

## **TENDER GUIDANCE**

### **NEW WORCESTER CITY SECONDARY FREE SCHOOL**

**ISSUE DATE:**

**14 March 2022**

**CLOSING TIME & DATE:**

**25 April at 10am**

## Contents

Section	Description	Purpose
1.	Introduction	Provides background information about the local and national policy context and why the Service is being commissioned.
2.	Definitions	Defines the terms as used in this pack.
3.	Tender Overview	Summarises key information relating to the Tender.
4.	Tender Evaluation and Award Criteria	Sets out the criteria the Council will use to award the Tender.
5.	Tendering Arrangements and Timetable	Sets out the tendering process and timetable (including key stages and how to obtain further information).
6.	Completion Guidance	Guidance on how to complete a tender
Appendix 1	Service Specification	Outlines the Service which the Council requires.
Appendix 2	Contract	<p>Sets out an indicative draft version of the Contract between the Department of Education and the Service Provider</p> <p><a href="https://www.gov.uk/government/publications/academy-and-free-school-funding-agreements">Academy and free school funding agreements - GOV.UK (www.gov.uk)</a></p>
Appendix 3	Declaration	Document to be signed and returned in confirmation that the information you have submitted is accurate and you accept the Tender conditions

## Section1 Introduction

Worcester is a growing City in the heart of the West Midlands, well connected by road and rail to the rest of the UK. As a result, the City has seen its population increase over the last decade, and with it, the need for additional school places.

The number of children seeking a year seven place in Worcester has been consistently increasing over the last decade. Despite expansions at four out of the five existing secondary schools in the City, in Autumn 2020 there were fewer than 10 spare places in year seven across the City. The population of Worcester continues to grow, with increasing cohort numbers due to enter year seven over the next six years, and significant housing developments planned for the City and surrounding area as part of the South Worcestershire Development Plan.

The growth of housing will be particularly focused on the South and South East, which is supported by two secondary schools: Nunnery Wood High and Blessed Edward Oldcorne Catholic. The rise in population in this region is expected to continue with significant housing developments approved on the South Worcester Urban Expansion. Provision in the South is currently below the forecast need for the next five years, with demand approximately four forms of entry (120 places) higher than these two secondary schools can currently support.

As a result, we see fewer young people being offered a place at their preferred secondary school, and more pupils needing to travel across the City for their education. Therefore, the delivery of a new secondary school for the City was agreed at Cabinet in February 2021, and this Specification endorsed for Consultation in October 2021.

The location of the proposed school will enable more pupils within the East and North East of the City to access a secondary school within their local community, whom at present are least likely to receive an offer of their preferred secondary school. It will also release pressure on demand for school places elsewhere in the City and enable those schools to support more pupils from proposed new housing.

Under section 6A of the Education and Inspections Act 2006 (the 'free school presumption') where a local authority identifies the need to establish a new school it must, in the first instance, seek proposals to establish an Academy. This Specification is designed to guide Academy Trusts in submitting their application to sponsor the new school as outlined below and has been informed by engagement with the local community and stakeholders for which it will serve.

## Section2 Definitions

In this Tender Guidance, the terms below have the meaning shown:

TERM	MEANS
<b>the City</b>	Worcester City District area
<b>the Contract</b>	The legal arrangement entered into between the Council and the Service Provider.
<b>the Council</b>	Worcestershire County Council
<b>Funding</b>	The amount payable for the Service as detailed in the Contract
<b>the Organisation</b>	A Sole Trader/Proprietor <u>or</u> Incorporated Company <u>or</u> Partnership <u>or</u> Cooperative <u>or</u> Statutory Body <u>or</u> Charitable Body <u>or</u> Voluntary Organisation.
<b>the Preferred Tenderer</b>	The Organisation, selected under the Tendering Procedure, with which the Council enters into further negotiations.
<b>the Service</b>	The Service set out in the Service Specification (Appendix 1)
<b>the Service Provider</b>	The organisation which subsequently provides the Service under a Contract with the Council.
<b>Moderation to achieve Consensus Score</b>	A method of reaching agreement on individual questions between all members of an evaluation panel that they will be committed to.
<b>DfE</b>	Department for Education

## Section 3 Tender Overview

### 1. Tender Purpose

The number of children seeking a year seven place in Worcester City has been consistently increasing over the last decade. The population of Worcester continues to grow, with increasing cohort numbers due to enter year seven over the next six years, as well as substantial housing planned for the City and surrounding area as part of the South Worcestershire Development Plan. In Autumn 2020 there were fewer than 10 spare places in year seven across the City, which represents a 0.7% surplus.

Across any Education Planning Area in Worcestershire, we seek to maintain a 5% surplus of places. This is an important factor to meeting the strategic aims as outlined in the Worcestershire Education and Skills Strategy (2019 – 2024) and ensures:

- Families have an element of choice and increase the likelihood that families receive one of their top two preferences;
- all children who move into the City during the school year are offered provision within 20 days; and
- all children who want to access a place in their local community are able to do so, reducing school travel times.

The growth of housing in the City will be particularly focused on the South and South East, which is supported by two secondary schools; Nunnery Wood High and Blessed Edward Oldcorne Catholic. The rise in population in this region is expected to continue with significant housing developments approved in the South Worcester Urban Expansion land allocation. Provision in the South is currently below forecast need for the next five years, with demand approximately four forms of entry (120 places) higher than these two secondary schools can currently support.

The level of additional places required provides us with an opportunity to deliver a new secondary school to meet short-term and long-term growth of Worcester City. The delivery of a new 4FE secondary school within the location identified in the specification will release pressure from this area of Worcester, meet the sufficiency needs across the City and allow us to provide a 5% surplus across the Education Planning Area.

One Service Provider is required to operate the new school.

### 2. Service Required

The Service required is as detailed in the Service Specification (Appendix 1)

### 3. Funding/Payment

The DfE will provide a one-off Project Development Grant (PDG) payment of £25,000 to the successful tenderer, towards meeting the legal costs associated with establishing the new school.

Further funding will be agreed with DfE.

### 4. Tender Evaluation and Award Criteria

Tenders will be evaluated against the Tender Evaluation and Award Criteria (Section 4) to identify the most advantageous offer to meet the Council's requirements. The Council

reserves the right to not select a Preferred Tenderer at its sole discretion without awarding a contract and with no liability.

All Tender applications will be shared with the DfE.

Tender applications are undertaken at the Academy's own cost.

## **5. Criteria for Applicants**

Applications will only be considered from an Academy Sponsor. The Council is open to working with new sponsors, however, applicants must be registered as a multi-academy trust by the tender closing date (end of May), if you wish to apply. You can find out more information regarding registration at: [Sponsor an Academy \(GOV.UK\)](https://www.gov.uk/guidance/sponsor-an-academy)

## **6. Contract**

Prior to commencing the Service, the Service Provider will be required to enter into a Contract with the DfE. An indicative draft version of the Contract between the DfE and the Service Provider is set out in Appendix 2. Other details in the Contract will be agreed between the DfE and the Service Provider, based on the information in the Tender submitted by the Service Provider.

## **7. Management, Monitoring and Review of the Service**

Management, monitoring and review of the Service will be undertaken by the DfE, the Council and WCF under the Contract Monitoring and Review arrangements set out in the Service Specification and the Contract.

# **Section 4 Tender Evaluation and Award Criteria**

## **1. Stage 1 Evaluation**

- 1.1. The Council will evaluate the information supplied by Tenderers in response to the following parts of the Stage 1 Tender Questionnaire.
- 1.2. For Standard Selection Questionnaire's these are the standard sections
  - Part 1 Potential Supplier Information (SSQ) or Supplier Questionnaire
  - Part 2 Exclusion Grounds (SSQ)
  - Part 3 Selection Questions (SSQ)
- 1.3. The information supplied for each section will be assessed as PASS (i.e. there are no concerns about the Tenderer's suitability to be considered) or FAIL (i.e. there are concerns about the Tenderer's suitability to be considered). The Council will then undertake a Stage 2 Evaluation for all Tenders which remain under consideration.

## 2. Stage 2 Evaluation

- 2.1 The Council may invite any tenderer(s) still under consideration to clarify information contained in the tender submission. Clarification may be requested if a submission appears to be incomplete or erroneous, or where specific documents are missing. Wherever possible this will be done via In- tend. Evaluation and scoring of tender submissions that are subject to clarification will be undertaken once the clarification responses have been received.
- 2.2 For each area of weighting shown in Column 2 below, the Council will evaluate the information which has been supplied in the Tender. The specific information which will be evaluated for each area is listed in Column 3 and the document in which the requirement for the information is set out is shown in Column 4. Column 5 shows the proportion of the total scoring which is allocated for each area of weighting.

	Area of Weighting	Information to be evaluated	Intend	% of overall score
1	<b>The School</b>	Please provide details of existing schools in your Academy. This should include information such as most recent Ofsted results, admissions arrangements, attainment data, inclusion data, attendance information (part-time, FTE etc.), and percentage of children supported with EHCP and SEND.	Stage 2 Quality Questionnaire	Pass/Fail (max 1000 words)
2		Please explain how your organisation's knowledge of the local area would be used to inform your plans to establish this particular school. Also please provide information on how each of your existing schools currently serves its particular community.	Stage 2 Quality Questionnaire	Pass/Fail (max 1000 words)
3		Please provide details of your approach to establishing an admission policy for the new school and desired admissions policy for the school (if known). Please consider section B of the Specification and in particular that the school will need to cater to local demand, and therefore admissions arrangements will be expected to align with that goal, and in consideration of other existing admissions arrangements.	Stage 2 Quality Questionnaire	Pass/Fail (max 1000 words)
4	<b>Vision</b>	Please explain your vision for the new school and how it meets the requirements in the published Specification.	Stage 2 Quality Questionnaire	5% (max 500 words)
5	Please use this section to share your vision for the new secondary school. Applicants should take	Please provide your plans for appropriate engagement with the local community and parents during the pre-opening period, as well as what your approach will be to ongoing engagement with the community and community providers in order to ensure	Stage 2 Quality Questionnaire	10% (max 500 words)

	account of the relevant criteria of the Specification, particularly sections C and D. Please provide evidence wherever relevant.	the school brings additional social value and benefit to the community.		
6		<p>Please outline how you plan to enable pupil participation in decision making and ensure pupils will be able to represent their views in the new school. Please provide case studies of where practice has worked particularly well in your Academy Trust previously.</p> <p>Please provide Case Studies (up to 2)</p>	Stage 2 Quality Questionnaire	5% (max 250 words)
7		<p>Please provide information on what your approach will be to meet the needs of all children and ensure accessibility and inclusion for all pupils to the curriculum and school life, including looked after children, young carers, those with Special Educational Needs and any other vulnerability that may impact on the child or young person accessing education.</p> <p>This must include a link to your current published SEN policies, Accessibility Policy and other policies relating to vulnerable learners.</p>	Stage 2 Quality Questionnaire	12% (max 500 words)
8		Please provide information on your experience of pupils with a diagnosis of Autism Spectrum Disorder (ASD), and your approach to ensuring access and inclusivity for pupils with ASD in the new school.	Stage 2 Quality Questionnaire	5% (max 500 words)
9		<p>Please provide information on what your approach will be to behaviour management and prevention of exclusions. You must include your behaviour policy.</p> <p>Please provide Behaviour Policy</p>	Stage 2 Quality Questionnaire	5% (max 500 words)
10		<p>Please provide information of what your approach will be for pupils and staff to mental health and wellbeing, early help and social care. Please include reference to relevant published policies where applicable and describe how these will be applied for the new school.</p> <p>Please provide relevant Policies</p>	Stage 2 Quality Questionnaire	7% (max 1000 words)
11		Please provide information of what your approach will be to partnership working with the Local Authority, other local schools and organisations.	Stage 2 Quality Questionnaire	5% (max 500 words)



12	Education Plan  Please use this section to outline your plan to ensure high educational standards for the new secondary school. Applicants should take account of the relevant criteria of the Specification, particularly section D. Please provide evidence wherever relevant.	Please explain how your educational offer/curriculum will ensure excellent outcomes and high quality of teaching and learning to ensure all pupils can succeed in the new school. Please provide examples as a separate document where relevant.	Stage 2 Quality Questionnaire	12%  (max 1000 words)
13		Please outline how you will ensure opportunities for continued professional development are available for all staff and your approach to recruitment/retention. You may wish to consider including policy where relevant.  Please provide relevant Policy	Stage 2 Quality Questionnaire	5%  (max 500 words)
14		Please provide profiles of the key individuals who will be directly involved in the new school with particular reference to the range of skills and abilities necessary to run a school effectively including: leadership in schools; managing school finances; project management; marketing; human resources; teaching and support staff; safeguarding; health and safety; pastoral and inclusion.  Please provide CV's/Profiles	Stage 2 Quality Questionnaire	10%  (max 500 words)
15	Capacity and Capability  Please use this section to detail the capacity and capability of your Academy to successfully open and operate a new secondary school. Applicants should take account of the relevant criteria of the Specification, particularly sections E and F. Please provide evidence wherever relevant.	Please provide information on your proposed five year financial plan for implementing opening and ongoing sustainability of the school, including the resources you would draw on and/or deploy to support the development of the new free school by the opening date.	Stage 2 Quality Questionnaire	12%  (max 500 words)
16		Please provide information on how the school would be organised and what the governance arrangements would look like, including a diagram of the proposed structures. Please ensure this includes detail about your approach to appointing a Head of School.	Stage 2 Quality Questionnaire	7%  (max 500 words)

2.3 Evaluators will use the scoring system set out below in the evaluation of Questions 4 to 16.

5	Exceptional standard of response supported by robust evidence, with detailed plans and methodologies. Demonstrates clearly and convincingly how all the Council's requirements in the area being evaluated will be delivered in accordance with the contract documents to deliver the works/services in an excellent way.
4	Very good standard of response supported by a very good level of credible and detailed evidence, with detailed plans and methodologies. Demonstrates how all the Council's requirements in the area being evaluated will be delivered in accordance with the contract documents to deliver the works/services very well.
3	Gives the Council confidence the requirements of the Specification will be met.
2	Basic response that achieves reasonable standards in most respects but unsatisfactory in others and/or has a number of omissions. Gives the Council concerns around the Bidder's ability to meet some of the Specification requirements.
1	Inadequate response that is unsatisfactory and/or has significant omissions. Gives the Council many concerns about the Bidder's ability to provide the services in accordance with the requirements of the Specification.
0	Very poor response. Insufficient information provided. Gives the Council very low confidence/serious concerns in the Bidder's ability to provide the services in accordance with the Specification.

2.4 Tender applications are required to meet a minimum standard: a score of zero for any one of these questions (4-16) will result in the tender being disqualified. A minimum overall percentage of 60% must be achieved on the quality score to be considered as a preferred tenderer.

2.4 (i) A moderation process will be used to achieve a consensus score where there is a difference in scores between evaluators for any question.

2.4 (ii) Face to face interviews will be held ~~are~~ for presentation, and the clarification of questions only.

2.4 (iii) Part 1 – Presentation:

Following the initial evaluation and moderation we will invite potential sponsors to present their tender response. Example of question for interview (this will be confirmed prior to interview):

What do you consider to be your key deliverables against our specification?

The presentation should not contain new information which isn't contained within your original bid; however, it should highlight key areas within your bid that you feel would allow you to deliver our specification. Paying particular attention to what would allow services to achieve their key outcomes.

(Time limited to 15 mins) Up to 3 representatives from your organisation will be permitted.

Part 2 – Clarification:

Optional as may not be required.

Any clarifications required from your submission to be articulated.

- Prior notice of information required will be sent via Intend.
- A written copy will be required.

Clarification responses will not be used to increase the score but will have the potential to reduce the score.

- 2.5 If at the end of evaluation, two or more applicants have achieved the same Overall Score then these applicants will be invited to answer an additional quality question and this will be evaluated as per the set criteria. This process may be conducted as many times as is necessary to identify a clear winner.
- 2.6 The Public Services (Social Value) Act 2012 requires the County Council (and all public bodies) to consider how the services they commission and procure might improve the economic, social and environmental well-being of the local area. Therefore, the ability to deliver against social value will be essential for organisations competing for the council's business and will be reflected in contracts and monitored. This will be part of the response to question 5.

### **3. Economic and Financial Standing and Professional Ability**

Prior to identifying a Preferred Tenderer, the Council will assess the information supplied in the Tender Questionnaire to satisfy itself that the Tenderer has the necessary economic and financial standing to provide the Service.

## **Section 5 Tendering Arrangements and Timetable**

1. Any questions relating to this Tender must be submitted via In-tend and must be received by noon on 25 March 2022. Telephone questions will not be accepted. Written responses to questions will be published on in-Tend on 28 March 2022.
2. There will be an additional opportunity to submit questions relating to this tender. Questions must be submitted by 8 April 2022 at noon. Written responses to questions will be published on in-Tend on 11 April 2022.
3. All Tenderers must satisfy the Council that they are able to provide the Service in the Service Specification (Appendix 1).
4. In line with its obligations under the Freedom of Information Act (FoIA), the Council cannot accept blanket confidentiality clauses in Tenders or any subsequent Contract. If, at any stage of the tender process, you provide any information to the Council in the expectation that it will be held in confidence, then you must indicate clearly what material is to be considered confidential and why a duty of confidence applies. Any future disclosure of that information by the Council will be made in accordance with the FoIA. The Council has transparency obligations and publishes a list of all contracts with a total value greater than £5,000 and all payments exceeding £500 on its website.

5. The Council anticipates completing the selection process by 20 June 2022 following which all Tenderers will be contacted via In -tend and advised of the outcome.
6. A summary of the timetable for advertising and awarding the Contract is given below.

Process	Timescale
Advertise Tender	14 March 2022
Closing date for submission of questions	25 March 2022 at noon 8 April 2022 at noon
Summary published of response to questions	28 March 2022 11 April 2022
Closing date and time for receipt of completed Tenders	25 April at 10am
Evaluation of Tenders	25 April 2022 to 20 June 2022
Clarification interviews with potential Academies	w/c. 16 May 2022 and w/c. 23 May 2022
Notification and Standstill Period	20 June 2022 to 30 June 2022
Award by DfE	TBC

7. If at any stage you believe that the Council is undertaking the tendering process in a way which is not transparent, equal, fair and proportional you should write to, or email, the Head of Commercial at County Hall, Spetchley Road, Worcester, WR5 2NP (e-mail: [procurement@worcestershire.gov.uk](mailto:procurement@worcestershire.gov.uk))

## Section 6 Completion Guidance

### Completion Guidance

1. There are 4 stages to completing this Tender submission:
  - a) Complete and submit Standard Service Questionnaire (SQ) on in-Tend.

- b) Complete and submit Stage 2 Tender Questionnaire on in-Tend following restrictions for word limits.  
Additional information will not be considered unless requested.
  - c) Complete and submit the Declaration (Appendix 3).
  - d) Upload any other documents that are required as part of your Tender submission.
2. Tenderers are responsible for obtaining all information necessary to complete the Tender Questionnaire and for any costs, expenses or liabilities incurred in preparing and submitting their Tender.
  3. If your organisation is part of a larger organisation or a group of organisations, please complete the Tender Questionnaire solely for your organisation.
  4. If you do not operate in the United Kingdom (UK), you should fully complete the Tender Questionnaire, but make clear the appropriate legislation to which your answer relates if it is not UK legislation.
  5. The Declaration must contain a scanned original handwritten signature on behalf of your organisation. The Council will assume that the person signing is authorised to do so.
  6. The Council shall in its absolute discretion be entitled to reject any Tender that is not submitted entirely in accordance with the requirements of this Tender guidance or if the Tender is incomplete in any way.
  7. Do not submit any information which is not specifically requested. Any such information which you submit will be disregarded.
  8. In answering each question do not cross-refer to other answers or expect the Council to take into account information given elsewhere in your Tender.
  9. In completing the Tender Questionnaire, you must not make any assumptions about the Council's knowledge of your organisation. The Council will only evaluate your Tender on the information you supply as part of the Tender process.
  10. The Council reserves the right to disqualify your Tender, or terminate any resulting negotiation or Contract, if you make any material misrepresentation in the Tender Questionnaire or in any supporting information.
  11. The Council reserves the right to seek clarification or further information about any matter covered by the Tender Questionnaire at any time during the Tender process.
  12. All documents submitted by the Tenderer in response to this Invitation to Tender shall become the property of the Council. Intellectual property in the Tender bid shall remain the property of the Tenderer. This Clause is without prejudice to any provisions to the contrary in any subsequent Contract between the Council and Tenderer.
  13. Completed tenders must be received by the Council by 25 April 2022 at 10am. Any tenders received after this date will be disqualified as non-compliant with the tender requirements and not considered.