



Responses to Clarification Requests

Tender Ref: CC-AEB-2020/21-01

Issued by: Croydon College

Tender Description: Subcontract Requirement for the delivery of Adult Education Budget in Non Devolved Areas Distance Learning 12 November 2020 – 31 July 2021

This document responds to clarification requests received by the published clarification request deadline of Friday 21st August 2020, 17:00.

Clarification requests received after the deadline will not be responded to.

This document is to be read in conjunction with the other tender documents (tender specification, application form and achievement and planning spreadsheet) published under the tender notice below.

The direct link to the tender notice and all the relevant documents on the Contracts Finder is below. The documents published on that link include the present document.

<https://www.contractsfinder.service.gov.uk/Notice/c19df8a0-77fd-46b2-8f33-6cbbcbcec959>

The text of queries has been abridged and redacted to ensure anonymity of the enquiring organisation.

Queries are grouped thematically, so please read this whole document carefully because if your email contained multiple queries on different topics, the responses are likely to be provided in different sections of this document.

1. Application Form – Section 2.3, Question 10a (Previous experience as direct contractor)

Query: *In Section 2.3 of the Tender Application Form, question 10a reads: “Do you deliver, or have you previously delivered AEB-funded Distance Learning programmes as a direct contractor on behalf of Further Education colleges? Respond “Yes” or “No” in the Response box.” Is it possible to have a further question which indicates a direct contractor who delivers to other types of organisations (i.e. not Further Education colleges)?*

Response: There is an error in the wording of Tender Application form, Section 2.3, Question 10a.

The correct wording of Question 10a, Section 2.3, is:

“Do you deliver, or have you previously delivered AEB-funded Distance Learning programmes as a direct contractor to funding bodies and/or other organisations? Respond “Yes” or “No” in the Response box.”

To summarise, Questions 10a/10b in Section 2.3 are about your experience of delivering AEB-funded Distance Learning as a direct contractor to any funding body, for example when you have a direct contract with the ESFA. Questions 8a/8b are about your experience as an AEB DL Subcontractor to FE colleges; Questions 9a/9b are about your experience as a AEB DL Subcontractor to other organisations than FE colleges.

2. Application form – Section 2.3, questions 14a, 14b, 14c (evidence of compliance with data security requirements)

Query: *In 14a, 14b and 14c on the Tender Application Form, is a working policy acceptable or do you require Certificated proof?*

Response: At the tendering stage, a working policy is acceptable to meet these mandatory questions, provided that it specifically covers the points specified in questions 14a, 14b and 14c of Section 2.3. However, successful Tenderers are likely to be requested to provide relevant certificates prior to any contracts being awarded.

3. Application form – Section 4.3, question 9 (external funding audit report)

Query: *Question 4.3.9 reads: “Attach your latest external funding audit report (student existence and eligibility). (If unavailable attach an explanation why unavailable, and attach your latest internal funding audit report).” We are yet to have an external ESFA*

Audit. Please can you clarify what you mean by an 'internal funding audit report' and what documents would suffice as suitable evidence. Would a PICS internal funding audit report suffice?

Response: In the absence of a funding audit report on student existence and eligibility issued by an external body, you should provide a report on such an audit carried out by your internal auditors (i.e. either a third party that you employ to carry out the internal audit role, or your internal audit team).

If you do not have such an internal audit function and are therefore unable to provide an internal funding audit report on student existence and eligibility, please submit alternative evidence that demonstrates the following:

- a) How do you ensure and check that learners enrolled on your provision exist?
- b) How do you ensure and check that students meet funding eligibility criteria for enrolment on your courses in terms of residency and fee waivers?

Such alternative evidence should demonstrate that checks are being carried out, i.e. it should not be limited to enrolment procedures and data reports but should include also evidence how you actually check that such procedures have been adhered to.

The absence of an external audit report will not disqualify you from further consideration but may affect scoring.

4. Geographical location of Tenderer

Query 4.1: *I wanted to ask whether the geographical locations of our stores would be an issue. I know it says within a radius etc however you will see that our stores cover the South. The provider delivers online so we have maximum coverage however I wanted to double check that would be acceptable your end before we apply.*

Query 4.2: *In relation to the above procurement, please could you advise if you are seeking providers from within the local Croydon area, or is this available to providers in other areas of the UK?*

Response: The College is unable to confirm in advance whether a particular location of a Tenderer's premises would be acceptable or not, as this will be assessed in the context of a Tenderer's full application. In general, we would like to comment as follows:

The location of the company headquarters and office branches will not influence scoring.

The 50-mile radius and non-devolved postcode area requirement relates to learners' home postcodes and not to company seat or place of delivery as such.

Regarding query 4.1, if applying for the tender, in your bid please clarify whether and how you intend to use the stores for delivery. If the stores are intended as company seats, this will not affect scoring. If the stores are intended to be physically used by learners to complete online learning, this may affect your eligibility for the present tender because the stores would be assessed as delivery site(s), i.e. not Distance Learning provision. If the learners are mandated to undertake the training in the stores this would be classed as classroom learning and is likely to be invalid for funding under the present tender.

For full details please read carefully Section 3.1 of the Tender Specification, which provides detailed information on location requirements.

5. Not being registered on ROTO

Query 5.1 *We are not yet on ROTO (as this has not been open since 2016/17) and we have only applied to RoATP in April; however, we find ourselves disadvantaged awaiting the decision for both registers. I know the specification talks about being on ROTO as a condition and considering the specialist market we deliver to, I wondered if Croydon College might look at awarding below £100K, as we have no other AEB or aggregated funding in place at the moment. This would be in line with the current AEB Funding Rules, and I have delivered a similar contract with [xxx – redacted] in the past.*

Query 5.2 *We are not currently on the ROTO – but are purchasing a company that will enable us to be on the ROTO, before this delivery begins – is this acceptable?*

Response: ROTO registration is a mandatory requirement of the present tender, as specified in Section 5.1 of the Tender Specification document. If you do not provide evidence of being registered on ROTO as part of your tender application by the tender application deadline, your application will be disqualified from consideration.

Section 5.1 of the Tender Specification document also states that in their applications, Tenderers must demonstrate that they have the capacity to deliver at least 50% of the contract value tendered. The full tender value is £250,000 so the minimum delivery capacity that the Tenderers must demonstrate is £125,000.

The ROTO registration requirement is in line with ESFA AEB 2020/21 Funding Rules, available on the link below, Paragraph 81, which states: “The Register of Training Organisations (the Register) is the ESFA’s current market entry point for organisations that intend to deliver non-apprenticeship education and training services or operate in our supply chain as a subcontractor with an aggregated contract value of £100,000 or more.”

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/910894/AEB_2020_to_2021_funding_rules_V3_Final.pdf

6. Unable to deliver at least 50% of the contract value

Query 6.1: *As one of only [xxx – redacted] providers delivering [xxx - redacted] training in London and The South East, we would like to apply for the current AEB contract specified below, but have a question to ask. Is there any possibility that we can apply for a contract below £100K, for our distance learning courses specific to [xxx – redacted], which are desperately needed in the Kent and Surrey areas?*

Response: Ability to deliver at least 50% of the contract value is a mandatory condition of the tender, as stated in Section 5.1 of the Tender Specification document. If you do not demonstrate that you have the capacity to deliver this volume in your tender application, your application will be disqualified from consideration.

7. Not having a current Matrix Standard

Query 7.1. Is 'Registered and working towards' Matrix Standard acceptable for this bidding opportunity?

Query 7.2 Matrix - we have gone through the process of how we pass the matrix, with a consultant – and have booked our test in the coming weeks / months – is this acceptable in order to apply?

Response: A current Matrix certificate is a mandatory condition of the tender, as stated in Section 5.1 of the Tender Specification. “Working towards” is not an acceptable alternative. If you do not provide evidence of having a current Matrix certificate by the tender application deadline, your application will be disqualified from consideration.

7. Lack of specific track record of delivering ESFA AEB-funded Distance Learning

Query 7.1 We have a track record of doing a lot of digital / adult learning distance learning, in the last 4 months, as part of Covid, for many [xxx – redacted] organisations across the UK - however none of this is strictly within AEB – does this matter?

Response: Previous track record of successful delivery of ESFA AEB funded Distance Learning courses is a mandatory condition of the tender, as stated in Section 5.1.

From your enquiry it is not clear which funding stream was used to fund the courses delivered by your organisation, but if you do not demonstrate in your tender application that you have a track record of successfully delivering Distance Learning courses that were funded specifically through the ESFA AEB funding stream, your application will be disqualified from consideration.

8. Other partnership opportunities

Query 8.1 We are a reliable [xxx – redacted] training agency, with over 30 years of experience working in the field of [xxx – redacted]. We believe we would be a great asset to Croydon College and pre-empting that this might not be a good fit, could we explore other opportunities where we can work with you in this area.

Response: As per paragraph 7.2.23.c of the Tender Specification document, Tenderers have been asked to use the clarification request process only to clarify matters relating to the current tender, not to seek information about other potential partnership opportunities available from the College. For the College’s general contact details for enquiries not related to the present tender please visit www.croydon.ac.uk

9. Retained funding fee and quality contribution

Query 9.1 *How is each cost outlined in Section 6.2.5 is reasonable and proportionate to delivery of the subcontracted teaching or learning and how does each cost contribute to delivering high quality learning?*

Response: The retained funding fee and its breakdown into the costing of individual services are in line with sector average and the services listed reflect reasonable contribution towards quality assurance of subcontracted delivery in order to support high quality learning.