

# **SPECIALIST DISABILITY EMPLOYMENT PROGRAMME**

## **Pre-Qualification Questionnaire**

### **Instructions to Bidders**

**Before completing the Pre Qualification Questionnaire (PQQ) you are advised to read carefully:**

**The Specification for Specialist Disability Employment programme (SDEP);**

**The SDEP PQQ;**

**The SDEP Supporting Information;**

**Contract Packages - District Information;**

**Provider Guidance pages on the Contracted Employment Services section of the Supplying DWP website;**

**DWP Terms & Conditions applicable to this contract;**

**DWP Commissioning Strategy.**

**All these documents are available on the DWP website, via the links contained within the Competition Notice.**

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# Pre-Qualification Questionnaire Instructions to Bidders

## Introduction

- 1.1 These instructions, together with the supporting information and all other information to which they refer, are designed to ensure that all interested and eligible organisations are given the opportunity to compete on a fair and equal basis for these contracts. It is important that bidders provide all the information asked for in the format and the order specified.
- 1.2 If bidders wish to be considered for tendering for this procurement they must complete and return the attached Pre-Qualification Questionnaire (PQQ) for the Specialist Disability Employment Programme in accordance with these instructions.
- 1.3 Bidders should answer all questions as accurately as possible and within the permitted page allowance. Where a question is not relevant to an organisation, this should be indicated, with an explanation.
- 1.4 Failure to furnish the required information, make a satisfactory response to any question, or supply documentation referred to in responses, within the specified timescale, may mean that bidders will not be invited to participate further in this competition.
- 1.5 Bidders wishing to participate in the competition and submit a completed PQQ response are advised to familiarise themselves with the documents listed on the front of this PQQ, and ensure that they are adequately informed as to the nature of the requirement in order to prepare a properly detailed response.
- 1.6 As the Department for Work and Pensions (DWP) proposes to only contract with single legal entities, comprised of a legally constituted organisation or a legal entity made up of a number of bidders (i.e. a Special Purpose Vehicle), only one PQQ response is required per legal entity. The list of the contract packages for which DWP is inviting bids can be found at 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 will be invited to submit full tenders for each contract package that they were shortlisted for, based upon their response to the PQQ and DWP's assessment of their financial capability. This information is not legally binding and should be provided in good faith, and as accurately as possible, in order to present DWP with a clear view of the contracting landscape.

## The Procurement Process

- 2.1 DWP is conducting this procurement for the Specialist Disability Employment Programme on a restricted basis using a two-stage approach.
- 2.2 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.
- 2.3 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 Specialist Disability Employment Programme service.
- 2.4 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.
- 2.5 All responses will be subject to published formal assessment criteria and will be evaluated, scored and ranked. For each contract package area, DWP aim to produce a shortlist of a minimum of five organisations. This number may vary according to the standard of bids and size of the contract packages.
- 2.6 DWP has also included a number of questions to enable the necessary financial capability assessments to be undertaken. This is covered in more detail in paragraph 7.4.
- 2.7 Bidders successful at the PQQ stage will be invited to submit a second stage tender document. DWP will also hold a reserve list of bidding organisations who may be invited to complete a full tender in the event that those bidders successful at the PQQ stage do not wish to proceed to the second stage of the competition for specific contracts.

## **Specialist Disability Employment Programme Contracting Strategy**

- 3.1 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 suppliers 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 let contracts with a single 'Lead' entity. The 'Lead' entity will be accountable for overall delivery but may choose to sub-contract out all, part or none of the provision.
- 3.2 DWP is looking to contract with a Prime Contractor for each contract package area. The Prime Contractor will be accountable for overall delivery but may choose to sub-contract out all, part or none of the provision. Where a Prime Contractor intends to deliver the entire contract package directly, then DWP will need to be satisfied that they have the capacity, expertise and local links in place to ensure that the contract is delivered.
- 3.3 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 of this size and complexity. DWP has therefore included a number of questions in the PQQ designed to enable us to make the necessary financial capability assessments. This is covered in more detail in paragraph 7.4.

- 3.4 You are advised that the City Strategy Pathfinders have been consulted in relation to the development of the specification. Additionally, they may be involved in the tender evaluation process and performance management. We would like to assure you that DWP takes very seriously its responsibility to ensure competition is maintained, value for money is achieved and all bidders are treated equally and in a non-discriminatory way during the tendering and contract award procedures. DWP will agree with the City Strategy Pathfinders a system of management processes, barriers, disciplines and confidentiality undertakings to ensure there is no conflict of interest in the procurement process and to prevent any disclosure to any City Strategy Pathfinder representative involved in submitting a tender for this procurement, of any confidential information from other bidders. By confirming your intention to respond to this PQQ you acknowledge the involvement of the City Strategy Pathfinders in this procurement exercise.
- 3.5 Bidders need to be aware of the cash flow and funding implications of the proposed contractual financial model which is detailed in the specification. A proportion of income will be deferred and contingent upon delivery of agreed employment outcomes therefore it is critical that bidders should carefully consider the working capital requirements that this model may represent. At this stage, DWP is seeking to obtain general assurance around the financial viability of the organisation and determine a level of turnover growth that DWP would deem prudent based on the organisations financial position. 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.
- 3.6 Following the PQQ assessment, in order to help short-listed bidders 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 are free to bid for all contract packages or target specific areas.
- 3.7 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' to bid for the contracts.
- 3.8 Bidders who choose to form a 'Special Purpose Vehicle' will need to outline in the PQQ how the new legal entity will operate (see Question 4.19 in the PQQ).

- 3.9 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, they must do so by ItT stage
- 3.10 If a bidder is successful at the PQQ stage, they will be required in their second stage bid to state which organisations they will sub-contract with, how they intend to deliver their proposal and to describe in detail how they propose to manage and monitor the performance and quality of their proposal. All bidders will be required to demonstrate how they intend to engage local partners and stakeholders, irrespective of their proposed delivery model.
- 3.11 At the ItT stage, those bidders who were successful at the PQQ stage 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 begin subcontracted delivery when the Specialist Disability Employment Programme contract commences. Prime Contractors must discuss and agree proposals with DWP prior to making any changes to subcontracted delivery.
- 3.12 DWP will make all payments for provision direct to the lead supplier. The supplier will be required to pay each of its sub-contractors within 30 days of receipt of a valid invoice, as provided for in DWP standard Terms & Conditions of Contract.
- 3.13 The selected supplier will be required, where appropriate, to ensure that the terms of its contract with DWP are reflected in the terms of its contracts with all its sub-contractors, and that each sub-contractor is bound by the same obligations as will apply to the selected supplier. DWP will not necessarily expect sub-contracts to reflect the payment terms agreed with our top-tier supplier. We expect risk/reward to be fairly assigned across the supply chains in ways that allow the small and specialist suppliers to play their part.

## Bidder Briefing Events

- 4.1 As advertised on the Supplying DWP website, DWP plans to hold 5 full day supplier briefing events to explain the Specialist Disability Employment Programme 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:

Venue	Date
Edinburgh	Tuesday 31 <sup>st</sup> March 2009 10.00 – 15.30
Leeds	Wednesday 1 <sup>st</sup> April 2009 10.00 – 15.30
Manchester	Friday 3 <sup>rd</sup> April 2009 10.00 – 15.30
Cardiff	Tuesday 7 <sup>th</sup> April 2009 10.00 – 15.30
London	Wednesday 8 <sup>th</sup> April 2009 10.00 – 15.30

- 4.2 The PQQ events will be an opportunity to network and DWP will publish a list of attending organisations to facilitate this along with a networking database for prospective Prime Contractors and sub-contractors. This will enable contact to be made between parties. Further details of how to book places on the event can be accessed from the Invitation to Submit a Pre-Qualification Questionnaire on the 'Specialist Disability Employment Programme' section of the Supplying DWP website.

## Submission of Pre-Qualification Questionnaires

- 5.1 All PQQs must be submitted by one legal entity that is capable of entering into a contractual relationship with the DWP.

DWP is requesting that if an organisation wishes to submit a PQQ for the Specialist Disability Employment Programme contracts, they need to indicate their expression of interest by sending an e-mail confirming their organisation's name, address and contact details, stating where they saw the advert for the Specialist Disability Employment Programme competition to the following e-mail address:

**[SPECIALISTDISABILITYPROVISION.BIRMINGHAMPST@DWP.GSI.GOV.UK](mailto:SPECIALISTDISABILITYPROVISION.BIRMINGHAMPST@DWP.GSI.GOV.UK)**

- 5.2 All responses **must** be completed in plain English on A4 paper bound as instructed, in Arial font size 12 and using the PQQ template provided. Only responses to Parts 7 - 10 are subject to formal evaluation. Your response to Parts 7 - 9 should not exceed a maximum of 12 pages, including the questions. Part 10 will be separately evaluated as described below.
- 5.3 Bidders should note that any information that is submitted in excess of that stipulated in the PQQ document will not be taken into consideration. This information relates to any supplementary folders, brochures, papers or other supporting material that is intended to influence or interpret the written response to any given question.
- 5.4 DWP is committed to supporting Sustainable Procurement and would encourage bidders to submit the PQQ response on recycled paper, using black ink and double sided printing, where possible. This is not a requirement and bidders will not be penalised if they are unable to meet this request.
- 5.5 All questions in all parts of the PQQ must be answered in full. Bidders failing to provide all the information requested may be eliminated and not short listed for the next stage of this procurement.
- 5.6 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.
- 5.7 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.
- 5.8 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.
- 5.9 Bidders' responses to Parts 1-11 excluding Part 10 should contain the original, completed and signed PQQ which is simply bound (not ring-binders or spiral bound). The response should also include two paper copies (identical to the original), both unbound. Bidders should number all pages of the PQQ. Bidders should also provide one electronic version of the response on **CD-ROM** clearly marked with the name of the bidding organisation and **"SDEP"**. **Submission of any other type of electronic copy will not be accepted. The PQQ may be deemed as non-compliant if any other type of electronic format is provided.**
- 5.10 Bidders' responses should contain the original, completed and signed Part 10 with the Excel worksheet and financial statements included. An electronic copy of the response to Part 10 including the Excel worksheet and financial statements are required on a separate **CD-ROM**. The response to Part 10

and **CD-ROM** should be placed in a separate sealed envelope clearly marked 'Financial Information'. The envelope should be submitted with the remainder of your PQQ response as per para 5.9.

- 5.11 Completed PQQ responses should be sent in a sealed envelope clearly marked '**CONFIDENTIAL – SDEP**' and addressed to:

**Val Kearney**  
**Birmingham Provision Sourcing Team**  
Commercial Employment Provision  
Commercial Directorate  
Department for Work & Pensions  
2<sup>nd</sup> Floor, 2 Duchess Place  
Hagley Road  
Birmingham B16 8NS

The full response should comprise: one sealed envelope containing three responses to Parts 1 - 11 excluding Part 10 with electronic version on **CD-ROM**. A separate sealed envelope should be enclosed marked 'Financial Information' containing one copy of the original signed response to Part 10 with attachments and **CD-ROM**.

- 5.12 Completed PQQ responses should be received at the above address no later than the closing deadline of **12.00 noon on Monday 18th May 2009**.
- 5.13 It is the responsibility of bidders to ensure that their completed PQQ response is delivered no later than the appointed time. DWP does not undertake to consider bids received after the closing deadline unless clear evidence of posting is available (i.e. a clear post mark and/or a certificate of posting). Those PQQ responses received before the due date and time will be securely retained and unopened until then.

## **Non Compliant Responses**

- 6.1 A bidder's entire PQQ response may be rejected if:
- Any part of the PQQ is not submitted in Arial font size 12;
  - The PQQ submitted is in excess of the number of pages stipulated in the PQQ document (12) or not submitted within the PQQ template provided.
- 6.2 A bidder's entire response may be rejected if any of the other instructions within this document have not been followed.

## **Evaluation**

- 7.1 Responses to Parts 7 - 9 of this PQQ will be subject to a formal evaluation, which will be used by the DWP to form an assessment of a bidder's capacity and capability to deliver this service, in the following key areas:

- Delivery Experience;
- Business Capability;
- Quality;

## Parts 7 - 9 Quality Assessment

7.2 The DWP evaluation team will judge responses to each question within Parts 7 - 9 of the PQQ and will score them on the following basis:

<p><b>EXCELLENT</b> <b>Score 5</b></p>	<p><b>COMPLETELY MEETS THE PQQ REQUIREMENT</b> The bidder's proposal 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 detailed criteria.</p>
<p><b>GOOD</b> <b>Score 4</b></p>	<p><b>ALMOST MEETS THE PQQ REQUIREMENT BUT NOT COMPLETELY</b> The bidder has demonstrated an ability to meet the PQQ requirement. The evidence is clear and convincing with minor reservation(s) in one key area.</p>
<p><b>FAIR</b> <b>Score 3</b></p>	<p><b>MOSTLY MEETS THE PQQ REQUIREMENT BUT FAILS IN PARTS</b> The bidder has demonstrated a reasonable ability to meet the PQQ requirement. The evidence is fairly clear and convincing with minor reservations in two or more key areas.</p>
<p><b>DOUBTFUL</b> <b>Score 2</b></p>	<p><b>MOSTLY FAILS TO MEET THE PQQ REQUIREMENT BUT MEETS IN PARTS</b> In the majority of the key areas the evidence is unclear and unconvincing but in others the evidence is clear and convincing. The overall response casts doubt on the bidder's ability to meet the PQQ requirement.</p>
<p><b>POOR</b> <b>Score 1</b></p>	<p><b>SIGNIFICANTLY FAILS TO MEET THE PQQ REQUIREMENT</b> In virtually all key areas there is a lack of convincing evidence which casts serious doubt about the bidder's ability to meet the PQQ requirement.</p>

7.3 The weightings attached to each key area of the PQQ are as follows:

Delivery Experience	4
Business Capability: Performance	3
Business Capability: Customer Service	3
Business Capability: Stakeholders	2
Quality Assurance	2

## Part 10 Financial Information/Assessment

7.4 The indicative value of each contract package for the Specialist Disability Employment Programme is contained within Annex 1 of the Specialist Disability Employment Programme Specification. The Department needs to satisfy itself that bidders have the capacity to sustain at least one such package without becoming overstretched financially, or over reliant upon DWP business to remain viable. DWP will therefore look to obtain general assurance around the financial viability of the organisation and determine a level of turnover growth that DWP would deem prudent based on the organisation's financial position.

In completing Part 10 of the PQQ, 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.

- 7.5 Results of the relative financial capability assessment will be considered in conjunction with the qualitative assessment as part of the overall evaluation.
- 7.6 DWP will invite only the highest scoring applicants (up to number stated in paragraph 2.5) to the second stage of this competition.
- 7.7 DWP will inform successful bidders of the outcome of the first stage of the competition initially by telephone and confirm by email during week commencing **13<sup>th</sup> July 2009**. This notification will also inform bidders which contract package areas DWP are inviting each successful bidder to tender for and also inform successful bidders of the maximum amount of business likely to be awarded if they are successful at the second stage of the competition. During week commencing 13<sup>th</sup> July 2009, bidders should ensure that the main contact person indicated at Part 1 of the Pre-Qualification Questionnaire has access to the contact email address you have supplied.
- 7.8 Short-listed bidders will be issued with the second stage ItT document and invited to submit further proposals during week commencing 27<sup>th</sup> July 2009.
- 7.9 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 week commencing 13<sup>th</sup> July 2009.

## **Clarification Process**

- 8.1 DWP may wish to clarify or discuss aspects of the response to the PQQ. In those instances DWP will send any questions by e-mail or fax to the named contact person, who should e-mail or fax back a written or typed response by the deadline that will be given.

## **Inducements/Collusion**

- 9.1 Offering an inducement of any kind in relation to this competition will disqualify a bidding organisation from being considered and may constitute a criminal offence.
- 9.2 Bidders must not attempt to obtain any knowledge or information about another Bidder's proposal before the completion of this competition, or make any arrangements with any other organisations as to how or whether they should participate.
- 9.3 Subject to the necessary requirement to hold discussions with any other organisation with whom a bidder intends to submit a joint bid on a consortium basis, please note the following requirements to avoid collusion;
- bidders must not collude or seek to make arrangements with any other organisation about how, or whether, they should participate in this procurement in their own right or in collaboration with others; and

- bidders must not try to obtain any knowledge or information about another bidder's PQQ response.

9.4 Any breach of these requirements will invalidate the PQQ response.

## **Costs and Expenses**

- 10.1 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.
- 10.2 If DWP modifies or amends the requirements, bidders will not be entitled to claim any costs or expenses from DWP for any additional cost incurred in this competition.
- 10.3 DWP reserve the right to suspend or cancel this procurement without liability, if circumstances should arise that would make this necessary.

## **Status of Responses**

- 11.1 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.
- 11.2 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.
- 11.3 A contract **will not** exist and work may not commence until a formal contract for the Specialist Disability Employment Programme has been agreed, signed and dated by the successful bidder and by DWP.

## **Accreditation**

- 12.1 DWP will only award contracts to suppliers that have been formally accredited.
- 12.2 Accreditation is carried out by Momenta on behalf of DWP.
- 12.3 Prior accreditation is not a condition of responding to this PQQ or for subsequent bidding for contracts. 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.
- 12.4 Once a supplier has been accredited, the details will be held on a Supplier Register and the supplier will not be required to submit the information again

in order to bid for further contracts during the succeeding 12 months. However, suppliers will be required to ensure that the information is updated on an annual basis.

12.5 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);
- Equality & Diversity requirements as detailed in Schedule 8 of the attached Terms & Conditions.

12.6 Further details regarding accreditation can be found through the following link [http://www.dwp.gov.uk/supplyingdwp/what\\_we\\_buy/accreditation.asp](http://www.dwp.gov.uk/supplyingdwp/what_we_buy/accreditation.asp)

## **Consistency of Information**

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

## **Confidentiality**

14.1 DWP is committed to open government and to meeting its responsibilities under the Freedom of Information Act 2000. All information supplied by bidders as part of this competition will be treated as commercial in confidence until the bid assessment process has been completed and a contract awarded. Subsequently however, 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.

14.2 DWP may also 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 tender is commercially sensitive, then they must identify it and explain (in broad terms) what harm may result from its disclosure if a request is received, and the time period that is applicable to that sensitivity.

- 14.3 Bidders should be aware that, even where they have indicated that information is commercially sensitive or confidential, DWP may be required to disclose it under the Act if a request is received. However, DWP would contact bidding organisations to discuss any such request that is made, prior to public disclosure.
- 14.4 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.
- 14.5 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.

## Timetable

### 15.1

Final date for PQQ Questions	Tuesday 5 <sup>th</sup> May 2009
Deadline for PQQ responses	12.00 Noon, Monday 18 <sup>th</sup> May 2009
Short-listed Bidders Announced	w/c 13 <sup>th</sup> July 2009
Issue ItT and Supporting Documentation	w/c 27 <sup>th</sup> July 2009
Deadline for ItT responses	12.00 Noon, Monday 26 <sup>th</sup> October 2009
ItT Evaluation	2 <sup>nd</sup> November 2009 to 29 <sup>th</sup> January 2010
Announcement of Preferred Bidders	w/c 1 <sup>st</sup> February 2010
Post Tender Discussions	w/c 23 <sup>rd</sup> April 2010
Contract Award	w/c 26 <sup>th</sup> April 2010
Implementation and Transition	3 <sup>rd</sup> May 2010 to 23 <sup>rd</sup> October 2010
Service Commencement	26 <sup>th</sup> October 2010

## Questions and Answers

- 16.1 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:

**SPECIALISTDISABILITYPROVISION.BIRMINGHAMPST@DWP.GSI.GOV.  
K**

- 16.2 Bidders should note that DWP responses to all questions from bidders will be made anonymous and published in the form of a Question and Answer brief on the Supplying DWP website. If a question is deemed by a bidder to be commercially confidential, then the bidder should indicate that they believe this to be the case. DWP will exercise due discretion in handling the question and limiting the circulation of the answer(s) to the bidder who has raised the question.
- 16.3 The closing deadline for the submission of questions to which DWP will respond is Tuesday 5<sup>th</sup> May 2009.

## Disclaimer

- 17.1 Statements made by DWP (whether directly or by its agents or representatives) as to the future process and timing of the procurement reflect DWP's current intentions. DWP reserves the right to vary the procurement procedure and/or timetable by notice in writing, including terminating it altogether.
- 17.2 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.

- 17.3 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.

- 17.4 DWP does not accept any responsibility for any estimates made by any bidder of resources to be employed in meeting DWP's requirements for the European Social Fund Phase 2 work or for any other assumption that bidders may have drawn or will draw from any subsequent clarifications or refinements.
- 17.5 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.
- 17.6 DWP reserves the right, at the second stage of this competition, not to award all contracts to one provider.
- 17.7 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.

## **DWP Complaints Process**

- 18.1 DWP has published a Commercial Complaints Process for use during competitive exercises. The following documents can be found at:-

[http://www.dwp.gov.uk/supplyingdwp/purchasing\\_in\\_dwp/complaints.asp](http://www.dwp.gov.uk/supplyingdwp/purchasing_in_dwp/complaints.asp)

- The DWP Commercial Complaints Process
- Information to accompany a commercial complaint
- DWP commercial code of practice

## **Fraud Prevention**

- 19.1 The Department for Work and Pensions 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 purpose it is intended. The same high standards of propriety are expected from all suppliers, sub-contractors and partners working with, or on behalf of the Department.
- 19.2 A fundamental part of prevention and deterrence of contract fraud is ensuring that requirements are built in from the letting stage of the contract. Effective anti-fraud and control measures are a key element of good administration and both suppliers 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.
- 19.3 It will be a condition of the contract that suppliers and sub-contractors have in place both effective fraud prevention and control procedures. At this Pre-Qualification stage, failure to have such procedures in place will not disqualify an organisation from the competition. However, if an organisation cannot demonstrate its own and its sub-contractors' procedures at ItT stage, this will

be classed as a failure during evaluation and that organisation will be removed from the competition.