

# Request for Proposal



Request for Proposal (RFP) on behalf of **UKRI - BGS**

Subject: **Mass Spectrometer**

Sourcing Reference Number: **RE19185**

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# Section 1 – About UK Shared Business Services

## Putting the business into shared services

UK Shared Business Services Ltd (UK SBS) brings a commercial attitude to the public sector; helping Contracting Authorities improve efficiency, generate savings and modernise. It is our vision to become the leading service provider for Contracting Authorities of shared business services in the UK public sector, continuously reducing cost and improving quality of business services for Government and the public sector.

Our broad range of expert services is shared by our Contracting Authorities. This allows our customers the freedom to focus resources on core activities; innovating and transforming their own organisations.

Core services include Procurement, Finance, Grants Admissions, Human Resources, Payroll, ISS, and Property Asset Management all underpinned by our Service Delivery and Contact Centre teams.

UK SBS is a people rather than task focused business. It's what makes us different to the traditional transactional shared services centre. What is more, being a not-for-profit organisation owned by the Department for Business, Energy & Industrial Strategy (BEIS), UK SBS' goals are aligned with the public sector and delivering best value for the UK taxpayer.

UK Shared Business Services Ltd changed its name from RCUK Shared Services Centre Ltd in March 2013.

## Our Customers

Growing from a foundation of supporting the Research Councils, 2012/13 saw Business Innovation and Skills (BIS) transition their procurement to UK SBS and Crown Commercial Services (CCS – previously Government Procurement Service) agree a Memorandum of Understanding with UK SBS to deliver two major procurement categories (construction and research) across Government.

UK SBS currently manages £700m expenditure for its Contracting Authorities. Our Contracting Authorities who have access to our services and Contracts are detailed [here](#).

## **Privacy Statement**

At UK Shared Business Services (UK SBS) we recognise and understand that your privacy is extremely important and we want you to know exactly what kind of information we collect about you and how we use it.

This privacy notice link below details what you can expect from UK SBS when we collect your personal information.

- We will keep your data safe and private.
- We will not sell your data to anyone.
- We will only share your data with those you give us permission to share with and only for legitimate service delivery reasons.

<https://www.uksbs.co.uk/use/pages/privacy.aspx>

## Section 2 – About the Contracting Authority

### UK Research and Innovation

Operating across the whole of the UK and with a combined budget of more than £6 billion, UK Research and Innovation represents the largest reform of the research and innovation funding landscape in the last 50 years.

As an independent non-departmental public body UK Research and Innovation brings together the seven Research Councils (AHRC, BBSRC, EPSRC, ESRC, MRC, NERC, STFC) plus Innovate UK and a new organisation, Research England.

UK Research and Innovation ensures the UK maintains its world-leading position in research and innovation. This is done by creating the best environment for research and innovation to flourish.

For more information, please visit: [www.ukri.org](http://www.ukri.org)

## Section 3 – Working with the Contracting Authority.

Section 3 – Contact details		
3.1	Contracting Authority Name and address	UK Research and Innovation Polaris House Swindon SN2 1FL
3.2	Buyer	Christian Hill
3.3	Buyer contact details	<a href="mailto:Research.tenders@uksbs.co.uk">Research.tenders@uksbs.co.uk</a>
3.4	Estimated value of the Opportunity	£416,000 excluding VAT
3.5	Process for the submission of clarifications and Bids	<b>All correspondence shall be submitted within the Emptoris e-sourcing tool. Guidance Notes to support the use of Emptoris is available <a href="#">here</a>. Please note submission of a Bid to any email address including the Buyer <u>will</u> result in the Bid <u>not</u> being considered.</b>

Section 3 - Timescales		
3.6	Date of posting of Contract advert to OJEU.	Wednesday 7 <sup>th</sup> August 2019
3.7	Date RFP available to Bidders	Friday 9 <sup>th</sup> August 2019
3.8	Latest date / time RFP clarification questions shall be received through Emptoris messaging system	Thursday 5 <sup>th</sup> September 2019 14:00
3.9	Latest date / time RFP clarification answers should be sent to all Bidders by the Buyer through Emptoris	Monday 9 <sup>th</sup> September 2019 14:00
3.10	Closing date and time for Bidder to request RFP documents	Monday 16 <sup>th</sup> September 2019 14:00
3.11	Closing date and time for Bidder to submit their response (' <b>the deadline</b> ').	Tuesday 17 <sup>th</sup> September 2019 14:00
3.12	Notification of proposed Contract award to unsuccessful bidders	Thursday 26 <sup>th</sup> September 2019
3.13	Anticipated Contract Award Date	Tuesday 8 <sup>th</sup> October 2019
3.14	Commencement of Contract	Friday 11 <sup>th</sup> October 2019
3.15	Bid Validity Period	90 Days

## Section 4 – Specification and about this procurement

The UKRI British Geological Survey (BGS) Geochronology and Tracers Facility (NEIF-GTF) requires the supply, delivery, and installation of a state of the art, new multicollector thermal ionisation mass spectrometer (MC-TIMS) with high performance ion counting detector and low-noise high-sensitivity Faraday amplifier system at its high precision U-Pb geochronology laboratory at the BGS, Keyworth, Nottingham, UK.

Installation of the instrument and acceptance testing at NEIF-GTF by a qualified installation engineer is required, with training to be arranged through consultation with NEIF-GTF staff and the supplier.

NEIF-GTF requires the delivery, installation and acceptance testing of the instrument to be completed within 6 months of the placement of the order or by end March 2020, whichever is first.

Procurement of the new MC-TIMS ensures NEIF-GTF's geochronology facility's ability to fulfil current analytical demands from its user community, in light of NEIF-GTF's recent commissioning for the next 5 years by NERC, and provide analytical capability that will allow NEIF-GTF to further grow its analytical program for the good of the UK and international scientific community.

The requested analytical capabilities for the new MC-TIMS are based upon NEIF-GTF's current MC-TIMS performance capability and needs, the capabilities of state of the art MC-TIMS described in the principal manufacturers literature and their conference presentations, manufacturers and expert users unpublished test results, and NEIF-GTF staff visits to all the relevant mass spectrometer manufacturer's factories.

High precision U-Pb geochronology is a cornerstone of NEIF-GTF research and MC-TIMS is the requisite analytical instrumentation for undertaking the U and Pb isotope measurements critical to this work. A new MC-TIMS is required to sustainably underpin NEIF-GTF's current high- and increasing-demand geochronology research program. The new MC-TIMS will become NEIF-GTF's primary instrument for U-Pb isotope measurements on trace uranium ( $\leq 1$  ng) and lead ( $<100$  pg to  $< 1$  pg) whose routine analysis is required. The new MC-TIMS will take on this role following commissioning, in-house performance testing and establishment of measurement protocols.

Static Faraday multicollector, static multicollector Faraday - single ion detector (secondary electron multiplier [SEM] or Daly detector), and single ion detector dynamic peak jumping measurement capability is essential to NEIF-GTF's U-Pb geochronology program. An important driver for NEIF-GTF's new MC-TIMS is exceeding its current MC-TIMS capability through improved running efficiency, manifested as either more useful data collected per typical analysis time period or shorter analysis time. It is anticipated that such improvement will require gains achieved as a function of instrument design leading to (a) improved ionisation efficiency (the sum of efficient ion generation in the ion source region paired with efficient ion transmission through the MC-TIMS), and (b) improved sample running efficiency through faster peak jumping duty cycle, and/or lower cross-over point of efficient Daly/SEM to Faraday measurement, and improved ion counter (SEM or Daly) – Faraday gain stability.

The critical things that the MC-TIMS will have or be capable of are:

- (1) Be fitted with a pumping system that maintains a low organic load on the mass spectrometer ion source region and flight tube, and similar on the filament degas device used for preparing filaments prior to sample loading and analysis. This low-organic level

vacuum system needs to incorporate dry backing pumps to any turbo molecular pumps used in the mass spectrometer or degas device.

- (2) A degas device for preparing filaments ready for sample loading is to be included in the main mass spectrometer price and not as an extra cost or optional item. The degas device should be capable of holding ~20 filaments (or more) at a time.
- (3) An optical pyrometer is required to be fitted to the mass spectrometer and included within the main mass spectrometer price, and not as an extra cost or optional item. This is an essential device required by NEIF-GTF for U-Pb analysis.
- (4) The new mass spectrometer will match or exceed the current NEIF-GTF TIMS performance level specifically relating to single ion detector dynamic peak jumping analysis for Pb and U oxide; where peak jumps for Pb are in the sequence mass 201 (interference), 202Pb, mass 203 (interference), 204Pb, 205Pb, 206Pb, 207Pb, 208Pb; and where peak jumps for U are in the sequence mass 265 (233U oxide), mass 267 (235U oxide), mass 270 (238U oxide) and mass 272 (238U oxide). During these analyses the single ion detector will have the minimum performance specification of 0 – 1E+06 cps acceptable operational window, linearity to  $\pm 0.1\%$  from 1E+03 cps to 1E+06 cps, dark noise <20 cpm, and a peak top which is flat to  $\pm 0.1\%$  over  $\pm 50$  ppm of mass around the peak centre.

The specification of computer required to operate the MC-TIMS should be detailed. NEIF-GTF will supply the computer which will use a Windows 10 operating system. All instrument software required to run the mass spectrometer should be provided and installed during the installation period.

The new MC-TIMS will be capable of making the following isotope ratio measurements and meeting the following performance characteristics as a mandatory requirement:

- (5) Static multicollector Faraday Pb isotope measurements, where the masses 202Pb, 204Pb, 205Pb, 206Pb, 207Pb, 208Pb are each measured in a separate Faraday detector; and static U oxide isotope measurements where the masses 265 (233Uoxide), 267 (235Uoxide), 270 (238Uoxide) and 272 (238Uoxide) are each measured in a separate Faraday detector. The Pb and U measurements would be separate experiments.
- (6) Static multicollector Faraday – ion detector measurements of masses 202Pb (Faraday), 204Pb (Daly or SEM), 205Pb (Faraday), 206Pb (Faraday), 207Pb (Faraday), 208Pb (Faraday); and in a separate experiment the masses 265 (Faraday), 267 (Faraday), 270 (Faraday), and 272 (ion counter) . Ion counter/Faraday relative efficiency (variously termed gain or yield by manufacturers, termed here as yield) is to be stable to better than  $\pm 0.5\%$  over the course of a sample measurement ( $\leq 60$  minutes). Stability of the yield at much better levels, e.g.  $\pm 0.2\%$  is highly desirable.
- (7) Dynamic (two peak jump) multicollector Faraday – ion detector measurements with masses 202Pb (Faraday), 204Pb (Daly or SEM), 205Pb (SEM or Daly/Faraday), 206Pb (Faraday), 207Pb (Faraday), 208Pb (Faraday). Ion counter/Faraday yield to be calculated from static 205Pb (SEM or Daly)/206Pb (Faraday) and static 205Pb (Faraday)/206Pb (Faraday) measured isotope ratios. The derived yield factor is to be stable to better than  $\pm 0.2\%$  (95% confidence level) over the course of a sample measurement. The internal precision of yield-corrected isotope ratios should be largely accounted for by the yield factor uncertainty propagated with the ion beam counting statistics as measured for a stable ion beam (i.e. where contributions to uncertainty due

to beam size variations are not a factor). Within run precision of the yield – corrected isotope ratios at levels at the  $\pm 0.1\%$  (95% confidence level) for the yield component of the uncertainty or better is highly desirable.

- (8) Dynamic single collector peak jumping Pb and U isotope measurements on a discrete dynode Daly or SEM detector where peak settle times, peak measurement times can be flexibly assigned in the operating software to optimise data collection efficiency. Time-stamped beam interpolation for correction of ion beam intensity drift during the measurement is essential. The measurements that the MC-TIMS shall be capable of delivering in peak-jumping mode are (i) m/z 201 (interference), 202Pb, m/z 203 (interference), 204Pb, 205Pb, 206Pb, 207Pb, 208Pb and shorter derivative sequences; and (ii) m/z 265 (233U oxide), m/z 267 (235U oxide), m/z 268 (236U oxide), m/z 270 (238U oxide), and m/z 272 (238U oxide), and shorter derivative sequences.
- (9) That there are minimal to no isobaric interferences arising from organics originating off mass spectrometer source parts or the pumping system. Compliance with this condition would be evidenced by isotope ratio measurements critical to zircon geochronology being consistent within uncertainty throughout a typical radiogenic Pb analysis (e.g. 206Pb/204Pb = ~ 20-10000, as measured for a 5-50 pg total Pb sample loaded with silica gel on zone refined Re with a loading blank of <0.1 pg Pb, Daly or SEM single collector peak-jumping analysis), or at worst that the isotope ratios plateau out at an internally consistent value after 20 minutes of run time within a Pb isotope single collector peak jumping analytical run (typically 1.5-3 hours total duration).
- (10) Only new mass spectrometers supplied directly from the place of manufacture from established bona fide MC-TIMS instrument manufacturers are acceptable under this “provision of a multicollector thermal ionisation mass spectrometer”. Refurbished and/or upgraded previously-owned (used or unused) instruments, or otherwise new instruments containing any components or sub-systems that have been previously used or refurbished, are completely unacceptable for this “provision of a multicollector thermal ionisation mass spectrometer”.
- (11) It is essential that the software be capable of performing ion beam – time interpolation for on-line correction of single-collector peak jumping measurements and it is essential that the software is capable of outputting time-stamped data.

NEIF-GTF geochronology staff have ~200 person years collective multicollector and single collector mass spectrometry experience.

The new MC-TIMS is to be installed in a room already housing two MC-TIMS instruments. The room air is conditioned and HEPA filtered to ~ISO 6 air quality. The room has housed MC-TIMS instruments since 1990. The new instrument will be placed > 3 m from adjacent TIMS instrument magnets.

The available floor space to accommodate the new instrument footprint is >3m x >3m. Services to the room include piped dry nitrogen, 125 psi compressed air, all electrical circuits on UPS, 240 VAC. High purity liquid nitrogen is readily available from a large supply tank just outside the TIMS laboratory.

A willingness of the instrument provider to work with NEIF-GTF staff to optimise the potential and push the capability of the instrument for U-Pb isotope measurement is not essential but would be very welcome.

Where it is possible for NEIF-GTF to supply a suitable PC with Windows 10 and Office software it is requested that the manufacturers supply the requisite specifications for the hardware and software.

The core MC-TIMS package to be quoted should include a 20+ filament degas device, TIMS operating software, and a core MC-TIMS instrument (e.g. Triton XT/Phoenix/Nu TIMS) fitted with the following essential components to facilitate U-Pb isotope analysis:

High performance ion counting device (discrete dynode SEM or Daly photomultiplier system);

Faraday amplifier system fitted with the manufacturers highest performance lowest background noise amplifiers (e.g. combination of  $10^{11}$  and  $10^{13}$  ohm amplifiers (5), or Atona system, or standard  $10^{11}$  ohm amplifiers plus 6 Faradays fitted with switchable  $10^{11}$ ,  $10^{12}$  and  $10^{13}$  ohm amplifiers), as applicable to the particular MC-TIMS;

Minimum of 9 Faraday detectors for TIMS with movable cups, or for fixed detector instruments the manufacturer is to specify the Faraday cup configuration appropriate to the analytical requirements described by NEIF-GTF;

Oil-free turbomolecular pump (e.g. ceramic bearing with sufficient seals) and oil-free backing pump (e.g. scroll or roots pump or equivalent) that pump the ion source region;  
Sample magazine;

Computer controlled isolation valve between source and analyser vacuum;  
Ion lens assembly/collimator;

Warp or RPQ filter on the ion beam path to the high performance ion counting device used for single collector peak jumping analysis if it is specifically required for obtaining the optimum peak shape, peak flat, and optimized performance on the ion counting device;  
Pyrometer;

Delivery, on-site set-up and testing to achieve instrument performance specification.

Optional extras to be priced as additional items separate from the core MC-TIMS package quote to include:

Energy filter (Warp or RPQ device) on the ion beam path to the high performance ion counting device used for single collector peak jumping analysis in the instance that the filter only is required for optimizing the abundance sensitivity for the ion counting device;

A second ion counter (Daly) in the case of a fixed Faraday collector instrument;  
Liquid nitrogen cryopump;

Spare ion source/collimator;

Spare sample magazine;

1 year typical spares kit including single and double filament supports, cover slits for filament assemblies, specialist tools that comprise the manufacturers normal kit for new mass spectrometer purchases;

Water chiller for magnet and turbopumps if required;

One filament preheat assembly in addition to the main filament heating assembly in the ion

source region.

General requirements (desirable, non-mandatory): Tenderers are requested to include the following in their response to tender:

- (12) A breakdown of costings for all items included in the instrument hardware, associated PC, and software.
- (13) Details of third party components included within the specifications which UKRI BGS could purchase directly from manufacturers (e.g. computer hardware, operating system and MS Office software, vacuum system components)
- (14) Details of warranty provisions,
- (15) Details and costings of spares kit,
- (16) Details of maintenance arrangements/agreements,
- (17) Details of service engineer's call out charges (per day).

Key specification's that NEIF-GTF deem to be prerequisites to achieving our scientific objectives are as follows. The instrument and its operating software will be capable of:

- (18) Dynamic peak jumping and static multicollector analysis of U and Pb isotopes as outlined in above is essential. Proven capability of making zircon geochronology U-Pb isotope measurements is desirable.
- (19) Single collector dynamic peak jumping analysis capability (i) employing a Faraday cup for large ion beams and (but not simultaneously) (ii) employing a highly linear ion-counting device (SEM or Daly) for  $\leq 10^6$  count per second (cps) ion beams with time-stamping of the data and on-line beam-interpolation correction is essential. An axial ion counting device (or its nearest equivalent in fixed Faraday position multicollector instruments) should be of a discrete-dynode secondary electron multiplier (SEM) or Daly-type detector.
- (20) The ion counting device should be linear at the 0.1% level for ion beams from  $10^3$  cps to at least  $10^6$  cps.
- (21) The ion counting device, if an SEM, should have a maximum dark noise of ~10 counts per minute (cpm) on installation at NEIF-GTF. SEM dark noise <2 cpm would be desirable. In the instance of a Daly detector,  $\leq 10$  cpm dark noise achieved within 6 months of installation.
- (22) In the event that NEIF-GTF purchase a high abundance sensitivity energy filter (e.g. RPQ, or Warp energy filter, or similar) for the axial (or nearest to axial position) ion counting device that it be capable of achieving  $\leq 50$  ppm abundance sensitivity at  $\geq 90\%$  transmission.
- (23) In the instance of a Daly-type ion counting device, the physical position of the Daly knob relative to the ion beam path and the Daly detector scintillator window should be optimised to provide the maximum width flat topped peak characteristics under the widest range of instrument tuning conditions.
- (24) In the instance that the principal ion counting device is an SEM, NEIF-GTF requires an SEM that will give reliable performance for  $\geq 5$  yrs averaging  $\sim 2E+12$  counts per year while maintaining dark noise < 20 cps and linearity as per point (9) above. (For

reference, NEIF-GTF's Triton 2 SEM counts =  $1.7E+12$ ; Jan 06 – Dec 28 2018, within dark noise and linearity specification limits given in point 9 and 10 above). The SEM when requiring eventual replacement should be serviceable by experienced NEIF-GTF staff.

- (25) Multi-collector Faraday detector array: for movable collector assemblies the low mass Faraday cups will be positionable to achieve uranium oxide spacing for m/z 265, 267, 270 and 272, and first low mass Faraday plus axial and high mass Faraday cups to Pb isotopes  $^{202}\text{Pb}$ ,  $^{204}\text{Pb}$ ,  $^{205}\text{Pb}$ ,  $^{206}\text{Pb}$ ,  $^{207}\text{Pb}$ ,  $^{208}\text{Pb}$ .
- (26) Multi-collector Faraday detector array: for movable collector assemblies the Faraday cups will be sufficiently adjustable to permit static and multi-dynamic measurement of Sr and Nd isotopes in addition to the Pb and Uoxide cup configurations.
- (27) Multi-collector Faraday detector array: for fixed position detector arrays the array should be optimised for U and Pb measurement but where possible have capability for Sr and Nd isotope measurements.
- (28) A minimum of 5 Faraday detectors should be connected to high-sensitivity amplifiers (e.g.  $1E+13$  ohm amplifiers), or the equivalent high-sensitivity and wide-range proprietary devices. A high-sensitivity amplifier system permitting measurement of isotope ratios with an internal precision (uncertainty) of  $\pm 0.1\%$  (95% confidence level) given a minimum ion beam intensity of  $\leq 30,000$  cps would be highly desirable.
- (29) The sample wheel should be capable of holding ca. 20 sample filaments.
- (30) The source will be fitted with (i) an isolation valve between the flight tube and the thermal ionisation source region that is controllable by the software in either automatic (computer controlled) or manual running modes; (ii) fitted with an optical pyrometer for monitoring filament temperature; (iii) capable of being fitted with at least one filament preheat position for sample preconditioning.
- (31) The vacuum system will be protected against power interruption such that there are fail-safe devices resident that isolate high vacuum regions from low vacuum/ambient pressure regions to eliminate risk of venting high vacuum regions to atmosphere.
- (32) The turbo-pumping system shall provide a sustainable source pressure of  $\leq 2E-07$  mbar within 4 hours from start of pumping down from atmosphere, where attaining this sustainable pressure within 2 hours would be desirable.
- (33) The vacuum pressures shall be monitored in all critical locations within the TIMS instrument (e.g. turbo pump backing line pressure, source region pressure, flight tube pressure) and displayed by the control software.
- (34) The ultimate flight tube pressure, as maintained by ion pumps or turbomolecular pumps, will be sufficient to provide an abundance sensitivity of 2 ppm or better at the Faraday detectors on a continuous basis and not as a transient feature dependent upon special operating conditions or use of an RPQ or Warp filter device.
- (35) The turbomolecular pump that evacuates the source region, and its dry backing pump, are to provide a virtually oil-free vacuum to the mass spectrometer. Under no circumstances are oil-based rotary pumps permitted as backing pumps to the turbo pump or any other part of the instrument (e.g. amplifier housing).

- (36) Bake-out devices and their controllers are to be provided.
- (37) The pumping system will provide a sustainable source region vacuum of ca. 2E-07 mbar or better after pumping down from atmosphere within ca. 4 hours from start of pumping.
- (38) The magnet will be capable of a mass range of m/z of at least 5 to 300.
- (39) The magnet and magnet field regulation system shall provide a peak side stability of at least  $\pm 50$  ppm of mass over  $\geq 30$  minutes as measured on the  $^{238}\text{U}$  oxide peak (m/z = 270).
- (40) Mass resolution shall be  $\geq 400$  with flat-topped well-defined peaks as measured on either the Faraday detectors or SEM/Daly detector(s).
- (41) The magnet shall have a settling time of 2 seconds or better where the mass positioning is within  $\pm 100$  ppm of the desired mass for a small m/z jump (e.g.  $^{206}\text{Pb}$  to  $^{207}\text{Pb}$ , 267 ( $^{235}\text{U}$ oxide) to 270 ( $^{238}\text{U}$ oxide)). Settling times should be specified for the type of magnet supplied on the MC-TIMS and if data are available, for small and large mass range jumps.
- (42) Operating software for the instrument should permit versatile measurement protocol writing. Flexible operation  $\pm$  open source is highly desirable.
- (43) There should be auto-resetting of the ion counter in the instance of tripping due to exposure to large ion beams.

Instrument installation, performance specification achievement, and acceptance by relevant NEIF-GTF staff shall be completed before March 27<sup>th</sup> 2020 to ensure final payment achieved by end of financial year deadlines. This timing is fundamental to successful purchase of the MC-TIMS and final acceptance by mid-March 2020 would be preferable.

The instrument will be expected to achieve the manufacturer's standard performance acceptance criteria. In addition, the ion-counting detector will be expected to achieve the minimum specifications listed in section 4 specification 4 above.

Delivery to British Geological Survey, Keyworth, Nottingham, NG12 5GD, UK can happen between 9 AM – 5 PM, Monday-Friday. Easy access to the mass spectrometry laboratory is via double fire doors to the outside that can be opened fully for access. Previously installed MC-TIMS instruments have come through those doors. Installation engineers may only work during standard BGS hours, 7 AM – 7 PM, Monday-Friday.

### **Contract Length**

The Contract duration shall be for a period of 1 year.

### **Terms and Conditions**

Bidders are to note that any requested modifications to the Contracting Authority Terms and Conditions on the grounds of statutory and legal matters only, shall be raised as a formal clarification during the permitted clarification period.

## Section 5 – Evaluation model

### 5.1 Introduction

- 5.1.1 The evaluation process will be conducted to ensure that Bids are evaluated fairly to ascertain the bidders who can demonstrate the required skills qualities, technical ability and capacity, commercial stability and experience to ensure successful performance of the Contract.
- 5.1.2 The evaluation team may comprise staff from UK SBS and the Contracting Authority, and any specific external stakeholders the Contracting Authority deem required

### 5.2 Evaluation of Bids

- 5.2.1 Evaluation of Bids shall be based on a Selection questionnaire defined in the e-sourcing tool.

### 5.3. SELECTION questionnaire

- 5.3.1 The Selection questionnaire shall be marked against the following Selection pass / fail and scoring criteria.
- 5.3.2 The selection questionnaire shall be marked against the following Mandatory or discretionary pass / fail criteria.

Selection Pass/fail criteria		
Questionnaire	Q No.	Question subject
Selection Part A	SEL1.13	Contact details and declaration
Selection Part B	SEL2.2	Participation in a criminal organisation
Selection Part B	SEL2.3	Corruption
Selection Part B	SEL2.4	Fraud
Selection Part B	SEL2.5	Terrorist Offences or offences link to terrorist activities
Selection Part B	SEL2.6	Money laundering or Terrorist financing
Selection Part B	SEL2.7	Child Labour and other forms of trafficking in human beings
Selection Part B	SEL 2.8	Self cleaning
Selection Part B	SEL 2.9	Payment of tax or social security
Selection Part C	SEL3.2	Breach of environmental obligations
Selection Part C	SEL3.3	Breach of social obligations
Selection Part C	SEL3.4	Breach of labour law obligations
Selection Part C	SEL3.5	Bankruptcy
Selection Part C	SEL3.6	Guilty of grave professional misconduct
Selection Part C	SEL3.7	Distorting competition
Selection Part C	SEL3.8	Conflict of Interest
Selection Part C	SEL3.9	Prior involvement in procurement process
Selection Part C	SEL3.10	Prior performance of contract
Selection Part C	SEL3.11	Serious Misrepresentation
Selection Part C	SEL3.12	Withholding information
Selection Part C	SEL3.13	Unable to provide supporting documentation for ESPD

Selection Part C	SEL3.14	Influenced the decision making process
Selection Part D	SEL4.1	Audited accounts
Selection Part D	SEL4.2	Minimum financial threshold
Selection Part D	SEL4.3	Wider group / guarantee
Selection Part D	SEL4.4	Insurance
Selection Part E	SEL5.1	References
Selection Part E	SEL5.4	Compliance under Modern Slavery Act 2015
Selection Part E	SEL5.5	Health and Safety Policy
Selection Part E	SEL5.6	Enforcement/remedial orders in relation to the Health and Safety Executive
Selection Part E	SEL5.7	Breaching environmental legislation
Selection Part E	SEL5.8	Checking sub-contractors for infringement of environmental legislation
Selection Part E	SEL5.9	Unlawful discrimination
Selection Part E	SEL5.10	Checking sub-contractors for unlawful discrimination
Selection Part E	FOI1.1	Freedom of information
		In the event of a Bidder failing to meet the requirements of a Mandatory pass / fail criteria, the Contracting Authority reserves the right to disqualify the Bidder and not consider evaluation of the any of the selection stage scoring methodology, nor the Award stage scoring methodology or Mandatory pass / fail criteria.

5.3.3 Each Mandatory pass / fail question includes a clear definition of the requirements of a successful response to the question.

5.3.4 The evaluation model below shall be used for this RFP which will be determined to two decimal places.

5.3.5 Questions marked 'for information only' do not contribute to the scoring model.

5.3.6 During the evaluation stage, the intention is that only Bidders who pass all the Mandatory and Discretionary requirements of the RFP will be considered for award stage evaluation.

#### 5.4. AWARD questionnaire

5.4.1 The award questionnaire shall be marked against the following Mandatory or discretionary pass / fail criteria. Each Mandatory pass / fail question includes a clear definition of the requirements of a successful response to the question.

<b>Award Pass/fail criteria</b>		
<b>Questionnaire</b>	<b>Q No.</b>	<b>Question subject</b>
Commercial	AW1.1	Form of Bid
Commercial	AW1.2	Bid validity period
Commercial	AW1.3	Certificate of bona fide Bid
Commercial	AW4.1	Compliance to the Contract Terms
Commercial	AW4.2	Changes to the Contract Terms
Quality	AW6.1	Compliance to the Specification
Quality	AW6.2	Variable Bids

-	-	Request for Quotation response – received on time within the e-sourcing tool
		In the event of a Bidder failing to meet the requirements of a Mandatory pass / fail criteria, the Contracting Authority reserves the right to disqualify the Bidder and not consider evaluation of the any of the selection stage scoring methodology, nor the Award stage scoring methodology or Mandatory pass / fail criteria.

5.4.2 The Award questionnaire shall be marked against the following Award scoring criteria.

5.4.3 The evaluation model below shall be used for this RFP which will be determined to two decimal places.

5.4.4 Questions marked 'for information only' do not contribute to the scoring model.

### Award Scoring criteria

#### Evaluation Justification Statement

In consideration of this particular requirement the Contracting Authority has decided to evaluate Potential Providers by adopting the weightings/scoring mechanism detailed within this RFP. The Contracting Authority considers these weightings to be in line with existing best practice for a requirement of this type.

Questionnaire	Q No.	Question subject	Maximum Marks
Price	AW5.2	Price	10%
Quality	PROJ1.2	Low noise faraday signal detection	25%
Quality	PROJ1.3	ION counting system	25%
Quality	PROJ1.4	Magnet	10%
Quality	PROJ1.5	The source	10%
Quality	PROJ1.6	Future Proofing	5%
Quality	PROJ1.7	Delivery & Installation	5%
Quality	PROJ1.8	System features	10%

### Award Evaluation of criteria

#### Non-Price elements

Each question will be judged on a score from 0 to 100, which shall be subjected to a multiplier to reflect the percentage of the evaluation criteria allocated to that question.

Where an evaluation criterion is worth 20% then the 0-100 score achieved will be multiplied by 20%.

Example if a Bidder scores 60 from the available 100 points this will equate to 12% by using the following calculation:

$$\text{Score} = \{\text{weighting percentage}\} \times \{\text{bidder's score}\} = 20\% \times 60 = 12$$

The same logic will be applied to groups of questions which equate to a single evaluation criterion.

The 0-100 score shall be based on (unless otherwise stated within the question):

0	The Question is not answered, or the response is completely unacceptable.
10	Extremely poor response – they have completely missed the point of the question.
20	Very poor response and not wholly acceptable. Requires major revision to the response to make it acceptable. Only partially answers the requirement, with major deficiencies and little relevant detail proposed.
40	Poor response only partially satisfying the selection question requirements with deficiencies apparent. Some useful evidence provided but response falls well short of expectations. Low probability of being a capable supplier.
60	Response is acceptable but remains basic and could have been expanded upon. Response is sufficient but does not inspire.
80	Good response which describes their capabilities in detail which provides high levels of assurance consistent with a quality provider. The response includes a full description of techniques and measurements currently employed.
100	Response is exceptional and clearly demonstrates they are capable of meeting the requirement. No significant weaknesses noted. The response is compelling in its description of techniques and measurements currently employed, providing full assurance consistent with a quality provider.

All questions will be scored based on the above mechanism. Please be aware that there may be multiple evaluators. If so, their individual scores will be averaged (mean) to determine your final score as follows:

**Example**

Evaluator 1 scored your bid as 60  
 Evaluator 2 scored your bid as 40  
 Evaluator 3 scored your bid as 80  
 Evaluator 4 scored your bid as 60  
 Your final score will  $(60+40+80+60) \div 4 = 60$

**Price elements** will be judged on the following criteria.

The lowest price for a response which meets the pass criteria shall score 100.

All other bids shall be scored on a pro rata basis in relation to the lowest price. The score is then subject to a multiplier to reflect the percentage value of the price criterion.

For example - Bid 1 £100,000 scores 100.

Bid 2 £120,000 differential of £20,000 or 20% remove 20% from price scores 80

Bid 3 £150,000 differential £50,000 remove 50% from price scores 50.

Bid 4 £175,000 differential £75,000 remove 75% from price scores 25.

Bid 5 £200,000 differential £100,000 remove 100% from price scores 0.

Bid 6 £300,000 differential £200,000 remove 100% from price scores 0.

Where the scoring criterion is worth 50% then the 0-100 score achieved will be multiplied by 50

In the example if a supplier scores 80 from the available 100 points this will equate to 40% by using the following calculation: Score/Total Points multiplied by 50  $(80/100 \times 50 = 40)$

The lowest score possible is 0 even if the price submitted is more than 100% greater than the lowest price.

**5.5. Evaluation process**

5.5.1 The evaluation process will feature some, if not all, the following phases

<b>Stage</b>	<b>Summary of activity</b>
Receipt and Opening	<ul style="list-style-type: none"> <li>• RFP logged upon opening in alignment with UK SBS's procurement procedures.</li> <li>• Any RFP Bid received after the closing date will be rejected unless circumstances attributed to the Contracting Authority or the e-sourcing tool beyond the bidder control are responsible for late submission.</li> </ul>
Compliance check	<ul style="list-style-type: none"> <li>• Check all Mandatory requirements are acceptable to the Contracting Authority.</li> <li>• Unacceptable Bids maybe subject to clarification by the Contracting Authority or rejection of the Bid.</li> </ul>
Scoring of the Bid	<ul style="list-style-type: none"> <li>• Evaluation team will independently score the Bid and provide a commentary of their scoring justification against the Selection criteria.</li> </ul>
Clarifications	<ul style="list-style-type: none"> <li>• The Evaluation team may require written clarification to Bids</li> </ul>
Re - scoring of the Bid and Clarifications	<ul style="list-style-type: none"> <li>• Following Clarification responses, the Evaluation team reserve the right to independently re-score the Bid and Clarifications and provide a commentary of their re-scoring justification against the Selection criteria.</li> </ul>
Validation of unsuccessful Bidders	<ul style="list-style-type: none"> <li>• To confirm contents of the letters to provide details of scoring and relative feedback on the unsuccessful Bidders Bid in comparison with the successful Bidders Bid.</li> </ul>

## **Section 6 – Selection and award questionnaires**

### **Section 6 – Selection questionnaire**

#### 6.1 Introduction

The Selection questionnaires are located in the within the e-sourcing tool.

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

**PLEASE NOTE THE QUESTIONS ARE NOT NUMBERED SEQUENTIALLY**

## Section 6 – Award questionnaire

- 6.2 The Award questionnaires are located within the e-sourcing tool.
- 6.3 Guidance on completion of the questions is available at <http://www.uksbs.co.uk/services/procure/Pages/supplier.aspx>

**PLEASE NOTE THE QUESTIONS ARE NOT NUMBERED SEQUENTIALLY**

## Section 7 – General information

### 7.1. Introduction

- 7.1.1 The Contracting Authority wishes to establish a Contract for the provision of Mass Spectromometer. The Contracting Authority is managing this procurement process in accordance with the Public Contracts Regulations 2015 (as may be amended from time to time) (the “Regulations”). This is a supplies Contract being procured under the OJEU Open Procedure
- 7.1.2 The Contracting Authority is procuring the Contract for add for its exclusive use or cross reference the list of customers provided in the [OJEU Notice](#) or [Contracts Finder](#) Notice supported if relevant by the statement on the UK SBS website currently located [here](#). (OPB)
- 7.1.3 UK SBS and the Contracting Authority logo, trademarks and other identifying marks are proprietary and may not be incorporated in the Companies response without or the Contracting Authority’s written permission.
- 7.1.4 The Bidder shall indemnify and keep indemnified UK SBS and the Contracting Authority against all actions, claims, demands, proceedings, damages, costs, losses, charges and expenses whatsoever in respect of any breach by the Bidder of this document.
- 7.1.5 If there is any doubt with regard to the ambiguity of any question or content contained in this questionnaire then PLEASE ASK a clarification question, but please ensure that your question is via the formal clarification process in writing to the UK SBS representative nominated. No approach of any kind in connection with this opportunity should be made to any other person within or associated with UK SBS or the Contracting Authority. All information secured outside of this named contact shall have no legal standing or worth and should not be relied upon.
- 7.1.6 It remains the responsibility of the Bidder to keep UK SBS and the Contracting Authority informed of any matter that may affect continued qualification
- 7.1.7 Prior to commencing formal evaluation, Submitted Responses will be checked to ensure they are fully compliant with the Pass / Fail criteria within the Evaluation model. Non-compliant Submitted Responses may be rejected by the Contracting Authority. Submitted Responses which are deemed by the Contracting Authority to be fully compliant will proceed to evaluation. These will be evaluated using the criteria and scores detailed in the matrix set out in [Section 5](#).
- 7.1.8 Whilst it is the Contracting Authority’s [and any relevant Other Public Bodies] intention to purchase the majority of its supplies under this Contract Arrangement from the Supplier(s) appointed this does not confer any exclusivity on the appointed Suppliers. The Contracting Authority and any relevant Other Public Bodies reserve the right to purchase any supplies and (including those similar to the supplies covered by this procurement) from any Supplier outside of this Contract.
- 7.1.9 The Contracting Authority reserves the right not to conclude a Contract as a result of the current procurement process. Bidders should review the contents of Section 7 paragraph 7.8.1 when considering submitting their Response.
- 7.1.10 The supplies covered by this procurement exercise have NOT been sub-divided into Lots.

- 7.1.11 The Contracting Authority shall utilise the Crown Commercial Service (CCS – previously Government Procurement Service) Emptoris e-sourcing tool url <https://gpsesourcing.cabinetoffice.gov.uk/ssso/jsp/login.jsp> to conduct this procurement. There will be no electronic auction following the conclusion of the evaluation of the Request for Proposal (RFP) responses. Bidders will be specifically advised where attachments are permissible to support a question response within the e-sourcing tool. All enquiries with respect to access to the e-sourcing tool and problems with functionality within the tool may be submitted to Crown Commercial Service, Telephone 0345 010 3503.
- 7.1.12 Please utilise the messaging system within the e-sourcing tool located at <https://gpsesourcing.cabinetoffice.gov.uk/ssso/jsp/login.jsp> within the timescales detailed in [Section 3](#). if you have any doubt as to what is required or will have difficulty in providing the information requested. Bidders should note that any requests for clarifications may not be considered by the Contracting Authority if they are not articulated by the Bidder within the discussion forum within the e-sourcing tool.
- 7.1.13 Bidders should read this document, RFX attachments, messages and the evaluation questionnaires carefully before completing the Response submission. Failure to comply with any of these instructions for completion and submission of the Submitted Response may result in the rejection of the Response. Bidders are advised therefore to acquaint themselves fully with the extent and nature of the supplies contractual obligations. These instructions constitute the Conditions of Response. Participation in the RFP process automatically signals that the Bidder accepts these Conditions.
- 7.1.14 All material issued in connection with this RFP shall remain the property of the Contracting Authority and/or as applicable relevant OPB and shall be used only for the purpose of this procurement. All Due Diligence Information shall be either returned to the Contracting Authority or securely destroyed by the Bidder (at the Contracting Authority's option) at the conclusion of the procurement
- 7.1.15 The Bidder shall ensure that each and every sub-contractor, consortium member and adviser abide by the terms of these instructions and the Conditions of Response.
- 7.1.16 The Bidder shall not make contact with any other employee, agent or consultant of UK SBS or the Contracting Authority or any relevant OPB or Customer who are in any way connected with this procurement during the period of this procurement, unless instructed otherwise by the Contracting Authority.
- 7.1.17 The Contracting Authority shall not be committed to any course of action as a result of:
- 7.1.18.1 issuing this RFP or any invitation to participate in this procurement ;
  - 7.1.17.2 an invitation to submit any Response in respect of this procurement;
  - 7.1.17.3 communicating with a Bidder or a Bidder's representatives or agents in respect of this procurement; or
  - 7.1.17.4 any other communication between UK SBS, the Contracting Authority and/or any relevant OPB (whether directly or by its agents or representatives) and any other party.
- 7.1.18 Bidders shall accept and acknowledge that by issuing this RFP the Contracting Authority shall not be bound to accept any Response and reserves the right not to conclude a Contract for some or all of the supplies for which Responses are invited.
- 7.1.19 The Contracting Authority reserves the right to amend, add to or withdraw all or any part of this RFP at any time during the procurement.

- 7.1.20 Bidders should not include in the Response any extraneous information which has not been specifically requested in the RFP including, for example, any sales literature, standard terms of trading etc. Any such information not requested but provided by the Bidder shall not be considered by the Contracting Authority.
- 7.1.21 If the Bidder is a consortium, the following information must be provided: full details of the consortium; and the information sought in this RFP in respect of each of the consortium's constituent members as part of a single composite response. Potential Providers should provide details of the actual or proposed percentage shareholding of the constituent members within the consortium as indicated in the relevant section of the selection questionnaire SEL1.9 specifically refers. If a consortium is not proposing to form a corporate entity, full details of alternative proposed arrangements should be provided as indicated in the relevant section of the RFP. However, please note the Contracting Authority reserves the right to require a successful consortium to form a single legal entity in accordance with regulation 19(6) of the Regulations. The Contracting Authority recognises that arrangements in relation to consortia may (within limits) be subject to future change. Potential Providers should therefore respond in the light of the arrangements as currently envisaged. Potential Providers are reminded that any future proposed change in relation to consortia must be notified to the Contracting Authority so that it can make a further assessment by applying the selection criteria to the new information provided and consider rejection of the Response if the Contracting Authority reasonably consider the change to have a material impact of the delivery of the viability of the Response.

## **7.2. Bidder conference**

- 7.2.1 A Bidders' Conference will not be held in conjunction with this procurement.

## **7.3. Confidentiality**

- 7.3.1 Subject to the exceptions referred to in paragraph 7.3.2, the contents of this RFP are being made available by the Contracting Authority on condition that:
- 7.3.1.1 Bidders shall at all times treat the contents of the RFP and any related documents (together called the 'Information') as confidential, save in so far as they are already in the public domain;
  - 7.3.1.2 Bidders shall not disclose, copy, reproduce, distribute or pass any of the Information to any other person at any time or allow any of these things to happen;
  - 7.3.1.3 Bidders shall not use any of the Information for any purpose other than for the purposes of submitting (or deciding whether to submit) a Response; and
  - 7.3.1.4 Bidders shall not undertake any publicity activity within any section of the media in relation to this procurement
- 7.3.2 Bidders may disclose, distribute or pass any of the Information to the Bidder's advisers, sub-contractors or to another person provided that either:
- 7.3.2.1 This is done for the sole purpose of enabling a Response to be submitted and the person receiving the Information undertakes in writing to keep the Information confidential on the same terms as if that person were the Bidder; or
  - 7.3.2.2 The disclosure is made for the sole purpose of obtaining legal advice from external lawyers in relation to the procurement or to any Contract arising from it; or
  - 7.3.2.3 The Bidder is legally required to make such a disclosure

- 7.3.3 In paragraphs 7.3.1 and 7.3.2 above the term 'person' includes but is not limited to any person, firm, body or association, corporate or incorporate.
- 7.3.4 UK SBS and the Contracting Authority may disclose detailed information relating to Responses to its employees, agents or advisers and they may make any of the Contract documents available for private inspection by its officers, employees, agents or advisers. UK SBS and the Contracting Authority also reserve the right to disseminate information that is materially relevant to the procurement to all Bidders, even if the information has only been requested by one Bidder, subject to the duty to protect each Bidder's commercial confidentiality in relation to its Response (unless there is a requirement for disclosure as explained in paragraphs 7.4.1 to 7.4.3 below).
- 7.3.5 All Central Government Departments and their Executive Agencies and Non-Departmental Public Bodies are subject to control and reporting within Government. In particular, they report to the Cabinet Office and HM Treasury for all expenditure. Further, the Cabinet Office has a cross-Government role delivering overall Government policy on public procurement - including ensuring value for money and related aspects of good procurement practice.

For these purposes, the Contracting Authority may disclose within Government any of the Bidders documentation/information (including any that the Bidder considers to be confidential and/or commercially sensitive such as specific bid information) submitted by the Bidder to the Contracting Authority during this Procurement. Subject to section 7.4 below, the information will not be disclosed outside Government. Bidders taking part in this RFP consent to these terms as part of the competition process.

- 7.3.6 The Government introduced its new Government Security Classifications ("GSC") classification scheme to replace the current Government Protective Marking System ("GPMS"). A key aspect of this is the reduction in the number of security classifications used. All Bidders are encouraged to make themselves aware of the changes and identify any potential impacts in their Bid, as the protective marking and applicable protection of any material passed to, or generated by, you during the procurement process or pursuant to any Contract awarded to you as a result of this tender process will be subject to the new GSC from 2nd April 2014. The link below to the Gov.uk website provides information on the new GSC:  
<https://www.gov.uk/government/publications/government-security-classifications>
- 7.3.7 The Contracting Authority reserves the right to amend any security related term or condition of the draft contract accompanying this RFP to reflect any changes introduced by the GSC. In particular where this RFP is accompanied by any instructions on safeguarding classified information (e.g. a Security Aspects Letter) as a result of any changes stemming from the new GSC, whether in respect of the applicable protective marking scheme, specific protective markings given, the aspects to which any protective marking applies or otherwise. This may relate to the instructions on safeguarding classified information (e.g. a Security Aspects Letter) as they apply to the procurement as they apply to the procurement process and/or any contracts awarded to you as a result of the procurement process.

## USEFUL INFORMATION LINKS

- [Emptoris Training Guide](#)
- [Emptoris e-sourcing tool](#)
- [Contracts Finder](#)

- [Tenders Electronic Daily](#)
- [Equalities Act introduction](#)
- [Bribery Act introduction](#)
- [Freedom of information Act](#)

## 7.4 Freedom of information

- 7.4.1 In accordance with the obligations and duties placed upon public authorities by the Freedom of Information Act 2000 (the 'FoIA') and the Environmental Information Regulations 2004 (the 'EIR') (each as amended from time to time), UK SBS and the Contracting Authority may be required to disclose information submitted by the Bidder to the to the Contracting Authority.
- 7.4.2 In respect of any information submitted by a Bidder that it considers to be commercially sensitive the Bidder should complete the Freedom of Information declaration question defined in the Question FOI1.2.
- 7.4.3 Where a Bidder identifies information as commercially sensitive, the Contracting Authority will endeavour to maintain confidentiality. Bidders should note, however, that, even where information is identified as commercially sensitive, the Contracting Authority may be required to disclose such information in accordance with the FoIA or the Environmental Information Regulations. In particular, the Contracting Authority is required to form an independent judgment concerning whether the information is exempt from disclosure under the FoIA or the EIR and whether the public interest favours disclosure or not. Accordingly, the Contracting Authority cannot guarantee that any information marked 'confidential' or "commercially sensitive" will not be disclosed.
- 7.4.4 Where a Bidder receives a request for information under the FoIA or the EIR during the procurement, this should be immediately passed on to the Contracting Authority and the Bidder should not attempt to answer the request without first consulting with the Contracting Authority.
- 7.4.5 Bidders are reminded that the Government's transparency agenda requires that sourcing documents, including RFP 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, and any contract entered into by the Contracting Authority with its preferred supplier once the procurement is complete. By submitting a response to this RFP Bidders are agreeing that their participation and contents of their Response may be made public.

## 7.5. Response Validity

- 7.5.1 Your Response should remain open for consideration for a period of 90 days. A Response valid for a shorter period may be rejected.

## 7.6. Timescales

- 7.6.1 [Section 3](#) of the RFP sets out the proposed procurement timetable. the Contracting Authority reserves the right to extend the dates and will advise potential Bidders of any change to the dates.

## 7.7. The Contracting Authority's Contact Details

- 7.7.1 Unless stated otherwise in these Instructions or in writing from UK SBS or the Contracting Authority, all communications from Bidders (including their sub-contractors, consortium members, consultants and advisers) during the period of this procurement must be directed through the e-sourcing tool to the designated UK SBS contact.
- 7.7.2 All enquiries with respect to access to the e-sourcing tool may be submitted to Crown Commercial Service, Telephone 0345 010 3503.
- 7.7.3 Bidders should be mindful that the designated Contact should not under any circumstances be sent a copy of their Response outside of the e-sourcing tool. Failure to follow this requirement will result in disqualification of the Response.

## **7.8. Preparation of a Response**

- 7.8.1 Bidders must obtain for themselves at their own responsibility and expense all information necessary for the preparation of Responses. Bidders are solely responsible for all costs, expenses and other liabilities arising in connection with the preparation and submission of their Response and all other stages of the selection and evaluation process. Under no circumstances will UK SBS or the Contracting Authority, or any of their advisers, be liable for any such costs, expenses or liabilities borne by Bidders or their sub-contractors, suppliers or advisers in this process.
- 7.8.2 Bidders are required to complete and provide all information required by the Contracting Authority in accordance with the Conditions of Response and the Request for Proposal. Failure to comply with the Conditions and the Request for Proposal may lead the Contracting Authority to reject a Response.
- 7.8.3 The Contracting Authority relies on Bidders' own analysis and review of information provided. Consequently, Bidders are solely responsible for obtaining the information which they consider is necessary in order to make decisions regarding the content of their Responses and to undertake any investigations they consider necessary in order to verify any information provided to them during the procurement.
- 7.8.4 Bidders must form their own opinions, making such investigations and taking such advice (including professional advice) as is appropriate, regarding their Responses, without reliance upon any opinion or other information provided by the Contracting Authority or their advisers and representatives. Bidders should notify the Contracting Authority promptly of any perceived ambiguity, inconsistency or omission in this RFP, any of its associated documents and/or any other information issued to them during the procurement.
- 7.8.5 Bidders must ensure that each response to a question is within any specified word count. Any responses with words in excess of the word count will only be considered up to the point where they meet the word count, any additional words beyond the volume defined in the word count will not be considered by the evaluation panel.
- 7.8.6 Bidders must ensure that each response to a question is not cross referenced to a response to another question. In the event of a Bidder adding a cross reference it will not be considered in evaluation.

## **7.9. Submission of Responses**

- 7.9.1 The Response must be submitted as instructed in this document through the e-sourcing tool. Failure to follow the instruction within each Section of this document, to omit responses to any of the questions or to present your response in alignment with any guidance notes provided may render the Response non-compliant and it may be rejected.
- 7.9.2 The Contracting Authority may at its own absolute discretion extend the closing date and the time for receipt of Responses specified [Section 3](#).
- 7.9.3 Any extension to the RFP response period will apply to all Bidders.
- 7.9.4 Any financial data provided must be submitted in or converted into pounds sterling. Where official documents include financial data in a foreign currency, a sterling equivalent must be provided. Failure to adhere to this requirement will result in the Response not being considered.
- 7.9.5 The Contracting Authority do not accept responsibility for the premature opening or mishandling of Responses that are not submitted in accordance with the instructions of this document.
- 7.9.6 The Response and any documents accompanying it must be in the English language
- 7.9.7 Bidders must submit their response through the e-sourcing tool, unless explicitly requested by the Contracting Authority either in the procurement documents or via a formal clarification from the Contracting Authority. Responses received by any other method than requested will not be considered for the opportunity.
- 7.9.8 Responses will be submitted any time up to the date indicated in [Section 3](#). Responses received before this deadline will be retained in a secure environment, unopened until this deadline has passed.
- 7.9.9 Responses received after the date indicated in [Section 3](#) shall not be considered by the Contracting Authority, unless the Bidder can justify that the reason for the delay is solely attributable to the Contracting Authority
  - 7.9.9.1 The Bidder must demonstrate irrefutable evidence in writing they have made best endeavours to ensure the Response was received on time and that the issue was beyond their control.
  - 7.9.9.2 Any request for a late Response to be considered must be emailed to the Buyer in [Section 3](#) in advance of 'the deadline' if a bidder believes their Response will be received late.
  - 7.9.9.3 The Contracting Authority reserves the right to accept or reject any late Response without justification to the affected Bidder and make no guarantee it will consider any request for a late Response to be considered.
- 7.9.10 Do not seek changes to the Bid after responses have been submitted and the deadline (date and time) for receipt of responses has passed.

## **7.10. Canvassing**

- 7.10.1 Any Bidder who directly or indirectly canvasses any employee, or agent of UK SBS, the Contracting Authority or its members or any relevant OPB or any of its employees concerning the establishment of the Contract or who directly or indirectly obtains or attempts to obtain information from any such officer, member, employee or agent or concerning any other Bidder, Response or proposed Response will be disqualified.

## 7.11. Disclaimers

7.11.1 Whilst the information in this RFP, Due Diligence Information and supporting documents has been prepared in good faith, it does not purport to be comprehensive nor has it been independently verified.

7.11.2 Neither UK SBS, the Contracting Authority, nor any relevant OPB's nor their advisors, nor their respective directors, officers, members, partners, employees, other staff or agents:

7.11.2.1 makes any representation or warranty (express or implied) as to the accuracy, reasonableness or completeness of the RFP; or

7.11.2.2 accepts any responsibility for the information contained in the RFP or for their fairness, accuracy or completeness of that information nor shall any of them be liable for any loss or damage (other than in respect of fraudulent misrepresentation) arising as a result of reliance on such information or any subsequent communication.

7.11.3 Any persons considering making a decision to enter into contractual relationships with the Contracting Authority and/or, as applicable, relevant OPB following receipt of the RFP should make their own investigations and their own independent assessment of the Contracting Authority and/or, as applicable, relevant OPB and its requirements for the supplies and should seek their own professional financial and legal advice. For the avoidance of doubt the provision of clarification or further information in relation to the RFP or any other associated documents (including the Schedules) is only authorised to be provided following a query made in accordance with Paragraph 7.15 of this RFP.

## 7.12. Collusive behaviour

7.12.1 Any Bidder who:

7.12.1.1 fixes or adjusts the amount of its Response by or in accordance with any agreement or arrangement with any other party; or

7.12.1.2 communicates to any party other than UK SBS, the Contracting Authority or, as applicable, relevant OPB the amount or approximate amount of its proposed Response or information which would enable the amount or approximate amount to be calculated (except where such disclosure is made in confidence in order to obtain quotations necessary for the preparation of the Response or insurance or any necessary security); or

7.12.1.3 enters into any agreement or arrangement with any other party that such other party shall refrain from submitting a Response; or

7.12.1.4 enters into any agreement or arrangement with any other party as to the amount of any Response submitted; or

7.12.1.5 offers or agrees to pay or give or does pay or give any sum or sums of money, inducement or valuable consideration directly or indirectly to any party for doing or having done or causing or having caused to be done in relation to any other Response or proposed Response, any act or omission,

shall (without prejudice to any other civil remedies available to the Contracting Authority and without prejudice to any criminal liability which such conduct by a Bidder may attract) be disqualified.

## 7.13. No inducement or incentive

7.13.1 The RFP is issued on the basis that nothing contained in it shall constitute an inducement or incentive nor shall have in any other way persuaded a Bidder to submit a Response or enter into the Contract or any other contractual agreement.

#### **7.14. Acceptance of the Contract**

7.14.1 The Bidder in submitting the Response undertakes that in the event of the Response being accepted by the Contracting Authority and the Contracting Authority confirming in writing such acceptance to the Bidder, the Bidder will within 7 days of being called upon to do so by the Contracting Authority execute the Contract in the form set out in the Contract Terms or in such amended form as may subsequently be agreed.

7.14.2 The Contracting Authority shall be under no obligation to accept the lowest priced or any Response.

#### **7.15. Queries relating to the Response**

7.15.1 All requests for clarification about the requirements or the process of this procurement shall be made in through the e-sourcing tool unless where the e-sourcing tool is unavailable due to Emptoris or Crown Commercial Service system maintenance or failure, in this instance all clarifications shall be by email to the contact defined in [Section 3](#).

7.15.2 The Contracting Authority will endeavour to answer all questions as quickly as possible but cannot guarantee a minimum response time.

7.15.3 In the event of a Bidder requiring assistance uploading a clarification to the e-sourcing portal they should use the contact details defined in [Section 3](#).

7.15.4 No further requests for clarifications will be accepted after 7 days prior to the date for submission of Responses.

7.15.5 In order to ensure equality of treatment of Bidders, the Contracting Authority intends to publish the questions and clarifications raised by Bidders together with the Contracting Authority's responses (but not the source of the questions) to all participants on a regular basis.

7.15.6 Bidders should indicate if a query is of a commercially sensitive nature – where disclosure of such query and the answer would or would be likely to prejudice its commercial interests. However, if the Contracting Authority at its sole discretion does not either; consider the query to be of a commercially confidential nature or one which all Bidders would potentially benefit from seeing both the query and the Contracting Authority's response, the Contracting Authority will:

7.15.6.1 invite the Bidder submitting the query to either declassify the query and allow the query along with the Contracting Authority's response to be circulated to all Bidders; or

7.15.6.2 request the Bidder, if it still considers the query to be of a commercially confidential nature, to withdraw the query prior to the end of the closing date and time for Bidder clarifications.

7.15.7 The Contracting Authority reserves the right not to respond to a request for clarification or to circulate such a request where it considers that the answer to that request would or would be likely to prejudice its commercial interests.

## **7.16. Amendments to Response Documents**

7.16.1 At any time prior to the deadline for the receipt of Responses, the Contracting Authority may modify the RFP by amendment. Any such amendment will be numbered and dated and issued by the Contracting Authority to all prospective Bidders. In order to give prospective Bidders reasonable time in which to take the amendment into account in preparing their Responses, the Contracting Authority may, at its discretion, extend the time and/or date for receipt of Responses.

## **7.17. Modification and withdrawal**

7.17.1 Bidders may modify their Response where allowable within the e-sourcing tool. No Response may be modified after the deadline for submission of Responses.

7.17.2 Bidders may withdraw their Response at any time prior the deadline for submission of Responses [or any other time prior to accepting the offer of a Contract]. The notice to withdraw the Response must be in writing and sent to the Contracting Authority by recorded delivery or equivalent service and delivered to the Head of Policy UK SBS at UK Shared Business Services Ltd, Procurement, Polaris House, North Star Avenue, Swindon, Wiltshire, SN2 1ET

## **7.18. Right to disqualify or reject**

7.18.1 The Contracting Authority reserves the right to reject or disqualify a Bidder where

- 7.18.1.1 the Bidder fails to comply fully with the requirements of this Request for Proposal or presents the response in a format contrary to the requirements of this document; and/or
- 7.18.1.2 the Bidder is guilty of serious misrepresentation in relation to its Response; expression of interest; or the Response process; and/or
- 7.18.1.3 there is a change in identity, control, financial standing or other factor impacting on the selection and/or evaluation process affecting the Bidder.

## **7.19. Right to cancel, clarify or vary the process**

7.19.1 The Contracting Authority reserves the right to:

- 7.19.1.1 cancel the evaluation process at any stage; and/or
- 7.19.1.2 require the Bidder to clarify its Response in writing and/or provide additional information. (Failure to respond adequately may result in the Bidder not being selected),

## **7.20. Notification of award**

7.20.1 The Contracting Authority will notify the successful Bidder of the Contract award in writing and will publish an Award Notice in the Official Journal of the European Union in accordance with the Regulations within 30 days of the award of the contract.

7.20.2 As required by the Regulations all successful and unsuccessful Bidders will be provided with an email advising the outcome of the submission of their RFP response.

## Appendix 'A' Glossary of Terms

TERM	MEANING
“UK SBS”	means UK Shared Business Services Ltd herein after referred to as UK SBS.
“Bid”, “Response”, “Submitted Bid”, or “RFP Response”	means the Bidders formal offer in response to this Request for Proposal
“Bidder(s)”	means the organisations being invited to respond to this Request for Proposal
“Central Purchasing Body”	means a duly constituted public sector organisation which procures supplies/services/works for and on behalf of contracting authorities
“Conditions of Bid”	means the terms and conditions set out in this RFP relating to the submission of a Bid
“Contract”	means the agreement to be entered by the Contracting Authority and the Supplier following any award under the procurement
“Contracting Bodies”	means the Contracting Authority and any other contracting authorities described in the OJEU Contract Notice
“Contracting Authority”	A public body regulated under the Public Contracts Regulations on whose behalf the procurement is being run
“Customer”	means the legal entity (or entities) for which any Contract agreed will be made accessible to.
“Due Diligence Information”	means the background and supporting documents and information provided by the Contracting Authority for the purpose of better informing the Bidders responses to this Request for Proposal
"EIR"	mean the Environmental Information Regulations 2004 together with any guidance and/or codes of practice issued by the Information Commissioner or relevant Government department in relation to such regulations
FoIA	means the Freedom of Information Act 2000 and any subordinate legislation made under such Act from time to time together with any guidance and/or codes of practice issued by the Information Commissioner or relevant Government department in relation to such legislation
“Lot”	means a discrete sub-division of the requirements
“Mandatory”	Means a pass / fail criteria which must be met in order for a Bid to be considered, unless otherwise specified.
“OJEU Contract Notice”	means the advertisement issued in the Official Journal of the European Union
“Order”	means an order for served by any Contracting Body on the Supplier
“Other Public Bodies”	means all Contracting Bodies except the Contracting Authority
“Request for Proposal” or “RFP”	means this Request for Proposal documentation and all related documents published by the Contracting Authority and made available to Bidders and includes the Due Diligence Information. <b>NOTE:</b> This document is often referred to as an Invitation to Tender within other organisations
“Supplier”	means the organisation awarded the Contract
“supplies /services/works ”	means any supplies/services and supplies or works set out at within <a href="#">Section 4 Specification</a>