

Request for Proposal (RFP)
For A
Behavioural, Emotional and Neurodevelopmental (BEN)
Service (interim) for Children and Young People

COMMERCIAL IN CONFIDENCE

BRAVO PROJECT NUMBER: 2445

BRAVO ITT NUMBER : 2480

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1. Background and Introduction

NHS North West Surrey Clinical Commissioning Group (CCG) (“The Awarding Authority”) is seeking to appoint a Provider for the provision of follow up reviews for children prescribed with CNS stimulants / atomoxetine for ADHD. A Future Opportunity Notice was published on Contracts Finder on 30th May 2017 to this effect.

These medications have been initiated by a specialist in line with NICE CG72. Within NHS NWS CCG ongoing prescribing and monitoring of drug therapy is performed under shared care arrangements – all practices have signed up to deliver the shared care arrangements and will undertake the 6 month review subject to a locally commissioned service. In NHS Surrey Downs CCG however no such shared care arrangements are yet in place and therefore the provider will be expected to undertake 6 month reviews for this patient cohort as required.

Current follow ups are delivered by the local acute trust, Ashford and St Peter’s Hospitals NHS Foundation Trust. The Trust has served notice and is unable to continue to provide the service due to staffing issues.

The current follow up service uses a skill mix of consultant and nurse specialist. These staff may be subject to TUPE.

The parties to the procurement are:

- (i) NHS North West Surrey (NWS) CCG (Lead Commissioner for Surrey and the Awarding Commissioner for this tender);
- (ii) NHS Surrey Downs CCG

The purpose of this document is to inform Bidders of the Commissioner’s requirements, including the background, the services, commercial, contractual and legal requirements, such that Bidders may offer proposals to meet these requirements.

The Terms and Conditions of Contract to which this RFP is subject will be the 2017/2018 NHS Standard Contract (Short Form).

The Award can be made to a Bidder who could be a Lead Bidder with sub-contractors, a Sole Bidder or a Consortia of Bidders with a nominated Lead capable of delivering the service that at minimum meets the service specification.

Bidders must obtain for themselves, at their own responsibility and expense, all information necessary for the preparation of their tender. Bidders are solely responsible for any costs and expenses in connection with the preparation and submission of their tender, and all other stages of the selection and evaluation process.

Under no circumstances will the Commissioner, or its advisers, be liable for any costs or expenses, Bidders, their sub-contractors, suppliers or advisers incur in this procurement process.

Bidders are solely responsible for obtaining the information that they consider is necessary in order to prepare the content of their tender and to undertake any investigations they consider necessary in order to verify any information the Commissioner provides during the procurement process.

The Commissioner (at its sole discretion) may extend the closing date for receipt of Tenders.

The Commissioner reserves the right to modify, change, and delay or to discontinue the whole of, or any part of, this tendering process (including service specifications and the form of contract) at any time and is not obligated in any way to award all or part of the contract.

For the avoidance of doubt Bidders are not entitled to any compensation in such circumstances.

2. Objective

The service will provide safe and effective transition of clinical management of the existing caseload of children currently scheduled for follow-up outpatient clinic care at Ashford and St. Peter's NHS Foundation Trust's (ASPH) behavioural paediatric outpatient clinics to an interim service for the period of two years (with the option to extend for up to one further year), pending full re-procurement of the Behavioural, Emotional and Neurodevelopmental (BEN) service for children and young people.

The service will work in partnership with local GPs for shared care of follow-up medication, based on the existing CCG Locally Commissioned Service (See Appendix 4)

The successful Bidder will work with the Commissioner to ensure a smooth and safe transition of the caseload at the end of the contract period.

3. Service Requirements

The service will be led by a consultant paediatrician or consultant child psychiatrist, who may be supported by additional staff such as a specialist nurse.

At their first review appointment, the patients may be:

- (i) Referred into Barnardos post-diagnostic support
- (ii) Discharged back to the care of their GP
- (iii) Kept under the care of the new provider, for on-going annual follow up – e.g. under the shared care agreement for medication follow-up, until such time as the interim service transitions to another provider.

4. Timeline

The successful Bidder will be required to mobilise the delivery of services from October 2017.

The high level indicative timeline is set out below:

Action	Target Date
RFP to be issued	w/c 5th June 2017
Bidder clarification question deadline	17:00 Tuesday 20th June 2017
RFP responses to be submitted by	noon Friday 30th June 2017
Evaluation/clarification period	w/c 3rd July 2017
Ratification of Preferred Bidder	17th July 2017
Bidder Notifications	18th July 2017
Contract Signature by	31st July 2017
Mobilisation Period	1st August – 29th September
Service Commencement Date	1st October 2017

The Commissioner reserves the right to amend the timescales within the scope of applicable procurement regulations. All Bidders will be notified of any amendments to the timetable.

Please also note that turnaround times can be tight and often will require swift responses. It will be important to have a Lead named contact who the CCG will be managing all communication with and raising ad hoc responses where necessary.

5. Scope

The scope of the RFP is limited to the six monthly and annual follow ups for the existing caseload of patients as described in the service specification.

Variation of Scope and Cost

It is expected that the services in scope will be undertaken within the fixed cost proposal.

Commercials

In light of the above scope Bidders are requested to provide a fixed cost proposal for the patient caseload. Commercial detail must be provided in, and confined solely to, the Financial Model Template.

Composition of the Request for Proposals

In addition to this document, the Request for Proposals comprises

- Appendix 1 – Service Specification
- Appendix 2 – Declaration of Interest
- Appendix 3 – Financial Model Template

Appendix 4 – LCS Specification (shared care protocol)
Appendix 5 – Sub Contracting
Appendix 6 – TUPE Data
Appendix 7, 7a and 7b – NHS Standard Contract
Appendix 8 – Commercially sensitive information
Appendix 9 – Tender Acknowledgement Form
Appendix 10 – Certificate of Non-Canvassing Collusive behaviour
Appendix 11 – Questions and Evaluation Criteria
Appendix 12 – General Tender Terms and Conditions
Question Response Templates
Bidder Clarification Question documentation

6. Method of Procurement

The Procurement covers the provision of a Behavioural, Emotional and Neurodevelopmental (BEN) service (interim) Service for Children and Young People. The Service is outlined in Section 1 above and fully described in the Service Specification included in the tender documents as Appendix 1. The Commissioner reserves the right to refine the specification in the course of the procurement and re-publish as appropriate.

All interested parties should note that this Service Procurement falls within the scope of the “Light Touch Regime” as defined in the Public Contracts Regulations 2015 (as amended) and Directive 2014/24/EU. Therefore the 2015 Regulations and the 2014 Directive are only applicable to the Service Procurement to the extent required for the Services. The Commissioner has decided to follow a tendering procedure for the Service Procurement which is akin to the Open procedure, as provided for under the 2015 regulations and the 2014 Directive, and throughout this ITT and associated documentation, the terminology linked to an Open Procedure is used. This should not however be taken as an acceptance by the Commissioner that any part of the 2015 Regulations or the 2014 Directive (other than those provisions specifically applicable to the Light Touch Regime Procurement) apply to this Service Procurement.

The Commissioner will also observe the requirements of the Procurement Patient Choice and Competition Regulations 2013 (PPCCR 2013).

Any proposal submitted will be deemed to be submitted in acceptance of this Section 6.

The Commissioner is using NHS Commercial Solutions’ BravoSolution e-tendering portal (<https://commercialsolutions.bravosolution.co.uk/web/login.shtml>) (the “portal”) to carry out the tender process.

Please note there are online and telephone help contact points detailed on the home page of the Bravo system if any problems arise. This is the only route through which the Commissioner will conduct communications with Potential Bidders, and accept completed RFPs. Bidders may ask as many clarification questions as they wish prior to the clarification question deadline.

Bidders are requested to advise the Commissioner, via the messaging system within the portal, immediately if, at any stage, they decide to withdraw from the bidding process.

7. Evaluation of Responses

Overview

In the interests of an open, fair and transparent assessment, this document sets out how the Commissioner intends to evaluate the tender responses. It outlines the evaluation criteria and respective weightings, as well as the evaluation methodology to be applied.

Evaluation process

The evaluation process will evaluate which Bid is the most economically advantageous tender ("MEAT"). Economic advantage is interpreted as affordable value for money (VfM). VfM is, in turn, a combination of the following criteria, in conjunction with full acceptance of the terms and conditions of Contract:

- Service Delivery and Performance
- Cost and Affordability

Evaluation will be carried out by a panel made up of representatives from the Commissioner and their advisers. All evaluation panel members are required to complete a Declaration of Interest and Confidentiality form prior to the start of the evaluation. This form requires evaluation panel members to disclose any actual or potential conflicts of interest and agree to treat all information regarding Bidders, Bidder Parties and information contained within Bid Responses as confidential. All conflicts of interest must be resolved to the satisfaction of the Commissioners. Where conflicts of interest cannot be resolved, or the panel member will not agree to treat information as confidential, the representative will not participate in the evaluation of Bids. Only evaluators authorised by the Commissioner will have access to Bid information.

The panel includes clinicians, lay people, subject matter experts and technical advisors. **Bidders should note that members of the panel will assess specific questions. It should not be assumed that information included in response to one question will be seen by the panel members assessing another question.** All relevant information must be included (and repeated if necessary) in the response to a specific question. Cross referencing such as 'see answer to question X' will not be considered when scoring. Each response should be considered a standalone answer.

All Bid documents will be evaluated using a secure electronic evaluation software system. Panel members will assess Bids on an individual basis initially. On completion of the initial assessment, a moderation process will take place to agree a single score / outcome for each bidder for each question.

Economic and financial standing, and cost and affordability will be evaluated by finance representatives based on the submitted Financial Model Templates(s) and other financial information.

Bidders should note, and by submitting a bid confirm their acceptance, that the Commissioner reserves the right to vary the selection and award procedure to support continued competition, avoid unnecessary bidding costs, and adhere to subsequent technical or legal guidance, or for other reasons, at their sole discretion.

In evaluating Bids, should the Bid Response fail any of the mandatory requirements at any stage of the evaluation process, the Commissioner reserves the right to disqualify the Bidder. In this event, no further evaluation of that Bid will take place and the Bidder will not be considered further in the Procurement.

The evaluation will consist of:

- Stage 1 – Capability Compliance - compliance allows progression on to Stage 2;
- Stage 2 - Financial/Commercial evaluation
- Stage 3 - Standard Selection evaluation - compliance allows progression on to Stage 4;
- Stage 4 - Technical/Quality evaluation
- Stage 5 – Moderation and CCG Approval of a Preferred Bidder

Stage 1 – Capability Compliance

The Commissioner will check each proposal for completeness and compliance with the instructions. At this stage the Commissioner reserves the right to reject any proposals it considers substantially incomplete or non-compliant (each proposal will be assessed on its own merit, according to the level/importance of omitted or non-compliant content).

Note that at this stage, whilst the Commissioner retains the right to do so, it shall not be obligated to contact the Bidder to allow them to correct their proposal, even in the case of a manifest error. In the event it does exercise its discretion and do so, it will do so on a fair and equal basis.

Bidders will need to complete and return all requested documents and Pass all elements in Stage 1 – Capability Compliance, in order to proceed to Stage 2 – Financial/Commercial evaluation.

Bidders should note that they must achieve a “pass” for all questions contained in Stage 1 as set out in Appendix 11. Should a Bidder fail to achieve a “pass”, their bid will be disqualified.

Stage 2 – Financial/Commercial Evaluation

Financial submissions will be considered only from Bidders that meet the Capability Compliance assessment.

The Financial/Commercial Evaluation Stage is worth a total of 40% of the available score; 35% will be attributable to the Financial Model Template; the remaining 5% will be allocated against two further financial questions.

Bidders need to complete the Financial Model Template in Appendix 3 to show the price the CCG will be expected to pay over the duration of the two year Contract. Bids will be evaluated based upon the total bid price within the Financial Model Template. The Bidder must:

- Complete in full the Financial Model Template;
- Bidders must state all assumptions within their model;

- Any caveats to the financial model will be deemed as a non-compliant bid;
- Show the price in total and for each financial year for the duration of the Contract.

The CCG's intention is to procure a service with a whole life price for years 1 to 2 inclusive of less than or as close to £749,116 as possible. The Bid price for each year of the contract should be equal. In the event that no Bidders submit a price which is less than, equal to or in the CCG's opinion sufficiently close to £749,116, the CCG reserves the right to discontinue this procurement process without liability for any costs.

A score for each Bid will be calculated based on the value of each compliant Bid relative to the lowest offered price. This will be calculated using the formula below:

$$= (\text{Lowest Price Offered} / \text{Offered Price}) \times 35\%$$

An example is shown below where the lowest bid is £150:

	Weighting	A	B	C	D	E	F
Provider Price	35%	£300.00	£275.00	£250.00	£225.00	£200.00	£150.00
Score %		17.5	19.09	21.00	23.33	26.25	35.00

Scores will be awarded to two decimal places.

Where the Bidder's whole life price for the full proposal (for years 1 and 2 inclusive) is above the indicative maximum financial envelope, the score will be factored down to 95% of the available score. For example if the indicative maximum financial envelope was £250 in the example above, then Bidder B who priced above this would be awarded a score of 95% x 19.09 = 18.14.

The financial template has been based on the latest activity data available; however the Commissioner reserves the right to amend these at the time of going to contract.

Bidders are required to complete each tab within the financial modelling template. These costs must include all other costs against the contract, such as set up costs, staffing costs (including any redundancy payments) prescribing costs and any other costs associated with the delivery of this service with the exception of premises costs - the Commissioner will work with the preferred Bidder to agree the delivery sites and agree funding accordingly. The Commissioner would like to see the breakdown of all other costs relating to the contract but these values must be incorporated into the figures entered into the financial modelling template as above.

If the Bidder meets the financial envelope requirement as outlined for Stage 2 above, the overall financial score is taken forward and consolidated with the weighted scores awarded under the Technical/Quality Assessment (expressed as a percentage of the maximum score available).

Stage 3 – Standard Selection Evaluation

Each Bidder's response to the questions set out in Appendix 11 shall be evaluated to assess the suitability of the Bidder.

Bidders must answer every question. Supporting material and appendices may be submitted separately in addition where indicated.

The Assessment will be carried out by evaluating the Bidder's submitted Selection Questionnaire responses using the scoring schema identified in Appendix 11.

The Selection questionnaire must be completed and the Bidder must satisfactorily pass the required elements outlined in Appendix 11.

If a Bidder does not pass the relevant sections in the Selection questionnaire, their RFP Quality/Technical response submissions (stage 4) will not be evaluated and the Bidder will be excluded from the process.

Evaluation criteria for the Selection Questionnaire are a combination of both financial and non-financial factors and will consider:

- a) Bidder acceptability – Bidder's good standing, legal position and status of the organisation in relation to sub section 7, section 5 of The Public Contracts Regulations 2015 which allows the Commissioner to disqualify organisations from tendering.

This includes a compliance check in relation to answers given to questions in Section B1 – B2 (Grounds for Mandatory Exclusion) and Section B3 (Grounds for discretionary rejection).

Where a Bidder's response to Sections B3 indicates a dispute, conflict or existence of discretionary grounds for rejection, this will not lead to an automatic fail in relation to that section, provided that the Bidder has given an adequate explanation acceptable to the Commissioner of the same.

The response to the question in Section F (Liability) will be evaluated on a Pass/Fail basis. An answer of 'No' to the question will result in the Bidder being automatically excluded from the qualification process.

In the event that a Bidder fails a question in Sections B, C and F, the Commissioner will not be required to complete the evaluation of the remaining questions and the Bidder will be automatically excluded from the qualification process.

The Commissioner reserves the right to ask clarification questions from a Bidder in the case of manifest error by any Bidder to such question and to take the response thereto as the definitive response.

Note: In the case of a response submitted by a consortium, all consortium and or sub-contractors entities must pass the due diligence process as outlined in (b) below.

- b) Economic and financial standing – the Bidder must be in a sound financial position to participate in a procurement of this size as set out in sub section 7, section 5 of The Public Contracts Regulations 2015. This will entail independent internal and external financial checks.

All Bidders must undergo and pass the Dunn and Bradstreet (D&B) check and those with a probability of business failure score of 51 and above will pass.

It is unlikely the Commissioner will pass a score of below 51 unless an acceptable reason is provided. The Commissioner is the sole judge of an acceptable reason.

In the case of responses submitted by a consortium and or sub-contractors, all members who will be providing over 20% of the contract value must pass every question in the due diligence process outlined in the table below. Please ensure D&B numbers are provided for all relevant consortia and or sub-contractor members.

Bidders must complete Appendix 5 –Sub-contracting and disclose all sub-contractors or consortia partners, and suppliers in their tender response and as part of the Contract Schedule completion requirements. The Commissioner recognises that arrangements in relation to sub-contracting or consortia partners may be subject to future change and may not be finalised until a later date. Bidders must notify the Commissioner immediately of any change in the proposed Bidding Entity partners. The Commissioner will reserve the right to undertake due diligence based on the SQ questions for consortia partners and sub-contractors which may include, but not be limited to:

Table 1 – Due Diligence

SQ Section	Brief Summary	Outcome
B1(a-h) - B2(a): Grounds for Mandatory Rejection	Convictions, corruption, criminal organisation/activities, Fraud, Terrorist offences, conflict of interest, money laundering, child labour/trafficking, tax/social security contribution obligation breach.	Pass/Fail
B3(a-n): Grounds for discretionary exclusion	Breaches in obligations for environmental, social, and labour law. Bankrupt/insolvency, professional misconduct, distorting agreements, procurement procedure conflicts, performance deficiencies leading to early termination, serious misrepresentation, withholding information, inability to submit required documents, influenced decision making,	Pass/Fail
C1, C2(a-d), C3(a-c): Financial Capacity/Liability	Accountability, audited accounts, financial status, guarantee	Pass/Fail
F1: Liability/Insurance	Appropriate Liability, indemnity arrangements are in place	Pass/Fail
Financial Capacity	Dunn & Bradstreet Probability of Business failure Score of 51 or more	Pass/Fail The CCG reserves the right to fail a bidder should there be

		insufficient explanation for a score of 51 or below Info
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Any sub-contractor or supplier undertaking such subsequent due diligence will need to pass all of the required sections as outlined above.

Where a Bidder has a valid reason for being unable to provide the information requested in relation to economic, financial and insurance matters, other information considered appropriate by the Commissioner at its discretion will be accepted.

- c) Technical or professional capacity – the Bidder must demonstrate the skills, resources, competence and capacity available and track record in providing the relevant service as set out in sub section 7, section 5 of The Public Contracts Regulations 2015.

Only those Bidders that have passed Stage 1 (Capability Compliance) and Stage 3 (Standard Questionnaire) will proceed to Stage 4.

Stage 4 – Technical/Quality Evaluation

The fourth stage is an assessment of each Bidder's submitted Technical Offer Schedule responses, using the scoring schema identified in Appendix 11.

The scored responses are assessed with integer scores awarded in a range between 0 and 4. There will be no marks between the values indicated available to assessors.

Grade descriptor	Grade	Definition of grade
High degree of confidence 100% of available score	4	<ul style="list-style-type: none"> • High degree of confidence in the Bidder's ability to do what is stated. • Presents thorough understanding of what is being requested. • Response suggests that the Bidder can do what they say they will. • Translates well into Contractual terms (where applicable). • Responses are supported by evidence as appropriate. • Potential system / stakeholder benefits (where applicable) described with evidence / rationale. • Provides evidence of innovation, where applicable.
Good understanding of the issues / Requirements	3	<ul style="list-style-type: none"> • Good understanding of the requirements. • Good detail and demonstration that proposals are feasible so that there is a good level of confidence that the Bidder will deliver.

75% of available score		<ul style="list-style-type: none"> • Can be translated into Contractual terms (where applicable). • Some potential system / stakeholder benefits described (where relevant) with some evidence / rationale.
Understands the issues ('Acceptable') 50% of available score	2	<ul style="list-style-type: none"> • Understands the requirements and addresses them appropriately with sufficient information, but lacking reliable substance so suggests more of a “model answer” than a true commitment. • Only <i>some</i> confidence that the Bidder will be able to deliver in line with expectations. • Potential system / stakeholder benefits may be described but with limited evidence or rationale.
Some misunderstandings 25% of available score	1	<ul style="list-style-type: none"> • Some misunderstandings and a generally low level of information and detail. • Fails to meet expectations / Requirements in many ways and provides insufficient confidence of delivery.
No information / barely understood 0% of available score	0	<ul style="list-style-type: none"> • Topic appears to be barely understood by the Bidder and response provides limited relevant information. • Provides no confidence that the issues will be addressed and managed in line with expectations.

The sections within the technical evaluation are weighted as per Appendix 11.

Each question will be awarded scores up to 4 using the above Technical Scoring Criteria. Scores will be given as a whole number only.

Once scored, each question will be awarded the relevant points in line with the score i.e. a question which has been weighted 10 and scores 4 out of the maximum 4 available will be awarded a total of 10 per cent for that question. A question which has been weighted 5 and scores 1 out of 4 will be awarded a total of 1.25 per cent and will be rounded to two decimal places.

For scored responses, an un-weighted score of two (2) indicates a response that is considered acceptable to the Commissioner. To achieve such a score a response must demonstrate (to the satisfaction and in the opinion of the Commissioner’s assessors) that the stated requirements can be achieved.

To remain eligible for consideration, Proposals are required to have a moderated score before weighting of ‘Acceptable’ or higher (i.e. 2 or higher) on all scored questions. Scores of 0 and / or 1 will constitute a Fail, and the Bidder will be excluded.

Stage 5 - Moderation

Once each evaluator has completed their individual evaluation, a moderation meeting will be held which will include reviewing the bids both horizontally and vertically.

Steps After Moderation

The final selection of the successful Bidder will be identified using the Evaluation model as outlined in the Evaluation Criteria.

The final selection of the Recommended Bidder will be based on a relative weighting awarded for financial (i.e. the Commercial/Financial criteria), added together with a relative weighting awarded for technical. The overall weightings for the financial and technical criteria for this RFP are:

- **Financial 40% of the total evaluation**
- **Technical 60% of the total evaluation**

Selection of the Most Economically Advantageous Tender (MEAT) and nomination of the Preferred Bidder

Following completion of Stages 1 to 4 inclusive, as described above, and subject to meeting the requirements stated at each stage, a single consolidated score will be established for each Bidder. The MEAT will be the Bidder which achieves the highest score.

The methodology to determine MEAT is as follows:

Step 1. If one or more Tenders achieves a “Pass” in all Pass/Fail questions and a minimum of a score of 2 (before weighting) against each Scored Question (including Questions 2 – 4 in Section 3 , then those Tenders failing to achieve a “Pass” in all Pass / Fail questions and a minimum score of 2 (“Acceptable”) against each Question will be eliminated.

Step 2. Of Tenders achieving the level set out in Step 1 above, the Tender scoring the highest number of points after weighting of the scores will be declared the Preferred Bid.

Step 3. If no Tenders achieve the level required in Step 1 above, then the Commissioner reserves the right to enter into discussions with the Bidder who achieves a Pass in all Pass / Fail questions, and the highest overall score after weighting.

Step 4. If no Bidder achieves a Pass in all questions, the Commissioner reserves the right to enter into discussions with the Bidder achieving the highest score after weighting.

The discussions to be held under Steps 3 or 4 above will be for the purpose of ascertaining what may be done to improve the highest-scoring Final Tender (in either case) so that it meets the Commissioner’s requirements for the Services and adequately deals with any areas of concern.

In the result of a tie break situation, i.e. where two or more Bidders achieve the same highest total percentage score (to a maximum of two decimal points), or if in the sole opinion of the Commissioner the scores are so close as to be deemed unsafe to differentiate, further assessment will be undertaken to determine the MEAT in respect of this RFP. This may include (at the complete discretion of the Commissioner) further tie-break questions, interviews or tests.

8. RFP Submission Instructions

Responses must be written in English. Please note carefully the maximum word count per question where stated. Responses will only be evaluated up to the maximum word count – any text over the word count will not be evaluated. Bidders must insert the word count at the end of each response.

Bidders should answer all questions as accurately and concisely as possible in the same order as the questions are numbered and presented. Where a question is not relevant to the organisation, this should be indicated by writing “N/A” OR “Not Applicable” and a reason as to why it does not apply provided. Failure to do so may result in a non-compliant response and lead to disqualification.

Bidders must be accurate, explicit and comprehensive in their responses to this RFP. Bidders are advised not to make any assumptions about their past or current supplier relationships with the Commissioner or to assume that such prior business relationships will be taken into account in the evaluation procedure, as this will not be the case.

The Technical Response answer templates **MUST NOT** contain any financial/commercial information relating to a Bidder’s commercial offer.

Responses to the Financial Model must be set out in and confined to the Schedule spread sheet.

Supporting documents may be submitted only where specified and any such documents should be clearly relevant, kept to a minimum and referenced to the particular question and attached in a zip folder with the corresponding response template and labelled as per the instructions otherwise they will not be taken into consideration. No documents, diagrams or pictures are to be embedded in the Technical Response answer templates as these may be overlooked and not considered during evaluation. Documents submitted electronically must be in the following formats:

FILE TYPE	SOFTWARE PACKAGE
Text based documents	Readable by Adobe Acrobat (pdf) or Microsoft Word
Spread sheet based documents	Readable by Microsoft Excel or Adobe Acrobat (pdf)
Graphics files	Readable by Adobe Acrobat (pdf) and / or as a JPEG
Financial reports and accounts	Readable by Adobe Acrobat (pdf)
Zipped files	.zip format only (not .rar or any alternative method)

Other formats should be converted to PDF before submission.

Zip folders must be standard WinZip [.zip] folders. Later versions, (e.g. WinRar [.rar] or Zip7 [.7z]) are not acceptable.

Bidders are requested not to provide any extraneous information that has not been specifically requested in the RFP including, for example, sales literature or Bidder's standard terms and conditions etc. Bidders should note that any contract(s) awarded as a result of this procurement shall be subject to the Commissioner's terms and conditions of contract.

Bidders should not leave their responses until the last minutes/hours before the deadline (if you experience connection problems you will miss the deadline and your response may be deemed non-compliant and rejected by the Commissioner.

9. Terms of the Procurement

The Commissioner does not commit to awarding a contract(s) for any or all of the components above should it become evident that it is not economically advantageous to do so.

The Commissioner gives no guarantee in respect of the scope and range of the Services to be provided and reserves the right to add to, amend, delete or withdraw the scope and type of the Services required at any time up to the award of the contract and throughout its duration, subject to any contract variations agreed through the Contract Review Meeting process, once the contract is signed.

Nothing in this RFP or any other pre-Contractual documentation shall constitute the basis of a Contract that may be concluded in relation to the Procurement, nor shall such documentation / information be used in construing any such Contract. Each Bidder must rely on the terms and conditions contained in the Contract, when and if finally executed, subject to such limitations and restrictions that may be specified.

The form of the Contract to be used will be the 2017/2018 NHS Standard Contract (Shorter Form). The current 2017/18 Particulars will be distributed to bidders via the BRAVO portal w/c 12th June 2017, these will form Appendix 7. The Service Conditions and the General Conditions will not be amended in any way and neither can the Bidder enter into parallel arrangements that have the actual or perceived intention of deviating from the terms of the NHS Standard Contract.

10. Tender Qualifications

Tenders must not contain any qualifications to the Conditions of Contract (other than in the case of manifest error). Tenders must be submitted strictly in accordance with the tender documentation. Tenders must not be accompanied by statements that could be construed as rendering the tender conditional, equivocal and/or placing it on a different footing from other tenders.

Only tenders submitted without qualification, strictly in accordance with the tender documentation as issued (or subsequently amended by the Commissioner) will be accepted for consideration. The Commissioner's decision on whether or not a tender is acceptable will be final and the Bidders concerned will not be consulted. Qualified or conditional tenders will be excluded from further consideration.

The Contract will be between the Commissioner and the Bidder (as the legal entity). This means that Bidders will be required, at a stage prior to final evaluation and decision, to accept in writing the terms of the form of contract unconditionally (except where minor changes are agreed). This is to prevent subsequent attempted individual negotiation by Bidder. If a Bidder cannot provide this clear agreement the Commissioner reserves the right at its sole discretion to eliminate and remove the particular Bidder in question from the Project procurement process entirely. If such an event occurs then for the avoidance of doubt by progressing any RFP response, each Bidder does so on the express agreement that it has accepted that it shall not hold any Commissioner (individually or collectively) liable for any loss, expense, cost or damage that such Bidder has incurred in progressing such bid interest and response at any time should the Commissioner exercise its discretion to eliminate or remove a Bidder from the procurement process for such reason.

11. Enquiries and Requests for Clarifications

The objective of the RFP Bidding clarification stage is to give Bidders the opportunity to submit questions to the Commissioner where they require clarification on the information contained in the RFP.

All requests for clarification or further information in respect of this RFP should be sought as early as possible and **must only** be sent to the Commissioner via the Bravo system messaging facility, using the template provided, no later than

17:00 on 20th June 2017.

The Commissioner will not respond to clarification questions received after the expiry of this deadline. Please refer to the documentation provided in the Bravo ITT folder

The Commissioner will endeavour to respond to each clarification question received during the RFP Bidding clarification stage within three (3) business days of receipt. The Commissioner will publish all clarification questions raised by Bidders in an anonymous format, and their corresponding responses, to all other Bidders on a rolling basis during the

RFP Bidding clarification stage. This communication will be through the BravoSolution portal.

12. Tender Closing Time

All tenders must be returned no later than the deadline for receipt of tenders at

12 noon on the 30th June 2017

and must be submitted via the portal.

Late Tenders

Bidders are advised to ensure that they leave themselves sufficient time to upload their submission to the portal. Late tenders will only be accepted at the sole discretion of the Commissioner.

13. List of Appendices

Appendix 1 - Service Specification

Appendix 2 – Declaration of Interest

Appendix 3 – Financial Model Template

Appendix 4 –NWS CCG Locally Commissioned Service

Appendix 5 – Sub Contractors

Appendix 6 – TUPE data

Appendix 7 - 2017/2018 NHS Standard Contract (Shorter Form)

Appendix 7.A – Standard Conditions NHS Standard Contract 2017/18

Appendix 7.B - General Conditions NHS Standard Contract 2017/18

(n.b. Appendices 7, 7A & 7B will be released to bidders via BRAVO week commencing 12th June 2017)

Appendix 8 – Commercially sensitive information

Appendix 9 – Tender Acknowledgement Form

Appendix 10 – Certificate of Non-Canvassing Collusive behaviour

Appendix 11 – Questions and Evaluation Criteria

Appendix 12 – General Tender Terms and Conditions