

# FND Question and Answer Log

Version 6 – 7 November 2008

Question Reference	Question	Answer	Area
1	How will DWP ensure that all bidders have an equal opportunity to gain information from JCP?	DWP has a role to ensure all bidders have equal opportunity to understand the conditions of the localities for which they are bidding. Bidders have been informed of a commercial lead for each contract area who will facilitate the transfer of information where required, will ensure all interested parties receive the same information and will ensure that the 'black box' approach is maintained. Probity will be ensured through 'Chinese walls.'	Procurement
2	How will DWP manage supplier to supplier TUPE for FND?	DWP has already written out to ask for information from current suppliers to facilitate TUPE and will further facilitate the process where possible. DWP is currently arranging a separate workshop to address issues relating to TUPE.	Procurement
3	Can the performance offer be phased in order to gradually achieve the benchmark?	Yes it can and the tender form allows for this.	Policy/Strategy
4	In choice areas, to achieve the best overall delivery, will DWP select bids that complement each other.	DWP will evaluate each bid based on the Most Economically Advantageous Tender and will not skew the competition to achieve particular outcomes.	Procurement
5	Is it possible that an organisation can win the competition based on their score after evaluation and still not get the business due to the Capacity and Capability Assessment?	We will not be scoring bids based on this assessment but we do reserve the right to limit the amount of business we are prepared to award bidders based on this assessment.	Financial Evaluation, Provider Capability/Capacity, Risk Assessment, Finance, Terms/Conditions of Contract
6	Will the pricing proposal be shared with District Managers?	The only information that will be shared with DM's and City Strategy Consortia will be those elements which are pertinent to them this does not include any pricing or financial information.	Procurement
7	How will you ensure that there is no personal bias from local judges i.e City Strategy Partnerships and Jobcentre Plus when looking at the ItT tender bids? For example, would they be allowed to reject a bid because it was considered too innovative or because they had no previous experience of the bidder?	We have asked JCP District Managers and members of City Strategy Partnerships to comment on local aspects of the bid from a factual perspective, for example, transport links and availability of childcare. Consultee's from City Strategy Partnerships have been asked at the outset to sign legally binding confidentiality undertakings and establish effective Chinese walls to prevent conflict of interest. The evaluation process will be undertaken and led by trained procurement professionals under the strict guidelines of the EU Procurement Directives and UK Regulations. In addition we have commissioned an independent audit of our evaluation.	Procurement

8	Prime contractors will be looking to pull together a strong ItT bid, however, it is inevitable that many will not succeed. These primes will then be looking for sub-contract opportunities with the winning bidders. The problem is that they may have been fully occupied with the main bid and be too late to establish sub contract links - how can this be managed?	It is entirely the responsibility of potential prime and sub-contractors to establish their own commercial relationships, although DWP has facilitated this process. As per the Instructions to Bidders any changes to sub-contractors named in the bid must be agreed with DWP.	Procurement
9	The Commissioning Strategy focuses on partnership working and emphasises the need for the Prime contractors to work with sub-contractors. However the variables - cost of working with sub contractors and amount of money available to cover cost of sustainable outcomes is not enough. Primes will be unable to afford to hire sufficient sub-contractor provision as the subs will expect adequate funding provision themselves to be able to achieve successful sustainable job outcomes with what are 'hard to help' customers.	The funding envelope represents the maximum available funding. Bidders will be expected to satisfy themselves that their delivery model is achievable, whilst offering their best outcome offer to the Department.	Financial Evaluation, Provider Capability/Capacity, Risk Assessment, Finance, Terms/Conditions of Contract
10	How will 'Chinese walls' work with City Strategy Providers? Where do we find information on local CSP providers/partners?	See Q7. A list of people from City Strategies will be available on the FND website as soon as we have them.	Procurement
11	In ItT bids, organisations will have to report and be monitored on work with sub-contractors - annually? How effective will this process be?	As outlined in the commissioning strategy, we will hold providers to account for what they say they can deliver in their ItT. The star rating system will also inform on overall performance and will be taken into consideration when awarding future business.	Commissioning Strategy
12	The Commissioning Strategy is helpful but have concerns on duplication of provision. Will we be able to work with City Strategy Partners and Jobcentre Plus offices as partners or sub-contractors - after all there is no point in reinventing programme provision or starting from scratch if they are already implementing a successful programme in the locality?	We are encouraging potential Prime Contractors to work closely with both City Strategy Consortia and Jobcentre Plus to deliver FND as efficiently and effectively as possible, including the avoidance of duplicating provision.	JCP Strategy
13	How close to Commissioning Strategy Principles is the ItT for FND? Will Phase 2 build on lessons learnt?	We are currently pleased with how the commissioning strategy principles are being adopted, however we recognise that it is still early days and that Phase 1 will provide the opportunity to evaluate how it is working. We will use phase 2 to build on lessons learnt in Phase 1. In future all new programmes will use the Commissioning Strategy principles.	Commissioning Strategy
14	At local events, I expect that there will be a substantial number of sub-contractors. Will there be a list of all attendees (for both Primes and subs) circulated to enable participants to contact each other afterwards?	A list of all potential subcontractors will be made available on the FND website after the local events have taken place.	Procurement
15	In the specification, there was reference made to use of other provision i.e other programmes or initiatives being delivered in local areas. What is this list and can we have a copy ASAP?	We shall be publishing a generic list of provision that FND customers will be eligible to access, shortly. However, providers should in addition find out what is available to customers in each location.	General Project

16	There is currently a lot of material out for consultation or not worked through i.e Green paper consultation, IDEAS, Stage 5 of FND. Are decisions going to be made on any of these prior to the completion of the procurement exercise? If they are, will they have any impact on tenders and volumes?	The Green Paper proposals are still being developed by the Government and form no part of the Invitation to Tender for FND. Suppliers do not need to take these into consideration when developing their bids.	Commissioning Strategy & Procurement
17	Can we view Prap at DWP premises prior to it going live?	The PRaP Project team have already commenced PRaP awareness sessions with presentations to the Provider Forum and input to the national Flexible New Deal (FND) ITT Events. This work will continue with more detailed workshops for the FND preferred bidders during September and beyond to allow for input and opportunities to comment on how best we can support Providers through implementation and into live running of the PRaP system	Commissioning Strategy & Procurement
18	When we previously bid for New Deal tenders, we were promised an electronic system, we therefore based our bid on having the system in place. When it didn't materialise we need to compensate with clerical systems which were more time consuming and costly - this created problems. Need reassurance that Prap will happen? Also need to have separate line in ItT which provides coverage in case of failure to launch or last minute hitches.	PRaP event is taking place 23 September to provide more information on PRaP. The ItT Pricing Proposals Guidance explains contingency arrangements should PRaP not be available and instructions on how bidders should cost for this.	Commissioning Strategy & Procurement
19	How is it possible to reflect commissioning strategy principles in all bids as everywhere is so different - geographically, sectorally etc and in relation to devolved administration, Cities strategy and Local Authorities etc. Will it really be so different to current New Deal?	As set out in the commissioning strategy Code of Conduct, all providers who contract with DWP will be expected to operate in accordance with these key principles. ItT bids will be assessed on how well they comply with these. It would be advisable to discuss local area needs with your local commercial rep who will be able to talk through any issues you have in relation to your bid. Another key principle of the Strategy is the recognition that provision needs to flex to take account of local needs. We expect contracts to link with the appropriate local delivery infrastructure that best delivers sustained jobs	Commissioning Strategy & Procurement
20	What is the formula for working out the average price per outcome for the financial evaluation process?	The average price per outcome will be a weighted average including Short Job outcomes, Sustained Job outcomes and the service fee.	Financial Evaluation, Provider Capability/Capacity, Risk Assessment, Finance, Terms/Conditions of Contract
21	How is VAT accounted for in these contracts?	DWP is able to recover any VAT charged on these contracts and therefore is asking for the contract price to be exclusive of any VAT to be charged to DWP. DWP is unable to advise on the VAT treatment of input VAT from a bidders perspective. Bidders must seek confirmation of treatment through their own VAT liaison arrangements with HMRC	Financial Evaluation, Provider Capability/Capacity, Risk Assessment, Finance, Terms/Conditions of Contract

22	How much working capital coverage is required by bidders?	<p>The Pricing schedule, section G, estimates the amount of working capital required on a simplistic basis. The calculation estimates the revenue flows based on the outcome offer and compares these to the costs as set out in section A of the pricing schedules. The working capital, as calculated, is likely to be higher than that actually required and you should set out what your working capital requirement is likely to be, how derived, and how it is to be funded. DWP also recognises that where bidding for more than one package the cumulative working capital will be greater. Bidders are asked to set out, for various bandings of working capital, how they would plan to fund that level or the incremental level of working capital, see section G of the pricing schedules. DWP is also seeking information on how the working capital requirements will be met if they lasted longer or were deeper, for example by way of illustration 20% greater. DWP is not setting a threshold and will assess the potential risk based on the degree of comfort provided (buffer).</p> <p>The Pricing schedule, section G, estimates the amount of working capital required on a simplistic basis. The calculation estimates the revenue flows based on the outcome offer and compares these to the costs as set out in section A of the pricing schedules. The working capital, as calculated, is likely to be higher than that actually required and you should set out what your working capital requirement is likely to be, how derived, and how it is to be funded. DWP also recognises that where bidding for more than one package the cumulative working capital will be greater. Bidders are asked to set out, for various bandings of working capital, how they would plan to fund that level or the incremental level of working capital, see section G of the pricing schedules. DWP is also seeking information on how the working capital requirements will be met if they lasted longer or were deeper, for example by way of illustration 20% greater. DWP is not setting a threshold and will assess the potential risk based on the degree of comfort provided (buffer).</p>	Financial Evaluation, Provider Capability/Capacity, Risk Assessment, Finance, Terms/Conditions of Contract
23	If a company/group/SPV has sufficient balance sheet assets to meet working capital requirements, is this sufficient evidence to cover the potential working capital requirements	DWP is seeking evidence and assurance that there is suitable cover to meet the potential working capital requirements and is not prescriptive of the type of cover required. If a bidder can demonstrate that there is sufficient balance sheet assets, that these are available for use, valuations are robust and they can be utilised in a suitable manner (e.g. security for a loan, liquid in nature) to fund the working capital then DWP will accept such assurances (bidders will be required to provide evidence at least to this affect). See finance questions 22 & 24	Financial Evaluation, Provider Capability/Capacity, Risk Assessment, Finance, Terms/Conditions of Contract
24	In terms of meeting working capital requirements can bidders utilise potential future revenue flows from other contracts (including those being bid for)?	DWP will be seeking assurance that there are adequate mechanisms in place to meet the potential working capital requirements. This could include future revenue flows/profits from contracts; however, bidders will need to demonstrate that these are available and that they are robust in quantification. If bidders can not provide robust assurance then DWP will assess that there is uncertainty and therefore a funding risk.	Financial Evaluation, Provider Capability/Capacity, Risk Assessment, Finance, Terms/Conditions of Contract
25	Does the pricing schedules of the financial evaluation include any sensitivity analysis?	The pricing schedules do not include any sensitivity analysis and the only one referred to in the pricing schedules is in connection with section G where bidders are asked to consider what mitigation would be put in place if the working capital requirements were greater or longer than originally estimated. In terms of sensitivity analysis at the financial evaluation stage, we would be looking at potential outcome offers being achieved in line with the lowest offer, highest offer and average for each contract package. This would inform an overall risk assessment and would not be scored as part of the financial evaluation process.	Financial Evaluation, Provider Capability/Capacity, Risk Assessment, Finance, Terms/Conditions of Contract

26	DWP is assessing the financial health of Prime Providers, will this assessment also include sub-contractors/Partners?	DWP will only be assessing the financial health of a Prime Provider and will not be extending this analysis down to sub-contractors or partners. It will be for Prime Provider to consider their potential contract obligations if at a later stage a sub-contractor/partner should over-extend themselves and cease to contract/trade. Prime Providers should ensure they have appropriate measures to assess and monitor the financial health of sub-contractors/partners and contingency plans should a sub-contractor/partner withdraw their support (in one form or another).	Financial Evaluation, Provider Capability/Capacity, Risk Assessment, Finance, Terms/Conditions of Contract
27	Part 13 of the quality proposals (volume fluctuations) seeks data on the volumes that could be handled without an adverse effect on the pricing proposal, and service delivered. Does this mean that the DWP will enter into price negotiation if volumes fall below (or rise above) certain thresholds?	No. The contract price is fixed and firm at contract inception. No guarantees are made regarding volumes. No negotiations will be entered into regarding price tolerances in relation to volume fluctuations without formal and agreed contract variation. Service fee payments will be fixed and the rates payable for short and sustained job outcomes will be fixed (subject to adjustments for inflation allowances) for each year of the contract.	Financial Evaluation, Provider Capability/Capacity, Risk Assessment, Finance, Terms/Conditions of Contract
28	If bidders deem that discounts would be applicable if they were successful in more than one area, how should these be shown as the discounts would be dependent upon locations and not contract numbers?	The pricing schedules, section 1, seeks discount information either on a generic basis e.g. 2 or more contracts then 5% discount, 3 or more then 7% discount or on a more scientific basis with bidders identifying the exact mix of potential contracts that will give rise to a discount e.g. Contract A and Contract B gives 5% discount but A and C gives no discount. It is for bidders to determine the exact combinations for a discount to apply.	Financial Evaluation, Provider Capability/Capacity, Risk Assessment, Finance, Terms/Conditions of Contract
29	Part 8ii of the quality proposals (quality procedures) seeks information on continuous improvement. How does this relate to the data collected in support of section G of the pricing schedules which also talks about efficiencies?	Expectations regarding continuous improvements, and the ideas and justifications you outline in sections 8ii, will form part of your evidence for the numerical values you attach to efficiencies in section G of the pricing table.	Financial Evaluation, Provider Capability/Capacity, Risk Assessment, Finance, Terms/Conditions of Contract
30	How do we evaluate risk and price in the financial appraisal?	The financial evaluation, 50% of the overall evaluation score, will be based on the relative average unit cost of an outcome (see question 20 above). The financial risk assessment will not be scored and will seek to overlay the perceived risks associated with managing growth and financial capacity/capability. The risk assessment will be relative across the bidding organisations.	Financial Evaluation, Provider Capability/Capacity, Risk Assessment, Finance, Terms/Conditions of Contract
31	Will DWP be undertaking any analysis and cross comparison of the costs lines provided in their bid?	DWP will not be comparing costs lines between bidders or questioning the level of cost included (or not) in a specific line. The level of detail is required to help provide assurance that bidders have considered all cost aspects. DWP will further use the detail provided to inform any subsequent negotiations in connection with any contract variations, for what ever reason, over the life of the contract.	Financial Evaluation, Provider Capability/Capacity, Risk Assessment, Finance, Terms/Conditions of Contract

32	In the PQQ feedback DWP stated that a bidder was High/Med/Low risk, how was this determined? What is risk factor?	The level of risk, in the PQQ, was calculated by reference to four key ratios (turnover growth, DWP dependency, acid test and gearing). All organisations were then relatively assessed. The PQQ risk assessment and feedback is designed to indicate to bidders DWP perception of finance risk to enable bidders to consider how to proceed through the procurement and the potential evidence and assurance requirements. The greater the degree of risk the greater the evidence/assurance requirements will be in order to persuade DWP that the risk has been mitigated and appropriately managed.	Financial Evaluation, Provider Capability/Capacity, Risk Assessment, Finance, Terms/Conditions of Contract
33	What has the DWP assumed to be its inflation rate?	DWP has set out its inflation assumption at section B of the pricing schedules, at 2.5% per annum.	Financial Evaluation, Provider Capability/Capacity, Risk Assessment, Finance, Terms/Conditions of Contract
34	Can you explain the calculation for net inflation?	<p>The inflation assumptions are set out in section B of the pricing schedules and which assumes a 2.5% per annum increase. Bidders are asked to adjust this up/down in line with their own expectations (all costs to be included in section A - no additional adjustment will be made as a result of inflation over the life of the contract).</p> <p>Bidders also need to set out their expectation of annual efficiency derived from continuous improvement</p> <p>The net inflation/efficiency impact must be included in your cost base, at section A of the pricing schedules. No additional allowance will be made as costs at section A are fixed and firm.</p> <p>In term of payment, the rate payable for an outcome (short or sustained) or the service payment will be adjusted to take account of the inherent inflation/efficiency assumptions. This calculation is undertaken at section G of the pricing schedules.</p>	Financial Evaluation, Provider Capability/Capacity, Risk Assessment, Finance, Terms/Conditions of Contract
35	Can the contracts be used as ESF matched funding by providers?	Successful providers will not be able to use these contracts as match funding in England, as DWP is already using this provision to match its DWP co-financed ESF provision. In Scotland and, to a lesser extent, in Wales, providers may have the option to use their FND contract as match, subject to getting agreement and confirmation through a match funding certificate, which must be signed by DWP. Paragraphs 5.64 - 5.66 and annexe 8 para 8.12 of the ITT refer.	ESF Delivery & Performance

36	Discount offers for being awarded more than one contract will have an adverse impact on the working capital calculated. Will this be taken into consideration in the working capital calculation?	<p>DWP is seeking proposals (and evidence) of how working capital will be managed at various levels (bandings). Funding of working capital should consider what mitigation would be put in place if the working capital requirement was greater or for a longer period, for example 20% greater.</p> <p>DWP will be assessing the level of risk and the proposed mitigations for managing and funding working capital at a level greater than that envisaged by the simple cash-flow calculations.</p> <p>Bidders should consider the impact of discounts on working capital requirements and ensure that working capital proposals cover the net discounted working capital requirements and provide a "buffer" in case the working capital requirement is longer or greater than envisaged.</p>	Financial Evaluation, Provider Capability/Capacity, Risk Assessment, Finance, Terms/Conditions of Contract
37	DWP is seeking a yearly statement of 3rd sector sub-contractor spend- what is this for and how will it be used?	This data is used to meet DWP reporting requirements only and is not part of the contract award considerations.	Procurement
38	Can I confirm that the financial return is outside of the 80 page limit response set for the qualitative response	The financial return is outside of the 80 page limit set for the qualitative response	Financial Evaluation, Provider Capability/Capacity, Risk Assessment, Finance, Terms/Conditions of Contract
39	Where outcomes stated in our offer increase year on year, how will these be reflected in the payments made?	The outcome payments will be determined by taking the relevant %age, i.e. 50% for a Short Job Outcome and 30% for a Sustained Job Outcome of the winning bidders total contract price as adjusted for inflation, and be divided by the number of outcomes offered in your bid to arrive at a unit price per outcome. Payments will then be made to suppliers in line with their agreed profiling and subsequent achievement of outcomes.	Finance, Transformation & VFM
40	Is it possible to claim a Sustained Job Outcome before a Short Job Outcome?	It is possible to claim a Sustained Job Outcome before a Short Job Outcome as long as the qualifying criteria are met as set out in the Invitation to Tender	Finance, Transformation & VFM
41	Can you claim a Short Job Outcome and Sustained Job Outcome?	It is possible to claim a Short Job Outcome and a Sustained Job Outcome for each individual on Flexible New Deal, but only one for each period of allotted time on the provision by the participant	Finance, Transformation & VFM
42	What IT requirements will providers need in order to use PRaP?	Provider access to PRaP will be via an internet based tool, such as Internet Explorer or Firefox.	PRaP
43	What are the IT security requirements for a provider using PRaP	PRaP will feed through the secure government gateway. The information flows will be secure. Providers will, however, need to comply with security regulation (as stated in contracts) once they have possession of the information	PRaP
44	When will more information be available on PRaP	The PRaP project team will be offering a workshop on 23 September to give providers more information.	PRaP

45	When will PRaP be up and running	PRaP is expected to go live in Oct 09 to support the roll out of FND phase 1	PRaP
46	Is PRaP learning lessons from the Pathways MI and IT problems?	DWP always seek to learn lessons from previous problems	PRaP
47	Who is Developing PRaP?	EDS are developing PRaP.	PRaP
48	Will MI be available from PRaP	PRaP is not an MI system, information captured in the PRaP system will be used as a data source for other DWP systems. However, PRaP WILL provide a series of Operational Reports that will provide information needed to support users of the system, i.e. number of referrals, number of starts etc. The Operational reports will give both Providers and DWP a single source of data.	PRaP
49	Will PRaP link to provider systems to remove the need for providers to have to double key into their own systems?	The PRaP project will not be developing an interface with all the provider databases.	PRaP
50	Will PRaP be used to make payments for Outcomes and also calculate VAT	Yes, PRaP will be the single system for referrals and payments. PRaP will calculate VAT and outcome rates etc. PRaP will allow for providers to Self bill with automatic off benefit calculation checks to validate outcome claims through to payment	PRaP
51	Can providers pay for the development of PRaP to allow for integration with provider databases	The primary objective of PRaP is for a system to provide electronic referrals to providers and the subsequent payments to be made. It would not be practical to develop a system that integrated with all the different databases that the wide network of providers would have. The PRaP Project team have already commenced PRaP awareness sessions with presentations to the Provider Forum and input to the national Flexible New Deal (FND) ITT Events. This work will continue with more detailed workshops for the FND preferred bidders during September and beyond to allow for input and opportunities to comment on how best we can support Providers through implementation and into live running of the PRaP system.	PRaP
52	Will there be any costs to the provider to implement PRaP	PRaP will be web browser based, so there will be no direct up-front IT costs to the provider.	PRaP
53	Can providers have a discussion with the project soon about PRaP development in order to get provider input	Communication with providers are being developed now and there will be a chance to engage on 23 September. In addition to this, the project will communicate key messages through the FND project and also on the DWP web site.	PRaP
54	Will FND suppliers be expected to cover the costs of travel and childcare for customers?	Yes, see paras 2.82 - 2.92 of the ItT specification.	Procurement
55	We have the option to make use of support that is already available in the delivery of FND, however, how do we know what is acceptable to include or what might constitute double funding?	We would not wish you to provide extra provision that we would have to pay for, if this was already available. We shall be publishing a generic list of provision that FND customers will be eligible to access, shortly. However, providers should in addition find out what is available to customers in each location.	Procurement

56	Can we change our contact details for the ITT phase?	Yes, Email your request and new details to sheffieldmayfieldcourt.flexiblenewdeal@dwp.gsi.gov.uk and this will be passed to the appropriate team for action.	Procurement
57	Are our DWP commercial lead contacts allocated on a contract package basis or one per organisation?	You will be allocated a DWP commercial lead contact for each contract package area you are tendering for.	Procurement
58	For Pathways we are able to make up shortfalls in numbers by increasing voluntary customers, but we can't do this for FND. What will happen for FND?	Phase 1 of FND is an entirely mandatory programme there will be no opportunity for recruiting voluntary customers.	Procurement
59	The ITT refers to economies of scale, but as we cannot cut the cost of staff or premises, what sort of things are you looking for?	Bidders should provide details of any economies of scales where possible. We do not expect economies of scale to be achievable in all instances.	Procurement
60	What was the thinking behind having more organisations short listed than originally stated?	We have had some really good bids, however, there are capacity/delivery issues which we will need to consider carefully. This may mean that we will have to restrict the amount of contract packages awarded to each organisation. We felt that in these circumstances it was prudent to let a few more organisations through in order to ensure sufficient coverage.	Procurement
61	Some of the short-listed organisations are quite small. Given the size of the contracts, how could they deliver FND?	We are encouraging bids from everyone. We have undertaken financial capacity checks with all organisations and all short-listed bidders are capable of delivering at least one contract. All short listed organisations have been given an indication of risk threshold in their feedback. Were organisation to bid for work above these thresholds the Department would require increased evidence and assurance that these risks would be managed.	Procurement
62	The ITT asks that we include a signed sub-contractor declaration for all sub-contractors and partners. Do you require one of these for ad-hoc partners too?	Please refer to the Instructions to Bidders for details for where you need to provide a Sub-contractor declaration.	Procurement
63	Do you want a list of any ad-hoc partners including in the ITT?	Please refer to the Instructions to Bidders for details of how Sub-contractor's should be listed in your bid.	Procurement
64	Will organisations who are unsuccessful as prime contractors then try to move to becoming sub-contractors?	Organisation who may want to be involved as a subcontractor in the event that they are unsuccessful, should be having conversations about this now. We would not expect prime contractors to change who they intend to subcontract with in favour of an unsuccessful prime contractor. Organisations can bid as prime contractors and be named as subcontractors too. Any change must be cleared with DWP. Also see answer to Question 9.	Procurement
65	Could an organisation end up being successful as a prime contractor and a subcontractor in the same contract package area, where there are two suppliers?	Yes, we accept that this may happen and Ministers are aware. Customers will still get a choice of Prime Contractor.	Procurement
66	The PQQ asked organisations to demonstrate what they <i>have done</i> and the ITT asks for what you <i>will do</i> , how many case studies are we expected to include?	Include as many as you need to add value to your bid as it helps us with our evaluation. It's also beneficial to include relevant case studies for your subcontractors too.	Procurement
67	Can diagrams be included in the ITT ?	Yes, however, they must be in Ariel size 12 and be within the 80 page limit.	Procurement

68	Can we submit our ITTs in glossy binders and with pictures etc?	DWP promote sustainable procurement and would prefer simple binding, double sided printing where possible and no photos etc.	Procurement
69	Do we contact you through the same email address as we used for the PQQ?	Yes, you also have a DWP commercial lead contact for each package area, who you can contact too.	Procurement
70	Some of the responses to PQQ questions took ages , do you have any agreed response targets in place for ITT?	Some policy queries are hard to answer, particularly when we are still looking at complex issues. We will aim to get all questions turned around in 2 weeks.	Procurement
71	Is the ITT template password protected? It was difficult to type into the boxes and use bullets etc.	The format of the PQQ was protected because of page limits for each individual part. The format of the ITT is different, in that it has an overall page limit of 80 pages. This means you can allocate as much space as you wish to individual questions and include bullets etc, providing your overall response does not exceed the space allocated. Please refer to the Instructions to Bidders for more information about this.	Procurement
72	Should prime contractors advertise widely for subcontractors?	We will not tell you how to source your subcontractors or how to market or advertise, this is your decision. You need to ensure that you have the best people on board to help you deliver FND.	Procurement
73	Can we approach DWP/Jobcentre Plus external partnership teams to point us in the right direction with regards to suitable subcontractors/partners etc?	DWP/Jobcentre Plus cannot advise who you should subcontract with.	Procurement
74	Is the ItT available on the website?	Yes it is on the Supplying DWP website.	Procurement
75	How many organisations were successful at the PQQ stage?	31 out of a total of 82 organisations have been invited to submit a full tender for Phase One.	Procurement
76	What is the rationale behind the 50% quality 50% finance split?	We are keen to get the best value for money. Bids will be selected based on the principle of Most Economically Advantageous Tender. This does not mean lowest price. We have established minimum quality standards for sections 3,4,5,6,7 and 10 to ensure the correct balance between price and quality.	Procurement
77	What do you require in Section 14 by way of rationale?	We are looking for you to show that you have considered multiple contracts. Be open, honest and realistic with regards to what you are capable of delivering and state what your preferences would be.	Procurement
78	With regards to parity around Minority Ethnic clients, we are not being asked to propose outcomes but to include a rationale - what do you mean?	We are not looking at different targets for minority ethnic customers. We are however, keen to close the employment gap and would like to see what steps you have in place to help achieve this. If you are able to get more or less outcomes for minority ethnic customers than what you have proposed for your total outcome offer we would like you to tell us why.	Procurement

79	Do you want us to submit floor plans for our premises?	The more you can provide the more useful it is to the evaluators. However, you need to decide how much space you feel you can give to this as it must be within the 80 pages allocated.	Procurement
80	It was mentioned in the presentations that meetings with stakeholders will be arranged by DWP. Have all of the city strategies committed to this in advance?	All of the relevant stakeholders have committed to the local events and have expressed a wish to be as involved as possible. Chinese walls and necessary confidentiality documentation has already been put in place	Procurement
81	If the department decides to allocate us 5 of our 8 ITT areas due to capacity concerns, what is the procedure for the allocation of this. Would it be taken into consideration that we have current operations in some geographical locations? Would we be consulted as to our preferred areas?	If you submit a tender we expect you to be able to deliver in that delivery area. Lots of factors would be taken into account, including who else has submitted ITT's for each of the 8 areas, and what options are available for allocation of contracts. <b>Where you have real preferences please indicate this in the ITT.</b>	Procurement
82	How can we 'pull back' our share of the market if it is taken from us after the first 18 months	DWP will shortly be holding additional provider events which will cover this area.	Procurement
83	Will customer evaluation and star rating be done by DWP?	DWP will shortly be holding additional provider events which will cover this area.	Procurement
84	Why is the jobcentre keeping ownership of payments and signing, rather than the EZ model.	For customers who reach 12 months unemployment, the Flexible New Deal will form just one part of their journey into work. The first three stages of this journey are delivered by Jobcentre Plus and for the purpose of offering a coherent end to end service we want to maintain the link between Jobcentre Plus and the customer throughout stage 4. The ongoing role for Jobcentre Plus is also about ensuring that the customer is continuing to meet the conditions for claiming JSA. The Green Paper: Ready for Work: full employment in our generation, published in December last year sets this out.	Procurement
85	Would customers still have to sign at the jobcentre during mandatory work related activity	No, customers will be transferred to a training allowance whilst undertaking full time activity to satisfy the mandatory work related activity requirement. See page 22 para 2.51 of the ITT specification for further information about training allowances	Procurement
86	Can we claim additional resource for the extension period following their 12 months on the programme?	See answer to question 11	Procurement
87	Can LEP's be used as mandatory work related activity	They can, if they are relevant to the individual's action plan. It may be that diagnostics are needed beforehand, to ensure that activities undertaken are relevant to the AP. Please see ItT page 20 para 2.36 - 2.42	Procurement
88	How can we do more to link up with JCP at this stage?	Your Procurement lead can help you link with JCP	Procurement
89	What can be used for mandatory work related activity	It should address aspirations and be relevant. It can be training if it has a work ethic, and it must be full time. In all instances, actions must reflect the action plan.	Procurement
90	We don't want to risk load our bids, but do you see an opportunity for variation of the service fee?	No, the service fee is fixed	Procurement

91	What marketing opportunities are available to us?	FND is a mandatory programme and consequently there is no requirement for providers to market fND provision to customers who will not be directly referred to the provision by Jobcentre Plus. In Choice areas providers will be asked to provide relevant information material (in size A4) to inform customer choice to the District for issue to customers at or before the pre-provision interview. Providers will need to include the costs for producing this material in their bids. We will work with Providers on the information that their material needs to cover and ensure the relevant DWP standards are met.	Procurement
92	What feedback are you looking for on the T&C's? Do you want show stoppers flagging up in advance of the submission?	The T&C's in the ITT are draft. We will work through small changes to reflect ongoing discussions and issues. If however, there are any show stoppers, we would like to know as soon as possible.	Procurement
93	Is it still possible under FND to use a series of temporary assignments to evidence retention of employment, or is this less acceptable?	Yes, as long as you satisfy the 26 weeks employment out of 30 weeks rule (see FND ITT spec. Annex 4 para 4.22.) Clearly the most desirable outcome is that the customer secures a job that lasts for at least 26 weeks without any breaks and we would expect suppliers to do all they can to achieve this outcome.	Procurement
94	How will you evaluate the innovation and added value of the bid when it is an unknown entity?	You may use examples of how the innovation would or has added value. We will support you as much as we can regarding our requirements. Attend the surgeries and workshops and evidence your ability to deliver more than the bare bones of the model required.	Procurement
95	Can we have assumptions behind changes in proportions of ESA, ESPA, LPs on FND?	Please see ITT annex 3 for further information.	Policy/Strategy
96	Can you explain the pension changes, the extra people coming over because of ESPA and in particular the affect this will have on men?	The state pension age for female will be increased from 60 to 65 years from 2010. One effect of this is that the age for males to be eligible for Pension Credit will also increase from 60 to 65 years, and we expect this change to increase the number of men claiming JSA.	Policy/Strategy
97	How will 'Choice' work, are we able to produce publicity materials?	We are still working up the details of the choice model and further details will be available in due course. See answer to 91 re publicity.	Policy/Strategy
98	Is it reasonable for you to use EZ's for informing the new baselines as they get paid far more.	We expect the FND to deliver a step change in performance compared to our best current providers. This will be covered at the Provider Workshop on 11 August and subsequent letter from DWP.	Policy/Strategy
99	What is the unit cost you have used?	Unit cost is driven by providers. You can get an indication by dividing indicative allocation by the number of starts. See attached link on performance expectations See attached link on performance expectations <a href="http://www.dwp.gov.uk/supplyingdwp/what_we_buy/fnd_event_slides.pdf">http://www.dwp.gov.uk/supplyingdwp/what_we_buy/fnd_event_slides.pdf</a>	Policy/Strategy
100	What is the enhanced JSA regime?	Details of the enhanced JSA regime are available from the command paper 'Full employment in our generation'.	Policy/Strategy

101	When will people stop being referred to existing provision?	We are still working up the detailed transitional arrangements. Further details will be available in due course.	Policy/Strategy
102	Why have we included the four weeks work related mandatory activity and why do jobseekers have to sign off JSA for this?	Further information on the rationale for the mandatory work related activity is available from the FND evidence paper (available from the command paper website for in work better off, which is available in from the ITT). The conditions for claiming JSA are that you are actively seeking work and available for work. During the minimum of 4 weeks full-time work related activity participants will not be able to satisfy these conditions and therefore will need to be transferred from JSA to a training allowance.	Policy/Strategy
103	What proportion of leavers go to unknown destinations?	Information on unknown destinations is available on the DWP tabulation tool, a link is provided in the ITT, para 3.16	Policy/Strategy
104	Does the reference in annex 4 of the ITT to 95% of customers getting the minimum of 4 weeks work related activity mean 95% of Leavers or Completers?	The policy intent is that no-one should complete 12 months on FND without having spent at least 4 weeks in either full-time work or full-time work related activity.	Policy/Strategy
105	Is there a JSA penalty for non cooperation?	Yes, the activities agreed between the FND supplier and their customer and set out in the customer's action plan are mandatory. If the customer fails to undertake them the supplier will be able to raise doubts with a Jobcentre Plus decision maker who will make a sanction or entitlement decision (see page 20 para 2.32 of the ITT specification).	Policy/Strategy
106	What provider was it that produced the best results upon which the new baselines are based?	This was covered in the workshop on 11 August.	Policy/Strategy
107	Is there an expectation that volumes will diminish after year 5?	We expect referrals will cease after year 5.	Policy/Strategy
108	What does the following mean: 'certain types of work based activity is ok' in relation to the mandatory four week full time work related activity period.	The mandatory work related activity can include a variety of activity - see the ITT for further information., page 20 para 2.6	Policy/Strategy
109	Volumes vary from region to region, has this been taken into account?	See ITT Annex 3 for details of how the volumes have been calculated.	Policy/Strategy
110	Are the budgets capped?	DWP reserve the right to introduce capping at a future date.	Financial Evaluation, Provider Capability/Capacity, Risk Assessment, Finance, Terms/Conditions of Contract
111	What % do you take out for people who leave before they start the programme?	We have assumed that the off-flow between referral to FND and start of FND will be the same as current off-flows between weeks 50 and 52.	Policy/Strategy
112	Can you please clarify how you expect tender forms to be presented? In regards to: Are bidders expected to complete the formatted tender form as provided?	The tender form should be completed as explained in The Instructions to Bidders and Pricing Proposal Guidance.	Procurement
113	Can bidders' provider unique presentation of the information whilst remaining relevant to the question-numbering scheme and within the preset margins and font?	The tender form should be completed as explained in The Instructions to Bidders and Pricing Proposal Guidance. See answer to Q72	Procurement

114	Are bidders able to produce their own glossy annexes etc?	Any materials provided additional to that requested by DWP in the ItT documents will be discarded and not used in evaluation. Furthermore, bidders are reminded that DWP is committed to sustainable development and requests that this is considered when compiling their bids. See answer to Q68	Procurement
115	What are DWP's expectations around the branding of fND	There is no change on this as no decision on branding made yet. We can assure bidders that we will inform them as soon as decision on branding of FND is made. And that our expectations are that any decision on marketing will not be onerous.	General Project
116	In reference to paragraph 2.61 of the "Provision Specification and Supporting Information" it states that at the end of the flexible new deal period "the supplier and the customer can volunteer to work together for an additional six months". Please can you explain: If there is any criteria that informs this decision making? Is the extended period defined as 6 months or can the length of the extension period be negotiated for example to 3 months? What the pricing schedule is to work with a client for an extended period?	Details of the extension arrangements are set out in para 2.64-2.71 of the specification. This is essentially a voluntary agreement between the customer and supplier. There are no fixed criteria - it is for the supplier to make the case. Extensions will only be agreed by Jobcentre Plus where there is clear value in the customer continuing to work with the supplier (i.e. there is a good prospect of them finding work) and where the supplier can demonstrate this through a revised action plan covering the extension. Extensions are for 6 months but if a supplier concludes there is little value in continuing to provide support for the full six month period, the extension period may be terminated early with the customer's mutual agreement. Where a supplier wishes to cancel an extension before six months, but the customer does not, the supplier should provide their reasons in the customer's action plan and agree this with the customer's Jobcentre Plus adviser. There is no additional payment for an extension - it simply provides an opportunity to draw down outcome payments which might otherwise not be achieved.	Policy/Strategy
117	Paragraph 2.30 of Annexe 2 states that "customers will attend a pre-provision interview with Jobcentre Plus where they will be informed that they will be contacted by an external supplier." – it is our understanding that the customer will choose their fND supplier, does this decision not take place in the pre-provision interview?	The customer will make their informed choice at the pre-referral interview. If they cannot or decide not to choose then they will be allocated to one provider impartially by the Jobcentre Plus PA.	Process Design
118	The ItT states that on page 92 para graph 4.12 that 95% of customers that don't leave programme must do 4 weeks of mandatory work related activity. Does this mean for customers that do leave programme – i.e. move into work – there is no requirement to undertake 4 weeks of mandatory work related activity?	The requirement is for every customer to achieve a minimum of 4 weeks employment or work related activity before they leave the programme. Those who achieve 4 weeks work during the course of their participation are not required to do 4 weeks work related activity. But this does not prevent the supplier from providing more mandatory work related activity as part of the action plan where appropriate, where the 4 weeks work does not lead to a sustained job. Also see Q104	Policy/Strategy
119	Page 45 of the ItT states that suppliers can produce materials for customers to inform them of services on offer but not for the purposes of customer recruitment – can you clarify the difference these two types of materials?	FND is a mandatory programme and consequently there is no requirement for providers to market fND provision to customers who will not be directly referred to the provision by Jobcentre Plus. In Choice areas providers will be asked to provide relevant information material (in size A4) to inform customer choice to the District for issue to customers at or before the pre-provision interview. Providers will need to include the costs for producing this material in their bids. We will work with Providers on the information that their material needs to cover and ensure the relevant DWP standards are met.	Project

120	Within the premises & facilities section of the ItT form it also asks in question A for suppliers to detail what facilities will be available at the proposed locations – can you clarify whether it is satisfactory for suppliers to outline proposed facilities where 'typical' addresses of proposed delivery locations have been provided?	Bidders should provide details of what facilities will be made available. It is expected that this information can be provided even if the information applies to a premises not yet secured.	Procurement
121	Within the ItT specification document, page 94 paragraph 4.23, it states that a supplier can make a claim for a customer entering subsidised employment, are there any guidelines around subsidised employment and / or a cap relating to the number of subsidised outcomes that can be claimed?	There is no cap on the number of subsidised job outcomes and no extra guidance save that it has to meet all the other criteria for claiming a job outcome.	Choice & Market Share
122	Within the ItT specification document, page 39 paragraph 4.9, it states that customers will be given start ratings information, and customer experience metrics to inform their decisions – please can you expand upon what is meant by customer experience metrics and what they will be?	DWP are leading a piece of work to develop customer experience metrics by which we mean those indicators and issues customers will use to make an informed choice about which provider they would like to go to. We expect this work to be completed in 2009.	Choice & Market Share
123	We understand that for the first 12 months customers will be referred to providers in choice district on a random basis in equal measures. We also understand that from 12 months onwards customers will have a choice of provider in those districts which will affect market share which has a threshold of 70/30 %. However, in paragraph 4.11, page 40 of the ItT specification document; it states that market share will be lifted when appropriate to ensure that more customers are supported by the better performing supplier. Within this statement there appears to be a contradiction as customers will have the 'choice' of provider; choice therefore being the driver of market share up to a maximum of 70% and to a minimum of 30%. Please can you clarify whether customer choice will drive market share in choice districts or whether allocating market share will be process driven by DWP based upon different variables?	Customer choice operates independently of market share, but we will use an allocation tool to balance its effects. This means that after 18 months if people choose the poorer performing provider with lower market share, we will allocate people who have not made a choice to the better performing provider, to balance this, and prevent erosion of the better performing provider's higher market share. We will do this whilst we have enough people who have not made a choice; if there are insufficient 'no choice' people to allocate, market share for the better performing provider may be eroded to the minimum of their market share band.	Choice & Market Share
124	Please can you explain how TUPE will work in choice districts? For example, will incumbent staff TUPE on a random and equal split between the 2 providers? Or will incumbent staff choose the provider they wish to TUPE to? Or is there another solution?	TUPE is designed to protect continuity of employment for employees where work transfers from one employer to another so there is an expectation that where work transfers, staff transfer with their work. Where there are multiple providers there should be a negotiations between relevant providers to ensure a smooth and sensible transfer of staff which enables providers to deliver the Flexible New Deal Programme to DWP. Providers will need to consult and inform affected staff in accordance with TUPE regulations.	Procurement

125	Within the ItT specification document on page 40, paragraphs 4.8 and 4.9 it states that in January 2012 performance information will be collected to inform each supplier's star rating which will be published to customers in April 2009. Please can you confirm that the market share will therefore remain at 50:50 from October 2009 – April 2012? If so how can you keep the market share at 50% when the choice element of the programme is in operation?	The timetable for Star Rating production and market share changes is: October 2009 - fND Contracts begin October 2010 - first Star Rating assessment March 2011 - second Star Rating assessment and first market share movement where provider fails to meet required criteria	Choice & Market Share
126	Pricing Proposal: We understand the need for the spreadsheet to be protected, but would it be possible to be provided with a version where we can see the formulae in the protected cells?	The finance team will provide an unprotected spreadsheet on request.	Financial Evaluation, Provider Capability/Capacity, Risk Assessment, Finance, Terms/Conditions of Contract
127	Please can you provide additional information regarding the resolution of, and costings for TUPE at bid submission.	see questions 128 & 181 A TUPE workshop will take place in Sept/Oct	Financial Evaluation, Provider Capability/Capacity, Risk Assessment, Finance, Terms/Conditions of Contract
128	Annex 7, Paragraph 7.9 states that 'it may be impractical to identify which employees are assigned to the undertaking being transferred and impossible to identify the entity to which the contract has been transferred.' However, Annex 7, paragraph 7.14 states that DWP will 'facilitate, where necessary, the exchange of full and complete TUPE information between outgoing suppliers of the service and the incoming service supplier' and 7.12 states that bids should be 'TUPE costed'. As such, should we assume that TUPE issues should be resolved prior to bid submission, including any aspects that will impact upon costs, such as pension information etc? If yes, can you confirm that all necessary information from the current provider will be provided? Please can you also advise when this information will be made available?"	Annexe 7, Para 7.14 also states that 'We shall expect the transferor and transferee to reach agreement on compliance with the information provisions of TUPE and will not be offering any warranties as to the completeness of any information where we facilitate exchange (since we have no way of assuring this).' DWP will not, in the main, be supplying detailed information relating to the potential TUPE transfer of staff from existing suppliers and it is for bidders to satisfy themselves that they have gathered sufficient information to respond to the Invitation to Tender. Bids should include all costs associated with delivering the service offered in the bid and this would include any anticipated TUPE costs.	Procurement
129	In choice districts how long will the customer have when making a decision about which supplier they choose for Flexible New Deal? For example, will they be expected to make an immediate decision when informed about fND or do you expect clients to have a period of time to reflect upon the information provided by suppliers in order to make that decision?	We are currently developing the customer choice process. We will share details of the process when we have them.	Choice & Market Share
130	Once a customer has made a decision between 2 suppliers in choice districts, will there be a process in place that enables the customer to change their mind and switch to the other supplier? If so, what will the criteria be for this decision to be made and how will that process work?	No - Customers will not be able to change their minds	Choice & Market Share

131	Within paragraph 2.9, page 16 of the specification document it states that suppliers will be required to conduct an initial in-depth assessment of the customer's barriers and needs. Please can you clarify if and what the parameters around an in-depth assessment are and/or explain what would not be considered to be an in-depth assessment?	Suppliers are responsible for ensuring that the assessment methods that they use are appropriate and support the development of the customer's action plan. Suppliers are expected to set out the methods which they will use in their bid.	Policy/Strategy
132	Within annexe 2 of the specification it states that customers will receive: An initial skills screening at stage 1 with jobcentre plus and referred to IAG services for further support if required; Basic skills screening at stage 2 with jobcentre plus and referred to IAG services for further support if required; Basic skills screening again at stage 3 if not received at stage 2 and referred to IAG services for further support if required. The results of such screening plus other activities we assume are to be recorded on the customer's action plan which will be sent to the supplier at stage 4 according to paragraph 2.31, page 72. Please can you explain what dataset will be sent to suppliers from the customer action plan – the impact of not knowing is that we might undertake duplicate screening exercises in stage 4 which a) creates a negative customer experience and b) is an inefficient use of money	As far as the IT requirements go we have asked for the following to be included as extra items on the customer Action Plan: Other Activities from the JSAG (JSA claimants only); Agreed Restrictions from the JSAG (JSA claimants only); All Opportunity Referrals made during JR&fND Stage 3 (JR&fND participants only); All Jobsearch actions recorded for the customer. There are free-text sections of the Action Plan which can be used to inform the Provider of any actions required of the customer during Stage 3 and this is where any screening and outcomes could be noted. Obviously any referrals during Stage 3 to IAG will be recorded as part of the opportunity referrals section. There was never any requirement to collect information from Stages 1 and 2.	Process Design
133	Have DWP sought advice on the VAT status for fND and if so what is the status?	see question 21	Financial Evaluation, Provider Capability/Capacity, Risk Assessment, Finance, Terms/Conditions of Contract
134	The ITT requires bidders to identify named properties in their bid. It is unlikely that many of these named properties will be occupied following contract award due to the delay between the search for properties during the bid period and bidders being in a position to commit to lease agreements. We would ask that this requirement is replaced with a requirement to specify target locations, the facilities and adjacencies that will form part of the specification of properties, plus the provision made for accommodation cost.	DWP does not expect lease agreements to be in place for all properties that may form part of their bid. Target properties can be identified however, contingency arrangements must be in place should the target property not be available.	Procurement

135	Part 9, Section D, asks us to provide information regarding 'any proposals to seek agreement to change terms and conditions of employment, or any planned redundancies for organisational, technical or economic reasons over the life of the contract' - are we required to describe these processes in general terms, or to provide specific information for each locality? For example, should we detail specific terms and conditions within existing contracts and detail how we would amend them; detail planned redundancies for employees of existing providers within a specific District etc?	If you have specific plans to this effect then you should provide as much detail as you can. Alternatively, if no specific plans are in place then general information will suffice.	Procurement
136	Paragraph 43 of the Instructions to Tender states:-'Your response must be presented in the same sequence and using the same question references detailed in the ItT document. Please ensure when answering each Part that you do not cross reference to information contained in other Parts, as this will not be taken into account. You must also ensure that you include your rationale and provide ' - May we cross reference to sections within the same Part? e.g. within our Response to Part 9d) state 'please refer to our case study within 9c)''?	Please do not cross reference between any questions. Please ensure that all the information required to evaluate your response to a question is provided in the answer to that question.	Procurement
137	Indicative funding is given on a per annum basis over 5 years. Does this funding include the run down period which could be a further 2 years?	Yes it does.	Financial Evaluation, Provider Capability/Capacity, Risk Assessment, Finance, Terms/Conditions of Contract
138	In helping to clarify projected volumes, please can you confirm the last national referral dates for new starts to commence the incumbent provision that fND will replace, namely (a) New Deal Prime Provider (b) New Deal "BoND" areas (c) New Deal PSL and (d) New Deal for Musicians?	See answer to question 101	Policy/Strategy
139	In terms of DWP's fND volume forecast and performance benchmark, please can you confirm the percentage assumption that you have applied in relation to customers who may "drop out" of the new JSA regime upon referral to Stage 4 / fND (e.g. claimants who may be fraudulently signing and are classified as leavers into unknown destinations)?	See answer to 111	Policy/Strategy

140	Which contract price will DWP use as the basis of the financial evaluation score; the stand alone price stated by each bidder for each contract package (i.e. the methodology used for Pathways to Work), or the price stated by each bidder for each contract package including any discounts for multiple contract awards (i.e. the methodology used for NDDP)?	Price evaluation will be on the basis of the average price per outcome, and will not include discounts. However, bidders are expected to state discounts in the event of multi-contract award which the Department expects to be honoured during any post tender discussions. See question 25.	Financial Evaluation, Provider Capability/Capacity, Risk Assessment, Finance, Terms/Conditions of Contract
141	As line with Para 69 of the Instructions to Bidders, please can you provide the contact details of the external stakeholders who will be reviewing tenders for the following districts; Coventry & Warwickshire, The Marches & Staffordshire; South Yorkshire & Derbyshire; Birmingham & Solihull; Surrey, Sussex & Kent; The Black Country and Leicestershire, Northamptonshire & Nottinghamshire	Information send to shortlisted bidders on 3/9/08	Procurement
142	Will successful fND bidders receive automatic membership of the DWP Provision Forum if not already a member? If not, what will be the earliest date that successful bidders might be considered for membership?	No FND bidders will not receive automatic membership of the Provision Forum. Alongside DWP representatives, the forum consists of four Provider Representative Organisations, two representatives from Other Government Departments and eight Providers. However, you will be interested to know that the membership of individual provider organisations is limited to 2 years to allow turnover of membership. A membership review takes place each year with 50% of individual provider members being refreshed in April. This provides plenty of opportunity for new organisations to become involved. Unfortunately it is too late to apply for membership for 2008, as the membership review for this year has ended. If you are interested in being considered for membership next year, please email at: PROVIDERFORUM-ROCKINGHAMHOUSE@JOBCENTREPLUS.GSI.GOV.UK All applicants will be retained on file and will be contacted when we open nominations. The next review is likely to commence around December 2008. You can also view the Provision Forum website at: <a href="http://www.dwp.gov.uk/supplyingdwp/doing_business_with_dwp/TheProvisionForum.asp">www.dwp.gov.uk/supplyingdwp/doing_business_with_dwp/TheProvisionForum.asp</a>	Policy/Strategy
143	In the event that a bidder fails to achieve the minimum score for those questions where failure to achieve this results in elimination of their tender, what will be the timeframe that they are advised of their elimination? We assume that bidders subject to such elimination will be identified at an earlier date to the preferred bidder notification of 9 <sup>th</sup> February 2009. We would suggest that early notification to such bidders would help prevent them continuing to invest in needless and potentially costly pre-implementation activity, and also enable them to responsibly communicate their status to their proposed supply chain to help manage expectations.	All unsuccessful bidders will be informed of their position at the same time regardless of the reason for them not being successful. To not do this would unfairly disadvantage organisations whose bids were evaluated at the end of the process.	Procurement

144	Para 30 of the Instructions to Bidders states that, as a last resort, DWP may “broker solutions” between Prime Contractors and Subcontractors in relation to any potential disputes. What, if any, contractually enforceable powers will DWP hold in this respect to enforce any solution that it may have brokered upon the Prime Contractor in such a situation?	Where a situation reaches this stage any agreement between the prime contractor and sub contractor would be detailed in writing and the DWP contract manager will follow up with the provider to check whether agreed actions have been taken. We do however expect Prime contractors to have in place a clear dispute resolution process to resolve any such issues as this and DWP would only support the develop of a solution as a last resort or we may wish to recommend an independent mediator to help resolve any dispute. Clearly if the failure to act impacts on the effective delivery of the contract then this would be dealt with through the contract terms and conditions. However any breach of the agreement between the prime and the sub-contractor is ultimately a matter for them to resolve between them either informally, through agreed dispute resolution procedures or through the courts.	CEP - SRM
145	Para 49 of the Instructions to Bidders states that an electronic copy of the tender and financial response should be submitted on a CD. Would it be acceptable to DWP to submit the electronic copy on a memory stick instead?	CD only, please.	Procurement
146	At the National Bidders Event on 4 <sup>th</sup> August it was suggested by DWP that bidders based outside of the UK may be subject to an alternate deadline to take account of the time involved in dispatching the hard copy of their tender from overseas. Please can you clarify arrangements in this regard?	In order to ensure absolute parity between bidders the deadline of <b>12 noon GMT on 12 November 2008</b> applies to all bidders regardless of their location. If DWP does decide to extend this deadline it will apply to all bidders. We suggest that to overcome the time difference of posting from overseas that bids are e-mailed to a UK partner and then posted.	Procurement
147	Para 84 of the Instructions to Bidders states that preferred bidders will be required to submit a 10 page Executive Summary of their tenders. Would it be possible for bidders to optionally submit such a summary alongside their tenders if they so choose, on the basis that it would not be evaluated, but rather as a document that could be shared by DWP with local stakeholders to help inform them of the bidder's proposition?	In order to ensure absolute parity DWP will not distribute materials provided by any bidders to any external agents at any bidders request.	Procurement
148	In terms of any discounts offered in Part I of the Pricing Proposal for multiple contract awards, are these limited solely to contract awards in Phase 1 of the fND competition, or will they be binding on bidders achieving contract awards across both Phases of the competition?	Discount offers for multiple package award will be considered in relation to Phase 1 only.	Financial Evaluation, Provider Capability/Capacity, Risk Assessment, Finance, Terms/Conditions of Contract

149	Para 95 of the Instructions to Bidders states that all tender information will remain commercial in confidence, in respect of the Freedom of Information Act, until contracts are awarded. Please may we request that this timeline is extended to ensure that tender information remains commercial in confidence until fND Phase 2 contracts are awarded, to protect the commercial interests and intellectual property of bidders who may participate in both rounds of the competition?	Clearly it is not in the interests of DWP to affect the integrity of any of our competitions. However, all information submitted to DWP may need to be disclosed in response to a request under the FoIA. If a request is received, we may also be required to disclose details of both successful and unsuccessful tenders. We cannot guarantee that tender information will remain commercial in confidence until fND Phase 2 contracts are awarded but if you consider that any of the information included in your tender is commercially sensitive, then you should identify it and explain (in broad terms) what harm may result from disclosure if a request is received. You should be aware that, even where you have indicated that information is commercially sensitive, we may be required to disclose it under the Act if a request is received. However, we would contact you to discuss any such request that is made and take your views into account before a decision is made. If a request for information under the FoIA is received DWP is required to form an independent judgement of whether the information is exempt from disclosure under the FoIA and whether the public interest favours disclosure. Accordingly, DWP cannot guarantee that any information marked "confidential" or "commercially sensitive" will not be disclosed.	Procurement
150	What are DWP volume forecast assumptions for the percentage of all customers for whom an additional extension on fND for up to a possible extra 6 months may be appropriate?	No specific assumptions have been made. The numbers taking up this option will be expected to be very small - as it will be those still with the supplier after 12 months but still expected to be close to achieving a payable job outcome.	Policy/Strategy
151	Para 5.37 of the Provision Specification states that any use of Jobcentre Plus premises will be at the local Jobcentre Plus manager's discretion. Please can you confirm which Jobcentre Plus managers have agreed to such discretionary access?	When developing your bid you should assume that you have no access to Jobcentre plus premises.	General Project
152	Para 4.13 of Annex 4 sets out national performance expectations for fND. Please can you confirm over what period these expectations will be measured (i.e. annually or contract lifetime)? We would suggest that Year 1 performance may be below these benchmarks to accommodate the ramp up time to take account of the respective 3 and 6 month lag time to claim short and sustained job outcomes for customers starting at the outset of the contract, albeit this does not detract from contract lifetime achievement. Similarly, as there will be no starts in Years 6 and 7, any annual performance measures based on starts at this point will be somewhat redundant.	The performance offer will be measured over the life of the contract by comparing the total number of short/sustained outcomes with the total anticipated contract starts - this will represent the overall offer for price evaluation purposes. Any 'ramp-up' in outcome offer will be considered (from a working capital perspective) as part of the financial risk assessment. In addition, the overall performance offer, both annually and over the contract life, will be considered as part of the quality evaluation (section 6).	Financial Evaluation, Provider Capability/Capacity, Risk Assessment, Finance, Terms/Conditions of Contract/SRM
153	Para 4.26 of Annex 4 suggests that a 6 week tracking period will be applied. Is the expectation that this will be applied by Jobcentre Plus and /or the supplier? Should this tracking period not be 13 to 26 weeks to help identify short and sustained job outcomes achieved at a potentially later date?	fND suppliers will have a 6 weeks window after a participant has completed fND in which to track for any outcomes that <b>commence</b> during this period. Of course, suppliers will not be able to submit their claims until the appropriate period of time has elapsed (13 weeks for short job outcomes and 26 weeks out of 30 for sustained job outcomes).	Choice and Market Share/Provider funding/payment & assurance policy

154	Para 7.12 of Annex 7 states that indicative TUPE data from existing suppliers will be provided to bidder by August 2008. What is the absolute final date by which bidders can expect to receive such TUPE data from DWP in order that they can commence developing their HR proposition on a fully informed basis?	We will make this information available to all bidders as soon as we have it.	Procurement
155	Para 31 of the Instructions to Bidders states that contracts between Prime Contractors and Subcontractors "must reflect" certain clauses from DWP's own Terms & Conditions. Does the term "must reflect" mean that bidders must explicitly mirror these terms and conditions, or that they can develop their own terms and conditions that are more generally reflective?	These terms must be exactly mirrored in all contracts between the Prime Contractor and any Sub-contractor for the delivery of FND. Allowing Prime Contractor's to develop their own versions of these terms would result in legal costs to ensure they are exactly comparable and extra time and resource for both DWP and the bidder.	Procurement
156	Para 111 of the Instructions to Bidders states that preferred bidders may not commence work until a formal contract has been signed with DWP (i.e. w/c 13 <sup>th</sup> April 09 – two months after preferred bidder notification in w/c 9 <sup>th</sup> February 2009 ). Is it permissible for preferred bidders to commence pre-emptive contract implementation upon notification of preferred bidder status at their own commercial risk?	DWP will discuss this with preferred bidders.	Procurement
157	Para 49 of the Instructions to Bidders requests that (a) parent company guarantees (b) cross group guarantees (c) legal form / status and (d) creditor arrangements should be included with tenders (depending on the type of bidding organisation). Are bidders free to use their own discretion in terms of the format and content of such documentation, or are there any particular requirements stipulated by DWP that these documents should detail?	There is no prescribed format or detail, providers should seek to provide such detail to enable the financial evaluation team to take a full and robust view of the financial capacity and capability risk and mitigation. We will seek legal review of any legal documents.	Financial Evaluation, Provider Capability/Capacity, Risk Assessment, Finance, Terms/Conditions of Contract
158	Question 9G of the Tender Form requires bidders to identify any Trade Unions that they recognise for collective bargaining purposes. Does this include any Trade Unions in countries other than the UK?	Yes. All Trade Unions, please.	Procurement
159	Para 5.2 of the Pricing Proposal Guidance and Para 4.23 of Annex 4 both make references to subsidised employment. For the purpose of absolute clarity, is it permissible to use fND core funding to subsidise a job along similar lines as was possible within the Employment Option of the original New Deal? If so, are there any restrictions in terms of the level and duration of the subsidy?	See question 121. Providers can use core funding and there are no restrictions.	Policy&Strategy

160	Please can you clarify Para 2.87 of the ITT. This implies that customers requiring childcare can claim additional costs up to predetermined threshold levels set out in the ITT. Is it the case that providers can be separately reimbursed by Jobcentre Plus / DWP above and beyond their core contract funding for these costs, as has previously been the case on New Deal, or is it now the case that bidders must meet these costs from within their fND contract budgets? In the latter scenario, what are the ramifications if bidders set different childcare entitlement thresholds to those set out in the ITT, should they be able to develop a more cost effective approach?	The limits set out in 2.87 outline the limits that Jobcentre Plus uses for its own childcare arrangements, so as not to impact on tax credit payments. FND suppliers are expected to include childcare costs within the financial part of their bids and will not be further reimbursed for childcare payments relating to participation in FND provision. Parents should be no worse off because they have participated in FND and suppliers will be expected to cover reasonable childcare costs themselves. We expect that childcare should be equal in standards to that available through the current New Deals and parent choice must be maintained. Childcare arrangements are covered in full in the ITT specification paras 2.84 - 2.89. More information will also be available in the information to be published on access to other services/provision.	Strategy/CEP Finance
161	Linked to the above question, please can you clarify the extent of any and all funding that may be reimbursable to providers from DWP / Jobcentre Plus to support specific fND customer needs (e.g. childcare, passport qualifications, travel), that is available above and beyond the contract prices stated in the ITT.	See question 160.	Strategy/CEP Finance
162	Para 1.27 of the DWP Code of Conduct states that DWP "are prepared to disregard TUPE costs in deciding on contract award". Please can you clarify how bidders should reflect this in their pricing proposal? Should TUPE Costs be included in the proposal? If so, will the contract price that is evaluated be the full contract value proposed less any stated TUPE costs?	The contract price submitted for this procurement will be treated as a fixed and firm price at contract inception. Bidders are requested to provide details of how cost elements have been built up (including TUPE cost assumptions) to provide the DWP with assurance that all relevant elements have been considered. The evaluation of contract price will include TUPE costs.	Financial Evaluation, Provider Capability/Capacity, Risk Assessment, Finance, Terms/Conditions of Contract
163	What will be the requirements for validating job outcomes secured for customers in EU countries other than the UK?	DWP will validate all job outcome claims by way of an off-benefit check. However, FND suppliers will need to satisfy themselves that the participant for which they are claiming is in work and has been in work for the required period of time, regardless of where that employment may be, prior to submitting their claim.	Choice and Market Share/Provider funding/payment & assurance policy
164	In a choice FND area, are bidders expected to provide pricing proposals based on 100% or 50% of the contract value?	Within the pricing table, indicative volumes and budgets are provided on the basis that they represent 100% of anticipated starts in non-choice areas and 50% of total starts in choice areas - the volumes and budgets presented in the pricing table therefore represent the basis for preparation of the bid.	Financial Evaluation, Provider Capability/Capacity, Risk Assessment, Finance, Terms/Conditions of Contract/Choice and Market Share
165	We were informed at the recent network event that we should be able to access the customer flow per JCP office - can you inform me of where and how we can receive this information please?	Information on how to calculate threshold flows is provided in ITT annex 3. This approach can be used to identify the number of jobseekers currently reaching 12 months unemployment at lower levels of geography.	Welfare Reform Programme
166	ITT Page 22 'mandatory work related activity' Q – What is the definition of 'work related activity?'	Paras 240 - 242 of the ItT specification sets out acceptable work related activity.	Policy/Strategy

167	ITT Page 24 2.63 Q Is this the same as 'mandatory work experience' or is it something different, if different will providers need to arrange it and should this be included in our bid?	This is part of the proposed pilot of a "stage 5" to follow FND. It is not the same as the requirement for mandatory work related activity and does not form part of the specification for the FND ITT. Suppliers should not include it in their bids or costings.	Policy/Strategy
168	ITT Page 41 Strategic partnership working in general - More advice and guidance is required about what will or will not constitute double funding – 5.21 on page 44 says more information will be available following the ITT bidder events?	See question 15	Project
169	When will LSC and Jobcentre plus develop the joint approach to employment and skills support for employers and individuals (para 1.18 of the ItT)	Full national roll out will be in 2010/11. Date tbc.	Policy/Strategy
170	At the preferred bidders event on Monday the 4 <sup>th</sup> Aug in London it was mentioned by the presenters that DWP were going to on an event for HR professionals to further clarify HR issues related to FND tenders (e.g. TUPE etc.). - Has a time / date been set for this?	DWP is in consultation with bidders regarding arrangements for this event.	Procurement
171	ITT Page 16-22 Part 9 HR Requirements section G - In terms of industrial action related to Subcontractors; does this imply current subcontractors (under existing contracts) or those intended to part of FND Prime contract bids?	Those intended as part of the FND bid.	Procurement
172	When submitting the tender should the finance section show the total contract value available or should we show 50% of the contract value if the contract will be split between 2 providers?	See question 164.	Financial Evaluation, Provider Capability/Capacity, Risk Assessment, Finance, Terms/Conditions of Contract
173	We are keen to ensure that we have sufficient information regarding the different principles and values of Faith organisations. Who can help us with this	Faith Action will be able to help with this. Please see link to their website <a href="http://www.faihtaction.net/">http://www.faihtaction.net/</a>	Procurement
174	My organisation has been shortlisted in Phase 1 of the FND. I am currently in discussions with another organisation who was not shortlisted in the process but there is a possibility that we will merge with or be wholly bought out by them. There will be no immediate change in our own financial situation - it will be strengthened should this go ahead. However we need to know if it is permissible for the bid to transfer to the new owner in the event of an acquisition.	In principle we have no objections to this taking place. However, we need to be kept informed of any progress etc and decisions will be made on a case by case basis.	Procurement
175	The ItT walkthrough at the National Bidder Event on 4th August stated that Minimum Standards will apply to Parts 3, 4, 5, 6, 7 and 10. The Instructions to Bidders does not include Part 6 in this list. Which is correct?	Minimum Standards will apply to Part 6.	Procurement

176	Will the financial evaluation of the unit costs be relatively assessed against other bidders or be compared against a benchmark unit rate?	The financial evaluation will rank bidders relative to each other taking into account the service fee, short job outcome rate and the sustained outcome rate. Bidders will not be relatively assessed against a benchmark unit cost/rate	Financial Evaluation, Provider Capability/Capacity, Risk Assessment, Finance, Terms/Conditions of Contract
177	Will the financial capability risk assessment be based on individual contracts bid for or a combination?	The financial capability risk assessment will be based on individual contracts but where you are bidding for and potentially preferred bidder for more than one package we will assess the cumulative impact of the finance capability risk. Bidders will need to consider and reflect in their bids, see section I of the pricing proposals, how they will manage and fund various levels of working capital taking account of potential revenue risk (deeper/longer) and cumulative impact.	Financial Evaluation, Provider Capability/Capacity, Risk Assessment, Finance, Terms/Conditions of Contract
178	If the financial assessment is based in a unit rate and represents 50% of the overall marks could the evaluation be skewed by offering higher job outcome offers?	The performance offer risk will be formally assessed as part of the quality evaluation in terms of the absolute offer given local knowledge and information as well as the persuasiveness of the evidence to support the offer. Failure to provide robust evidence will result in your tender not being assessed any further. On the basis that robust evidence to support your performance offer has been provided your financial offer will be evaluated which will include looking at the sensitivity of your potential revenue earnings based on the robustness of your evidence base as well as on the average of the performance offers in the area bid for. The revenue risk will then be considered in light of potential working capital requirements and the associated funding proposals and evidence put forwards. The Department will be looking to ensure that should revenue be less than offered that such cash flow can be managed and maintained. Furthermore, we have included minimum quality requirements in the evaluation criteria for FND.	Financial Evaluation, Provider Capability/Capacity, Risk Assessment, Finance, Terms/Conditions of Contract
179	The ITT said that you would provide further guidance on how choice and market share would operate. How will it operate?	More information will be sent to short listed providers shortly.	Procurement
180	Please can you confirm whether the Annual Indicative Contract Package Totals figures stated in Table 1. Summary of contract packages, indicative budgets and customer volumes, (page 90 of the FND Phase ItT Specification) are available for 5 years or 7 years? I.e. the Birmingham and Solihull Package is £22.82 million per year, is this a total contract package of £114.1 million (5 years) or £159.74 million (7 years)?	See answer to question 137. The funding is £22.82 for 5 years, no additional funding given for years 6 and 7.	Financial Evaluation, Provider Capability/Capacity, Risk Assessment, Finance, Terms/Conditions of Contract
181	Please clarify if the referral of clients will be from a list of stock or flow or both?	Our expectation is that both stock and flow customers will be referred to FND suppliers. Further information about the process for existing customer claiming during the transition to FND can be found in Annex 3, page 83 of the ITT specification. More detailed information about transitional arrangements for customers caught between the existing New Deals and FND will be communicated shortly.	Policy/Strategy

182	Would job search activity be acceptable to count towards the mandatory work related activity as long as it was working towards an accredited qualification?	The types of training courses that count towards the period of mandatory work related activity are listed in the ITT specification on page 21, paragraph 2.41. Jobsearch activity does not count. The policy intent is to provide customers with an experience of work or an experience as close to work as possible.	Policy/Strategy
183	Can you clarify if clients accessing fND will also be able to undertake ESF provision within the 52 weeks of the fND programme or as part of the work focused activity? If so, will both providers be able to claim an outcome?	A list of the provision FND customers can access was distributed on 30th September.	General Project
184	In relation to the star rating system, how will JCP ensure that the needs of clients are being met appropriately? For instance, a provider may be doing excellent work with clients and have a high star rating but they may not be good at supporting those who require specialist support such as learning disability. a client may be referred to a provider with a high star rating but they may not be able to meet the clients specific needs.	In the first 12 months of operation customers will be allocated to a provider through random assignment. From the 12 month stage of operation the customer can choose the provider they work with, and customers who do not exercise choice will be randomly allocated to a provider.	Choice & Market Share
185	At the National briefing event, it was mentioned that DWP have access to the details (length of service, location, salary, position in company) of current New Deal Supplier staff. When will this information be available to providers?	Information currently available was issued on 19 September.	Procurement
186	Please provide a precise description of the client transitional arrangements from current New Deal Providers to fND providers. Will fND providers be expected to complete the New Deal provision they were previously completing or will they be starting from a clean slate on fND?	In outline, the transition strategy for Phase 1 is to maintain referrals to current programmes to Friday 26th of June 09 and maintain provision to FND go-live in October. The lower level detail of the strategy will be communicated separately to current contract holders and FND bidders shortly.	General Project
187	Can you clarify which specific client groups will be fast tracked on to fND, and the volumes of clients coming through within each of the different streams (lone parents, disability etc)	See annexe 2 for details on the client groups eligible for fast tracking. Annexe 3 paragraph 3.13 gives expected proportions of FND starts for the main client groups.	Policy/Strategy/Volumes
188	Can you clarify the difference between 'leavers' and 'completers'	We haven't used these definitions within FND. For more information about the status of customers at different stages in the regime and the responsibilities of suppliers please see Annex 4 of the ITT specification, paragraph 4.18 to 4.28.	Policy/Strategy
189	How will JCP administer the training allowance in order to ensure that the client is not subject to any delays in benefit	Jobcentre plus will not delay benefits or allowance payments. However a pre- Allowance payment interview is needed.	Process Design
190	How will the Provider and JCP work together to ensure that sanctions are consistent across different Districts?	Decisions will be taken using an existing quality control measure. The quality of decisions are governed externally by The Commissioner	Process Design

191	Can you provide the details of the Recruitment Agencies that JCP have signed up through LEP's?	Annexe 1 (1.53 - 1.57) of the ITT gives information on Local Employment Partnerships. You need to contact your Commercial Lead for each Contract Package area you are bidding for who will seek to obtain detailed local information from the External Partnership Managers for each Contract Package area	Procurement
192	Can you clarify that under the 50:50 split of referrals will it be spread evenly across the whole of the geographic area per organisation?	Yes. The 50/50 split will be handled by means of a random allocation tool. That will allocate customers 50/50 to each of the providers in a choice area.	Choice & Market Share
193	At the National briefing event, you advised us that you would be making a change to the volumes of clients starting on fND. When do you expect to distribute this information to bidders?	Please refer to letter issued to bidders on 23 October.	Policy&Strategy
194	For each of the districts, could you please give an indication as to the number of JSA fND starts we would expect to have a PWD marker. Could you also provide a breakdown of primary condition?	We would expect the number to be similar to the existing New Deals. The DWP tabulation tool (referenced in Annexe 3.15) can provide this information. You will also need to consider the impact of ESA as described in annexe 3 (3.13). We have not included primary condition in the modelling so are unable to provide a breakdown	Policy/Strategy/Volumes
195	In terms of enclosure of latest year draft end of year accounts, will it be sufficient to include our accounts through June 30, 2008? These have been filed with the appropriate authorities in the USA and give a nine month financial picture?	See Para 49 of the instructions to Bidders - we require copies of the last two full years audited accounts and forecast end of year accounts (these should cover a 12 month period).	Financial Evaluation, Provider Capability/Capacity, Risk Assessment, Finance, terms/Condition of Contract
196	For the benefit of overseas bidders, please can you define what you mean by "management accounts" to be included in the tender, in terms of what specifically these accounts should demonstrate?	Management Accounts refer to internal financial statements used in the general management of the business and in decision making and include Income/Expenditure (Profit/Loss) statement, Balance Sheet, key notes to the Balance Sheet (Fixed Asset Schedule, Analysis of Current Assets and Liabilities) and an analysis of long term debt and provision. These statements should also include a cash-flow statement.	Financial Evaluation, Provider Capability/Capacity, Risk Assessment, Finance, terms/Condition of Contract
197	Please confirm that tables and charts may be in a font size smaller than Arial 12. This is stated in the ITT but was contradicted at the National briefing event by Tracey Hughes.	Process map, organisational charts and implementation plans only may be in a smaller font size that Ariel 12. Please see Instructions for Bidders for guidance.	Procurement
198	In 9A, can the resource plan be presented in the Annex as part of the organisational chart to show contract area coverage.	Yes but only in addition to providing this information in the narrative. Bidders are reminded that they should not cross reference between sections.	Procurement

199	What will the approach of DWP be in choice areas where the two highest scoring tenders include the same provider e.g. Prime contractor is also the largest subcontractor to the second prime contractor – this could mean that two customers could be referred to different prime contractors, yet come to the same organisation in the same office but receive a different service depending on who their referral was to.	Referrals, either through customer choice or random assignment, will be made to the prime contractor.	Choice & Market Share
200	Paragraph 40 of the Instructions to Bidders states that Organisational Chart, Process Map and Implementation Plan are not included within the page count. If multiple Organisational Charts, Process Maps etc were submitted would these also be separate from the page count or would they be included.	They would be separate.	Procurement
201	If an individual is undertaking a period of test trading, are they required to undergo a separate period of mandatory work related activity?	No, test trading will count towards the minimum required period of mandatory work related activity.	Policy/Strategy
202	We understand that a customer's Action Plan is tailored to their needs, but can DWP provide an example of what they would ideally expect to see in Stage 4.	An example will be provided in Supplier Guidance. The Action plan is based on the current generic New Deal Action Plan.	Process Design
203	Can DWP confirm that customers case files containing previous assessments, Action Plan etc will be made available on the referral of customers from JCP to Stage 4 fND providers	The Action plan, Jobseeker's Agreement and a covering document will be supplied on referral to Stage 4.	Process Design
204	What happens to a customer who leaves employment before the end of the 13 and 26 week job outcome periods ? How do they feed back into the system? Is there any difference if the employer terminates the position?	If employment terminates before the 13 of 26 week outcome period, for whatever reason, the customer will return to their FND supplier for further support.	Policy/Strategy
205	What happens to the 50% 13 week payment when a continuous 13 week has not been achieved but the 30% 26 week payment has (26 weeks out of 30)? For example 8 weeks employed, 1 week unemployed, 10 weeks employed, 2 weeks unemployed, 9 weeks employed = 27 weeks out of 30 but not 13 weeks continuous.	FND suppliers do not have to claim 13 week outcomes and 26 week outcomes in any particular order and DWP accepts that, in some instances, the 13 week job outcome may occur after the 26 week job outcome. Providing the participant is still with the FND supplier (or within 6 weeks of completion) when the 13 week period of employment commences, then the FND supplier can claim the 13 week outcome at a later date. So, in the example given, if the final 9 weeks of employment turned into 13 weeks employment, the supplier would be able to claim the short job outcome payment.	Provider Funding/Payment & Assurance Policy
206	Can DWP outline the timings on how all existing customers claiming JSA for more than 12 months at April 2009 (i.e. not starting at Stage 1) will be transfer to Prime Contractors for Stage 4 fND from October 2009. Will this be all at day 1; all in the first month; equally over a period of months etc?	In outline, the transition strategy for Phase 1 is to maintain referrals to current programmes to Friday 26th of June 09 and maintain provision to FND go-live in October. The lower level detail of the strategy will be communicated separately to current contract holders and FND bidders shortly.	General Project

207	The ITT states that all customers currently on Employment Zones and existing New Deals will return to the "relevant" JSA Stage. Can DWP please explain this further.	In outline, the transition strategy for Phase 1 is to maintain referrals to current programmes to Friday 26th of June 09 and maintain provision to FND go-live in October. The lower level detail of the strategy will be communicated separately to current contract holders and FND bidders shortly.	General Project
208	Can DWP please outline the estimated volumes from Employment Zones and existing New Deals (for each area) transferring to each Stage and of those returning to Stage 4, can DWP outline the timings and volumes i.e. all on day 1 etc.	In outline, the transition strategy for Phase 1 is to maintain referrals to current programmes to Friday 26th of June 09 and maintain provision to FND go-live in October. The lower level detail of the strategy will be communicated separately to current contract holders and FND bidders shortly.	General Project
209	The information states that all customers currently on Incapacity Benefit will be re assessed and if eligible transfer onto JSA between 2010 – 2013. Can DWP please expand on this further. Can DWP outline the volumes (per contract area) and timings of those transferring from Incapacity Benefit to Stage 4 fND i.e. all on day 1 etc.	In annex 3, page 83 of the ITT specification we stated there would be around 4,000 additional FND starts as a result of introducing ESA. However, these customers will not be transferring directly onto Stage 4 as they will need to complete at least 6 months of Stage 3 prior to being referred to Stage 4. Our assumptions for calculating district breakdowns can be found on page 86 of the ITT specification. Suppliers can use these assumptions to calculate district breakdowns by combining data on IB flows from nomisweb.co.uk . The volumes in annex 3 have taken account of the ESA/IB transfers to JSA.	Policy/Strategy
210	The ITT states that all Lone Parents currently with children 12+ will transfer onto JSA from October 2008. How will any of these customers still unemployed claiming JSA for 12 months at October 2009 (i.e. not starting at Stage 1) transfer onto Stage 4 fND_Can DWP outline the timings and volumes (per contract area) i.e. all on day 1 etc.	In annex 3 of the ITT we stated there would be around 10,000 to 15,000 additional FND starts as a result of changes to Lone Parent obligations. We have stated our assumptions for calculating district breakdowns on page 87 of the ITT specification. Providers can use these assumptions to calculate district breakdowns. Work is still on going to finalise the details of the IS to JSA transfers.	Policy/Strategy
211	What is the perceived impact Equalisation of the Pension Age on fND?	See answer to question 96	Policy/Strategy
212	Do our proposals and solution have to comply with ESF regulations, specifically monitoring beneficiaries and staff hours ?	ESF requirements are covered in annexe 8 of the ITT specifications. FND suppliers will not need to include detailed breakdown of delivery costs.	Policy/Strategy
213	Can DWP explain how the legal requirements of TUPE (if applicable) can be compiled with in areas where more than one Prime Contractor can potentially deliver a currently performed role.	See answer to question 124	Procurement
214	In areas of Customer Choice would it be possible for an agency to become one of the 2 Prime Contractors whilst also being a sub contractor for the second Contractor?	See answer to question 65	Procurement

215	Can you please clarify the situation with regard to fND customer's eligibility status for the WAG Skill Build provision in Wales	Skill Build in Wales will not be open to customers in Stage 4 (Flexible New Deal) of the new JSA regime. Clause A3.1 of the Programme Specification for Skill Build precludes participation by people who are on employment or enterprise programmes that are funded directly by the UK or Welsh governments. The purpose of this clause is to avoid the potential for double funding.	Policy/Strategy
216	"Part 12 Implementation - Q12A - states your Gantt chart will include "key milestones, timescales for activities including start and end dates" do we have to state the exact dates for each activity (i.e. 27th March to 20th April 09) or can we group activity into timescales (i.e. March to April 2009)"	Exact dates are not required.	Procurement
217	"Part 12 Implementation - Q12D states 'business continuity plan that [you] will put in place to manage key risks to delivery and ensure continuity of service for customers'. - Is it expected to also include a 'Risk Register' - The Business Continuity Plan, is this for operational delivery or for the implementation?"	Q12D relates to service delivery. Q12A relates to implementation up until service delivery. See question 233	Procurement
218	Are the Customer Volumes figures available broken down by local authority area and JCP district	We have shared our assumptions for calculating district breakdowns in the ItT, annexe 3 of the ITT specifications. Providers can use a similar approach using data from NOMISWEB.co.uk to obtain alternative geographical breakdowns.	Policy/Strategy/Volumes
219	Ref - para 23, page 5, Instructions for Bidders - List of suppliers. What format do DWP want this list in? Is it just the name of the supplier and what they will deliver that is required	The Instructions for Bidders includes guidance on where Sub-contractor Declarations are required. In cases where such declarations are not required i.e. for ad-hoc suppliers a list of organisations and what they will deliver should be provided. This can be provided along with the declarations for the main Sub-contractors and will not contribute towards the page limit.	Procurement
220	If a customer is undertaking their minimum of 4 weeks full time mandatory work-related activity and fails to attend 3 days of activity due to a valid absence reason such as ill health, will the mandatory work-related activity period be viewed as non-compliant as there is a break in continuous full time attendance? If it is the case that breaks in the full time continuous mandatory work-related activity period are allowed where valid absence reasons are presented, please can you provide guidance around what constitutes a valid absence reason.	No, if the customer is absent from Mandatory Work Related Activity and has a valid reason for that absence, then this will be viewed as compliant. We would however expect the supplier to arrange for the customer to undertake further activity to make up the minimum requirement (e.g. if the customer has missed 3 days, they will be required to undertake 3 further days activity, directly attached to the 'end' of the proposed MWRA, making it continuous. Valid reasons for absence will be detailed in the Supplier guidance.	Policy/Strategy
221	Please can you confirm whether we are permitted to provide job descriptions as a separate annexe in addition to the 80 page tender response?	Any Annexes provided in addition to those named in the Instructions for Bidders will be disregarded.	Procurement

222	There are issues for both Prime and Sub-contractors leaving negotiations before a commercial agreement is made but confidential information has been exchanged. Are DWP doing anything to prevent this information being passed on to other organisations?	It is entirely the responsibility of potential prime and sub-contractors to establish and manage their own commercial relationships. Good practice would be that both parties agree and sign a non-disclosure agreement at the start of their discussions.	Procurement
223	TUPE "In Section 9 E and F you refer to the Cabinet Office Statement of Practice and the Code of practice two tier working. Both these sets of guidance refer to Public Sector employees only. However you also state that no staff from DWP will transfer under this contract. Could you therefore confirm if these questions are relevant?"	These questions are relevant. It is understood that some incumbent providers' staff are Local Authority employees. The Cabinet Office Statement of Practice and the Code of Practice on Workforce Matters are likely to apply to these staff.	TUPE - Commercial
224	"Can you confirm when tenderers will receive TUPE data from the incumbent providers in each region? We have attached the usual information we would expect to receive in order to accurately plan and cost TUPE transfers which we hope may prove useful." (Please see attachment).	DWP will not be providing detailed TUPE data to Tenderers in respect of incumbent providers' staff. Some limited information in respect of the incumbent providers will be provided in due course.	TUPE - Commercial
225	Where we have obtained commitment from employers to provide Work Related Activity, how would you expect this relationship to be defined? Our assumption is this would be an ad-hoc service provision, as it will change over time and in response to individual aspiration, rather than a subcontracting relationship.	This is a commercial decision for you and any organisation you might employ for this purpose. For example; you may commission the same organisation on an on-going basis or you may work with an organisation as a one-off and we would expect your commercial arrangements to be appropriate. The same guidelines in the Instructions to Bidders apply to these arrangements as to all other Sub-contracting of delivery for FND.	Procurement
226	Instructions to Bidder page 5 point 23 – 'a list of such suppliers you intend to use is included'. Can you clarify how bidders are to include this information regarding ad-hoc services as I can not locate this detail in the instructions? i.e. within the Subcontractor Annex or a separate spreadsheet following the same design but clearly identifies they are ad-hoc/call on/off supporting organisations rather than subcontractors? If a separate spreadsheet can be used is this included or excluded from the 80 page limitation.	This information will not count towards the 80 page limit and can be provided separate to the tender form.	Procurement
227	With regards to copies of the tender to be submitted can you confirm if this instruction regarding number of copies applies to annexes and support letters or is it acceptable to send 1 copy of these?	The number of copies applies to your <b>entire</b> Tender including the Sub-contractor Declarations, Organisational Charts, Process Maps and Implementation Plans (Gantt Charts) which may be submitted as separate sheets. It is <b>not</b> acceptable to send only one copy of these	Procurement

228	Section 2.8 pg 15 of the ITT Specification: If a customer gains employment and signs off JSA, then falls out of work and makes a reclaim (within the 26wks linking period) – does the clock restart as soon as they reclaim JSA, with the onus on the provider to reengage into activity? Or will there be a re-referral process with the clock restarting from first attendance?	Jobcentre plus will identify and re-refer appropriate customers. It is then the providers responsibility to re-engage. Supplier Guidance on clock stopping will be issued.	General Project
229	Part 9 section a) of the Tender Form: 'along with a resource plan' do you expect a separate document (i.e. additional annex as with the organisation chart) or is this to be part of the 80 page response held with the tender form itself.	Your resource plan must be included within the Tender Form and as part of the 80 page total, <b>not</b> as a separate Annexe.	Procurement
230	Part 9 section a) of the tender form: Can you clarify if the requirement to provide details of staff resources / job titles / units etc should include the details of subcontractor staffing arrangements?	Your response should include detail of the resources that you expect to use to manage and deliver the provision. If your contracting strategy includes the use of Sub-contractors, they form part of the resource you will use to deliver the provision and therefore should be included in your response.	Procurement
231	Part 9) i.: Do we need to include an attachment of our actual health and safety policy?	No you do not need to attach a copy of your Health & Safety policy.	Procurement
232	Part 13) b.: 'indicating maximum and minimum volumes that can be handled': the price proposal will define a unit cost against performance levels offered for assessment purposes. Bidders particularly in Customer Choice areas have been asked to use 50% of starts & annual contract package value (as defined in Table 1 in the ITT specification ) as basis for the performance offer, but advised to factor how well they think they can do with a choice market within the parameters of 30/70% into their offer. Are you requesting tolerance levels here?	No. The contract price is fixed and firm at contract inception. No guarantees are made regarding volumes. No negotiations will be entered into regarding price tolerances in relation to volume fluctuations without formal and agreed contract variation. Service fee payments will be fixed and the rates payable for short and sustained job outcomes will be fixed (subject to adjustments for inflation allowances) for each year of the contract. Bidders are requested to consider the impact of volume fluctuations in order to demonstrate the ability to manage cash-flow, and working capital requirements, in relation to lower volume levels.	Provider Funding/Payment & Assurance Policy
233	For questions 12(D), bidders are asked to describe their business continuity plan to manage key risks. Please could you clarify whether you are looking for a standard description of all identified risks and our plan to mitigate those risks, or for a plan aimed solely at disaster recovery?	We are asking for identification of key risks to delivery, how you will manage those risks and your business continuity plan should there be threats to delivery.	Procurement
234	Are JCP offices available to support provider delivery?	Section 5 Para 5.35 page 44 of the ITT sets out the position regarding access to JCP premises.	General Project
235	If customer is going for a LEP opportunity and they require entrance qualifications can they be signed up to Train to Gain?	Helping customers to train once they have found work is one way in which improved sustained job outcomes may be achieved. Further guidance on how FND customers can access the provision is awaited from LSC	General Project

236	Paragraph 4.13, Performance baselines on page 93 of the Provision Specification and Supporting Information states 55% of customers starting flexible New Deal will achieve a Short Job Outcome, and 50% of customers starting flexible New Deal will achieve a Sustained Job Outcome. Can you please confirm whether the Sustained Job Outcomes performance baseline is either: 50% of all starts; or 50% of the Short Job Outcome performance baseline (i.e. 50% of the 55% of customers who achieve a Short Job Outcome)	50% of all starts	Procurement
237	Financial Evaluation - Please can you provide the precise formula for how pricing will be scored?	<p>An overall Average Price per Outcome will be calculated as follows: By taking 50/80th of the contract price (the job outcome percentage with a proportionate uplift for service fee) and dividing this by the number of job outcomes offered which will give one unit price; By taking 30/80th of the contract price (the sustained job outcome percentage with an appropriate uplift for service fee) and dividing this by the number of sustained job outcomes offered which will give another unit price. The two unit prices resulting from the above will then be added together to produce one overall unit price for each provider. It is this overall unit price that will form the basis for the financial ranking of bids.</p> <p>The most competitive price will be awarded a score of 100 marks; all other bids will be awarded marks in relation to the % variation from the most competitive price e.g. If the best price is £2,999 this will be awarded 100 marks; a price of £3,184 is 6% higher than the best price and would be awarded 94 marks (6% less than 100)</p> <p>The marking gained for the financial evaluation will represent 50% of the final evaluation score (with quality representing the balance).</p>	Financial Evaluation, Provider Capability/Capacity, Risk Assessment, Finance, terms/Condition of Contract
238	Tender - Can we scan in signed copies of the subcontractor declaration? Do tables have to be in size 12 font? Can we submit our tender in a loose-leaf ring binder? The ITT questions are set out in tables, and answers are typed into these tables. However, this moves the formatting around. Can we remove the answer tables as long as we keep the same margins?	You must submit <b>original signed</b> Sub-contractor declarations with your original signed Tender Form. Photocopies of Sub-contractor declarations may be included with the paper copies of your Tender Form and scanned electronic images of the Sub-contractor declarations included with the electronic versions. As set out in Paragraph 40 of the Instructions to Bidders, all Tender Forms must be completed in Arial font size 12. Sub-contractor Declarations, Organisational Charts, Process Maps and Implementation Plans (Gantt Charts) may be submitted in a smaller font size as long as they are clear and easily readable. All other parts of the Tender Form must be completed in Arial. Your original signed Tender Form and Pricing Proposal should be simply bound and not in a ring binders. All paper copies of your Tender Form and Pricing Proposal should be unbound. You may remove the answer tables. However, you must not remove the question tables from your response or alter the layout of the question tables. Your response must be written within the same preset margins as the question tables and must not exceed a total of 80 pages in total including the questions. All Tender Forms must be completed in plain English, on A4 paper and in Arial font size 12.	Procurement
239	PART 4 (i) Question A asks for a process map to be provided. Please can you confirm to what level you expect the process map to go down to?"	To a level appropriate for us to understand the customer journey through FND from initial contact to sustained employment.	Procurement
240	The ITT references the potential requirement to provide evidence of working capital. Can you confirm whether this evidence is required post-tender or as part of the submission?	Evidence is required as part of tender submission (see section G of the pricing table for example, and part 8 for detailed evidence).	Financial Evaluation, Provider Capability/Capacity, Risk Assessment, Finance, terms/Condition of Contract

241	Can you confirm whether the offer of discount pricing will be used during the evaluation process, whether in terms of initial evaluation, in differentiating between closely scored bids, in influencing whether to award multiple contracts, or in any material way?	<p>Bidders are expected to state discounts in the event of multi-contract award which the Department expects to be honoured during any post tender discussions. Price evaluation will be on the basis of the average price per outcome, and will not include discounts. This initial evaluation, when combined with the results of the quality evaluation, will form the basis of the initial short-listing process.</p> <p>Discounts will be considered at the Blended Risk Stage of the evaluation which will consider the overall capacity and capability of a bidder to deliver against all the areas they are initially short-listed for. Discounts will then be one of the criteria used to determine the allocation of packages across the initial short-list prior to aware of preferred bidder status.</p>	Financial Evaluation, Provider Capability/Capacity, Risk Assessment, Finance, terms/Condition of Contract
242	Does DWP have any guidelines relating to the submission of the manual administration charge? Does the manual administration charge form part of the financial evaluation, either directly or indirectly? Does DWP have any expectations as to the range of this value?	The manual administration charge, as a result of potential delays in the implementation of the Provider Referral and Payment System [PRaP], will not form part of the evaluation process. Should PRaP be delayed, for any reason, the Department will discuss with the preferred bidder the implications and cost adjustment allowed. These discussions will be informed by the manual administration charge and associated assumptions provided as part of the tender.	Financial Evaluation, Provider Capability/Capacity, Risk Assessment, Finance, terms/Condition of Contract
243	A short job outcome must be employment of 16 hours per week for 13 weeks. Is this a minimum per-week requirement, or an average of 16 hours per week over 13 weeks (i.e. 208 hours of employment)? Would employment that starts at below 16 hours but reaches 16 hours by the point of claim be sufficient?	Employment of 16 hours per week for continuous 13 weeks is the minimum requirement. Any week of employment with less than 16 hours will not be counted towards the short job outcome claim.	Policy&Strategy
244	To claim outcomes, there is a minimum requirement of a face-to-face meeting. If a bidder was to develop innovative services such as virtual face-to-face meetings, would this be considered sufficient for these purposes?	Alternatives to face to face meetings with customers, such as video-conferencing, may be appropriate for some customers in some special circumstances (e.g. where a face to face meeting is physically impossible). However, it is difficult to see how a supplier would be able to justify not meeting the customer face to face throughout their participation on the programme.	Policy/Strategy
245	DWP used evidence that off-benefit checks and HMRC data-checks can identify additional outcomes as part of their pre-ITT performance assumptions. However, the ITT suggests that no payments will be made without a positive claim on the part of the provider. How will DWP share the off-benefits/HMRC information with providers to allow them to "assure themselves that the customer has been in work for the relevant period" (para 5.27, ITT)?	DWP will not be able to advise on the employment status of individuals - FND suppliers will have to have their own systems in place and be able to track participants to satisfy themselves that they are in work and have been in work for the required period of time prior to making a claim for payment. Further information regarding evidence required will be issued to providers week commencing 29 September.	Provider Funding/Payment & Assurance Policy

246	What are the implications for DWP off-benefit checks and HMRC data-checks for FND providers in terms of due diligence to minimise fraudulent claims? Exactly what information will be provided to FND contractors and at what stage, so that we can plan our administrative and quality processes to take this into account?	DWP is currently reviewing its internal procedures in terms of the role it performs in auditing suppliers and therefore assuring the payments system. It is expected that the Departmental assurance function (currently known as FAM) will look at FND suppliers' systems to ensure that there are appropriate internal control procedures in place, particularly around the collection, management and reporting of performance data (job outcomes and sustained job outcomes) to the Department. Where a supplier is found to have internal control weaknesses that leave the Department open to potentially fraudulent claims (intentional or otherwise) then appropriate action would be taken. Further information about the new assurance function will be provided as and when the internal review concludes (expected early 2009)	Provider Funding/Payment & Assurance Policy
247	Providers will undergo cost in Year 6 & 7 to deal with customers through this period, even though no new referrals will be made. Where should bidder provide detail on these costs, given that the Pricing Proposal document has locked the cells for Y6&7 costs?	The pricing proposal allows costs, and contract price to be indicated for years 1-5; payment of the overall contract sum will be on the basis of achievement of short and sustained job outcomes (in line with the performance offer); the overall contract price should reflect the total delivery (incorporating years 6 & 7); this price should be incorporated into year 5, with supporting documentation assumptions made; the proxy cash-flow contained within the pricing table will demonstrate how payment of the overall contract price will be profiled, including years 6 & 7.	Financial Evaluation, Provider Capability/Capacity, Risk Assessment, Finance, terms/Condition of Contract
248	What is DWP's expectation around FND customers being able to access either out-of-work or in-work services through ESF? To be eligible for ESF funding, provision must not duplicate services that are available through mainstream provision. Given that FND is by definition a non-prescriptive programme that requires providers to do whatever necessary to help people find and sustain employment, it is difficult to see how ESF can add-value to FND. Are there specific services that DWP believe will be ESF eligible and others that will not?	Contracts for ESF provision in England are already in place. FND suppliers are expected to ensure that their proposals dovetail with ESF provision and do not duplicate any elements of it (see para 5.23 in the ItT Specification). The use of DWP ESF provision alongside FND is detailed in the 'Use of other programmes/schemes/grants/incentives' paper issued on 30 September. In principle, FND customers are able to access ESF provision. ESF providers can recruit customers directly and are expected to develop partnerships with relevant local organisations (including FND suppliers) in order to target appropriate customers. However, simultaneous participation in ESF and FND provision may not be appropriate in some cases and will depend on the nature of the specific ESF programme being accessed. Therefore, when referring customers to ESF provision, FND suppliers must clearly demonstrate why the provision adds value for the customer and why the additional activity cannot be undertaken under the Flexible New Deal contract.	General Project
249	What policy will DWP implement in relation to claw-back of funding following FAM audits? What is the average claw-back on current large scale DWP contracts such as EZs, New Deal and Pathways so that we can make reasonable assumptions around likely baseline claw back, and resource investment to reduce its occurrence?	The process for paying FND suppliers will not be the same as those currently deployed in DWP, not least because we expect to use an automated system as opposed to the existing paper based ones. Any validation activity (off-benefit check) will take place <i>in advance</i> of the payment being made - if the off-benefit check fails DWP will seek alternative evidence before payment can be released. This does not of course mean that the Department will not seek to recover any monies that should not have been paid, e.g. if an individual is off-benefit but subsequently found not to be in employment, so FND suppliers will need to take whatever steps they deem necessary to assure themselves that outcome claims are valid prior to submitting their claim.	Provider Funding/Payment & Assurance Policy

250	In previous bidding rounds, part of DWP's financial assessment has been to evaluate the justifications for different cost lines. Does your response to Q31 indicate that this will not be the case for FND? If you are to carry out evaluations against bidders' cost assumptions, can you clarify what experience of delivering out-sourced back-to-work services the individuals involved in this analysis will have to inform this exercise?	The DWP is seeking reassurance that all appropriate costs have been considered by bidders in arriving at the overall contract price; where bidders consider that a cost element is not applicable, this should be indicated clearly with a zero; DWP will not be comparing costs lines between bidders or questioning the level of cost included (or not) in a specific line, however, clarification may be sought in the event that assumptions contained within the pricing submission conflict with those of the quality submission (e.g. 6 staff priced within financial submission but 8 staff earmarked for delivery in quality submission).	Financial Evaluation, Provider Capability/Capacity, Risk Assessment, Finance, terms/Condition of Contract
251	Can you confirm exactly what the evidence requirements will be for Short Job Outcome and Sustained Job Outcome claims? What will DWP auditors expect contractors to retain for inspection? Is there a requirement for any documentation from either employers or customers?	An information note will be issued to providers week commencing 29 September.	Provider Funding/Payment & Assurance Policy
252	Can FND customers access mainstream LSC funded training, or ESF co-finance funded provision, without affecting their entitlement to be on FND? We understand that customers moving onto training must be notified to JCP to transfer them to a training allowance – does this allowance affect other funding?	The use of LSC and DWP ESF provision alongside FND is detailed in the 'Use of other programmes/schemes/grants/incentives' paper issued on 30 September. In principle, FND customers are able to access ESF provision. Access to ESF provision will be considered on a case-by-case basis, depending on the nature of the ESF programme and the FND customer's needs. All LSC provision is available to FND customers. This provision is accessed via LSC training providers. FND suppliers should arrange a local Service Level Agreement with the LSC to enable customers to access this provision. Customers who undertake certain full-time activities (16 hours or more per week), during their Flexible New Deal period will be required to transfer from JSA onto a training allowance. More information will be given in provider guidance.	General Project
253	Within our bid submission, we understand we cannot cross refer between sections, can we cross refer between sub sections i.e. 4A to 4D?	No, you cannot cross refer between sub sections	Procurement
254	Part 6 B (i) – Can you expand on what you expect us to focus on – should it be based on performance management or infrastructures etc?	Your answer to this question should prove that you are able to deliver the forecasted outcomes and should therefore cover all aspects.	Procurement
255	At the recent Flexible New Deal District meeting, there was a presentation from City Strategy. Following the presentation, there was a clear indication given by jcp and the DWP representative that providers did not need to take into account the thought of the City Strategy and consider these as aspirations only. The ITT clearly suggests that we should link in with City Strategy, can you please clarify as there seems to be some discrepancies.	It is important that shortlisted bidders are aware of the plans City Strategies are developing and their current agenda for the area. When developing your delivery proposal, you need to consider these plans and take a holistic approach so as to avoid duplication. Meetings are being conducted in several Contract Package areas to meet with partners to support bidders in obtaining any information they require regarding specific contract localities. However, for Commercial probity, during the tender process it is inappropriate to meet with individual City Strategy leads to share/discuss your delivery proposal in any detail	Procurement

256	<p>We are seeking further clarification regarding the volume and profiling. The finance pricing proposal &amp; tender form part 6 - requests performance over years 1- 6&amp;7. In the specification Table 1 – Summary of contract packages, indicative budget and customer volumes – the starts are split as follows: 2 x 6-month's periods (contract intake start and intake end), 4 x 12-month periods. re these starts to be used as a basis - aligned to the 7-year profile?</p>	<p>The budget and indicative starts in the pricing proposal have been given in contract years (Year 1 to 5) therefore no recalculation is required to covert figures into contract years.</p> <p>Bidders should note that starts will be for years 1 to 5 of the contract only, there will be no starts in years 6 and 7 which are, exclusively for, managing caseload and tracking outcomes for claim purposes.</p>	Finance
257	<p>Annex 3, Table 1 “Summary of Contract Packages...” States “Expected number of Flexible New Deal Starts”. Can DWP confirm whether this is the number of referrals from Stage 3, the number of customers claiming JSA for more than 12 months, or the number the Stage 4 provider registered starts.</p>	<p>The numbers represent the number of customers reaching at least 52 weeks or 26 weeks for fast trackers.</p>	Policy/Strategy
258	<p>Annex 2, Paragraph 2.29 states “Nationally,.....some 8% of customers making a new claim will need fND at end of supported job search stage.” Annex 3, Paragraph 3.7 states “...90% (claims ended)..within 52 weeks”. le 10% remain unemployed. Can DWP confirm that 2% of new claimants out of work after 12 months are expected NOT to be referred onto fND.</p>	<p>All Jobseekers who have been unemployed for 12 months are expected to join Stage 4. The 10% figure is rounded for illustration purposes.</p>	Policy/Strategy
259	<p>Annex 3, Paragraph 4 states “...these reforms (ESA) could increase claims for JSA by around 18,000 per year...reforms will increase number starting fND around 4,000 per year...” which calculates to 22% of new claims would remain unemployed after 12 months and would start on fND. However Annex 3, Para 4, page 84 states “It has been assumed that the supported job search and supported job search linking rules will impact the same proportion of customers impacted by the introduction of ESA as current customers.” Annex 2, Paragraph 2.29 states “Nationally,.....some 8% of customers making a new claim will need fND at end of supported job search stage.” These statements appear to be contradictory, can DWP please confirm which is correct.</p>	<p>Typical JSA customers and ex ESA customers will not have the same off flow rate to start with. We have only assumed that the linking rule and the supported job search will have the same impact on both customer groups. The 8% only refers to typical JSA customers and does not account for the linking rule and other policy changes described in annex 3.</p>	Policy/Strategy

260	There is considerable risk that providers may expend large amounts of money and time in finding positions with employers that some of our customers may simply refuse to accept. Can DWP confirm that realistic sanctions WILL be applied or the provider's obligation discharged.	Suppliers are required to inform Jobcentre Plus of any failure on the part of a customer to take up a reasonable opportunity without good cause. Once notified a Decision Maker in Jobcentre Plus will then make sanction or entitlement decision based on the information gathered by the supplier. Annex 3, paragraph 6.36 of the ITT specification provides more information on the length of sanctions. Where a decision is made not to apply a sanction the supplier must accept this decision and continue to deliver services to the customer.	Policy/Strategy
261	Annex 3, paragraph 4.9 states a provider target of 85% registered within 15 days. Can DWP give some indication of the numbers/percentage of customers they expect to refer to fND Stage 4, but that will cease to claim JSA at this point and therefore not register as a start whether in the 15 day target or not.	It is not possible to give an indication as the deterrent affects are unknown. Bidders may be able to use NOMIS data to estimate a survival rate for 50wks to 52wks to approximate the natural off flow during these two weeks	Policy/Strategy
262	Annex 3, Table 1 "Summary of Contract Packages...." Shows expected number of Flexible New Deal Starts for all of Phase 1 stated as 146,000 per annum (2010-2011). If this amounts to 8% of new claimants (Annex 2, Paragraph 2.29) including refused ESA and former IS LPs this would calculate to 1.825 million new claimants in Phase 1 areas. Annex 3, paragraph 3.7 states that in 2004/05 there were 2.25 million JSA claims. This implies either all of Phase 2 new claimants amount to approx 0.65million per annum, which seems incredibly low, or are DWP expecting a substantial increase in the number of new claimants.	We are expecting an increase in the number of new JSA claims as a result of the introduction to ESA and changes to Lone Parent conditionality. However, the 146,000 does not amount to 8% of new claims. The 146,000 includes fast trackers and accounts for linked claims under the linking rule. Please refer to annex 3 for the factors used to adjust the off flows.	Policy/Strategy
263	Can we have a copy of the Contract Management Framework	The Contract Management Framework is an internal document, therefore we do not share with providers.	SRM
264	TUPE - following on from the request for staffing levels of current delivery inc. subcontractors - will DWP be sharing the full TUPE liability per district with shortlisted providers in order to budget for possible TUPE transfers. e.g. In our district alone there is a large reliance on Public Sector delivery which obviously has much higher costs than private sector organisations.	Bidders should refer to the letter sent from DWP on the 18th September 2008.	Procurement
265	Subcontracting - is there a limit on subcontracting out delivery	See Para 18 of Instructions for Bidders.	Procurement
266	Subcontracting - Is there a minimum amount of subcontracting work expected or are we able to deliver all ourselves if we believe we are capable.	No minimum requirement, however, we have stated that we do not expect that any organisation would have the financial and management/operational capacity to solely deliver FND. Furthermore, we have explicitly stated our expectations from bidders in terms of partnership working with key stakeholders.	Procurement
267	Subcontracting - Would DWP have any objection to applying the same principles as fND to subcontractors i.e. the subcontractor will get paid on job outcomes?	See Para 21 of the Instructions for Bidders.	Procurement

268	Outcomes - Does DWP expect the fND job outcome offer to increase over the life of the contract (experience tells us that in years 3 & 4 the same people churn through which would lead to a decrease in %)	We expect bidders to make a judgement on the profile of their expected performance over the life of the contract. The point raised by the bidder is something they should consider when constructing their bid	Policy/Strategy
269	Payment timescales - specifically the timetable for activity, to claim submission, to payment?	The contracted timescales are within 30 days from receipt of a duly completed claim and will pay the prevailing outcome rate when the customer achieved this outcome, not necessarily the rate when the invoice is received. It should be noted however that the department seeks to pay immediately, subject to any potential system delays issues, as soon as an invoice is deemed correct which in reality should result in payments being made in advance of the 30 day contractual requirement.	Provider Funding/Payment & Assurance Policy
270	What are the key audit requirements and likely specifics which providers will need to be able to evidence to support our claims?	Information will be sent to providers week commencing 29 September.	Provider Funding/Payment & Assurance Policy
271	What are DWP's expectations in terms of financial assurance checks from primes on subcontractors?	DWP expects prime providers to have in place effective processes and systems to monitor, manage and report performance achievements across FND provision which includes subcontractors. Although the Department is not being prescriptive as to what those internal processes might be, these will be audited during the life of the contract and, where there are perceived weaknesses, DWP will work with FND suppliers to effect improvement.	Provider Funding/Payment & Assurance Policy
272	Payments - Will the Service Fee be paid monthly or quarterly in arrears? How quickly after a Short or Sustained Job Outcome is achieved will payment be received by the provider? What contingencies are in place if DWP's new payment system is not fully functioning by the time of go-live? Will all payments include the VAT element of each claim?	Service Fee will be paid monthly in arrears, ref question 269. Regarding PRaP contingency, and delay of PRaP should not impact on the contracted payment days (30 days of receipt of a duly completed claim) - see question 304. VAT see question 21.	Provider Funding/Payment & Assurance Policy
273	Audit requirements – Clarify exactly what evidence of outcomes DWP will require us to collect if any and how that information will be audited e.g. by the FAM/OfSted teams?	An information note will be issued to providers week commencing 29 September. Also see answer to question 246.	Provider Funding/Payment & Assurance Policy
274	The London area Job Centre Plus record how the number of LEP vacancies filled by each provider, do you also do this? Do you keep figures on how many LEP employers each provider signs up?	Please see answer to question 191	Procurement

275	<p>Question 9A requires bidders to submit a “resource plan showing how staff will be allocated across the delivery area”. Are DWP expecting a resource plan for Year 1 of the contract only, or one for the full 7 years of delivery (as staffing numbers may change from one year to the next)? If the latter scenario, such a resource plan will be by definition quite large and is likely to fill at least a couple of sides of A4 (even if tabled concisely), especially for those contract package areas covering a wide and diverse geography. We would suggest that, in dedicating such space to this resource plan, the amount of space would be disproportionate to potential marks that the plan might attract as part of the overall score of Question 9. May we therefore request that, any 7 year resourcing plan be included as an additional annex, rather than be included in the 80 page allocation?</p>	<p>We are expecting a general resource plan of your delivery model for the length of the contract.</p>	Procurement
276	<p>Q&amp;A log Question 6 states that the only information to be shared with DMs and City Strategy Consortia will be “those elements which are most pertinent to them”. Please can you explain more specifically what this means?</p>	<p>We will be asking District Managers and City Strategy Partners to comment on local specific elements of the bid from a factual evidence based perspective for example transport links and availability of childcare. We will not be sharing information on price or other financial material.</p>	Procurement
277	<p>Question 7A asks bidders to “please include the results of any external inspections e.g. Ofsted/Estyn or the overseas equivalent”. This is essentially a quality question, although appears in the Skills &amp; Experience section. Question 8iiA then asks bidders to “provide details of any quality standards that you/your Subcontractors/partners hold or are working towards”. Although not exactly the same, there is a level of duplicity between these questions which, without being able to cross-refer, will necessitate a level of identical information being tabled twice. The scenario is arguably most acute for market entrants, where the “equivalent of Ofsted” may actually be an alternate “quality standard”. Rather than waste space by presenting the same information twice, and making DWP evaluators read it twice, is there not a better solution to this particular duplication within the tender response form?</p>	<p>The guidance remains unchanged. The emphasis of the questions is different and Q7A related to experience in this market whereas Q8iiA relates to general quality. We accept that there may be some duplication.</p>	Procurement
278	<p>Will DWP extend access of its goods and services contracts to bidders in order to facilitate a more cost effective delivery of FND?</p>	<p>Yes DWP would welcome the use of our existing contracts should that facilitate a more cost effective and enhanced service from bidders and better value for money for DWP. Bidders are already aware of PRaP and that DWP are keen to help bidders integrate most effectively into this system. Clearly DWP cannot be involved in any commercial agreements but we can provide a list of our existing contracts and contacts if requested.</p>	Procurement

279	Can you confirm the Financial Audit requirements	See information note distributed on 29 September.	Provider Funding/Payment & Assurance Policy
280	Delivery/Commercial - What is the proposal for managing the period between EZ/PSLND referrals ceasing and FND referrals starting (i.e. April – October 2009)? What will happen to the existing EZ/PSLND providers staff over this period? Concerns regarding enhanced flows in first 6 months of the contract. Will FND provide a service to the current EZ voluntary clients? Will a centralised administration/call centre approach be acceptable?"	In outline, the transition strategy for Phase 1 is to maintain referrals to current programmes to Friday 26th of June 09 and maintain provision to FND go-live in October. The lower level detail of the strategy will be communicated separately to current contract holders and FND bidders shortly.	General Project
281	What are the key economic drivers over the next five years for the East Midlands region - jobs and employment predictions, skills gaps and key strategic priorities	please see attached documents <a href="http://www.emda.org.uk/res/docs/resflourishingfinala4.pdf">http://www.emda.org.uk/res/docs/resflourishingfinala4.pdf</a> and <a href="http://www.esppartnership.org.uk/esp/">http://www.esppartnership.org.uk/esp/</a>	Procurement
282	If providers can work with LEPs to extend their work trials to a four-week commitment, is completion of an LEP work trial eligible as a four week mandatory work focussed activity or are there constraints around harnessing these opportunities	Periods spent on a LEP work trial will count towards the Mandatory Work Related activity requirement where they also meet the conditions set out in the ITT specification. Para 2.36 - 2.48 of the IT Provision Specification and Supporting Information.	Policy/Strategy
283	Paragraph 23 of the ITT Instructions for Bidders states that " Prime Contractors may also need to make ad-hoc purchases for services eg driving lessons or other standard training ". Can you confirm whether these organisations would be required to be listed as sub contractors and complete a Sub Contractor Declaration template . Can you also give guidance as to what constitutes "standard training " in these circumstances.	Para 21 of the instructions for Bidders states: 'DWP will not prescribe contractual relationships within Prime Contractors' supply chains. However, contracts must represent a reasonable and negotiated allocation of risk and funding appropriate to the service provided, outcomes required and the terms agreed between the Prime Contractor and DWP.' The information in para 23 is an example for guidance it is the responsibility of Prime and Sub-contractors to agree their own commercial arrangements. It would be helpful if bidders provide a list of potential ad-hoc Sub-contractors. We do not expect this list to be exhaustive and the list will not contribute to the 80 page limit. We do not expect to see Declarations form ad-hoc suppliers. Standard training in this sense refers to 'off the shelf' type training such as driving lessons that could be delivered by a number of organisations to a universal standard.	Procurement
284	On page 90 of the Provision Spec and Supporting Funding you give the Annual indicative Contract package total per year. For example £18.52m for Greater Manchester Central East and West. The note below the table indicates these values are at current prices. Can you confirm that this annual funding will be uplifted by inflation each year and can you give an indication of how much this uplift will be.	The pricing table B contains annual budget allocations for each region for each year of the contract; these INCLUDE our inflation assumptions (2.5% p.a.); bidders have the opportunity to reflect their own additions (or subtractions) from these assumptions, together with the impact of efficiency savings; the net impact of these factors will represent the overall inflation allowance contained within the contract price (and related budget) and NOT additional allowances to applied to the contract price.  Note: all inflationary pressures must be reflected into the cost base and price as no allowance or additional payment will be made for inflation over the life of the contract.	Financial Evaluation, Provider Capability/Capacity, Risk Assessment, Finance, terms/Condition of Contract

285	There is discomfort around the level of data being shared between prime contractor and sub-contractors, prior to commercial agreement being reached, to contribute towards the level of transparency demanded by DWP as part of the Invitation to Tender. Could the Department manage this sensitive exchange of information to encourage openness.	DWP would not enter into commercial discussions between the prime contractor and sub-contractor. However, we would commend good practice of a confidentiality/non-disclosure agreement that both parties should agree to abide by at the start of their discussions.	Procurement
286	Would it possible for us to have the claimant counts for each local Job Centre Plus Office please? This is to help us determine the hotspots of claims and identify aligning delivery sites to meet local JCP need?	Data can be obtained from <a href="http://www.nomisweb.co.uk">www.nomisweb.co.uk</a>	Procurement
287	We have been instructed by DWP Regional Coordinators that direct contact with Government, Regional and Local Authority or publicly funded bodies regarding appointments etc can only be made through the DWP Regional Co-ordinator for the package area. Although we understand the aim of this process it is already causing delays in engaging with these organisations to discuss their expectations of fND and develop ideas and strategies to deliver an innovative service. Can DWP reconsider this restriction, a restriction existing contractors are not burdened by as their current contract delivery presents regular contact with these organisations, and allow bidders to speed up this process by making direct contact and necessary appointments.	DWP have asked that all requests for meetings with JCP District Managers and City Strategy Partnerships be arranged through the designated commercial lead for that contract area. As you are aware these two groups will be involved in the evaluation of tenders for FND and it is therefore imperative that we ensure absolute parity and probity. Furthermore, these stakeholders have limited time to dedicate to meeting FND bidders and we are therefore making best endeavours to ensure all bidders get the same opportunity to meet with these stakeholders in the limited time they have available.	Procurement
288	Page 26 of the ITT, paragraph 2.79 states "...bidders must describe how they intend to support people with mild to moderate health conditions." Can DWP please supply a list of the health conditions that would be deemed mild to moderate.	No, the term 'mild to moderate' was used to give some indication of the general level of health condition suppliers should expect.	Policy/Strategy
289	Can DWP clarify whether Stage 4 fND support for customers is for 12 months/52 weeks from a registered start or for 52 weeks while claiming JSA. In the latter this support could span many years if the customer moves in and out of employment (never sustains employment for 26 weeks out of 30) or ceases to claim JSA for short periods (for less than 26 consecutive weeks ). This would put a huge burden on the provider together with new customers.	Only periods where the customer is receiving JSA (including where the customer is claiming JSA to receive NI credits only) or a training or subsistence allowance will count towards the required 52 weeks participation on FND. Any period where the customer is subject to a sanction and not participating in FND will not count towards the 52 weeks on FND	Policy/Strategy

290	Page 26 of the ITT, paragraph 2.84 states "...customers...should never be worse off .....for participation" and 2.9 states "...customer is attending fND activities, it is the supplier's responsibility to fund their travel costs." Can DWP please clarify whether "activities" relates to full time training courses or extends to any attendance for any reason over the 52 weeks support.	Suppliers will be required to cover the travel costs of customers participating in full time training courses documented in their action plans aimed at securing their return to work over the 52 weeks of FND participation. However, FND Stage 4 customers can claim financial assistance from JCP for attending job interviews beyond their normal daily travelling distance through the Travel to Interview Scheme (TIS).	Policy/Strategy
291	Within the Instructions for Bidders it states we need to include additional financial documents, please can you confirm if these should be attached as annexes within the Pricing Proposal submission?	<p>The additional financial documents (e.g. those referred to at Para 49 of the instructions to bidders and part G of the pricing schedules) should be attached as an annex to the pricing schedules.</p> <p>However, the Department is aware that where bidders are bidding for two or more contracts such documents may be duplicated, in which case the bidder should include the financial annexes once and cross refer other tenders to the documents and where they can be found.</p> <p>Bidders should also note, where any financial annexes may be deemed price sensitive or highly sensitive these should be included in a separate envelope within the pricing schedule return and marked as such. These documents and their access will then be managed by the Financial Evaluation Manager only.</p>	Financial Evaluation, Provider Capability/Capacity, Risk Assessment, Finance, terms/Condition of Contract
292	Please can you advise where we should include the letter of support from Employers. Are these to be included in the table Part 3 Annex 1?	We have not asked for letters of support from employers.	Procurement
293	Q67 within the Q&A log states that all diagrams inserted within the body of the tender should be Ariel 12, please can we ask that this be revisited and taken in line with the approach for process flow, Gantt chart and implementation plan that can be a smaller font size as long as it is clear and easily readable. Can we therefore request that any diagrams submitted within the body of the tender be a smaller font size than Ariel 12 as long as it is clear and easily readable?	We have not revised the existing guidance.	Procurement
294	Question 9G asks bidders to identify Trade Unions that they recognise for collective bargaining purposes. How does this question form part of the overall tender evaluation? If it does not, could you explain why this question counts against the page limit? If it does, could you explain why one particular response might be better than another in terms of judging an organisation's ability to manage and deliver an effective back-to-work programme?	This does form part of our assessment of a bidders ability to manage industrial relations.	Procurement
295	Part 4, 1. Customer journey - We understand this can be A3 and less than Arial Font 12 (readable) but can it be more than one sheet?	Yes.	Procurement

296	Question Part 4i C asks for us to include in our response how the work-focussed action planning process will support the Integrated Employment & Skills (IES) agenda - how do you want us to address this question in Scotland and Wales?	The work-focused action planning process in Stage 3 is intended to help adviser and customer determine what the customer can do to improve their chances of getting a job and staying in it. Where the adviser identifies lack of skills may be an issue, they will refer the customer to a skills assessment and will take account of the results when agreeing the route to sustained work. That might mean looking at the type of work that the person could do with their current skill levels and which types of job might be targeted; skills activity that could be undertaken (voluntarily) alongside jobsearch; and skills support once in work, since for many customers the best route will be to get a job with training. There are still some issues around the availability of skills support in Scotland and Wales that we are working to address. Scotland is developing measures to offer wider in-work training support.	Policy/Strategy
297	Please can you clarify the situation where a customer is undertaking a four week period of continuous activity, but misses a day (or days) within this period for reasons that can not necessarily be verified but may well be legitimate (e.g. short term illness). In this situation, would the customer be able to return to complete the outstanding days of their four week period (albeit with a potential unauthorised absence "strike" against them), or would they have to repeat the entire four week period again?	See question 220	Policy/Strategy
298	At the Scottish briefing event, Marie Burns made a statement to the effect that the Skills Development strategy in Scotland differed greatly from the National Skills Development Strategy. Do you want the Scottish bid to be tailored towards the Scottish strategy or the National strategy? We are concerned that if we tailor our Scottish bid to meet the Scottish strategy that this will not be recognised by DWP.	Providers in Scotland will need to take into account that skills is delivered differently in Scotland and should tailor bids to fit the Scottish skills strategy. This will be recognised by DWP.	Policy&Strategy
299	Paragraph 18 of the ITT Instructions for Bidders states that "DWP will not set any limits on the number of tiers within the sub contracting chain. Can you confirm that all organisations within the supply chain, regardless of the number of tiers , will be required to complete the Sub Contractor Declaration template.	Please refer to the Sub-contracting section of the Instructions for Bidders. Sub-contractor Declarations are required for all Subcontractors with the exception of Ad-Hoc suppliers.	Procurement
300	What evidence is required to support an outcome claim?	Information will be sent to providers week commencing 29 September.	Provider Funding/Payment & Assurance Policy
301	Will DWP consider variant bids for Phase 1 FND?	In certain circumstances DWP will consider variant bids. We will only consider a variant bid where the organisation proposing this has been successful in securing preferred bidder status on the basis of its compliant bid. Clearly there will be certain variant proposals that DWP cannot consider. If you need further information on whether your variant proposal potentially includes elements that DWP cannot consider, please contact us via the FND e-mail address to arrange a confidential discussion.	Procurement

302	How will the Department look at the financial viability of organisations who are both a Prime bidder and a potential sub-contractor.	The Department will be seeking to impact all known business and new business of a PRIME contractor including that relating to potential sub-contracting for FVRA. This information will be obtained from the end of year forecast data submitted as part of para 49 of the instructions to bidders and Part 3 (ii) of the tender form. We will be measuring the aggregate impact of prime and subcontracts on working capital requirements as part of financial risk assessment.	Financial Evaluation, Provider Capability/Capacity, Risk Assessment, Finance, terms/Condition of Contract
303	When will the information on staffing potentially covered by TUPE be issued	Information currently available was issued on 19 September.	Procurement
304	Would PRaP contingency arrangements affect provider revenue flows	The DWP standard terms and conditions state that payment is made within 30 days, whatever system is used. Therefore no effect on revenue flows.	Provider Funding/Payment & Assurance Policy
305	What criteria are included within the delivery aspects of the over-arching blended risk assessment?	DWP will not be disclosing specific evaluation criteria. Generally the purpose of this assessment is to consider Tenders holistically ensuring that when combined the financial and qualitative aspects of the offer are both operationally robust and within acceptable levels of risk. Furthermore, where applicable this assessment will consider aggregated offers across more than one contract package area.	Procurement
306	What external evidence/information will DWP use to inform or take into account when assessing the performance aspects of the tender (qualitative evaluation), and who will undertake and/or inform that process?	City Strategy Partnerships will provide the only external consultation during evaluation. DWP reserves the right to validate the information declared to assist in the evaluation of Tenders. Reference site visits and/or presentations may be required.	Procurement
307	Can we provide evidence/research material to inform the performance assessment of other bidders?	No.	Procurement
308	If a customer needs a long period of rehabilitation to address life barriers (e.g. drug user whose needs were missed for first 12 months of claim) – would they be referred to alternative provision and no cost/impact on the provider?	If a major barrier to employment such as a health condition or drug addiction is identified during stage four, the FND supplier is expected to source appropriate support themselves using their key strategic partners. Some of this support is available from DWP and other government departments at no cost to suppliers. A list of key national programmes, schemes, grants and incentives which can be used alongside FND was issued to short-listed bidders on 30 September.	General Project

309	If a customer leaves the programme for work and then ceases to work, at which point will then re-enter the programme or will it be a new claim and they start the JSA process from the beginning?	If the customer ceases work within the 26 week linking rule they will return to the FND supplier at the point they left to complete the balance of their time on FND. The customer will need to make a new claim and will be re-referred to their FND supplier. The balance of their 52 weeks on FND will not start again until the supplier informs Jobcentre Plus that the customer has re-started the programme	Policy/Strategy
310	How will a customer be handed over – what will the process be and what information will be provided to support the handover e.g. case file, previous training and development activity etc?	The customer will be handed over with supporting documentation at the end of stage 3 (JSAG, action plan and referral documentation). It may be good local practice (not an expectation) that the hand-over is supported by the provider being available at or after the referral interview to support customers with the transition to FND.	Process Design
311	If we consider the volumes (starts) to be different how should we factor these into the bid and the performance offer?	Please see the letter sent to FND bidders on 23 October	Policy&Strategy
312	PRaP - will there be an ability to export data from the system (e.g. excel file) which we can then import into our systems and vice-versa to save on re-keying/administration costs.	The PRaP Project Team has consistently maintained that Providers would access information on the PRaP system by a secure internet web link utilising the Government Gateway. The web link would be accessible through standard internet browsers of either Internet Explorer or Mozilla Firefox. At recent FND events and workshops the Project has received questions from prospective bidders asking if, as an alternative to accessing information on-line, details could be passed from DWP in a compatible downloadable file that could be readily imported into their existing IT systems. The Project is currently exploring options around exchange of information by compatible files and will issue an update during October. However, bids should continue to be founded on the original position of accessing details via the web	Procurement
313	NO-SHOWS, how have these been factored into the volumes and what process surrounds someone who does not show (attend) and what is the role of the provider in that process?	The volumes are for those reaching the 52 weeks stage. As referrals are made from week 50 there maybe a proportion of no shows who sign off before the 52 week stage. The process and role of providers for customers who do not show (attend) are still being developed, once agreed these will be detailed in the FND Provider Guidance which is scheduled to be available from the beginning of April 09	Policy/Strategy
314	when will volumes be updated and upon what basis will the volumes be updated	Please see the letter sent to FND bidders on 23 October	Policy&Strategy
315	How will DWP consider the working capital impact of other contract's that a bidder (or sub-contractor) may be bidding for (e.g. domestic or overseas)?	See question 302	Financial Evaluation, Provider Capability/Capacity, Risk Assessment, Finance, terms/Condition of Contract

316	What level of detail is required regarding the shareholder profile?	Where the proposed contracting entity for FND is a single company ( with no parent or part of a group) or a joint venture/special purpose vehicle then you should provide the names of the organisations who hold shares in the company, percentage holding by type of share. Where shares are held by individuals then these should be rolled up and labelled "Individual Shareholdings" setting out the percentage holding by type of share.	Financial Evaluation, Provider Capability/Capacity, Risk Assessment, Finance, terms/Condition of Contract
317	What information will bidders be required to retain in view of FND being matched funding from an ESF/DWP perspective (e.g. will we require timesheets for their staff? And how will the ESF match status impact on evidence requirements regarding outcomes)?	Information on the document retention requirements for ESF, which apply equally to providers of match funding provision, are described in Chapter 12a of the Provider Guidance, ESF (new programme) at <a href="http://www.dwp.gov.uk/supplyingdwp/what_we_buy/pg_chapter_12a.pdf">http://www.dwp.gov.uk/supplyingdwp/what_we_buy/pg_chapter_12a.pdf</a> see para 41. Annex 5 of that guidance lists documentation that must be retained. It is not an exhaustive list and may need to be tailored slightly to different match funding provision. We do not require timesheet or salary evidence for providers' staff. As a rule of thumb, in addition to publicity activity, the evidence requirement mainly relates to participants and a full evidence trail is needed from programme entry, through what happens during their time in the provision, to their exit. Evidence requirements for outcomes are as standard for all DWP provision, and must be retained.	Provider Funding/Payment & Assurance Policy
318	Can DWP please provide the highest placement as well as 13 and 26 weeks numbers for the New Deal and Employment Zones in each of the 14 regions.	Placements and 13 week placements information is available from the tabulation tool. We do not track customers for 26 weeks. Bidders should refer to the presentation slides (28/08/2008) which show how we've estimated 26 week placements. <a href="http://www.dwp.gov.uk/supplyingdwp/what_we_buy/fnd_event_slides.pdf">http://www.dwp.gov.uk/supplyingdwp/what_we_buy/fnd_event_slides.pdf</a>	Policy/Strategy
319	With Reference to para 2.21 on page 18 of the specification, is a customer deemed to have started FND when they have attended a face to face meeting? Does this face to face meeting also need to include the completion of an agreed Action Plan with the customer to be deemed as a start on programme?	See Paragraph 4.32 of the specification.	Process Design
320	Re: Instructions to Bidders section 49. In the list of financial documents, please can you clarify exactly what you require for 9. Creditor Arrangements (variations from normal agreements) we are not clear on what this means.	DWP requires details of where you have agreed to delay payment outside your normal trading terms and conditions with a creditor, for example, if your normal contract terms are payment within 30 days of a duly completed and submitted invoice but you have agreed with that supplier a period of extended credit, say 90 days, then the details of these arrangements should be provided.	Financial Evaluation, Provider Capability/Capacity, Risk Assessment, Finance, terms/Condition of Contract
321	Will there be enough child care provision available as from October 2009? If so, how could JSA customers in FND use this childcare provision? What will be the costs involved? What will be the availability, especially when a customer enters a job? Does JCP expect waiting lists?	Suppliers will be responsible for ensuring that any childcare needs are met and will be expected to cover costs. Bidders must include these costs within the financial part of their proposal. Further information is available on pages 26 to 27 of the FND ITT specification.	Policy/Strategy

322	Can a FND prime contractor be sure that in case of evidenced non-cooperation of the customer with the back to work plan, a sanction or an entitlement decision will be made? If so, will this happen within a defined maximum time frame? How would JCP like to see co-operation in this field?	Yes, suppliers can be sure that an appropriate decision will be made. There will be a defined timeframe for decision making. We anticipate close working relationship between provider and JC+. Information on the process for efficient handovers in the DMA Process will be available in the supplier guidance to be issued at the end of March 2009.	Policy&Strategy
323	Can you provide us with what provision will be included for JSA customers at Stage 3.	<p>The emerging position regarding the support contract for JSA customers is as follows; we will provide further information in due course: The JCP Support Contract will amalgamate a range of existing contracted provision funding streams into a single contract. It will be based upon a clear specification of need and should not duplicate existing contracted provision or provision available through LSC (England), DECLLS (Wales) or SEN (Scotland).</p> <p>Provision which cannot be anticipated in design terms, or is infrequently purchased, would NOT be delivered via the Support Contract - for example, the low value procurement process will continue.</p> <p>The Support Contract will consist of a range of modules - some of which may be nationally available - that meet District specific requirements and will provide a mechanism to deliver provision for JSA clients (prior to the Flexible New Deal), for Lone Parents, Partners and Carers and IB/ESA clients in Jobcentre Plus led Pathways areas. For JSA clients, the generic Support Contract modules will be aimed primarily at those participating in Stage 3 (the Supported Jobsearch Stage) of the new JSA regime for customers unemployed for between 6 and 12 months or in the case of fast-tracked customers, 0 to 6 months. The Support Contract modules will be aimed at those requiring only a moderate level of extra help to enter employment (this does not preclude modules being offered to clients with more diverse needs, although support will be complementary to any more specialist provision that is delivered via alternative contracting arrangements). Jobcentre Plus advisers will develop action plans and decide with customers which support contract modules and/or existing local programmes (eg LSC-funded) will meet the customer's needs.</p>	Procurement
324	Could you please provide us with guidance on what monthly flow profile to anticipate within the first six months of contract start as a proportion of the total flow over this period	The profile of monthly starts during the period October 09 to March 10 will depend on the detailed transitional arrangements which has yet to be finalised. We will explore providing this information when preferred bidders have been identified.	Policy&Strategy
325	At the end of July New Deal performance by provider was circulated as a result of a request through Freedom of Information. However, we have noticed that a number of districts are missing from the spreadsheets. For example Northamptonshire and Leicestershire. Is it possible to provide this information for the missing districts?	This table holds all data we have, if there are omissions then it is because we do not collect this data. Data is only collected on the top 45 providers.	Procurement

326	Part 3 Annexe 1 - do we need to include the prime contractors details as part of this summary or just sub-contractors'	From your response to this question we want to understand what elements of delivery you are sub-contracting and to whom and what elements you will deliver as a prime contractor. As for details of your own organisation, these do not need to be repeated here.	Procurement
327	When the Flexible New Deal Guidance will be published	The guidance will be published in April 2009.	WWEG
328	Please can you confirm if the extra copies requirement on CD-Rom is of the ITT only or do you also require all supporting ITT Annexes such as process diagrams, organizational charts/structures etc. Can you also confirm that the organizations viewing the ITT information will also treat this as commercial in confidence and that the information contained on the CD-Rom will not be down loaded, printed or stored.	For each bid the requirements for copies of the tender documents is described in paragraph 49 of the Instructions to Bidders, you are required to submit: One original signed copy of the completed ItT Tender Form plus One original signed copy of the completed ItT pricing proposal documents plus Four paper copies of the ItT Tender Form and two paper copies of the ItT pricing proposal documents plus One electronic copy of the ItT Tender Form and the ItT pricing proposal documents on CD plus certain financial documents described in paragraph 49 (see also paragraph 50 onwards). The appropriate number of copies of supporting documentation will also be required. In addition to the original requirements set out in paragraph 49 Liz Williams wrote to all bidders on 24/9/08 advising that you must also submit extra CD-ROM copies of your ItT Tender Form (not including your ItT Pricing Proposal documents). Please see attached copy. With regard to commercial in confidence please refer to paragraphs 93 to 99 and Annexe 1 of the Instructions to Bidders.	Procurement
329	we were advised that one copy of the financial documents (accounts, cash flow etc) required to supplement the Pricing Proposal could be provided as one central copy on one Submission, with a signposting note held on any further submissions ( to support sustainable procurement). Can you confirm if the same principle will apply to the Parent Company Guarantee?	Please refer to Q328 above. With regard to the financial documents described in paragraph 49 of the Instructions to Bidders (including Parent Company Guarantee) you should provide one electronic copy on CD and two paper copies.	Procurement
330	Are providers required to complete any checks with organisations/employers prior to customers commencing 4 week mandatory work related activity?	The standard terms and conditions relating to health and safety apply to suppliers when customers are undertaking all FND activities, including the 4 week mandatory work-related activity. See para 31 of: <a href="http://www.dwp.gov.uk/supplyingdwp/doing_business_with_dwp/terms_conditions.pdf">http://www.dwp.gov.uk/supplyingdwp/doing_business_with_dwp/terms_conditions.pdf</a> . There are no specific checks required for mandatory work-related activity. To differentiate between 4 weeks of paid work and 4 weeks of work-related activity (e.g. work experience where the customer is not receiving a wage) - If the customer undertakes 4 weeks of paid employment then, as with any job, the employer takes responsibility for health and safety. For any period of work-related activity (e.g. a work trial, work experience or voluntary work) this classifies as 'provision' so the standard rules for duty of care / health and safety responsibilities, etc. apply.	General Project
331	A proportion of single parents will move from Income support to JSA and consequently will move into the FND process. However, that will leave a proportion that are below the age threshold and so not on JSA for the duration of the contract and some who will move from IS to JSA during the contract. What provision will be in place for them? and would this differ region to region?	Lone parents in receipt of Income Support will still have access to New Deal for Lone Parents which is outside of FND.	General Project

332	Please could you clarify the relationship between Flexi New Deal and Work Based Learning in Wales. The guidance seems to indicate that there may be issues surrounding the accessibility of Work Based Learning whilst also stating that an outcome may be claimed.	The Welsh Assembly Government is currently exploring the legal position regarding access to Work-based Learning provision (including Skillbuild) by FND customers. Bidders are therefore advised to plan on the assumption that Work-based Learning is not open to Flexible New Deal customers (stage four of the enhanced JSA regime).	General Project
333	Thank you for the info you circulated on 2 <sup>nd</sup> September listing the names and addresses of all JCP sites. Please can you supply the data on the size of the register for each JCP office?	This is available on <a href="http://www.nomisweb.co.uk">www.nomisweb.co.uk</a> Select advanced query>claimant count>current>claimant count age and duration. There will be a geography parameter which allows you to select JCP offices. For flows use claimant flows age and duration	Policy&Strategy
334	The FND specification states that: DWP will award any contract to one legal entity only and it is critical that you are clear within your Tender document exactly who that legal entity will be, how it will be constituted and what Subcontractors you will be utilising. In the case of Special Purpose Vehicles (SPV), the new legal entity must be in place at the time of entering into a contract. We are unclear as to whether a formal legal contract drawn up between SPV members will suffice as proof of the 'new legal entity' or whether DWP requires all SPVs to be registered with companies house before bids are submitted. Please can DWP detail all of the actions which the SPV must undertake in order that DWP view it as a new legal entity?	In the case of an SPV the organisation must be a legal entity registered at companies house at the point of entering into a contract. Prior to this DWP does not require details of the specific legal position of the SPV.	Procurement
335	The recent Data Handling Procedures in Government report, June 2008 details staff vetting requirements. Could you please clarify what impact this will have on suppliers	See letter issued on 10 October	Procurement
336	We understand that there is an 80 page limit on the tender for Parts 3-13 inclusive of questions. Please confirm that we need to allow 8.5 pages for the Qs and whether 80 pages is a limitation on the actual pages including layout e.g. includes the spacing required to start each Part on a new page OR a limitation on the actual amount of type on the page i.e. equivalent to word count.	The page limit is 80 pages <u>including</u> the questions.	Procurement
337	Can city strategy bids potentially score more than others	No.	Procurement
338	How does city strategies influence the evaluation and scoring of the bid	See Q7 & Q276. City Strategy Partnerships will provide comments on the bid that will be taken into account during the evaluation but will not be involved in the scoring of bids for FND.	Procurement

339	Does District Manager Input effect the scoring of bids?	See Q7 & Q276. District Managers will provide comments on the bid that will be taken into account during the evaluation but will not be involved in the scoring of bids for FND.	Procurement
340	If a client changes jobs within the first 13 weeks with no break in employment can an outcome still be claimed as it meets the continuous employment requirements? If yes to above, does a client finishing one job on a Friday and starting the new job on a Monday still meet the requirements or is the weekend classed as a break in employment?	The definition requires the participant to be in employment of at least 16 hours a week for a 13 week period - it doesn't matter which days they actually work providing they have worked for at least 16 hours in total in each of the 13 weeks.	Provider Funding/Payment & Assurance Policy
341	Can you clarify what, if anything, is needed for the FND bid regarding HMG baseline Personnel Security Standard, please? Do we need to include any verification records with our bid or is this a process we can undertake over the coming weeks and months rather than by 12 November?	Bidders have received guidance on this matter on 03/10/2008. There is no requirement for bidders to submit verification records with their bids. Adherence to the Baseline Standard is a contractual requirement and by signing the contract, the successful bidder confirms acceptance of our terms and conditions. As a condition of contract award the successful contractor(s) will need to ensure that all staff who have access to the Authority's Assets meet the requirements of the Baseline Standard and this process should normally be completed before the services commence. Also see Q335	Procurement
342	Can some pages in the 80 page allocation for Parts 3-13 be in landscape format?	Bidders are required to adhere to the template.	Procurement
343	Can DWP please confirm the date that all existing New Deal contracts will cease, including the last date a customer can be referred to the existing programmes?	In outline, the transition strategy for Phase 1 is to maintain referrals to current programmes to Friday 26th of June 09 and maintain provision to FND go-live in October. The lower level detail of the strategy will be communicated separately to current contract holders and FND bidders shortly.	General Project
344	Can DWP please confirm the date that the Stage 3 fND process commences?	1st customers reaching stage 3 will be in April 2009.	General Project
345	DWP have confirmed that we can attach additional sheets in the same format of Annex 1 Part 3 of the Tender form; can DWP please confirm if the <b>complete</b> Annex should be attached at the end of the final document, in which case the first page of the annex can be removed from the 80 page limit?	Please refer to para's 41 and 43 of the Instructions for Bidders. This Annexe 1 and Annexe 2 up to part 3 are not counted as part of the page limit.	Procurement
346	Annex 2 of Part 3 of the Tender Form provides a template for the letter of intent which is to be attached at the end of the final document; can DWP please confirm if the template itself (page 9) can be removed from the 80 page limit?	Yes.	Procurement

347	In contract areas where there are 2 Prime Contractors, we assume for fairness that the JCP allocation will be on an equitable basis across the entire contract area for the first 12 - 18 months (ie not pro any one customer group). Can DWP please provide further details of how the 50 / 50 split of referrals to contract areas with 2 Prime Contractors will be split; for example, by job centre plus office, region, county etc?	The 50/50 split will be handled by means of a random allocation tool. That will allocate customers 50/50 to each of the providers in a choice area.	Choice & Market Share
348	Will DWP permit scanned images for document storage rather than very expensive hard copy original document archiving and retrieval?	For ESF, the document storage requirement for electronic scanned images is described in Chapter 12a of the Provider Guidance, ESF (new programme) <a href="http://www.dwp.gov.uk/supplyingdwp/what_we_buy/pg_chapter_12a.pdf">http://www.dwp.gov.uk/supplyingdwp/what_we_buy/pg_chapter_12a.pdf</a> . See Annex 7 for detail on requirements for electronic images. Electronic copies of documents are permitted as evidence but must be certified and signed. Signatures must be original.	Procurement/FAM
349	Should JCP withhold JSA for a period of time as a sanction against a customer, would this period be included within the providers 52 week support ?	Work to establish the best approach to clock stops while a customer is subject to a sanction and refusing to engage with an FND supplier will be finalised shortly and communicated to suppliers as soon as possible but it is unlikely that this will be available before 12 November, however it will be included in the supplier guidance. The last paragraph of the answer we provided earlier to question 289 also covered this issue, but following additional work on sanctions during FND we have had to review that answer.	Policy&Strategy
350	Whilst we recognise the responsibilities of TUPE, the information supplied to date makes it virtually impossible to assess the position. Can DWP please supply detailed, but anonymous, information on individuals including post titles, age, salaries, date employment commenced, contracted hours, pension rights and any other T&C that effect employment rights or payments.	Information distributed to shortlisted providers on 9/10/08	Procurement
351	With reference to the TUPE tables supplied: Do " <i>all Suppliers currently delivering in the FND contract package area</i> " in Table A and the numbers of staff indicated in Table B relate SOLELY to the delivery of services comparable to those specified under FND.	Yes, however it must be noted that as stated in the letter accompanying the TUPE information sent to bidders, this is not full and complete TUPE information as not all current suppliers replied.	Procurement
352	With reference to the TUPE tables supplied: Why are several agencies mentioned more than once in each contract area in Table A?	This reflects the current number of different contracts they hold in the area.	Procurement
353	With reference to the TUPE tables supplied: What is the significance of the coloured type in Table A ?	There is no significance, in the original document it is all in black font, this must be a formatting error.	Procurement

354	If it is decided that a customer requires a specific training course to ready them for work as well as/in place of the mandatory course that would result in the customer not being available to work, would the training allowance be paid for more than the 4 weeks ; would any additional weeks also count towards the 52 week support period.	Yes, the training allowance would be paid for more than four weeks for a full time activity that was aimed at preparing the customer for work. See the ITT specification page 22, Paragraph 2.51. Additional weeks also count towards the 52 weeks.	Policy&Strategy
355	Are there any subsidies available to employers when taking a customer from fND. ( as currently in New Deal 18-24)	FND suppliers are free to offer subsidies offered through supporting provision as detailed in the "use of other programmes/schemes/grants/incentives" paper issued on 30 September to bidders. Any other subsidies would be for bidders to propose.	General Project
356	Please can you confirm that we are not required to submit in Welsh our tenders for North and Mid Wales, South East Wales and South Wales Valleys, South West Valleys.	A welsh version is not required.	Procurement
357	We have contacted a number of incumbent providers, in the regions we are bidding, for information about their employees working on current New Deal contracts, to help calculate potential TUPE costs. These providers have agreed to supply us the data, please can the DWP circulate TUPE information from other incumbents?	The full TUPE information that DWP currently hold (from the responses received) was sent out 9th October 2008, with an updated version covering those areas where salary costings had been omitted sent out 22nd October.	Procurement
358	Please could DWP confirm the format required for the Resource Plan referenced in Question 9A. Does this need to include staff salaries?	The format for the Resource Plan is as described in Submission of ItT Tender Forms in the Instructions for Bidders. Please refer to Section 4 of the ITT Pricing Proposal Guidance, staff costs should be shown in Table A.	Procurement
359	Is there a rationale to explain why the average rate per referral in Devon and Cornwall is lower than in all the other contract areas-- In other words, why is it listed at £1,408 and not £1,530?	Indicative budget for non-choice areas is lower than than choice areas	Policy/Strategy
360	Question 164 from the last set of questions stated that "indicative volumes and budgets are provided on the basis that they represent 100% of anticipated starts in non-choice areas and 50% of total starts in choice areas." Can you please confirm that the chart on page 90 of the specification and supporting information includes values and volumes in choice areas that are twice that for each provider and that the numbers listed are not 100% of what each provider will receive. In other words, that the note at the bottom of the page is still correct in that in Kent, Surrey and Sussex the £20.37 million would be shared annually between two suppliers, for example, as would their annual volumes	The table on page 90 of the specification represents the total choices values, and needs dividing by 2 to get the value and volumes per contract. This is undertaken in the pricing schedules automatically by selecting to appropriate contract area. Also reference question 164.	Financial Evaluation, Provider Capability/Capacity, Risk Assessment, Finance, terms/Condition of Contract

361	Would you be able to provide a full list of those organisations (either prime or subcontractors) who are currently delivering New Deal services that will be replaced by flexible New Deal. Could you please identify the legal status of each. ie: private, public etc	Details of Prime Contractors can be found on the DWP website. <a href="https://www.momenta-accreditation.co.uk/jcp/register.php">https://www.momenta-accreditation.co.uk/jcp/register.php</a> . We do centrally hold details of all sub contractors.	Procurement
362	Can bidders provide a process map / organisation chart / implementation plan which are more than a single page of A3 or A4 for each plan?	Please see paragraph 40 of the ItT Instructions to Bidders - process maps, organisation charts and implementation plans can be on A3 or A4 paper and in Arial font size 12 or smaller provided that they are clear and easily readable. Process maps, organisation charts and implementation plans are also not included in the maximum 80 page total for your response.	Procurement
363	In completing the pricing proposal document Part H, we have noted that the cells defining whether or not the pricing offer is "under or over budget" in any one year may turn red (i.e. over budget for that year), whilst the overall contract value total remains green (i.e. under budget). This is most acute in the Year 5 cell which also has to accommodate costs for Years 6 and 7. We assume that, provided that the overall contract price is in budget for the contract as a whole, should costs be "over budget" in any one year (or years) it will have no adverse impact on evaluation. Is this correct?	overall budget compliance will form the basis for consideration – bids which exceed the allowable budget over the life of the contract will be flagged as potentially non-compliant, and the Department reserves the right to reject them (based on overall affordability of Phase 1 provision).	Financial Evaluation, Provider Capability/Capacity, Risk Assessment, Finance, terms/Condition of Contract
364	The average salaries we have calculated from the information on existing providers staffing levels and total salary costs sent out on 19/9/08 falls at a level well below the minimum wage if all these staff worked full time. Is it possible to provide us with the number of Full Time Equivalents to which the salary information relates so we can more accurately assess salary levels and estimate potential TUPE costs	Full TUPE information has since been sent out to all bidders, see above.	Procurement
365	Page 8, paragraph 11.5 of the Terms & Conditions. Can the Authority confirm that commercially available software is EXCLUDED from this obligation?	This refers to third party intellectual property rights contained in materials provided under this contract, and it is not envisaged that the Provider in delivering the services would possess any such rights in commercially available software unless they had adapted it in some way.	Procurement
366	Page 8, paragraph 12.1 of the Terms & Conditions. Can the Authority confirm that the Prime Contractor cannot be held responsible for infringements by the Authority. (including its servants, agents or representatives)	This clause protects the authority so it can recover it's losses in the event that the Prime Contractor infringes a third party's intellectual property rights in the provision of the Provision. In addition to direct infringement by the Prime Contractor the clause also extends to supply of deliverables to the Authority where use by it's servants, agent or representatives infringes a third party's intellectual property rights.	Procurement

367	Page17, paragraph 16.2 of the Terms & Conditions. Can the Authority confirm that the exception should extend from not only a servant or agent of the Authority but to include the Authority or any third party.	The exception does include "the Authority" as it refers to negligent acts of the authorities servants or agents however there would be no need to include third parties in this exception as they are not party to the contract.	Procurement
368	Page18, paragraph 17.1 of the Terms & Conditions. Can the Authority confirm that insurances must be held to cover all categories of claims that are "reasonable to foresee" under the contract.	The contractor should effect and maintain a policy or policies of insurance providing an adequate level of cover in respect of all risks which may be incurred by the contractor, arising out of the contractor's performance of its obligations under the contract. It is implied that such insurable risks would also be foreseeable risks.	Procurement
369	Page 21, paragraph 19.2 of the Terms & Conditions. Can the Authority confirm that unavoidable losses can include any amortised Start Up costs not recovered at the point of termination, and any redundancy costs that are legally payable.	The Department will provide compensation for costs, under 19.6.8 where the Department terminates the contract early under, which have been reasonably, proportionately and actually incurred and which can not be avoided or mitigated through the termination period. This means that the Department may compensate a contractor for amortised costs or redundancy payments except where such are not wholly attributable to the contract and which could have been avoided during or as a result of the notice period.	Procurement
370	Page 24, paragraph 20.2 of the Terms & Conditions. If reasonable assistance is to be provided at no cost, can the Authority agree to a period of time this assistance would be limited to i.e. a maximum of 3 months	What is reasonable is normally defined by a court of law, however for the avoidance of doubt this will be limited to a maximum of 3 months.	Procurement
371	Page 26, paragraph 21.3 of the Terms & Conditions. Can the Authority confirm that where TUPE may currently apply, these same restrictions on staff numbers, remuneration and other T&Cs will apply to existing employers.	The existing contracts are likely all to be based on our standard Ts & Cs which do include the clause, however the conditions to be applied would very much depend on the individual contract.	Procurement
372	Further to the list of TUPE information circulated, please can you provide a list of organisations that have contributed to this list so we can conduct our own research	Table A details all current Suppliers in the area, due to anonymity we cannot release the names of those organisations that responded at this stage.	Procurement
373	TUPE Information - Can I ask why there are no salaries listed on, for example, the Humber posts for the South Yorkshire and Derbyshire patch. I thought the agreement was all providers would supply the same information for fairness and consistency?	Revised tables have been sent to all bidders 22nd October detailing all salary costings.	Procurement

374	As a Prime Contractor - we have obviously worked out what we believe will be the expected flows for year one - obviously this cannot be accurate as the customer group will be different from current flows (with the increase of JSA claimants from the new ESA regime, plus LPs etc. etc). However - we are now getting concerned as we have also had talks with several other primes discussing subcontracting arrangements and each organisation has different figures and most of our subcontractors have also done their own calculations and have different figures again to ours. The JCP information given at the Speed dating event was broken down into ages rather than 12 month claimants so also had a health warning on it. Are you able to give a set of basic current figures that every organisation could work from - this would ensure a level playing field and consistent discussions on subcontracting of customer numbers. i realise these figures could not be guaranteed - but personally I have now seen 7 different calculations of customer numbers per areas of each district.	The table in annex 3 of the ITT specification pack gives the Department's expected flows for the first 5 years. The increase due to ESA and LPs has been factored along with other assumptions. All the assumptions are outlined in the annex.	Policy&Strategy
375	further to question 226 can you confirm if you would expect letters of support to evidence such arrangements, if it is not a subcontractor relationship but call on /call off or strategic partnership.	You are not required to provide letters of support whatever the nature of the subcontractor relationship. However DWP requires that you include a signed statement from each proposed subcontractor (Part 3 Annex 2 of the ITT) and also expects that in addition you have formally agreed letters of intent.	Procurement
376	Is the Gateway services in FND stage 1?	No	General Project
377	You have already confirmed that the Gantt chart which is an appendix to section 12 can be on one page of A3. Can you also confirm if it can be on 2 pages of A3?	Yes, please refer to Q362.	Procurement
378	Do we have to leave in questions relating to Sole delivery (part 3 iii) if it is not relevant	Please see Q238 you may remove the answer tables but you must not remove the question tables from your response or alter the layout of the question tables.	Procurement
379	The ITT document does not allow you to type lengthy responses in to the document, once you reach a full page the text disappears. Can we enter a new box for the question and answer provided it looks identical to the original in terms of size, margins etc in order to make the document flow.	Your response must be written within the same preset margins as the question tables and must not exceed a total of 80 pages in total including the questions. All Tender Forms must be completed in plain English, on A4 paper and in Arial font size 12.	Procurement

380	<p>Question 238 of the Q&amp;A states we can remove the tables from the Tender Form as long as we keep within the set margins. Could you please confirm these settings as the Word document received on a disk from DWP came with the following margin settings: Top: 2cm, Bottom: 2cm, Left: 2cm, Right: 2cm, Gutter: 0cm, Gutter position: left. However we have noticed that the version on the DWP website prints with significantly different margins.</p>	<p>The correct settings are: Margins: 2cm top, 2cm bottom, 2cm left and 2cm right. Gutter: 0cm Gutter position: left Header 1.25 cm from edge Footer 1.25 cm from edge Vertical alignment: top</p>	Procurement
381	<p>With regard to the information sent out on 21/8/08 in respect of EZs and ND can you answer the following questions?</p> <p>1) The figures are for 1 month's performance in March 2007. Could we see similar figures for every month between 2001 and 2008?</p> <p>2) The figures are for 2 Zones and 2 PSLNDs. Could we see figures for every EZ and every PSLND for the period above?</p> <p>3) Westminster PSL seems to have got very few people into work in March. I recollect that Westminster PSL received approximately 100 referrals a month. Would it be possible to provide Programme Start figures for EZs and PSLNDs by month between 2001 and 2008? Assuming 100 starts, 20 people is just 20% of starters off benefits at 26-weeks.</p>	<p>Significant amounts of information on the performance of the New Deals, Employment Zones, the Jobseeker's Allowance Regime and other employment programmes is available from the DWP tabulation tool (<a href="http://www.dwp.gov.uk/asd/tabtool.asp">http://www.dwp.gov.uk/asd/tabtool.asp</a>), current performance data available for Prime Contractor New Deal areas, nomis (<a href="http://www.nomisweb.co.uk">www.nomisweb.co.uk</a>) and UK data archive (<a href="http://www.data-archive.ac.uk/">http://www.data-archive.ac.uk/</a>).</p>	Policy&Strategy
	<p>4) The figures are rounded to the nearest 10. This leads to potentially enormous swings in conversion rates. For example 10 people off benefit from 10 people into work rounded could, in reality, give a conversion rate of anywhere between 43% (6/14) to 100%. Do you have actual rather than rounded figures?</p>	<p>4) The Department has a responsibility under the Data Protection Act to round all statistics, otherwise there is a risk of disclosure when comparing with other figures.</p>	
	<p>5) 'Off benefits' is different to 'in work'. Do you have any figures on the actual number of people in work after 26 weeks?</p>	<p>5) Job outcomes achieved by participants on the New Deals or Employment Zones are tracked for up to 13 weeks. Information on the proportion of 13 week jobs that are sustained to 26 weeks is not routinely collected from providers or Jobcentre Plus.</p>	
382	<p>It is not clear from the tender instructions as to whether we are to start each new question on a new page. Could you please clarify your requirements?</p>	<p>Whether you start a new page is up to you but please bear in mind the 80 page limit.</p>	Procurement

383	In question 291 of the Q&A you state that we only need to include the additional financial documentation once if we are submitting multiple bids and cross refer other tenders. There does not appear to be anywhere on the Pricing Form to do this (nor are they mentioned in part G as the Q&A suggests). Could you please advise as to where we should place the information referring readers to the financial documents.	The additional financial documents (e.g. those referred to at Para 49 of the instructions to bidders and part G of the pricing schedules) should be attached as an annex to the pricing schedules.	Procurement
384	Following the FND launch event on 12th August, Bill Wilson (JCP DM for ELB) offered to supply prime contractors with the names of employers who have signed up to LEPs, could this information be enhanced by providing the local LEP target vs performance for each district as well as the number of vacancies provided, candidates referred and placement filled as a result?	This information is not available	Procurement
385	Please can you indicate when a copy of the revised Terms and Conditions for FND will go out to shortlisted providers (this was mentioned during the finance workshops held in September)?	We are expecting to issue the revised (still draft) terms and conditions w/c 27 Oct. They will only finalise with the contracts.	Procurement
386	Please can you indicate when details of the Transition Plan from EZ / ND contracts to FND will be provided to shortlisted providers as DWP previously indicated this would be available by 1 <sup>st</sup> week of October?	In outline, the transition strategy for Phase 1 is to maintain referrals to current programmes to Friday 26th of June 09 and maintain provision to FND go-live in October. The lower level detail of the strategy will be communicated separately to current contract holders and FND bidders shortly.	General Project
387	Please clarify whether or not the lists referred to in Item 23 of the ITT have to be included in Part 3 Annex 1 or body copy within the 80 page allowance	Please refer to the answer to Q226, this information will not count towards the 80 page limit and can be provided separate to the tender form.	Procurement
388	Do shortlisted bidders need to provide third party letters of support to evidence overdraft / banking facilities with the finance documentation submitted with the tender. The presentation provided during the finance workshops suggested that evidence would be need?	Short listed bidders are required to supply sufficient evidence of their capacity to meet their working capital requirements. The DWP has issued no guidance on which types of evidence would support a bidders bid in relation to working capital, but if the evidence is documented this will add weight to the bidders argument they can manage working capital requirements, failure to provide evidence or convince the evaluation team that the financial risks are managed or mitigated will result in a financial risk being attributed within sector 3. If bidders are including overdraft and banking facilities in their evidence of working capital capacity, financial documentation would offer greater re assurance than undocumented means of working capital capacity and reduce the risks attributed in sector 3.	Financial Evaluation, Provider Capability/Capacity, Risk Assessment, Finance, terms/Condition of Contract

389	Part 11 (A) asks for bidders to list all delivery sites with addresses and details of all facilities. We have a large number of delivery sites and the addresses for each will significantly impact on the page limit. Can we request that the addresses can be submitted as a separate annex or that they be disregarded from the page count?	No, there is a maximum 80 page total for your response to Parts 3 - 13.	Procurement
390	To assist us in preparing our response to the fND Phase One ItT, could you please advise us on the acceptable format for a parent company guarantee confirming that it will provide £Xm of additional funding for fND start up. A "model format" would be extremely helpful.	The Department has issued its preferred form of words. Should bidders deem an alternative approach or form of words as being more appropriate they should submit this as part of the evidence base in support of the working capital requirements and the Department will consider the proposals as part of the sector three risk assessment. If we have issues then we will seek clarification.	Financial Evaluation, Provider Capability/Capacity, Risk Assessment, Finance, terms/Condition of Contract
391	The Instructions to Bidders states that 'DWP does not expect Prime Contractors to provide details of all potential ad-hoc suppliers or to seek our consent when using them. It is advised, however, that a list of such suppliers that you intend to use is included.' Please can you advise whether a list of ad hoc suppliers should be included in Part 3 Annex 1? If not, where else should this information be provided?	Please refer to para 23 of the ItT Instructions to Bidders, DWP does not expect you to provide details of all potential ad hoc suppliers but you are encouraged to provide a list of those that you intend to use and that list can be included within Part 3 Annex 1 where you have the facility to attach a supplementary sheet.	Procurement
392	We appreciate your full and clear answer to question number 238 regarding scanned subcontractor declarations. Nevertheless it is not always possible to have an original signed document in time for the bid submission deadline due to the practicalities of collecting them (unreliability of the post etc). Although we will strive to collect original versions from every partner, in instances where this is not possible, is it ok to submit a version that we have received via email (including electronic signature) or via fax?	No, providers must supply original documents.	Procurement
393	Further to the question 231 from the Q&A log, can you please clarify if there is a formatting error with ITT Page 17 Part 9 HR Requirements section I as there is no space to add narrative response at present?	Yes, a formatting error has occurred, providers should complete this question as per the rest of the tender within the specified margins: 2cm top, 2cm bottom, 2cm left and 2cm right. Gutter: 0cm Gutter position: left Header 1.25 cm from edge Footer 1.25 cm from edge Vertical alignment: top.	Procurement
394	There will be a 6-monthly evaluation. Can this not be done on a monthly basis?	Providers will know how they are performing on a monthly basis but the comparison with their competitors through the Star Rating process will only occur on a 6-monthly basis.	FND Workshop 23/9/08

395	If PRaP isn't ready for October 2009 will Market Share still commence?	Calculating Star Ratings is not totally dependent on PRaP, i.e. star ratings could be calculated without PRaP, but it would make the process more difficult. Contingencies would have to be looked at if PRaP wasn't ready.	FND Workshop 23/9/08
396	Star Ratings said to be 6 monthly so will the first one not be in April 2010 rather than October 2010 as stated in the presentation?	The first Star Rating will be October 2010 as it would not be fair – or accurate – to produce them after just 6 months of the contract as performance in terms of job outcomes (lasted 13 weeks) and sustained job outcomes (lasting 26 weeks within a 30week period) will take time to be evidenced and claimed. Star Ratings will then be produced 6-monthly. The first Market Share evaluation will be after 18 months, i.e. March 2011.	FND Workshop 23/9/08
397	If Market Share exists and a provider is delivering 30% against a competitor's 70% will they get a lower Star Rating than the one with the bigger market share?	Star Ratings are calculated by a relative assessment of performance (70% of the model) and absolute assessment of Quality (30%) and Contract Compliance (10% of the model). The performance is determined by how well a provider delivers the targets set out in their contract compared to how well their competitors have delivered against the targets set out in their contracts. Therefore it is possible for a provider with 30% market share to achieve a higher Star Rating than their competitor holding 70% of the market share.	FND Workshop 23/9/08
398	Could Customer Choice affect Market Share contrary to the Star Rating System?	Yes – but only in extreme circumstances. Customer choice operates independently of market share, but we will use an allocation tool to balance its effects. This means that after 18 months if people choose the poorer performing provider with lower market share, we will allocate people who have not made a choice to the better performing provider, to balance this, and prevent erosion of the better performing provider's higher market share. We will only be able to do this whilst we have enough people who have not made a choice; if there are insufficient 'no choice' people to allocate, market share for the better performing provider may be eroded. This is an extremely unlikely scenario; we will allow the better performing provider to increase their market share by an additional 5% to a maximum of 60% (In the first three years) through customer choice.	FND Workshop 23/9/08
399	Can you give more detail about on question above?	The detail of Customer Choice has not been agreed yet, but we will want to mitigate any effect on Market Share by Customer Choice.	FND Workshop 23/9/08
400	How does a Provider regain Market Share once they have dropped – and would that penalise the higher performing Provider?	Each year (two consecutive Star Rating periods) the Market Share model would be applied. If the 3 steps were satisfied market share would change again. Unless there is a 2 star difference in the Star Ratings we wouldn't progress to step 2. Therefore the provider who had lost market share would need to improve their performance beyond that of their competitor to regain the lost market share.	FND Workshop 23/9/08

401	In Employment Zones the highest Star Rating was 3 – is it possible to get 4. Also is the model based on the Australian model where criteria can alter each year?	Yes, it is possible to achieve 4 Stars. To obtain a 4 Star Rating for an EZ contract performance has to be consistently good against all outcomes, across all customer groups so it is possible but it is correct that the highest rating in the Employment Zones is currently 3. The Star Rating model is not based on the Australian model. Star Ratings reflects performance achieved against contractual targets. The criteria will not change year on year.	FND Workshop 23/9/08
402	FND will have varying delivery models, i.e. sub-contracting ratio. Star Ratings could differ as a result of how the contract is being run.	70% of the Star Rating model reflects the contract performance of the Prime Provider e.g. performance against the outcomes agreed in each contract. The delivery model chosen by the provider will be considered as part of the quality assessment.	FND Workshop 23/9/08
403	What period will be used for measuring the performance used in Star Ratings?	The first Star Rating will be from the start of the contract to the end of the first year, then 6-monthly.	FND Workshop 23/9/08
404	Another measure is said to be self assessment. How will this ensure it is based on an up to date self assessment?	Self assessment of quality, through completion of a Quality Assessment Questionnaire (QAQ) is agreed with the Contract Manager. It is a living document and reviewed whenever a provider performance review (PPR) is undertaken. The regularity of PPRs could be from 2 to 4 times a year based on contract risk. An assessment is scored at that review and this latest score will be used. Also, the assurance function (FAM) is being reviewed for FND go-live to ensure it all fits with Star Ratings.	FND Workshop 23/9/08
405	How does OFSTED fit in with the performance process?	The will be an impact if there is a discrepancy between the results of a provider's self assessment (QAQ) score and the OFSTED inspection score. The Contract Manager and the Provider would have to look at both to see where the discrepancies are and if any review is necessary. The OFSTED score is not used directly because OFSTED inspections are not undertaken across all contracts. Ofsted do not operate in Wales or Scotland.	FND Workshop 23/9/08
406	How will DWP manage the perverse incentives between Market Share and Customer Choice? For example, a customer may choose the worst performing Provider as they do not want to work, or a Provider who has lost Market Share may spend highly on marketing in order to gain through customer choice and, by default, effectively regain their Market Share.	Customer Choice is not yet developed enough to answer but this will be taken in to account when we impact Market Share and Customer Choice. We are commissioning research to look the customer experience and this will help us to identify what is required and what is important to customers when making their choice.	FND Workshop 23/9/08
407	Fluctuations in a Provider's performance can affect Star Ratings if their performance varies throughout the year, which can happen for a variety of reasons. Should cohorts be used in the MI collation?	Considerable analysis has been completed during the development stage of the Star Rating model on the factors affecting performance. There was no significant change in Star Ratings by adopting a cohort approach.	FND Workshop 23/9/08

408	Has any consideration been given to TUPE in moving Market Share between providers?	No information available on this. Our advice is for providers to take legal advice for themselves.	FND Workshop 23/9/08
409	Will PRaP produce any MI reports and will there be supporting guidance?	PRaP will provide MI that will be available to both providers and DWP, we are currently developing MI requirements and supporting guidance.	FND Workshop 23/9/08
410	Are there any plans for MI data to transfer on to the provider's systems?	The intention is that MI will be available to Providers via the interface with PRaP. The exact detail of this is still to be determined and we will update Providers in due course'.	FND Workshop 23/9/08
411	Will the Action Plan be attached to the referral through PRaP?	Yes. The information that each provider will receive is currently being reviewed in light of security climate and in line with current Data Protection Policy.	FND Workshop 23/9/08
412	What customer signing is required at initial job start?	The PRaP system does not require customer or employer signatures. Outcome payments will be validated by an automated 'off benefit' check.	FND Workshop 23/9/08
413	Only means of checking a customer's identity is by their signature. DWP use National Insurance number and date of birth also – but it is accepted that this could also be used by someone imitating the correct customer Will the IT overcome that?	Signatures are not always readily legible, can change over time, can be copied/forged and individuals can always deny a signature is theirs. We will use the traditional unique identifiers of date of birth and National Insurance number, we are currently still working on any other identifiers. Providers will be expected to satisfy themselves of customer's identity.	FND Workshop 23/9/08
414	Data feed – will uploads be available in addition to downloads?	Yes.	FND Workshop 23/9/08
415	Will PRaP support adapted technology?	Yes – it has to satisfy an Equality Impact Assessment.	FND Workshop 23/9/08
416	Targets include 95% of referrals undertaking 4 weeks work and 85% of referrals commencing FND within 15 days of the referral. Will the MI show these targets?	Yes, MI will be available to support these targets.	FND Workshop 23/9/08
417	What is the contingency plan?	Short term contingencies would be similar to existing clerical processes. We are working with FND to define contingency arrangements in detail.	FND Workshop 23/9/08
418	Will PRaP be compatible with Phases 1 & 2 of FND?	PRaP will start with FND Phase 1 (Stage 4). At this stage FND Phase 2 has not been developed, the longer term aim is to include all DWP CEP provision.	FND Workshop 23/9/08
419	What are the training requirements and how long will training take for the system?	We are now at the development stage and will have details of system functionality of PRaP by Christmas 2008. We will then be in a position to share detailed information and include providers in our plans for training and live support.	FND Workshop 23/9/08
420	Will PRaP support the moving Market Share process?	It will only support Market Share by providing the MI.	FND Workshop 23/9/08
421	Will PRaP record attendance for providers?	No –Provider's retain responsibility for collecting attendance information.	FND Workshop 23/9/08

422	Will hard copies of documents have to be retained?	PRaP acts as the interface between DWP and providers does not change the existing processes for managing and retaining documentation.	FND Workshop 23/9/08
423	Is PRaP going to record data for individual Jobcentre Plus districts?	Reporting will be to DWP Work, Welfare and Equality Group, not Jobcentre Plus. Providers will report on their contract area and it is for DWP will work with Jobcentre Plus to allow relevant information to be made available to Jobcentre Plus districts.	FND Workshop 23/9/08
424	Will there be a load-bearing test on the system?	Yes – sufficient headroom is being built into the PRaP system to enable it to handle increased levels of information. Capacity bandwidth testing is a key feature of the pre-go live testing.	FND Workshop 23/9/08
425	If PRaP is a web-based system what will happen in those areas where there is little, or no internet access?	It will be for providers to manage a process of getting information to these areas another way.	FND Workshop 23/9/08
426	Can we guarantee providers that their systems will interface successfully with PRaP?	No guarantee.	FND Workshop 23/9/08
427	If we are including Action Plans in the referral doesn't the system have to be ready for April 2009 for the start of Stage 3?	PRaP go live is September 2009, these details will already be on the Labour Market System (LMS) from where the details will be downloaded when a referral is made via PRaP.	FND Workshop 23/9/08
428	Will there be any process on PRaP for recording 'failure to attend'?	Yes – FTA will be recorded on PRaP, supporting information to enable the decision making and appeals process will need to be sent separately.	FND Workshop 23/9/08
429	How will self and voluntary referrals be made on PRaP?	The first release of PRaP is for FND and caters for mandatory referrals only. Requirements for provider initiated referrals and volunteers will be built into future PRaP releases.	FND Workshop 23/9/08
430	It is said electronic referrals will reduce mistakes, but mistakes could still be made when the data is entered on to PRaP by Jobcentre staff.	Jobcentre staff will enter referral details onto PRaP. The information will be automatically pulled from the customer LMS record by the PRaP system.	FND Workshop 23/9/08
431	Apart from the amendable fields what customer information can be changed by provider on PRaP?	There will be no customer information changes entered on PRaP, these will be reported to Jobcentre Plus in the normal way.	FND Workshop 23/9/08
432	What happens if a customer stops going to one Provider before the end of the 12 months of FND, but then has to be referred again and is given a different Provider?	This won't happen as that would be a re-referral to the original Provider, it wouldn't be a new referral.	FND Workshop 23/9/08
433	There is a desire to align skills and benefits across Great Britain, therefore the ineligibility of FND customers to access Skillbuild needs to be looked at again as up to 40% of 12,000 FND customers in Wales could be divorced from the Skills agenda.	This issue is currently being discussed with the Welsh Assembly.	FND Workshop 23/9/08

434	How will Basic Skills work in Wales?	The Basic Skills agenda in Wales is owned by the Welsh Assembly. Jobcentre Plus run a pilot for JSA customers on behalf of the Welsh Assembly Government. This pilot and the IES pilots being run in England will help inform the direction of Basic Skills delivery in Wales. We are also looking to introduce Basic Skills IES pilots in Wales as part of the FND pilot in Wrexham.	FND Workshop 23/9/08
435	ESF matched funding – where does FND stand in Wales?	FND contract fees relating to FND delivery in Wales can be used as match funding for ESF direct bids in Wales.	FND Workshop 23/9/08
436	What is the role of the Devolved Administrations in the assessment of FND bids?	The approach for Phase 1 is that externally, City Partnerships are the external body who will have access to the bids and will be able to comment upon those areas of the tender that are specifically impacting on the contract area. However, that said, in both Wales and Scotland City partnerships, there is considerable membership from both the Welsh Assembly and the Scottish Government so they will have a voice anyway. For Phase 2 we will be widening the arena for input to the evaluation considerably.	FND Workshop 23/9/08
437	Can you give some examples of what Workforce Plus are doing in Scotland?	Every district varies in what it delivers. Examples will be provided and published with this Q&A log. It has been agreed that a list of local Workforce Plus contacts will be distributed to the preferred bidders to enable them to make direct local contact.	FND Workshop 23/9/08
438	Workforce Plus – is this the same as the Edinburgh City Strategy?	In Glasgow, Edinburgh and Dundee the areas submitted combined City strategy and Workforce Plus plans.	FND Workshop 23/9/08
439	Can you give some examples of Workforce Plus activities in Edinburgh also?	Bidders should contact Work force Plus leads direct for examples.	FND Workshop 23/9/08
440	Customers are required to sign on a fortnightly basis. Are they required to do this at their local Jobcentre or can they do this at the Jobcentre closest to their fND delivery site, if this is different. Furthermore who covers their travel costs?	Customers are required to sign at their local Jobcentre, any costs incurred are born by the customer. It is expected that the provider will provide sufficient geographical coverage to negate the travel for fortnightly attendance being a problem. However Jobcentre plus may, if requested by customer consider the possibility of attendance at another office where appropriate.	JCP Strategy
441	In order to ensure we plan our time and resource appropriately, can the DWP confirm if any further TUPE data or TUPE data updates will be sent and if so provide indicative dates?	No	Procurement

442	Given the committee decision making processes that local authorities have to work within , can the Sub-Contractor Declaration forms be altered to reflect the fact that some local authorities may not be able to sign off agreements within the bid submission timescales?	As long as the local authority can sign the declaration in principle then that would be acceptable	Procurement
443	We note that there are 'empty' clauses within the private limited company option of clause 14, within the terms and conditions. Can you please clarify what these should read?	The "empty" clauses are blank. It is due to a formatting error on the document which has resulted in blank paragraphs.	Procurement
444	Clause 16.6 of the terms and conditions state 'Except as set out in Clauses 16.1 to Clause 16.3 and Clause 40.6 (ESF and other funding) in no event will the liability per single occurrence or series of directly connected occurrences of each Party for its Defaults in any year of this Contract, whether in contract, tort (including breach of statutory duty and negligence) or otherwise the greater of 100% of the amount payable by the Authority in respect of all Provision(s) to be delivered during that year or £ x million.' Can you please advise what level this should read?	£X million refers to the contract price, which will obviously vary with each contract and will be filled in when the contract is awarded.	Procurement
445	We note that training can be included in the 4 weeks mandatory work related activity – is any training excluded from this?	The types of training that can be counted are listed at page 21, paragraph 2.42 of the ITT specification.	General Project
446	It was announced that provider events would be held in October to discuss the impact of the transition from existing programmes to FND. As we do not deliver existing New Deal have these events been held for existing providers and if so as a potential prime contractor can we be informed of the outcomes, as we may need to factor them into our bid	Events have not been held. See Q186.	General Project

447	As the country moves into an economic recession, this will affect the delivery of Flexible New Deal in a number of ways. Firstly the increased number of JSA Claimants, which should have reached 1 million by Christmas and continue to rise throughout 2009. We can factor this into our bids through sensitivity checks to our modelling, and increasing inflow numbers to reflect. Though the second issue is that the increase in JSA claimants is due to a decrease in available jobs in the UK employment market, which should affect delivery in the first 2 years of the contract. It is therefore unlikely that between Oct 2009 and Oct 2011 the job starts needed to achieve the 55% benchmark can be achieved, not due to the performance of the prime contractor but because of basic economic principles. All prime contractors will therefore be playing catch up in years 3 – 7 making it extremely difficult to reach an average 55% over the course of the contract. Would a bid therefore be classed as uncompliant if it took these factors into consideration and built up the delivery so that 55% was achieved in the final 3 years of the contract, though due to the slower performance in the first 2 years, meant it wasn't achieved over the full duration of the contract? Therefore would it not be sensible to set a lower benchmark to be achieved in year 1 and 2 of maybe 40%, with the benchmark of 55% being set for the remainder of the contract. Especially when the performance of the first year of the Pathways contracts is also taken into consideration.	Our performance expectations remain unchanged. Bidders are reminded though that this performance expectation is not a mandatory requirement and therefore bids will not be regarded as non-compliant if they propose an offer below this rate. DWP expects all offers to be realistic, achievable and sustainable and bids will be evaluated in respect of this. Our position regarding the current economic climate was addressed in a letter from Tracey Hughs on 22/10/2008, a bidder event on 05/11/2008 and subsequent clarification note on 06/05/2008.	Procurement
448	It has been mentioned that an uncompliant bid may be submitted if accompanying a compliant bid. Can I therefore ask at what stage in the process would a non compliant bid be assessed and would it be compared against a compliant bid?	DWP will not consider non-compliant tenders, please refer to paras 57 & 58 of the ItT Instructions for Bidders. However, variant bids will be considered where the organisation proposing it has been successful in securing preferred bidder status on the basis of it's compliant bid, please see the answer given to Q301.	Procurement
449	Thank you for the additional information on TUPE, but can I ask how complete or incomplete the data is for each district to assist us with our assumptions.	All of the current main providers supplied TUPE details.	Procurement
450	If a customer completes 8 weeks continuous employment throughout the course of the 12 months, though does not sustain at 13 weeks. Would this count as their 4 week work related activity or would they be required to attend anything else?	If a customer completes more than four continuous weeks of work after commencing participation on FND they no longer need to complete four weeks of mandatory work related activity. See question 118	Policy/Strategy
451	In Part 4 (i) (A) Can the process map of the customer journey be on A3 and on more than one page?	Please refer to the answer provided for Q362.	Procurement

452	Q312 states that they will be issuing an update regarding possible export functionality from PRaP in October. Could you please provide an update on when in October this will be happening or if it will be delayed until November or beyond.	We are exploring a variety of options regarding export functionality with our IT partners EDS. To enable us to fully consider approaches we have written to providers requesting information regarding the compatibility of different file formats. Responses are due back by 7th November and will inform our subsequent decision on export functionality.	Procurement
453	Performance: Please can you define the current levels of performance for each area?	The tab tool can provide this information down to local authority level.	Policy/Strategy
454	In Question 6 you talk about the "national benchmark set out in the Provision Specification and Supporting Information". Could you please confirm what these percentages are	Please refer to Annex 4 para 4.13 of the Provision Specification and Supporting Information. Our national performance expectations for Flexible New Deal are: 55 per cent of those customers starting on Flexible New Deal will achieve a Short Job Outcome; and 50 per cent of those customers starting on Flexible New Deal will achieve a Sustained Job Outcome.	Procurement
455	Can the electronic copy on CD Rom of the implementation Plan (Gantt Chart) be in pdf. Format?	Yes.	Procurement
456	Can diagrams contained within the ITT question response be in a font less than 12 provided they are readable?	Please refer to the answer provided for Q362.	Procurement
457	Can you clarify what Work-based Learning in Wales is and what it includes?	Work-based Learning is an umbrella for a number of different programmes of learning operating in Wales. These programmes are: Skill Build, Pre-Apprenticeship Learning, Foundation Modern Apprenticeships, Modern Apprenticeships and Modern Skills Diploma.	General Project
458	In Tracy Hughes letter to shortlisted FND bidders dated the 22nd October Tracy says: "We expect that your proposals will already be capable of sustaining flexibility of around 40% of the ITT volumes, since that degree of change can arise from performance related volume changes." What does this mean exactly and where does this expectation appear in the ITT.	Issues regarding flexibility and volumes will have been discussed at the Clarification Meeting on 5/11/08.	Procurement
459	Page 31, paragraph 28 of the Terms & Conditions states "The Prime Contractor shall (at no additional cost to the Authority) .....remain compliant with all applicable changes in Law. " Can the Authority please confirm that "all applicable changes in Law " refers to those changes that are known, or that could reasonably be predicted, at the bid submission stage.	This clause requires the Prime Contractor to remain compliant with all applicable changes in law during their delivery of the Provision.	Procurement

460	Page 17, paragraph 16.6 of the Terms & Conditions states " .....100% of the amount payable by the Authority in respect of all Provisions to be delivered during that year or £ x million." Can the Authority please confirm what amount £x million is?	See Q444.	Procurement
461	PRaP transfer of data, some basic background information would help such as what the delivery method will be ie via a remote desktop connection or via Internet Explorer, we need to know what information needs to be exchanged and in what direction and how ie is this data going over the internet? What system is this information going to be going in and out of?	We have set out basic requirements for providers in the ITT, that state that providers should have Internet Explorer or Mozilla Firefox as the internet browser and are now developing the interface arrangements more fully. It is expected that data will need travel both to the provider and back to DWP through the Government Gateway. The question about the type of files your systems can receive is to assess whether there are any particular files that are universal or any that would cause significant problems or require system development activity by providers.	Procurement
462	Would you please confirm that the further information referred to in the letter of 3 <sup>rd</sup> October re Baseline information has been circulated as promised.	No further information is available at this time.	Procurement
463	Is there any indication when further TUPE information will be available for Birmingham & Solihull and the Black Country districts?	No further TUPE information is available at this time.	Procurement