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## ITT PACK - NOTICE TO TENDERERS

### About these Instructions

1. These instructions are designed to ensure that all tenders are given equal and fair consideration. It is important that you provide all the information asked for in the format and order specified.

### Timetable and Administration Arrangements

2. The anticipated timetable for this limited competition is as follows:

Tender returned to Jobcentre Plus by: **Friday 5 March 2010**

Contract(s) expected to be awarded by: **26 March 2010**

Contract(s) expected to start on: **12 April 2010**

### Submission of Tender

3. *Submission label template is provided as an annex to this document.*

### Enquiries about the Tender

4. If you have any questions relating to the specification or the tender process, these should be telephoned or e-mailed to **John Tremain on 01237 496995** [john.tremain@dwp.gsi.gov.uk](mailto:john.tremain@dwp.gsi.gov.uk).
5. The Department for Work and Pensions does not undertake to accept any tender and reserves the right to accept the whole or any part of any tender, unless the tenderer expressly stipulates otherwise.

### Contract Period

6. The awarded Contract is to be for a maximum of thirty courses – dates yet to be agreed, unless terminated or extended in accordance with its terms.

### Alterations

7. You may not alter any of the documents in this ITT pack. If you propose to add, substitute or amend any conditions in these documents then you must give details in your Proposed Amendments to the Terms and Conditions of Contract which should be submitted as part of your tender. If you have no amendments to propose, you should confirm this by submitting the Proposed Amendments to the Terms and Conditions of Contract annotating it accordingly.

### Period for which tenders shall remain valid

8. Unless otherwise stated by the tenderer, tenders shall remain valid for six months from the closing date for receipt of tenders and thereafter until withdrawn by formal notice in writing.

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## **Amendments to the tender documents**

9. The Department for Work and Pensions reserves the right to modify or amend this ITT pack at any time prior to the deadline for receipt of tenders. Any such modification or amendment will be notified to you in writing. Where modifications or amendments are significant, Jobcentre Plus may, at its absolute discretion, extend the deadline for receipt of tenders.

## **Contractual Status**

10. Should the Department for Work and Pensions identify a suitable tender, and proceed to contract, a Contract, comprising of the covering letter, Notice to Tenderers, Provision specification, and the Department for Work and Pensions Standard Terms and Conditions, and the form of declaration within this ITT pack (as amended to reflect the circumstances of the agreed successful tender); and any subsequent post tender negotiation (agreed in writing). This Contract will only constitute a formal and legally binding contract once signed and dated by authorised representatives of both Parties.

## **Variations**

11. The Department for Work and Pensions reserves the right to reject a tender if the tenderer proposes to add or substitute any conditions which are at variance with, or inconsistent with, the conditions in these documents or are otherwise unacceptable to the Department for Work and Pensions.

## **Format of the Tender**

12. **One** original complete tender document which has been signed by the tenderer comprising the information requested plus **One** complete photocopy, must be returned, in a format which can be easily photocopied (i.e. not bound).
13. Your tender must contain, cross referenced as appropriate, the details set out below in the order indicated under the following headings:
  - Method Statement (Signed Response to the questionnaire).
  - Any proposed Amendments to the Terms and Conditions of Contract.
14. Your Tender (incorporating all elements identified at paragraph 13 above) must be set out in the format indicated in the Form of Declaration by Tenderer, within the limits and in the style requested in the Method Statement. It must be completed legibly in typescript with a font size no less than 12 pt.

## **Inducements/Collusion**

15. Offering an inducement of any kind in relation to obtaining this or any other Contract with the Department for Work and Pensions will disqualify your tender from being considered and may constitute a criminal offence. Also, please note the following requirements, any breach of which will invalidate your tender. You must not:
  - tell anyone else, even approximately, what your tender or proposed tender price is, or will be, before the deadline before return of your tender;

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- try to obtain any information about anyone else's tender or proposed tender before the time limit for delivery of tenders;
  - make any arrangements with anyone else about how they should, or whether or not they should tender.

### **Costs and Expenses**

16. You will not be entitled to claim from the Department for Work and Pensions any costs or expenses which you may incur in preparing and or submitting your tender. This applies whether or not your or any other tender is successful. It also applies to any additional cost you may incur as part of this competition if the Department for Work and Pensions modifies or amends the tender requirements or the service design and requirement.

### **Evaluation of Tenders**

17. When assessing your tender, we will evaluate your proposals including how you intend to apply your policies/procedures to ensure that your proposed services meet the Department for Work and Pensions standards and that output objectives are met. The information you give in response to the areas identified in the Method Statement will help the Department for Work and Pensions to evaluate your bid on the basis of how well/convincingly, and in the context of the local factors and circumstances where the Programme is to be delivered, your proposals address the Specification and offer the best quality/value for money.

### **Clarification Process/Presentations**

18. The Department for Work and Pensions may wish to clarify or discuss aspects of your tender and/or Action/Improvement Plan where appropriate. In the first instance, questions will be sent by e-mail to tenderers and a written/typed response should be faxed back by deadline given.

### **Confidentiality**

19. All information supplied by you as part of this competition will be treated as commercial in confidence except that references may be sought from banks, past and existing clients, or other referees submitted by you.

### **Accreditation**

20. DWP will award contracts only to providers that have been accredited. Accreditation is carried out by Momenta on behalf of DWP. Prior accreditation is not a condition of bidding for contracts, but – unless they already hold a current accreditation from Momenta - providers must be willing to go through the accreditation process if they are selected as preferred bidders. Once a provider has been accredited, the details will be held on a Provider Register and the provider will not be required to submit the information again in order to bid for further contracts during the succeeding 12 months. However, providers will be required to ensure that the information is updated on an annual basis.

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21. Accreditation checks will be carried out on the following areas:

- Legal entity
- Financial Viability Risk Assessment
- Proof of insurance
- Health and Safety
- Environmental policies
- Compliance with diversity and equal opportunities policies in respect of Jobcentre Plus customers and providers' staff, including non-discrimination on grounds of gender, ethnicity, disability, religion or belief. This also includes compliance with the requirement to make "reasonable adjustments" within the meaning of the Disability Discrimination Act.

22. Bidders should also take careful note of the terms and conditions of contract relevant to these requirements, and in particular the provisions of Clause 3 and of Schedule 8.

23. FE Colleges in England, Local Authorities, Higher Education Institutions and NHS bodies will not be required to submit financial information (unless the bid involves the use of a separate legal entity set up on a commercial basis).

**Annex 1**

LABELS to be used when submitting a tender.

<p><b>TENDER DOCUMENTS for ref:</b></p> <p><b>TO BE RETURNED BY 12:00 NOON ON Friday 5 March 2010</b></p>	<p><b>Anne Thomas Department for Work and Pensions Provision Management Division Local Procurement Management Team 4<sup>th</sup> Floor Companies House Crown Way Maindy CARDIFF CF14 3UW</b></p>
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