

**BACKING YOUNG BRITAIN -
MENTORING**

**Invitation to Tender
Instructions for bidders**

October 2009

Restricted Commercial

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SECTION 1 – INTRODUCTION

- 1.1 In order to be able to submit an Invitation to Tender (ItT) response, all Potential Bidders must read the conditions and circumstances listed at Annex 1 of the Instructions to Bidders and sign the declaration at Part 2 of the ItT.

Before completing the ItT you are advised to read carefully the:

- Provision Specification and Supporting Information for this specific procurement and these instructions;
 - Provider Guidance pages on the Welfare to Work section of the Supplying DWP website; <http://dwp.gov.uk/supplying-dwp/what-we-buy/welfare-to-work-services/provider-guidance/>.
 - DWP Terms and Conditions and generic Schedules issued with this procurement exercise.
 - DWP Supplier Charter available from mid November via DWP website.
- 1.2 These instructions, together with the supporting information and all other information to which they refer, are designed to ensure that all interested and eligible organisations are given the opportunity to compete on a fair and equal basis for these contracts. It is important that bidders provide all the information asked for in the format and the order specified.
- 1.3 If bidders wish to be considered for tendering for this procurement they must complete and return the attached Invitation to Tender (ItT) in accordance with these instructions.
- 1.4 Bidders should answer all relevant questions as accurately as possible and within the permitted page allowance. Where a question is not relevant to an organisation, this should be indicated, with an explanation.
- 1.5 Failure to furnish the required information, make a satisfactory response to any question, or supply documentation referred to in responses, within the specified timescale, may mean that bidders will not be invited to participate further in this competition.
- 1.6 Bidders wishing to participate in the competition and submit a completed ItT response are advised to familiarise themselves with the documents listed in para 1.1 and ensure that they are adequately informed as to the nature of the requirement in order to prepare a properly detailed response.
- 1.7 As DWP proposes to only contract with a single legal entity, comprised of a legally constituted organisation or a legal entity made up of a number of bidders (i.e. a Special Purpose Vehicle), only one ItT response is required per legal entity.

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- 1.8 Through this ItT DWP is seeking to identify an organisation that we judge suitable to become a Prime Supplier (see Section 2 below) for the provision of 10, 000 mentoring places for 18 – 24 year olds throughout Great Britain including Scotland and Wales.
- 1.9 Funding is available for this contract to 30 September 2011 for the delivery of 10,000 mentoring places, with the latest start date on provision being 31 March 2010.
- 1.10 If you wish to be considered for this contract you must complete and return the attached ItT in accordance with these instructions.
- 1.11 DWP intends seeking independent financial and market advice to validate information declared or to assist in the evaluation of bids. Reference site visits and/or presentations may be required.

Consortia, Joint Ventures and Special Purpose Vehicles

- 1.12 Bidders may choose to submit a tender as part of a consortium.
- 1.13 Where a consortium approach is proposed, the proposed consortium leader should complete the tender documentation on behalf of the consortium. In order to enable DWP to assess the overall service proposed, relevant information should also be provided in respect of consortium members who will play a significant role in the delivery of services under any ensuing contract. Where tender documentation reads 'Prime Suppliers', and 'sub contractors', for consortia this should be read as 'consortium leader' and 'consortium members'. Consortium leaders should complete questions relating to sub contractors with information about consortium members.
- 1.14 Where the proposed contractor is a Joint Venture or Special Purpose Vehicle, information should be provided on the extent to which that entity would call upon the resources and expertise of its members.
- 1.15 DWP recognises that arrangements in relation to consortia, Joint Ventures or Special Purpose Vehicles may be subject to future change. Bidders should therefore respond in the light of such arrangements as are currently envisaged.
- 1.16 In all cases, DWP will award any eventual contract to **one** legal entity only.

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SECTION 2 – BACKGROUND INFORMATION

The Prime Suppliers – roles and responsibilities

- 2.1 The term “ Prime Supplier” is used to describe an arrangement under which DWP contracts with a single organisation to undertake the following **three** main functions:
- To provide directly a substantial proportion of the specified provision;
 - To sub-contract a proportion of the specified provision to other organisations;
 - To manage and monitor the performance and quality of the sub-contractors as well as all aspects of their own performance.
- 2.2 It should be noted that Prime Suppliers, if they are private or voluntary sector organisations, will not be required to follow public sector competitive tendering rules for any of the work they propose to sub-contract.
- 2.3 There are specific questions in the ItT which are designed to establish your credentials as a potential Prime Supplier. You will also be required to include in your responses to the ItT evidence of your knowledge or experience of the customer groups included in the specification.
- 2.4 You may bid to provide the entire provision yourself i.e. without using any sub-contractors or other partners if you so wish, and if you believe and can demonstrate that you have sufficient capacity and expertise within your organisation to do so in addition to delivering existing contracts for DWP and for any other organisations.
- 2.5 DWP has no preference for any of these options and all bids will be considered on their merits. However, due to the size and complexity of contracts to be awarded, it is unlikely in our opinion that any single organisation would be able to deliver Backing Young Britain - Mentoring as a sole deliverer.

Before deciding whether to submit an ITT, you should consider carefully the following information

- 2.6 You will be required to state which organisations you will sub-contract work to, and to describe in detail how you propose to manage and monitor the performance and quality of those sub-contractors. DWP particularly welcomes bids which involve the third sector, small and medium enterprises, black and minority ethnic enterprises, women-owned and disabled-owned businesses, supported employment providers and providers of specialist services.
- 2.7 You will also be asked to include a signed statement from each proposed sub-contractor to the effect that they have agreed details of the services which they would provide and that they are content with the associated funding

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arrangements. DWP will not set any limit on the number of sub-contractors that you may use, although the more there are the greater the importance of demonstrating to us your management and monitoring expertise. However, the successful bidder will be required to ensure that sub-contractors do not themselves sub-contract work to other organisations without the prior agreement of DWP.

- 2.8 The bid evaluation criteria will include all of the above elements, and particular importance will be attached to the quality of bidders' proposals for managing, monitoring and paying their sub-contractors. DWP does not advise or recommend the use of specific sub-contractors. However, we reserve the right to veto the use of a proposed sub-contractor before, during and after any award of contract.
- 2.9 DWP will make all payments for provision direct to the selected Prime Supplier. The Prime Supplier will be required to pay each of its sub-contractors within 30 days of receipt of a valid invoice. The balance of the payments from DWP would be used to cover the Prime Suppliers's costs, including the costs of managing its sub-contractors, collecting and collating the management information we require from them.
- 2.10 The Prime Supplier will be required to ensure that the terms of its eventual contract with DWP are reflected in the terms of its contracts with all its sub-contractors and that each sub-contractor is bound by the same obligations as will apply to the Prime Supplier. The responsibility for managing and monitoring sub-contractors' compliance with contractual and provider guidance requirements will rest entirely with the selected Prime Supplier. DWP will however seek evidence throughout the life of the eventual contract that the Prime Supplier is exercising this responsibility effectively and that, where necessary, it agrees continuous improvement plans with its sub-contractors. The successful provider will be required to report annually to DWP the total amount paid in each financial year to its voluntary and community sector sub-contractors and/or partners for the delivery of this contract.

SECTION 3 – BRIEFING EVENT AND EXPRESSIONS OF INTEREST

- 3.1 We will be holding a provider briefing event on 10 November 2009 at:

Novotel Sheffield Centre
50 Arundel Gate
Sheffield S1 2PR

This event will be used to explain our requirements more fully and to answer questions from potential bidders about the requirements and the bidding process. If you wish to attend this event places are restricted to two people per organisation, please complete the pro-forma embedded in the web advertisement and email to BYB.Mentor@dwp.gsi.gov.uk by **6 November 2009**.

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- 3.2 If you are interested in bidding for the Backing Young Britain – Mentoring contract please send an email headed up with the words 'Expression of Interest for delivery of Backing Young Britain Mentoring to BYB.Mentor@dwp.gsi.gov.uk including your organisation name and contact details (name and telephone number). This request is to enable DWP to effectively plan resource levels to manage this procurement round. It would be helpful if potential bidders could send this email by **6 November 2009**.

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SECTION 4 - HIGH LEVEL PROCUREMENT TIMETABLE

Announcement & Web Advert	30 October 2009
Supplier Briefing Event	10 November 2009
Publication of Q&As on DWP website	18 November 2009 25 November 2009 27 November 2009
Deadline for ItT responses	11am 1 December 2009
ItT evaluation	2 December 2009 – 16 December 2009
Announcement of Preferred Bidders	22 December 2009
Post Tender Discussions	4 January 2010 – 13 January 2010
Contract Award	14 January 2010
Service Commencement	29 January 2010

SECTION 5 - QUESTIONS AND ANSWERS

- 5.1 A formal Question and Answer process will commence 4 November 2009. If bidders require any further information to enable them to complete a response to the ItT or if bidders wish to query any aspect of this competition, please email: BYB.Mentor@dwp.gsi.gov.uk
- 5.2 Bidders should note that DWP responses to all enquiries from bidders will be made anonymous and published in the form of a Question and Answer brief on the Supplying DWP website. This will be published on the following dates: 18 November, 25 November and 27 November 2009. If a question is deemed by a bidder to be commercially confidential, then the bidder should indicate that they believe this to be the case. DWP will exercise due discretion in handling the question and limiting the circulation of the answer(s) to the bidder who has raised the question.
- 5.3 The closing deadline for the submission of enquiries to which DWP will respond is 23 November 2009 and responses will be received by 27 November 2009.

SECTION 6 FREEDOM OF INFORMATION

- 6.1 DWP is committed to open government and to meeting its responsibilities under the Freedom of Information Act 2000. All information supplied by bidders as part of this competition will be treated as commercial in confidence until the bid assessment process has been completed and a contract awarded. Subsequently, DWP may be required to disclose information submitted by Potential Suppliers in response to a request received under the act. DWP may also be required to disclose details of unsuccessful ItT responses.

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- 6.2 DWP may decide to include certain information in the publication scheme which it maintains under the Act. If a bidder considers that any of the information included in their ItT response is commercially sensitive, then they must identify it and explain (in broad terms) what harm may result from its disclosure if a request is received, and the period of time that is applicable to that sensitivity.
- 6.3 Where information is identified as commercially sensitive, DWP will endeavour to maintain confidentiality. Potential Suppliers should note however that even where information is identified as commercially sensitive, DWP may still be required to disclose it under the Act. In this case, DWP would contact the organisation to discuss any such request that is made prior to public disclosure.
- 6.4 DWP acknowledges that some elements of the bidder's response to the ItT documents may be covered by the Data Protection Act and therefore these would not be disclosed under the requirements of Freedom of Information.

SECTION 7 COSTS AND EXPENSES

- 7.1 Bidders will not be entitled to claim any costs or expenses from DWP that have been incurred in preparing and/or submitting their proposal. This applies whether or not a bidding organisation is successful.
- 7.2 If DWP modifies or amends the requirements, bidders will not be entitled to claim any costs or expenses from DWP for any additional cost incurred in this competition. (See disclaimer at section 21)
- 7.3 DWP reserve the right to suspend or cancel this procurement without liability, if circumstances should arise that would make this necessary.
- 7.4 DWP does not undertake to accept any tender and reserves the right to accept the whole or any part of any tender, unless you stipulate otherwise. DWP reserves the right to reject a bid if you propose to add to or substitute any terms or conditions which are at variance with, or inconsistent with, our terms and conditions, or are otherwise unacceptable to DWP.
- 7.5 A contract will not exist and work may not commence until a formal contract has been signed and dated by DWP and by the successful provider.

SECTION 8 ACCREDITATION

- 8.1 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

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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.

8.2 Accreditation checks will be carried out on the following areas:

- Legal entity
- 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.

8.3 Bidders should also take careful note of the terms and conditions of contract relevant to these requirements, and in particular the provisions of Schedule 9 of the Terms and Conditions.

8.4 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).

SECTION 9 CLARIFICATION PROCESS

9.1 DWP expressly reserves the right to require a potential supplier to provide additional information to supplement or clarify any of the information provided in response to the requests set out in this ItT. In those instances DWP will send any questions by e-mail to the named contact person, who should respond by the deadline that will be given.

9.2 DWP may seek independent financial and market advice to validate information declared, or to assist in the evaluation.

SECTION 10 CONSISTENCY OF INFORMATION

10.1 Please note that it is the bidder's responsibility to ensure that the information provided remains consistent throughout the competition. Under no circumstances will bidders be permitted to make any amendments to the ItT document after the closing date for each stage of the competition.

SECTION 11 INDUCEMENTS AND COLLUSION

11.1 Offering an inducement of any kind in relation to this competition will disqualify a bidding organisation from being considered and may constitute a criminal offence.

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- 11.2 Bidders must not attempt to obtain any knowledge or information about another Bidder's proposal before the completion of this competition, or make any arrangements with any other organisations as to how or whether they should participate.
- 11.3 Subject to the necessary requirement to hold discussions with any other organisation with whom a bidder intends to submit a joint bid on a consortium basis, please note the following requirements to avoid collusion;
- bidders must not collude or seek to make arrangements with any other organisation about how, or whether, they should participate in this procurement in their own right or in collaboration with others; and
 - bidders must not try to obtain any knowledge or information about another bidder's ItT response.
- 11.4 Any breach of these requirements will invalidate the ItT response.

SECTION 12 - COMPLAINTS

- 12.1 DWP has published a commercial complaints process for use during competitive procurement. It comprises the documents listed below which can be viewed at:
<http://www.dwp.gov.uk/supplying-dwp/purchasing-in-dwp/dwp-commercial-complaints/>
- The DWP Commercial Complaints process
 - Information to accompany a commercial complaint
 - DWP Commercial Code of Practice – Competitive Tendering

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SECTION 13 – INSTRUCTIONS TO BIDDERS

13. General Instructions

- 13.1 Please read these instructions fully and note all the information in this section before you complete the ItT.
- 13.2 All ItTs must be submitted by a legally constituted organisation. Responses should be completed in Arial font size 12 and your response should not exceed the stated maximum number of pages. Any information in excess of what is asked for will not be considered, nor will any supplementary folders, brochures or papers. Please see paragraph 16 for further details.
- 13.3 Potential Suppliers should answer all questions as accurately and concisely as possible in the same order as the questions are presented. Where a question is not relevant to the Potential Supplier's organisation, this should be indicated, with an explanation.
- 13.4 Where stipulated in the ItT you must adhere to the word/page limit set for individual responses. Any words over the designated maximum will be ignored.
- 13.5 DWP is committed to supporting Sustainable Procurement and would encourage bidders to submit the ItT response on recycled paper, using black ink and double sided printing, where possible. This is not a requirement and bidders will not be penalised if they are unable to meet this request.
- 13.6 The information supplied will be checked for completeness and compliance with the instructions before responses are evaluated.
- 13.7 You will be evaluated against the answers you provide to each question. If you fail to answer any of the questions or fail to comply with these instructions, you may be eliminated from this procurement exercise.
- 13.8 Only information provided as a direct response to the ItT will be evaluated. Information that forms part of general company literature or promotional brochures will not form part of the evaluation process and should not be submitted. Additional information should only be included where requested in the ItT. It must be concise and clearly cross-referenced to the appropriate questions in the ItT.
- 13.9 Suppliers who currently undertake, or have previously undertaken, work for DWP will be evaluated purely on their response to the ItT; prior knowledge or experience of suppliers will not form part of the evaluation.

SECTION 14 CONTRACTING WITH DWP

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- 14.1 DWP will make all payments for provision direct to the selected supplier. The supplier will be required to pay each of its sub-contractors within 30 days of receipt of a valid invoice, as provided for in DWP standard Conditions of Contract.
- 14.2 The selected supplier will be required, where appropriate, to ensure that the terms of its contract with DWP are reflected in the terms of its contracts with all its sub-contractors, and that each sub-contractor is bound by the same obligations as will apply to the selected supplier. DWP will not necessarily expect sub-contracts to reflect the payment terms agreed with our top-tier supplier. We expect risk/reward to be fairly assigned across the supply chains in ways that allow small and specialist suppliers to play their part.
- 14.3 DWP supports the main goal set out in the UK Strategy for Sustainable Development (Securing the Future, 2005) which is to 'enable all people to satisfy their basic needs and enjoy a better quality of life without compromising the quality of life of future generations'. DWP bidders are required to ensure that they and their sub-contractors use all reasonable endeavours to comply with the principles set out in the UK Strategy and the Sustainable Operations on the Government Estate (SOG E) targets. These can be viewed at: <http://www.dwp.gov.uk/supplying-dwp/doing-business-with-dwp/sustainable-procurement/>.
- 14.4 DWP bidders are required to provide a policy statement within six months of the contract start date to demonstrate how they will satisfy and adhere to the principles of sustainable development, together with an action plan to explain how they will deliver environmental and community benefits.

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SECTION 15 INSTRUCTIONS FOR COMPLETION OF THE INVITATION TO TENDER

Supplementary Information for Questions

- 15.1 The following instructions should be read in conjunction with the actual ItT document. Those questions not listed below are deemed to be self explanatory. If a SPV is being proposed, all of the questions in the ItT should be completed to reflect composite details of all members, unless specific guidance to the contrary is detailed in the following paragraphs. The composite response must not exceed any given word count.

Part 2 Eligibility to Submit a Tender

- 15.2 Please ensure you fully read the “Summary of ineligibility conditions including those provided by regulation 23 of the public contracts regulations 2006” and sign the declaration before progressing.

Part 3 Organisation Information

- 15.3 Please complete Q3.1 and Q3.2. In the case of SPVs, only 1 main and 1 reserve contact is required regardless of the number of members.
- 15.4 Please note, if the potential supplier being proposed is a SPV you are required to provide the information requested for questions 3.3 – 3.10 with respect to each member. In this case, please copy and paste the questions for each member’s response and clearly identify which organisation they relate to. You will need to number the responses to these questions as follows:
- Company 1: 3.3.1, 3.5.1, 3.6.1 etc
Company 2: 3.3.2, 3.5.2, 3.6.2 etc
- 15.5 Q3.8. Please tick this box to confirm you have included a one-page chart illustrating your ownership structure.

Part 4 Fraud Prevention

- 15.6 DWP considers effective anti-fraud and control measures are a key element of good administration and both suppliers and subcontractors are expected to have in place systems and processes that seek to prevent fraud and ensure that it will be detected promptly if it does occur.

Consideration should be given to the following statements;

- The organisation has policies and procedures in place for staff to report fraudulent activity or improper practices/behaviour happening within the organisation.

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- The organisation has a performance management system within the organisation that does not generate perverse incentives among individual employees to falsely claim performance achievement.
- The organisation has an audit regime in place that provides for periodic check of the effectiveness of the performance reporting regime.
- The organisation has established internal financial control systems and segregation of duties.

Part 5 Accreditation

15.7 Please note that prior accreditation is not a condition of responding to this ItT. However, unless a bidder already holds a current accreditation from Momenta, they must be willing to go through the accreditation process at a later stage of this competition. DWP will only award contracts to suppliers that have been formally accredited.

Accreditation is carried out by Momenta on behalf of DWP and further details can be found at the following link:
<http://www.dwp.gov.uk/supplying-dwp/what-we-buy/welfare-to-work-services/provider-accreditation/>

Part 6 Security

15.8 Please note that following publication of the Data Handling Procedures in the Government Report of June 2008, the Cabinet Office has introduced mandatory requirements relating to data handling, security and information assurance in government contracts. Information must be protected, together with systems, equipment and processes which support its use. The information may include data, text, drawings, diagrams, images or sounds in electronic, magnetic, optical or tangible media, together with any Personal Data for which DWP is the Data Controller. Our Contractors must provide an appropriate level of security and bidders that submit tenders will be required to demonstrate how they would meet this requirement in detail.

15.9 From October 2009, DWP will be using an electronic provider referral and payment (PRaP) system. This will replace the existing paper-based process for referring Jobcentre Plus customers and their Jobcentre Plus action plans. It will also enable suppliers to claim their payments electronically through a self billing facility. Suppliers will be required to work with DWP to ensure the integration of their processes and systems with DWP provider referral and payment systems, in line with the security standards in operation at the time.

15.10 In addition you should also be aware that The HMG Baseline Personnel Security Standard was introduced by the Cabinet Office in July 2006 to help protect Government assets. It requires that a number of checks are made on persons who are to be given access to Government assets (premises, systems, information or data). It must be applied to all DWP commercial

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arrangements, where bidders' (and any of their sub-contractors') staff require access to Departmental Assets in the course of their duties.

Full details of the contractual obligations required to comply with the above procedures can be found in the Guidance document 'HMG Baseline Personnel Security Standard – A Guide for DWP Contractors'. A PDF version can be viewed at: <http://www.dwp.gov.uk/supplying-dwp/doing-business-with-dwp/terms-and-conditions/>

15.11 Security Plan – Important Information

At this stage your Security Plan will be assessed but will not be scored or inform the bid evaluation process. It has been necessary to ask bidders to complete the Security Plan at this early stage in the procurement round, given the challenging timescales for implementation and delivery of the Backing Young Britain – Mentoring contract. At the Preferred Bidder stage feedback will be provided on the submitted security plan. Please read the following guidance in addition to the information provided in the One Stage Tender document.

15.12 This information note is to help the security plan assessment process by highlighting some key areas that have to be addressed before approval can be given to receive DWP data and to connect to Provider Referral and Payments System.

15.13 Personnel Security

DWP requires all individuals (Prime, subcontractors, authorised third parties), to hold a minimum security clearance of Baseline Personnel Security Standard who will require access to PRaP data. No access to the information will be given without this clearance. Please see the following reference for further details

http://www.cabinetoffice.gov.uk/spf/mandatory_requirements/mr23.aspx

15.14 You need to make sure that your recruitment processes take these requirements into account and that you allow enough time to undertake the necessary checks with Disclosure Scotland or Criminal Records Bureau.

15.15 From experience some providers have left it too late and have insufficient cleared staff in place to handle business.

Technical Security Issues Independent Penetration Testing

15.16 The Department's requirement is for an Independent Penetration Test to have taken place before the processing of any data takes place. For clarity this is the completion of testing, reporting and addressing vulnerabilities identified.

15.17 From experience some providers have planned the necessary testing but only after the systems are in live operation. Departmental Security team have been very clear that Independent Penetration Testing must take place before

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access to DWP Data and to Provider Referral and Payment System (PRaP) is given.

- 15.18 We have been asked what the scope of an Independent Penetration Test should cover and have provided the [attached guidance on scope of testing](#).

Encryption of data bases

- 15.19 DWP security authorities advise that the use of encryption technologies compliant with FIPS 140-2 as a minimum should be deployed by Providers to their databases used for storage of DWP data and in all instances where such data is transmitted exchanged processed and stored (this includes backup media).

- 15.20 This has been a common issue so far in some cases it has been simply a matter of configuration of existing software, again advice from Departmental Security has been clear that encryption must be in place before receiving DWP data or connection to PRaP.

Incomplete Security Plans

- 15.21 As indicated in the guidance notes provided to you there are 3 sections to the security plan

1. An overview of your solution
2. Perceived security threats
3. The security plan

- 15.22 All these sections must be completed before the plan can be assessed and approval given. Delays to the assessment process will be experienced if all sections are not submitted as they are all essential. If you need advice as to how to complete the plan please email BYB.Mentor@dwp.gsi.gov.uk in line with the dates provided in Section 5.

Security Plan - Supporting Documentation

- 15.23 As part of the assessment process we will ask to see any documents or procedures referred to in the security plan. The process can be speeded up if copies of these can be provided with your security plan submission.

Part 16 Supplier Financial Capacity and Capability Risk Assessment

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- 16.1 We recognise that some of the information requested here is also requested in Part 3; however you are required to complete all sections in full as they will initially be assessed separately.
- 16.2 If the single legal entity proposed is a Special Purpose Vehicle, Part 16 should be completed for each member of the Special Purpose Vehicle. If the legal entity is completing the ItT in their own right as a Prime Supplier, a statement to that effect should be made.
- Q1.** The information provided in response to this question may or may not be the same as the contact details provided in Q3.
- Q2.** Please ensure you complete all parts of this question that are relevant to your organisation. If required, please ensure that you include the relevant Incorporation or Registration certificate or other documentation as appropriate.
- Q4.** Please complete the matrix in this question to confirm what information has been provided by attachment.
- Q5.** Please answer all parts of this question including the attached spreadsheet.
- Q6.** Please ensure that you sign the declaration.

Part 17 Pricing Documentation

- 17.1 The guidance to assist with completion of the Pricing Proposal has been incorporated into the ItT for ease of reference. A signed hard copy and a CD ROM must be returned at the same time as the completed ItT and enclosed within a separate sealed envelope clearly marked '**RESTRICTED – PRICING PROPOSAL**'.

Part 18 Declaration

- 18.1 Please ensure that you complete this section **by hand**. Failure to do so may result in your bid not being considered.

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SECTION 16 SUBMISSION OF COMPLETED INVITATION TO TENDER

16.1 Envelopes/packages must be plain and bear no reference to the name of the bidding organisation. Franking machines, which automatically print the company name must not be used. ItT responses submitted in envelopes/packages that allow the identification of the bidder may not be considered ItT responses sent by registered mail will be accepted, but the envelope/package **must not** contain a printed or franked company logo. Two paper copies and one electronic copy is required.

16.2 The envelope/package containing your ItT response should include the following:

Parts 1 – 15 & 18

- One **original signed copy** of the completed ItT Tender Form response to Parts 1 - 15 and 18 in hard copy;
- Three paper copies of the ItT Tender Form
- One paper copy of the security plan (part 6 annex 1)
- One electronic copy of the completed ItT Tender Form response to Parts 1 – 15 & 18 on CD-ROM (clearly marked with name of bidding organisation, BYB Mentoring Parts 1 - 15 & 18)

Parts 16 & 17

- One **original signed copy** of the completed ItT financial information (part 16) and pricing proposal (part 17)
- One paper copy of the ItT financial information (part 16) and pricing proposal (part 17)
- One electronic copy of the ItT financial information (part 16) and pricing proposal (part 17) on CD-ROM (clearly marked with name of bidding organisation, BYB Mentoring Parts 16 & 17)

16.3 Given the sensitive nature of some elements of the financial data required, your pricing proposal documents, financial information documents and electronic version must be enclosed within a separate sealed envelope and submitted with the ItT documentation. This separate envelope should bear your organisations name and be clearly marked '**RESTRICTED – FINANCIAL**'.

16.4 The financial information in Part 16 and 17 of the ItT will be passed to a financial team to open and examine separately as part of the financial assessment.

16.5 As with the financial information, the security plan must be enclosed within a separate sealed envelope and submitted with the ItT documentation. This

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separate envelope should bear your organisations name and be clearly marked '**RESTRICTED – SECURITY PLAN**'

- 16.6 Completed ItT responses should be sent in a sealed envelope/package clearly marked **CONFIDENTIAL: Backing Young Britain - Mentoring** and addressed to:

Diane Reeve
DWP CD Sourcing
Mayfield Court
56 West Street
Sheffield S1 4EP

- 16.7 Completed ItT responses should be received at the above address no later than the closing deadline of **11:00 hours on 1 December 2009**. It is the responsibility of bidders to ensure that their completed ItT response is delivered no later than the appointed time. DWP does not undertake to consider bids received after the closing deadline unless clear evidence of posting is available (i.e. a clear post mark and/or a certificate of posting). Those ItT responses received before the due date and time will be retained unopened until then.
- 16.8 Should you decide that you no longer wish to proceed, we would request that you inform us (in writing or by email) that you are withdrawing from the exercise. We would be grateful if you could include the reason(s) for that decision.

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SECTION 17 – EVALUATION AND SELECTION

17. Evaluation Process

- 17.1 ItT responses will be retained unopened until the deadline for receipt has passed. All responses will then be opened and formally logged in accordance with DWP procurement procedures. The responses will also be checked to ensure that all information requested has been received in the required format.
- 17.2 Complete ItTs will then undergo an initial appraisal to check compliance with all compulsory requirements i.e. That they have provided an acceptable response to those questions annotated:
- “Non-compliance with this requirement means automatic elimination from this procurement exercise.”
- 17.3 ItTs which pass the initial appraisal stage will then undergo a financial and qualitative evaluation.
- 17.4 The Department needs to satisfy itself that bidders have the capacity to sustain the contract package without becoming overstretched financially, or over reliant upon DWP business to remain viable. DWP will assess standard indicators of a bidder’s financial capacity and capability to enable to make the necessary financial capability assessments.
- 17.5 ItTs will be subject to an examination of a Potential Supplier’s ability and technical capacity in accordance with [Regulations 24-26 of the Public Contracts Regulations 2006](#). The criteria and weightings to be used can be found in the paragraph below.

SECTION 18 - QUALITATIVE EVALUATION CRITERIA

- 18.1 Responses to this ItT will be subjected to a formal evaluation, which will be used by DWP to form an assessment of a bidder’s capacity and capability to deliver this service.
- 18.2 Where a question attracts a score, the following high level criteria will be applied:

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<p>EXCELLENT Score 5</p>	<p>COMPLETELY MEETS THE REQUIREMENT</p> <p>The bidder's proposal is comprehensive and demonstrates that they fully understand the requirement. They have supplied clear, detailed information and the evidence is unequivocal. The evaluation team is fully satisfied about the bidder's ability to meet the detailed criteria</p>
<p>GOOD Score 4</p>	<p>ALMOST MEETS THE REQUIREMENT BUT NOT COMPLETELY</p> <p>The bidder has demonstrated a good understanding of the requirement. The evidence is clear and convincing with minor reservation(s) in one key area.</p>
<p>FAIR Score 3</p>	<p>MOSTLY MEETS THE REQUIREMENT BUT FAILS IN PARTS</p> <p>The bidder has demonstrated a reasonable understanding of the requirement. The evidence is fairly clear and convincing with minor reservations in two or more key areas.</p>
<p>Doubtful Score 2</p>	<p>MOSTLY FAILS TO MEET THE REQUIREMENT BUT MEETS IN PARTS</p> <p>In the majority of the key areas the evidence is unclear and unconvincing but in others the evidence is clear and convincing. The overall response casts doubt on the bidder's ability to deliver the requirement.</p>
<p>Poor Score 1</p>	<p>SIGNIFICANTLY FAILS TO MEET THE REQUIREMENT</p> <p>In virtually all key areas there is a lack of convincing evidence which casts serious doubt about the bidder's understanding of the requirement.</p>

18.1 Minimum standards will apply to Parts 8, 10 and 11 of the Tender Form. Failure to achieve a score of 3 in these sections, prior to applying the relevant weighting, will result in automatic elimination from the competition.

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The weightings attached to each scored question are as follows:

Criteria	Weighting
Quality Assurance	3
Business Capability	4
Contracting Strategy	4
Delivery Proposals	4
Management & Quality	3
Human Resources	3
Premises & Facilities	2
Implementation Plan	2

SECTION 19 - FINANCIAL EVALUATION CRITERIA

Evaluation of Price

- 19.1 Further information on the evaluation of price, instructions on how to complete the pricing form as well as the pricing form itself are included in the ItT pack.
- 19.2 You are required to provide predicted costs plus a margin/surplus, including inflation assumptions for each contract year; this will represent the fixed and firm Total Contract Price.
- 19.3 Price evaluation will be on the basis of the Average price per start.
- 19.4 In accordance with the financial scoring regime, the average price per job start will be converted into a score. This will contribute 50% to the overall Tender mark.

Calculation of Overall Tender Mark

- 19.5 The quality and price scores will be combined to produce an overall tender mark. These scores will be ranked to produce an overall merit list.

SECTION 20 NOTIFICATION OF RESULTS

- 20.1 DWP will inform successful bidders of the outcome of this bid on 22 December 2009.
- 20.2 Unsuccessful bidders will also be notified of the outcome and DWP will provide feedback to all bidders.

SECTION 21 DISCLAIMER

- 21.1 DWP reserves the right, subject to the appropriate procurement regulations, to change without notice the basis of, or the procedures for, the competitive tendering process or to terminate the process at any time.
- 21.2 Under no circumstances shall DWP incur any liability in respect of this ItT or any supporting documentation.

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- 21.3 DWP does not make any representation or warranty as to the accuracy or completeness of the ItT document pack, or the reasonableness of any assumption on which it is based. DWP accepts no liability to any bidder whatsoever and howsoever arising and whether resulting from the use of the ItT document pack, or any deficiencies in or omissions from the ItT document pack.
- 21.4 DWP does not accept any responsibility for any estimates made by any bidder of resources to be employed in meeting DWP's requirements for the Backing Young Britain – Mentoring work or for any other assumption that bidders may have drawn or will draw from any subsequent clarifications or refinements.
- 21.5 Bidders should note that participation in the procurement is conditional upon agreement to and full compliance with these conditions.

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Annex 1 Instructions to Bidders

SUMMARY OF INELIGIBILITY CONDITIONS INCLUDING THOSE PROVIDED BY REGULATION 23 OF THE PUBLIC CONTRACTS REGULATIONS 2006

Under Regulation 23 of the Public Contracts Regulations 2006 an organisation may be deemed ineligible to tender for, or be awarded, a public services contract when that organisation is:

- In a state of bankruptcy, insolvency, compulsory winding up, administration, receivership, composition with creditors or any other analogous state, or subject to relevant proceedings;
- Has been convicted of a criminal offence related to business or professional conduct;
- Has committed an act of grave misconduct in the course of business;
- Has not fulfilled its obligations relating to the payment of social security contributions;
- Has not fulfilled obligations relating to payment of taxes;
- Is guilty of serious misrepresentation in supplying information required by the Department for Work and Pensions under this ItT;
- Is not in possession of a licence or not a member of the appropriate organisation where the law of that State requires it.

In addition, Regulation 23(1) of the Public Contracts Regulations 2006 requires an organisation to be rejected if that organisation or its directors or any other person who has powers of representation, decision or control of the organisation has been convicted of any of the following offences:

- (a) conspiracy within the meaning of section 1 of the Criminal Law Act 1977 where that conspiracy relates to participation in a criminal organisation as defined in Article 2(1) of Council Joint Action 98/733/JHA;
- (b) corruption within the meaning of section 1 of the Public Bodies Corrupt Practices Act 1889 or section 1 of the Prevention of Corruption Act 1906;
- (c) the offence of bribery;
- (d) fraud, where the offence relates to fraud affecting the financial interests of the European Communities as defined by Article 1 of the Convention relating to the protection of the financial interests of the European Union, within the meaning of –
 - (i) the offence of cheating the Revenue;
 - (ii) the offence of conspiracy to defraud;
 - (iii) fraud or theft within the meaning of the Theft Act 1968 and the Theft Act 1978;
 - (iv) fraudulent trading within the meaning of section 458 of the Companies Act 1985;
 - (v) defrauding the Customs within the meaning of the Customs and Excise

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Management Act 1979 and the Value Added Tax Act 1994;

- (vi) an offence in connection with taxation in the European Community within the meaning of section 71 of the Criminal Justice Act 1993; or
 - (vii) destroying, defacing or concealing of documents or procuring the extension of a valuable security within the meaning of section 20 of the Theft Act 1968;
- (e) money laundering within the meaning of the Money Laundering Regulations 2003; or
- (f) any other offence within the meaning of Article 45(1) of the Public Sector Directive as defined by the national law of any relevant State.