

DEPARTMENT FOR WORK AND PENSIONS

WELFARE TO WORK PROVISION

PRE-QUALIFICATION INSTRUCTIONS FOR BIDDERS

**The Merged Programme Based on progress2work and
progress2workLinkUP and 2010 Problem Drug Users
Employment Support Pilots**



European Union
European Social Fund
Investing in jobs and skills

DWP Department for
Work and Pensions

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Before completing the Pre-Qualification Questionnaire (PQQ) you are advised to read carefully, along with this document, the:

- **The Provision Specification and Supporting Information for this specific procurement and these instructions;**
- **Pre-Qualification Questionnaire District Information;**
- **Provider Guidance pages on the Welfare to Work Services section of the Supplying DWP website;**
- **Draft DWP Terms & Conditions applicable to this contract, which are available as part of the PQQ document suite. These may be subject to change before contract award.**

Links to the above information can be found on the Pre-Qualification Questionnaire covering letter for this competition.

1. Introduction

These instructions, together with the supporting information and all other information to which they refer, are designed to ensure that all interested and eligible organisations are given the opportunity to compete on a fair and equal basis for these contracts. It is important that bidders provide all the information asked for in the format and the order specified

This PQQ sets out the information which is required by DWP to assess the suitability of Bidders in terms of their technical knowledge and experience, capability/capacity, organisational and financial standing to meet the requirement.

If bidders wish to be considered for tendering for this procurement they must complete and return the attached Pre-Qualification Questionnaire (PQQ) in accordance with these instructions.

2. Contracting with DWP

DWP is committed to public sector best practice. Competitive processes are governed by EU law and UK legislation and conducted in accordance with OGC standards. DWP has a duty to safeguard the resources for which it is responsible and its officials must act with impartiality, honesty and integrity at all times to make sure public money is used for the intended purpose. The same high standards of propriety are expected from all bidders, sub-contractors and partners working with, or on behalf of, the Department. Bidders must be aware of the following.

Fraud Prevention

Effective anti-fraud and control measures are a key element of good administration to protect public funding, both bidders and sub-contractors are expected to have in place systems and processes that seek to prevent fraud and ensure that it will be detected promptly if it does occur.

HMG Personnel Security Requirements

The HMG Baseline Personnel Security Standard is a staff vetting procedure, introduced by the Cabinet Office in July 2006 to help protect Government assets. It requires that a number of checks are made on persons who are to be given access to Government assets (premises, systems, information or data). DWP has successfully implemented the procedure in respect of the recruitment of Civil Servants and it must also be applied to all DWP commercial arrangements, where bidders (and any of their sub-contractors') staff require access to Departmental Assets in the course of their duties. Full details of the contractual obligations required to comply with the above procedures can be found in the Guidance document "HMG Baseline Personnel Security Standard - A Guide for DWP Contractors". A PDF version can be viewed at:

<http://www.dwp.gov.uk/docs/aguidefordwpcontractors.pdf>

Data Security Requirements

Following publication of the Data Handling Procedures in Government Report June 2008, Cabinet Office has introduced mandatory requirements relating to data handling, security and information assurance in government contracts. Information must be protected, together with systems, equipment and processes which support its use. This information may include data, text, drawings, diagrams, images or sounds in electronic, magnetic, optical or tangible media, together with any Personal Data for which DWP is the Data Controller. Our Contractors must provide an appropriate level of security. Bidders will be required to submit a draft Security Plan with their Tender if successful at PQQ stage, which details all activities required to safeguard DWP information in compliance with the DWP Security Policy. See DWP standard Terms & Conditions, 'Schedule 11 – Security Requirements & Plan'.

Sustainable Development

DWP supports the main goal set out in the UK Strategy for Sustainable Development (Securing the Future, 2005) which is to 'enable all people to satisfy their basic needs and enjoy a better quality of life without compromising the quality of life of future generations'. This includes four main aims - social progress recognising the needs of everyone; effective protection of the environment; prudent use of natural resources; and maintenance of high and stable levels of economic growth.

DWP bidders are required to ensure that they and their sub-contractors use all reasonable endeavours to comply with the principles set out in the UK Strategy and the SOGE targets. An overview can be found in the DWP Sustainable Procurement Awareness Sheet for Contractors.

<http://www.dwp.gov.uk/supplying-dwp/doing-business-with-dwp/sustainable-procurement/>

DWP bidders are required to provide a policy statement within six months of the contract start date to demonstrate how they will satisfy and adhere to the principles of sustainable development, together with an action plan to explain how they will deliver environmental and community benefits.

Equality and Diversity

Equality and diversity is a prominent theme running through DWP Departmental Strategic Objectives – the objectives that underpin all of our activities and define the nature of the Department. DWP also has a ‘duty to promote’ on equality and the department needs to ensure that it actively promotes equality of opportunity for and good relations between, all persons irrespective of their race, gender, gender reassignment, disability, age, sexual orientation or religion/faith/belief.

As a result of the above, DWP (and wider Government) need to consider equality when conducting their commercial activities – there is a real opportunity to make a difference by addressing equality issues professionally in the procurement process.

As a minimum, all successful contractors must ensure compliance with equality legislation and satisfy the requirements set out in the DWP Equality and Diversity Requirements contract schedule (requirements to be delivered within six months of the contract start date). Contractors delivering services to customers or staff on behalf of DWP can expect some additional requirements and will find that equality and diversity elements and performance are prominent features in the service specification that they are contracted to deliver and the Key Performance Indicators (KPIs) that they are measured against.

Advertising Job Vacancies

One of the Department’s key objectives is to move people from welfare into work. Jobcentre Plus – an Agency of DWP – has a Great Britain-wide network of public offices that provide job broking services for unemployed people. Contractors will be required to notify Jobcentre Plus of UK job vacancies that may arise from the delivery of their contract to DWP. Contractors may in addition use other recruitment methods.

3. Procurement Process

DWP is conducting this procurement for the Merged Programme and Pilots using a two-stage approach. This first stage is to stimulate interest in the market through advertising the requirement and outline specification, and for interested bidders to obtain and complete the PQQ document.

The purpose of this PQQ is to provide a structured mechanism through which DWP can assemble sufficient comparative data and information about those bidders who have expressed an interest in delivering the Contract. The PQQ also provides DWP with sufficient detail to undertake a clear and objective evaluation of all potential bidders and to produce a shortlist of bidders who will be invited to submit formal tenders.

One of DWP’s major objectives at this PQQ stage is to ensure that all short listed bidders are likely to have sufficient financial resources, stability and expertise to manage contracts awarded. Questions in the Provider Financial Capacity and Capability Risk Assessment form are designed to enable us to make the necessary financial capability assessments. This is covered in more detail in Section 11 of this document.

Bidders need to be aware of the cash flow and funding implications of the proposed contractual financial model. (See Annex B and Paragraphs 10 and 11 of the Provision

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Specification and Supporting Information document for further details). Bidders should carefully consider the working capital requirements that this model may represent. At this stage, DWP is seeking information to demonstrate that this requirement is understood and for bidders to indicate in principle what funding vehicle(s) they would propose to utilise to meet the requirement. Bidders should be aware that their financial capability will be further assessed at the ItT stage and evidence of the arrangements for funding working capital will be required in order to provide assurance to DWP of the bidder's financial capacity to meet contractual requirements.

Responses should identify all the contract packages that the bidder is interested in tendering for. Bidders should rank each contract package listed in Part 3 of the PQQ in order of preference with '1' being the highest preference.

All responses will be subjected to published formal assessment criteria and will be evaluated, scored and ranked. For each contract, DWP aims to produce a shortlist of up to 5 organisations. This number may vary according to the standard of bids and size of the contract packages.

At the second stage of the competition, short-listed bidders will be invited to complete an Invitation to Tender (ItT) document. DWP will also hold a reserve list of bidding organisations who may be invited to complete a full tender in the event that short-listed bidders do not wish to proceed to the second stage of the competition for specific contracts.

Bidders will be required at the second stage to state which organisations they will sub-contract with, and to describe in detail how they propose to manage and monitor the performance and quality of those sub-contractors. (If bidders propose to deliver the whole of the contract themselves they must demonstrate how they intend to engage local partners and stakeholders).

Bidders will also be asked to include a signed 'Letter of Intent' from each proposed sub-contractor to the effect that they have agreed details of the services which they would provide and that they are content with the associated funding arrangements. It is DWP's expectation that those organisations included in the tender will commence sub-contracted delivery when contract delivery commences. Any subsequent changes must be agreed with DWP.

DWP will make all payments for provision direct to the bidder. The bidder will be required to pay each of its sub-contractors within 30 days of receipt of a valid invoice, as provided for in DWP standard Conditions of Contract.

The final selected bidders will be required, where appropriate, to ensure that the terms of its contract with DWP are reflected in the terms of its contracts with all its sub-contractors, and that each sub-contractor is bound by the same obligations as will apply to the selected bidder. DWP will not necessarily expect sub-contracts to reflect the payment terms agreed with our top-tier bidder. We expect risk/reward to be fairly assigned across the supply chains in ways that allow small and specialist suppliers to play their part.

4. Contract Strategy

DWP's commissioning strategy is to let fewer and larger contracts with 'top-tier providers' who have the capacity to manage an effective network of private, public and voluntary sector organisations. The selected bidders will be required to work in an equitable and collaborative manner with these organisations to ensure that the specific needs of all customers within the relevant geographical area are fully met.

DWP will enter into contracts with a single legal entity who will deliver the Contract in one of the following ways:

- (i) direct delivery of a proportion of the provision and sub-contracting of the remaining provision to other organisations; or
- (ii) sub-contracting of the entire provision to other organisations **(for this competition this is only an option in Scottish and Welsh contract package areas)**; or
- (iii) direct delivery by one organisation. (Consider size and risk of contract to be awarded - bidders who do not intend to use sub-contractors may need to engage with local partners and stakeholders).

Consortia

Where organisations intend to bid as a 'consortium' they have two options:

- nominate a lead organisation who will act as the prime supplier, with the other organisations as sub-contractors; or
- set up a new legal entity, i.e. a 'Special Purpose Vehicle' or 'Joint Venture' to bid for the contracts.

Where a consortium nominates a lead body to act as a Prime Supplier, the bid should be completed by the Prime Supplier only.

Special Purpose Vehicle

Bidders who chose to form a 'Special Purpose Vehicle' or 'Joint Venture' will need to outline in the PQQ how the new legal entity will operate (see Question 4 in the PQQ).

Only one response is required on behalf of a proposed Special Purpose Vehicle or Joint Venture, but should incorporate information on, and from, other members where requested in the PQQ. Responses must enable DWP to assess the overall service proposed.

Where organisations intend to collaborate to form a legal entity for the purpose of bidding but have been unable to complete the process of formation of such legal entity before the deadline for the PQQ, DWP will consider such a PQQ on its merits. In the event such an organisation is short-listed to the ItT stage they will need to have the new legal entity fully established before submitting a tender.

DWP has no preference for either of these options and will consider all bids on their merits.

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Further details of contract packages can be found in Annex B of the Provision Specification and Supporting Information.

5.The Requirement

Details of the requirements for this competition can be found within the Provision Specification and Supporting Information for this specific procurement and these instructions;

6. Briefing Events

As advertised on the Supplying DWP website, DWP plans to hold a number of briefing events to explain the requirements more fully and to answer questions from potential bidders and other organisations, for instance those who are interested in working as a sub-contractor, about the requirements and the bidding process itself. These events are to be held as follows:

Location	Date
London	Tuesday 20 October
Cardiff	Wednesday 21 October
Glasgow	Thursday 22 October

The PQQ events will be an opportunity to network and DWP will publish a list of attending organisations to facilitate this. Further details of how to book places on the event can be accessed via a link in the advance notice on the 'Notice to Providers' section of the Supplying DWP website.

For the benefit of those organisations that are unable to attend an event, we will be publishing the presentation slides together with full details of any questions raised and the answers that were provided, on the Supplying DWP website.

7. Timetable

Set out below is the proposed procurement timetable. This is intended as a guide and, whilst the Authority does not intend to depart from the timetable, it reserves the right to do so at any time.

Questions and Answers	Open (20/10/2009) Closed (20/11/2009)
Deadline for return of PQQ	Thursday 03/12/2009 (Noon)
Issue ItT and Supporting Documentation to Short-listed Bidders	16/02/2010
Short-listed Bidders Announced	WC 22/02/2010
Deadline for return of ItT	28/04/2010
ItT Evaluation Completed	04/05/2010 – 18/06/2010
Announcement of Preferred Bidders	WC 21/06/2010
Post Tender Discussions	WC 28/06/2010
Contract Award	WC 02/08/2010
Service Commencement	04/10/2010

8. Questions and Answers

This PQQ is being provided on the same basis to all bidders.

DWP will not enter into detailed discussion of requirements with individual bidders at this stage.

If bidders require any further information to enable them to complete a response to the PQQ or if bidders wish to query any aspect of this competition, please contact:
leedswhitehallii.p2wq-a@dpw.gsi.gov.uk

If DWP considers any question or request for clarification to be of material significance, both the question and the response will be made anonymous and published in the form of a Question and Answer brief on the Supplying DWP website for the information of all interested organisations.

If a question is deemed by a bidder to be commercially confidential, then the bidder should indicate that they believe this to be the case. DWP will consider and if in agreement, will exercise due discretion in handling the question and limiting the circulation of the answer(s) to the bidder who has raised the question.

DWP will provide a response to all questions raised before the deadline date of 20 November 2009.

9. Instructions for Completion and submission of Pre-Qualification Questionnaire Documents.

All PQQs must be submitted by one legal entity that is capable of entering into a contractual relationship with the DWP. **This PQQ is made up of a suite of documents and it is strongly recommended that bidders use the checklist at Annex 1 to help ensure that their submission is complete and fully compliant.** The checklist is a summary of the tender submission requirements and does not replace the full requirements detailed in this Instruction for Bidder's document.

In order to prepare a properly detailed response to participate in the competition, bidders are advised to familiarise themselves with the documents listed and ensure that they are adequately informed as to the nature of the requirement.

Bidders must be both explicit and comprehensive in their response as this will be the single source of information on which responses will be scored and ranked. Failure to furnish the required information, provide a satisfactory response to any question or supply documentation referred to in responses may mean that bidders will not be invited to participate further in this competition.

Bidders are advised not to make assumptions about their past or current relationship as a supplier to DWP or that any such issues will automatically be taken into account in the evaluation procedure.

Bidders' responses must be presented in the same sequence and using the same question references detailed in the PQQ documents.

Bidders should note that any information that is submitted in excess of that stipulated in the PQQ documents will not be taken into consideration. This includes any supplementary folders, brochures, papers or other supporting material that is intended to influence or interpret the written response to any given question.

DWP is committed to supporting sustainable procurement and would encourage bidders to submit the PQQ response on recycled paper and double-sided printing, where possible. This is not a requirement and bidders will not be penalised if they are unable to meet this request.

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

All responses must be completed in plain English, in black ink, in Arial Font size 12, on A4 paper, bound by A4 Spine Bars, within the stated page/word limits and-set margins

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of the PQQ Templates provided. Failure to do so may result in your entire PQQ being rejected.

Pre-Qualification Questionnaire (specific instructions)

Please ensure your response includes a fully completed Pre-Qualification Questionnaire. You should include **one** original signed version plus **three** paper copies (identical to the original), which should all be bound by A4 Spine Bars. Bidders should number all pages of the PQQ.

Responses to Part 6, Part 7 and Part 8 of the PQQ are subject to formal evaluation by DWP procurement specialists and your response to these sections (excluding Part 7 Annex 1) should not exceed 12 sides in total including the questions.

Part 4, Organisation Details is not subject to formal evaluation but your response to Part 4.1 should not exceed 250 words including the question.

The organisational chart requested at Part 4.2, Annex 1 of Part 7 (Summary of Performance Under Individual Contracts Held) and the copies of Quality Assurance Standards and inspection report summary pages, requested in Part 8 (Quality) are all in addition to the page and word limits described above. Organisational charts may be submitted on A3 paper if preferred.

The list of the contract packages for which DWP is inviting bids can be found in Part 3 of the PQQ document. Bidders should rank the contract packages they are interested in tendering for in order of preference, with '1' being the highest preference. Those bidders successful at the PQQ stage may be invited to submit full tenders for each contract package area that they were short listed for, based upon their response to the PQQ and DWP's assessment of their financial capability.

Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE) Form (specific instructions)

Please ensure that your response includes a fully completed Transfer of Undertakings (Protection of Employment) regulations 2006 (TUPE) form. You should include **one** original signed version plus **three** copies (identical to the original), which should all be bound by A4 Spine Bars. The completed document should be enveloped separately to the PQQ. Bidders should number all pages of the TUPE form.

The envelope should be clearly marked "**PROTECT CONTRACT – TUPE Form**" and should include the name of the bidding organisation and "Merged Programme Based on progress2work and progress2workLinkUP and 2010 Problem Drug Users Employment Support Pilot". It should be submitted together with the remainder of your PQQ response as instructed.

The information provided within the Provider Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE) form is subject to formal evaluation.

Your response to Part 1.1 of this form should not exceed the 300 words limit including the question.

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This envelope should then be submitted together with the remainder of your PQQ response as instructed.

Provider Financial Capacity and Capability Risk Assessment (specific instructions)

Please ensure that your response includes a fully completed Provider Financial Capacity and Capability Risk Assessment form (including Annex 1). You should include **one** original signed version and **one** copy (identical to the original) which should all be bound by A4 Spine Bars. The completed document should be enveloped separately to the PQQ. Bidders should number all pages of the Finance form.

The envelope should be clearly marked “**PROTECT CONTRACT - Financial Information**” and should include the name of the bidding organisation and “Merged Programme Based on progress2work and progress2workLinkUP and 2010 Problem Drug Users Employment Support Pilots”.

This envelope should then be submitted together with the remainder of your PQQ response as instructed. The information provided within Provider Financial Capacity and Capability Risk Assessment form will be used to perform a financial evaluation of your PQQ

The financial information will be passed to the financial team to open and examine as part of the Provider Financial Capacity and Capability Risk Assessment. It will only be accessed and retained by that team who will hold all such information on a restricted basis. The finance team will be subject to confidentiality agreements which explicitly ensure that they are aware of the nature of the information and the impact and consequences of any disclosure. The finance team will ensure that reports and products are produced in a manner so as not to expose such information to others, unless written agreement of the release (from the individual organisation concerned) is obtained.

Expressions of Interest

DWP requests that if an organisation wishes to submit a PQQ for the Merged Programme and Pilot contracts, they indicate their expression of interest by sending an email confirming their organisation name and stating where they saw the advert for this competition to the following email address

leedswhitehallii.p2weoi@dpw.gsi.gov.uk.

Completed PQQ responses should be sent in a sealed envelope clearly marked **CONFIDENTIAL** and addressed to:

Teresa Roberts

Department for Work and Pensions
Commercial Directorate Sourcing
5th Floor Whitehall II
Whitehall Quay
Leeds
LS1 4HR

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Completed PQQ responses should be received at the above address no later than the closing deadline of **12 noon on Thursday 3 December 2009**

It is the responsibility of bidders to ensure that their completed PQQ response is received by DWP no later than the appointed time. DWP does not undertake to consider bids received after the closing deadline unless clear evidence of posting is available (i.e. a clear post mark and/or a certificate of posting). Those PQQ responses received before the due date and time will be retained unopened until then.

10. Non Compliant Responses

A bidder's entire PQQ response may be rejected if:

- any of the documents in this PQQ pack are altered; or
- full information is not given by the stated deadline; or
- if any of the other instructions within this document have not been followed

11. Evaluation

Responses to Part 6, Part 7 (including Part 7 Annex 1), Part 8 of the PQQ, the Provider Financial Capacity and Capability Risk Assessment form and the Transfer of Undertakings (Protection of Employment) Regulations (TUPE) 2006 form are subject to formal evaluation, and will be used by DWP to form an assessment of a bidder's capacity and capability to deliver this service, in the following key areas.

- previous experience of delivering and managing contracts, particularly those of a similar size and nature to this specification and the capacity and capability to source, engage and manage an effective network of partners i.e. private, public and voluntary sector organisations and subcontractors.
- previous contract performance;
- understanding customer needs;
- working with stakeholders;
- Quality assurance; and
- Financial capacity to act as a supplier of this specified provision.
- Experience of managing major organisational change

Question 5.1 of the PQQ (Fraud Prevention), Question 9.1 of the PQQ (Data Security Requirements) and Questions 1.0, 1.5 and 2 of the Transfer of Undertakings (Protection of Employment) Regulations (TUPE) 2006 form will not be scored, but non-compliance with the requirements of these sections will mean **automatic elimination** from this procurement exercise.

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Quality Assessment

The DWP evaluation team will judge responses to each question within parts 6 - 8 of the PQQ against the areas below and will score them on the following basis:

EXCELLENT Score 5	COMPLETELY MEETS THE PQQ REQUIREMENT The bidder's response is comprehensive and demonstrates that they fully meet the PQQ requirement. They have supplied clear, detailed information and the evidence is unequivocal. The evaluation team is fully satisfied about the bidder's ability to meet the PQQ requirement.
GOOD Score 4	ALMOST MEETS THE PQQ REQUIREMENT BUT NOT COMPLETELY The bidder has demonstrated an ability to meet the PQQ requirement. The evidence is clear and convincing with the evaluation team having a minor reservation with the response regarding the bidder's ability to meet the PQQ requirement.
FAIR Score 3	MOSTLY MEETS THE PQQ REQUIREMENT BUT FAILS IN PARTS The bidder has demonstrated a reasonable ability to meet the PQQ requirement. The evidence is fairly clear and convincing with the evaluation team having two or more minor reservations with the response regarding the bidder's ability to meet the PQQ requirement.
DOUBTFUL Score 2	MOSTLY FAILS TO MEET THE PQQ REQUIREMENT BUT MEETS IN PARTS Although a small part of the response may be fairly clear, the majority of the response is unclear and unconvincing. The overall response <u>casts doubt</u> on the bidder's ability to meet the PQQ requirement.
POOR Score 1	SIGNIFICANTLY FAILS TO MEET THE PQQ REQUIREMENT In virtually all of the response there is a lack of convincing evidence which casts <u>serious doubt</u> about the bidder's ability to meet the PQQ requirement.
RISK Score 0	FAILS TO MEET THE PQQ REQUIREMENT The Bidder has not answered the question or the evidence supplied does not relate to the question. Risks to the bidder's ability to meet the PQQ requirement are evident.

The DWP evaluation team will judge responses to the Transfer of Undertakings (Protection of Employment) Regulations (TUPE) 2006 form against the areas below and will score them on the following basis:

EXCELLENT Score 2	High level of experience of successfully managing staff transfers or major organisational change.
FAIR Score 1	Acceptable level of experience of successfully managing staff transfers or major organisational change.
RISK Score 0	No/very limited experience of managing staff transfers or major organisational change.

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The weightings attached to each part of the PQQ documents are as follows:

Delivery Experience	3
Business Capability - Performance	3
Business Capability – Customer Service	5
Business Capability – Stakeholders	4
Quality	5
TUPE	5

PQQ responses will be retained unopened until the deadline for receipt has passed. All responses will then be opened and formally logged in accordance with DWP procurement procedures. The responses will also be checked to ensure that all information requested has been received in the required format.

Complete PQQs will then undergo an initial appraisal to check compliance with all compulsory requirements, i.e. that they have provided an acceptable response to those questions annotated:

“Non-compliance with this requirement means automatic elimination from this procurement exercise.”

Financial Capability Assessment

DWP needs to satisfy itself that bidders have the capacity to sustain at least one contract package without becoming overstretched financially, or over reliant upon DWP business to remain viable. DWP will assess standard indicators of a bidder’s financial capacity and capability to make the necessary financial capability assessments.

In completing the Provider Financial Capacity and Capability Risk Assessment form, bidders should note the following:

- DWP will not at this stage undertake any detailed audit of the figures provided, however, if these are later shown to be materially inaccurate DWP reserves the right to exclude the bidder from the remainder of the procurement process or render null and void any subsequent contract;
- “current year forecast” applies to the bidder’s current accounting year (please provide details of accounting period); It is expected that Year to Date information will be provided along with forecast information for the year end position;
- if the organisation is in Quarter 4 of trading then the current year forecast should be provided as the “most recent” year; along with a further forecast for the forthcoming year;
- DWP will use the financial information supplied to perform financial risk assessments. There will be no formal benchmarks or hurdle rates that will need to be bettered, instead there will be relative financial risk assessment of bidders at the PQQ stage.

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Following the PQQ assessment, in order to help those bidders successful at the PQQ stage to establish where they will target their resources, DWP will indicate the maximum amount of business likely to be awarded if they are successful at the ItT stage. Bidders will be free to bid for all contract packages or target specific package areas that they have been invited to complete a full tender for.

12. Notification of Results

DWP will invite only the highest scoring applicants (up to 5 in each contract package area) to the second stage of this competition.

DWP intends to inform successful bidders of the outcome of the first stage of the competition during week commencing 15 February 2010. Short-listed bidders will then be required to notify DWP which contract packages they intend to submit full tenders for at the ItT stage. A template will be provided for this purpose.

DWP intends to issue the second stage ItT documents to Short-listed bidders week commencing 15 February 2010 and invited to submit further proposals.

Unsuccessful bidders will also be notified of the outcome of the first stage of the competition and DWP will provide feedback to all bidders. Details of the short-listed bidders will be published on the Supplying DWP website

13. Clarification Process

Bidders are asked to include a single point of contact in their organisation for their response to the PQQ. DWP will not be responsible for contacting the bidder through any route other than the nominated contact. The bidder must therefore undertake to notify any changes relating to the contact promptly.

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

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

14. Inducements and Collusion

Offering an inducement of any kind in relation to this competition will disqualify a bidding organisation from being considered and may constitute a criminal offence. Also, bidders must not try to obtain any information about anyone else's proposals before the completion of this competition, or make any arrangements with anyone else about how or whether they should participate. Subject to any discussions which you may need to have with other organisations with whom you intend to submit a joint bid on a consortium basis, any breach of requirements in this paragraph will result in exclusion from the competition.

Direct or indirect canvassing of any Ministers, public sector employee or agent by any potential bidder concerning this requirement, or any attempt to procure information from any Ministers, public sector employee or agent concerning this PQQ may result in the disqualification of the bidder from consideration for this requirement.

15. Costs and Expenses

Bidders will not be entitled to claim any costs or expenses from DWP that have been incurred in preparing and/or submitting their proposals at either stage of this procurement exercise. This applies whether or not a bidding organisation is successful. It also applies to any additional cost you may incur as part of this procurement exercise if DWP modifies or amends its requirements.

Under no circumstances will DWP be liable for any costs or expenses borne by any potential subcontractors, suppliers or advisers in relation to this tender process

DWP reserve the right to suspend or cancel this procurement without liability, if circumstances should arise that would make this necessary.

16. Status of Responses

DWP does not undertake to accept any proposals detailed in any bidder's PQQ response and reserves the right to accept the whole or any part of any PQQ response, unless a bidder stipulates otherwise.

DWP reserves the right to reject a bid if a bidder proposes to add to or substitute any terms or conditions which are at variance with, or inconsistent with DWP terms and conditions, or are otherwise unacceptable to DWP.

A contract **will not** exist and work may not commence until a formal contract has been agreed, signed and dated by the successful bidder and by DWP.

17. Accreditation

DWP will only award contracts to bidders that have been formally accredited.

Accreditation is carried out by Momenta on behalf of DWP.

Prior accreditation is not a condition of responding to this PQQ or for subsequent bidding on future procurement exercises. However, unless a bidder already holds a current accreditation from Momenta, a bidder must be willing to go through the accreditation process if they are selected as preferred bidders following the second stage of the competition.

Once a bidder has been accredited, the details will be held on a Supplier Register and the bidder will not be required to submit the information again in order to bid for further contracts during the succeeding 12 months. However, bidders will be required to ensure that the information is updated on an annual basis.

PROTECT COMMERCIAL

Accreditation checks will be carried out on the following areas:

- Legal entity;
- Proof of insurance;
- Compliance with statutory requirements (Health and Safety, Equal Opportunities Policies, Sex Discrimination Act, Race Relations Act, Disability Discrimination Act);
- DWP Equality & Diversity requirements

Further details regarding accreditation can be found through the following link;

<http://www.dwp.gov.uk/supplying-dwp/what-we-buy/welfare-to-work-services/provider-accreditation/>

18. Consistency of Information

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

19. Confidentiality/Freedom of Information

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

DWP may decide to include certain information in the publication scheme which we maintain under the Act. If a bidder considers that any of the information included in their bid is commercially sensitive then they must identify it, explain the potential implications which may result from its disclosure and provide an estimate of the time period that is applicable to that sensitivity.

Where a bidder identifies information as commercially sensitive, DWP will endeavour to maintain confidentiality. Bidders should note however, that even where information is identified as commercially sensitive, DWP might be required to disclose such information in accordance with the Act. Accordingly, DWP cannot guarantee that any information marked 'commercially sensitive' will not be disclosed. DWP would contact bidding organisations to discuss any such request that is made prior to public disclosure.

Please also note that the marking of any material a bidder may submit as "confidential" or equivalent, whilst being noted by DWP, may have little weight if the information is requested under the Freedom of Information Act.

DWP acknowledges that some elements of the bidder's response to the PQQ and ItT documents may be covered by the Data Protection Act and therefore these would not be disclosed under the requirements of Freedom of Information.

20. Complaints

DWP has published a commercial complaints process for use during competitive procurement. It comprises of the documents listed below and can be viewed at:

<http://www.dwp.gov.uk/supplying-dwp/purchasing-in-dwp/dwp-commercial-complaints/>

- The DWP Commercial Complaints Process
- Information to accompany a commercial complaint
- DWP Commercial Code of Practice – Competitive Tendering

21. Disclaimer

DWP reserves the right, subject to the appropriate procurement regulations, to change without notice the basis of, or the procedures for, the competitive tendering process or to terminate the process at any time.

Under no circumstances shall DWP incur any liability in respect of this PQQ or any supporting documentation.

As a result of issuing this PQQ, DWP is not committed to:

- any course of action; or
- any invitations to submit a proposal; or
- any negotiating with bidders in respect of the procurement or any other communication between DWP (whether directly or by its agents or representatives) and any other party.

In particular, bidders should note that DWP may choose not to accept any tenders or proposals if DWP so decides. DWP is not bound in any way and reserves the right to accept part or all of any tender submitted.

DWP does not make any representation or warranty as to the accuracy or completeness of the PQQ document pack, or the reasonableness of any assumption on which it is based. DWP accepts no liability to any bidder whatsoever and howsoever arising and whether resulting from the use of the PQQ document pack, or any deficiencies in or omissions from the PQQ document pack.

DWP does not accept any responsibility for any estimates made by any bidder of resources to be employed in meeting DWP's requirements for any work or for any other assumption that bidders may have drawn or will draw from any subsequent clarifications or refinements.

PROTECT COMMERCIAL

DWP reserves the right, at the second stage of this competition, to invite bidders that are successful at the first stage to bid for the provision of services on a different geographical basis.

DWP reserves the right, at the second stage of this competition, not to award all contracts to one bidder.

Bidders should note that participation in the procurement is conditional upon agreement to and full compliance with these conditions, and therefore in signing the response to the PQQ.

22. Transfer of Undertakings (Protection of Employment TUPE)

DWP seeks to ensure that responsibilities under TUPE are apportioned fairly both at the beginning of a contract and when it comes to an end. Contractors are required to preserve the continuity of employment and terms and conditions of employees who are transferred to them as a result of a contract award. They are also required to assist in the transfer of employees to the new contractor when the contract comes to an end. Bidders must be prepared to give assurance of compliance with TUPE Regulations should they apply to this tender exercise.

Annex 1 – Pre-Qualification Questionnaire (PQQ) Pre-Submission Check List

You should submit one PQQ only even if you wish to be considered for multiple package areas	
Does the submission clearly state which contract package areas the bidder wishes to be considered for, ranked in order of preference?	Yes/No
Does the submission include Part 2 “Eligibility to submit a Pre-Qualification Questionnaire” with an original signature?	Yes/No
Has Part 4 of the PQQ (Organisation Information) been completed as instructed?	Yes/No
Has Part 5 of the PQQ (Fraud Prevention) been completed as instructed?	Yes/No
Has Part 6 of the PQQ (Delivery Experience) been completed as instructed?	Yes/No
Has Part 7 of the PQQ (Business Capability) been completed as instructed?	Yes/No
Has Part 7 Annex 1 been completed as instructed?	Yes/No
Has Part 8 of the PQQ (Quality) been completed as instructed?	Yes/No
Has Part 9 of the PQQ (Data Security Requirements) been completed as instructed?	Yes/No
Does the submission include Part 10 “Declaration “with an original signature?	Yes/No
Are the PQQ, TUPE form and Financial Capability and Capacity Risk Assessment form pages numbered?	Yes/No
Is the PQQ submitted in English, Arial font size 12, on A4 paper and within the preset margins of the tender form template?	Yes/No
Does then Pre-Qualification Questionnaire submission include 1 original plus 3 copies (identical to the original)?	Yes/No
Does the submission include 1 original plus 3 copies (identical to the original) of the Transfer of Undertakings (Protection of Employment) regulations 2006 (TUPE) form completed and packaged as instructed with an original signature	Yes/No
Does the submission include 1 original plus 1 copy (identical to the original) of the Financial Capability and Capacity Risk Assessment form, completed and packaged as instructed, with an original signature	Yes/No
Do all parts of the response adhere to the set page/word limit as instructed? See Instructions for Bidders Section 9 Instructions for Completion and submission of Pre-Qualification Questionnaire Documents	Yes/No
Is the full PQQ submission packaged as instructed? See Instructions for Bidders Section 9 Instructions for Completion and submission of Pre-Qualification Questionnaire Documents	Yes/No
Is the tender envelope free of anything that identifies the bidding organisation (i.e. organisation name/printed or franked logo etc)	Yes/No