal interest in the outcomes from this project.</p> <p>If your situation changes during the procurement process you must promptly notify the Contracting Authority via the eSourcing Portal if any conflicts of interest arise or any additional information arise in relation to the conflict of interest you have declared.</p> <p>Where there is an actual or potential conflict of interest, it is suggested the organisation (or consortia where applicable) design a working arrangement such that the deliverables cannot be influenced (or perceived to be influenced) by the organisation which is the owner of an actual or potential conflict of interest. For example, consideration should be given to maintain an impartial approach to the project.</p> <p>Bidders are required to give a full account of the actions or processes that it will use to ensure that a conflict of interest is avoided. In any statement of mitigating actions, bidders are to outline how they propose to achieve a robust, impartial and credible approach to the project.</p> <p>The information received will be subject a Pass or Fail, according to whether based on the information provided there remains a conflict of interest which may affect the impartiality of the project and the deliverables.</p> <p>Failure to declare or avoid a conflict of interest at this or a later stage may result in exclusion from the procurement process.</p> <p>Any bidder selecting ‘No with Justification’ to AW3.2 and failing to upload an attachment to this question detailing the information above may not be considered further.</p>
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Scoring	Mandatory Pass / Fail
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Criteria	
Answer Type	Attachment

AW4.1	Please confirm your acceptance of the Contract Terms that can be found within the Instructional Attachments section within this question.
Bidder Guidance	<p>The Bidder shall answer Yes, No with justification or No</p> <p>Yes, we accept the terms and condition in their entirety – Pass</p> <p>No with justification – Pass. Complete the document upload attached to AW4.2 with details of what amounts to a valid justification.</p> <p>No – Fail</p> <p>For absolute clarity should a bidder select ‘Yes’ or ‘No’ you are not required to respond to AW4.2, however if you select ‘No with Justification’ you will be required to complete AW4.2 in order to be considered.</p>
Scoring Criteria	Mandatory Pass / Fail
Answer Type	<p>Option List</p> <p>Yes, we accept the terms and condition in their entirety – Pass</p> <p>No with justification – Pass. Complete the document upload attached to AW4.2 with details of what amounts to a valid justification.</p> <p>No – Fail</p>

AW4.2	<p>Where a Bidder has answered question AW4.1 with ‘No with justification’ they must detail the justification and the proposed change to the clause.</p> <p>Where a bidder has responded ‘Yes’ or ‘No’ to AW4.1 you are not required to respond to this question.</p>
Bidder Guidance	<p>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).</p> <p>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:</p> <ul style="list-style-type: none"> • 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. <p>In the event of a Bidder answering Yes or No to Question AW4.1 and then</p>

	<p>providing a proposed mark-up, rejection of a clause or a justification for a change then the response will be a Fail.</p> <p>Any bidder selecting 'No with Justification' to AW4.1 and failing to upload an attachment to this question detailing the information above may not be considered further.</p> <p>Bidders are to note that any requested modifications to the Contracting Authority Terms and Conditions on the grounds of statutory and legal matters only, should be raised as a formal clarification during the permitted clarification period.</p>
Scoring Criteria	Mandatory Pass / Fail
Answer Type	Attachment

AW4.3	<p>Public Procurement Policy Note 01/22 - Contracts with suppliers from Russia or Belarus</p> <p>The Government introduced its Public Procurement Policy Note 01/22 'Contracts with suppliers from Russia or Belarus' (PPN 01/22) in response to the invasion of Ukraine by Russia, which was met with unprecedented global condemnation. The UK Government has introduced financial and investment sanctions aimed at encouraging Russia to cease actions which destabilise Ukraine.</p> <p>The PPN requires the Contracting Authority to decline to consider (or otherwise exclude from participating in the procurement) bids from suppliers (or their sub-contractors) who are constituted or organised under the law of Russia or Belarus, or whose 'Persons of Significant Control' information states Russia or Belarus as the place of residency or where materials in the supply chain originate from those states in accordance with Procurement Policy Note PPN 01/22.</p> <p>Unless exceptions within the PPN apply, the Contracting Authority may exclude from this competition any tenders that are deemed from suppliers (including any subcontractors) who are constituted or organised under the law of Russia or Belarus, or whose 'Persons of Significant Control' information states Russia or Belarus as the place of residency; or materials within the supply chain originate from those states.</p> <p>Mandatory Information questions:</p> <p>Question 1- Please confirm if the country or territory of origin of any supplies to be used within the supply chain for this contract opportunity is the Russian Federation or the Republic of Belarus.</p> <p>Question 2- Please confirm if your own (or your subcontractors) location of business activities or interests of a contractor is constituted or organised under the law of Russia or Belarus, or whose 'Persons of Significant Control' information states Russia or Belarus as the place of residency</p> <p>Bidders are to complete the document provided in the instructional attachment and state Yes or No to each question.</p>
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	If you answer Yes to either of the questions in this table above, then you must clearly set out in your attachment provided, why you believe one of the exceptions within PPN 01/22 apply.
Bidder Guidance	<p>The Bidder shall replicate the above 2 questions in an attachment and answer Yes or No to each of the above, along with an explanation to any question answered as Yes.</p> <p>A failure to provide a Yes or No response will result in your exclusion from further consideration under this procurement.</p> <p>A failure to provide a supporting justification of an exemption to the satisfaction of the Contracting Authority, may result in your exclusion from further consideration under this procurement.</p> <p>The Contracting Authority may seek further clarification from any bidder in regards to any attachment provided, that seeks to rely upon any exemptions provided in PPN 01/22.</p>
Scoring Criteria	Mandatory Pass / Fail
Answer Type	Attachment

AW6.1	Please confirm your compliance to the requirements of Section 4 Specification
Bidder Guidance	<p>The Bidder shall answer Yes or No</p> <p>Yes – Pass No – Fail</p>
Scoring Criteria	Mandatory Pass / Fail
Answer Type	Option List Yes – Pass No – Fail

AW6.2	Variable Bids
	The Contracting Authority shall not accept variable bids as part of this Procurement. The criteria in regard to variable bids for this Procurement is outlined below.
Bidder Guidance	<p>The Bidder shall answer Yes or No</p> <p>Yes - We have provided a variable bid only – Fail No - We have chosen to only offer a main bid and have not chosen to provide an alternative bid submission – Pass</p>
Scoring Criteria	Mandatory Pass / Fail
Answer Type	Option List Yes - We have provided a variable bid only – Fail No - We have chosen to only offer a main bid and have not chosen to provide an alternative bid submission – Pass

TECHNICAL QUESTIONNAIRE

PROJ1.1	<u>Proposed Solution, Employment law commentary and guidance – relevance and accuracy</u>
Bidder Guidance	<p>Please clearly explain your solution and how it meets the main aims, objectives outputs, expectations, business functions and processes as described in Section 4 – Specification.</p> <p>The bidders are required to also describe and cover the following areas:</p> <ul style="list-style-type: none"> • Demonstrate how the portal will be kept up to date with relevant, accurate, and up to date employment law information and guidance. • Updates and Version control – content is frequently updated showing the clearly made changes • Demonstrate how you will tailor content and resource to meet Acas requirements <p>Please use this section to describe and provide details of how you plan to meet all the requirements listed in Section 4 - Specification sub section Updates and version Control.</p> <p>This question is limited to up to 6 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</p>
Scoring Criteria	<p>Scoring shall be based on 0-100 scoring methodology.</p> <p>Maximum Mark: 30%</p>
Answer Type	Attachment

PROJ1.2	<u>Navigation and Customisation – ability to find content and tailor the resource including Lifetime training and licence management support</u>
Bidder Guidance	<p>Please demonstrate and describe how you will tailor content and resource to meet Acas requirements as outlined in Section 4 - Specification and sub section Navigation and Customisation.</p> <p>The bidders are required to also describe and cover the following areas:</p> <ul style="list-style-type: none"> • Please confirm/outline the services complies with WCAG 2.2 Level AA • Detail your commitment to accessibility • Please include your accessibility statement, including how you build accessibility into your product roadmap • Please outline what staff accessibility training is provided • Detail how you will provide training to all new users via webinar and refresher as and when required • Training courses/materials available • Specify how you are proposing to meet the training requirements and what licence management support will be offered

	<ul style="list-style-type: none"> Please provide a short project plan covering implementation and training for the Expected go live date mid-April 2025. <p>This question is limited to up to 4 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</p>
Scoring Criteria	Scoring shall be based on 0-100 scoring methodology. Maximum Mark: 25%
Answer Type	Attachment

PROJ1.3	<u>Bidder’s availability to attend system demonstrations and to provide an environment for user testing.</u>
Bidder Guidance	<p>Following completion of the evaluation of your Qualification, written Technical (PROJ1.1 and PRO1.2) and Commercial submission, we will be inviting all those that are mathematically capable of being successful to deliver demonstrations.</p> <p>In instances where you are not deemed to be mathematically capable of being a successful supplier, you will be notified prior to the demonstration taking place to ask if you wish to till attend. Should you choose not to attend, your score for this element (PROJ1.4 and PROJ1.5) will be automatically afforded 100 marks as a pseudo score.</p> <p>Please can you confirm you will be willing to attend demonstration and provide an environment for user testing, should you be successful to the second stage of the procurement,</p> <ul style="list-style-type: none"> System Demonstration of Portal - Friday, 31st January 2025 User Testing Environment - during w/c 03rd – 14th February 2025 <p>The demonstration is mandatory and will be scored to form part of your overall Technical score. Therefore bidders are to confirm they understand that we will be inviting all those that are mathematically capable of being successful to deliver demonstrations.</p> <p>Bidders that are not prepared to provide demonstrations and a test environment will not be considered further in this procurement.</p>
Scoring Criteria	Mandatory Pass / Fail
Answer Type	Option List Yes – Pass No – Fail

PROJ1.4	<u>System Demonstration of Portal</u>
Bidder Guidance	The mathematically capable bidders will be required to provide a 45-minute demonstration remotely via Video Conference covering the following criteria:

	<ul style="list-style-type: none"> • How to navigate the portal • Show the desk instructions or guidance on the portal • Show the Employment Law resources content and other information available that would be suitable for Acas frontline staff in their jobs • Any brief or journals that are available • Mi data available <p>The System demonstration shall take place remotely over Microsoft Teams on Friday, 31st January 2025 and shall not exceed 45 minutes. Microsoft Teams details will be shared closer to the demonstration date.</p> <p>At the end of the system demonstration, there will be a 15-minute Q&A session to answer questions from the evaluation panel.</p> <p>Bidders can bring up to 2 people to this demonstration round. This demonstration should be delivered by the key individuals that will be involved in this contract should your bid be successful.</p> <p>Please supply the names and roles of up to two people you intend to bring to the demonstration.</p> <p>Acas shall reserve the right to carry out due diligence and seek clarifications on assumptions being used and the evidence base which is being used to support the Bidder responses.</p> <p>There will be no allowance of scores provided for covering off material that will have already been scored.</p> <p>The Demonstration and User Testing Scoring will be based on 0-100 scoring methodology as described in Section 5 of the ITQ document.</p>
Scoring Criteria	Scoring shall be based on 0-100 scoring methodology. Maximum Mark: 5%
Answer Type	Attachment

PROJ1.5	<u>User Testing Environment</u>
Bidder Guidance	<p>Acas will require up to 14 testers to have access to the Bidders Portal to test the system for up to 2 weeks to determine how fit for purpose the solution is and how user friendly in terms of system navigation the solution is. This will be determined on how easy it is to:</p> <ul style="list-style-type: none"> • Navigate around the solution • Retrieve content • Access helpline service • Navigate the website to find any pre-recorded training materials • Access guidance on the practical application of employment law, key case law and the practical implications for employment relations and human resources with professionals and businesses • Run searches within the solution effectively to retrieve or identify content based on key words, descriptions, tags. • Find and use interactive 'Help' function available for licence users to

	<p>use via live chat, web portal, or similar media.</p> <p>The Demonstration and User Testing Scoring will be based on 0-100 scoring methodology as described in Section 5 of the ITQ document.</p>
Scoring Criteria	<p>Scoring shall be based on 0-100 scoring methodology.</p> <p>Maximum Mark: 25%</p>
Answer Type	<p>Option List</p> <p>Yes – Pass</p> <p>No – Fail</p>

COMMERCIAL QUESTIONNAIRE

AW5.1	<p>Please confirm your bid submission price for completion of all the Services as detailed in the Section 4 Specification.</p> <p>All prices shall be in £ GBP and exclusive of VAT.</p>
Bidder Guidance	<p>Bidders shall provide their bid submission price for completion of all Services as detailed in the Section 4 Specification.</p> <p>The scoring methodology for this question shall be:</p> <p>Price will be evaluated using proportionate pricing (lowest bid / bid * mark). A bidder's score will be based on the lowest total score received divided by their total cost and then multiplied by the marks available.</p> <p>For example, if the total basket price for three bid responses is received and Bidder A has quoted £50,000 as their total price, Bidder B has quoted £80,000 and Bidder C has quoted £100,000 then the calculation will be as follows:</p> <p>(Maximum marks available in this example being 12.5)</p> <p>Bidder A Score = $50000/50000 \times 12.5 = 12.5$</p> <p>Bidder B Score = $50000/80000 \times 12.5 = 7.81$</p> <p>Bidder C Score = $50000/100000 \times 12.5 = 6.25$</p> <p>This evaluation criteria will therefore not be subject to any averaging, as this is a mathematical scoring criterion, but will still be subject to a commercial review.</p> <p>The lowest score possible is 0.</p>
Scoring Criteria	Maximum Marks 15%
Answer Type	Numeric

AW5.2	<p>Based on the Bidders AW5.1 bid submission price for completion of all the Services as detailed in the Section 4 Specification, Bidders are now required to complete the attached Excel AW5.2 Pricing Schedule document with a breakdown of all the costs that make up their final bid price.</p> <p>All prices shall be in £ GBP and exclusive of VAT.</p> <p>All costs appearing elsewhere in the Bid but not mentioned in this Pricing Schedule shall be presumed waived.</p>
Bidder Guidance	<p>Based on the Bidders AW5.1 bid submission price for completion of all the Services as detailed in the Section 4 Specification, Bidders are now required to complete the attached Excel AW5.2 Pricing Schedule document with a breakdown of all the costs that make up their final bid price.</p>

	<p>All prices shall be in £ GBP and exclusive of VAT.</p> <p>All costs appearing elsewhere in the Bid but not mentioned in this Pricing Schedule shall be presumed waived.</p> <p>The total submitted within your excel pricing schedule must equal the total price submitted in AW5.1</p>
Scoring Criteria	For Information Only
Answer Type	Attachment

AW5.3	Please confirm your price shall remain firm and fixed for the full term of the Contract.
Bidder Guidance	<p>The Bidder shall answer Yes or No</p> <p>Yes – Pass No – Fail</p>
Scoring Criteria	Mandatory Pass / Fail
Answer Type	<p>Option List</p> <p>Yes – Pass No - Fail</p>

AW5.4	<p><u>Maximum Budget</u></p> <p>As stated within the tender documents, the maximum budget for this requirement will be £149,000.00 ex VAT.</p> <p>Bids that exceed the maximum budget will not be considered.</p> <p>Please confirm that your final price submitted within AW5.2 will fall within this budget.</p>
Bidder Guidance	<p>The Bidder shall answer Yes or No</p> <p>Yes – Pass No – Fail</p>
Scoring Criteria	Mandatory Pass / Fail
Answer Type	<p>Option List</p> <p>Yes – Pass No – Fail</p>