

Documents in a Single Stage Tender Pack



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Tender Pack Documents

- The tender pack is made up of **7 documents** essential to an organisation's bid.
- **3** documents are for **information** purposes.
- The remaining **4** require some form of **completion** by the bidder and then to be **returned** to the Council by the specified **deadline**.

Please note: this information resource contains general information and examples of documents in a typical Southampton City Council tender pack. Each tender pack should be checked for variations or additions unique to that contract.

Summary of Tender Documents

Solely information documents:

- Agreement
- Instructions to Bidders
- Service Specification

Documents Needing Completion	Type of Completion	Scoring
Method Statement Questions	Written answers	Weighting
Pricing Schedule	Tables containing a breakdown of yearly costs	Weighting
Selection Questionnaire	Tick boxes and short organisation detail answers	Pass/Fail
Statement of Non-Collusion and Non-Canvassing	Sign and date	Pass/Fail

Contents

Please click on the topic to be shown further information about it.

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Agreement



*The Agreement is an important document for to read, but does **not** need to be filled in by the applicant.*

- The **draft Agreement** provided in the tender pack will form the **basis** of the **contractual relationship** between the Council and the provider.
- It contains the terms and conditions of the contract, which are the rules governing the contract and the rights and obligations of both parties to the contract.
 - When the contract is awarded it will also contain various schedules, including the Specification and the contract Price.
- At the beginning, it contains a list of **definitions** of terms specific to that particular contract.
- Should there be any **uncertainty** regarding the contractual responsibilities outlined in the Agreement, bidders are encouraged to seek **legal advice**.
- Although this document contains a lot of legal jargon, it is important that bidders **read** and understand it.

CONTRACT NUMBER.:

AGREEMENT

For:|

(1)

SOUTHAMPTON CITY COUNCIL

- and -

(2)

NAME OF SERVICE PROVIDER

Southampton City Council
Civic Centre
Civic Centre Road
Southampton
SO14 7LY

1.

Contents

1. Interpretation and Definitions
2. Commencement and Duration
3. Obligations of the Party
4. Equal Opportunities and Health and Safety
5. Confidentiality and Obligations under the Freedom of Information Act 2000 and other Legislation
6. Payment
7. Performance of the Services
8. Warranties and Representations
9. Service Provider's Personnel
10. Records, Audit and Inspection
11. Quality Assurance
12. Complaints
13. Monitoring and Review Arrangements
14. Legal Requirements
15. Insurance and Indemnities
16. Default and Termination
17. Dispute Resolution
18. Assignment
19. Entire Agreement
20. Waiver
21. Amendment and Variations
22. Communications and Notices
23. Severability
24. Force Majeure
25. Governing Law and Jurisdiction
26. Publicity
27. Open Book Accountancy
28. Not Used
29. Environmental Policies
30. Fraud Prevention
31. Transfer of Undertakings
32. Human Rights

2.

35. Status of the Service Provider

SCHEDULE 1 Service Specification

SCHEDULE 2 Method Statements

SCHEDULE 3 Pricing Document

Instructions to Bidders

- This document is an **information** guide for bidders.
 - It contains all the information which bidders need to know to submit the tender.
- It serves as an **invitation to tender** (ITT), which is a formal notice that the tender period has begun.
- It contains **contract details** including a contract description, deadlines and details of the tender evaluation.



*The ITT is an important document to read but does **not need to be filled in** by the applicant.*

Contains a contract overview including details of **minimum insurance requirements**, where to **submit bids** and how to raise **contract queries**.

This indicative timetable displays key **dates** and **deadlines** in the tender process. For more information, see the **Commissioning Cycle** information module.

This section details how each tender will be **evaluated**. The tender can be rejected immediately if it does not include responses to both **quality** and **price** matters.

The Council will evaluate bidders' Selection Questionnaires, Method Statement Questions and Pricing Schedule to determine the most suitable candidate. This section of the ITT discusses in detail **scoring criteria** and how these will be evaluated as well as what is required of bidders when completing these.

1.	Summary Instructions and Details of Contract
2.	Timetable
3.	Checklist for Bidders
4.	Procurement Process
5.	Tender Evaluation
6.	Quality Score
7.	Price Score
8.	Overall Score
9.	Transfer of Undertakings (TUPE)

Short **checklist** for bidders highlighting **important tender documents** to submit.

This section outlines **tender submission requirements** (including formatting and where the tender should be submitted) and discusses **how** and **why** the procurement processes exist.

This is a short statement highlighting the **bidder's responsibility** to consider whether **TUPE** would apply should they be awarded the contract. Bidders are encouraged to seek **legal advice** if there is any uncertainty on the matter.

Selection Questionnaire

- This initial set of **project specific questions** is used to evaluate each bidder's technical capability to perform the service.
 - It makes sure that bidders can meet the minimum standards required to deliver the service.
- The questions are set by commissioners and will vary from service to service.
- If a bidder passes this section then they can move onto the tender evaluation.
- It consists of **3 sections**.
- **Part 1** asks for **basic candidate information** including contact details, trade memberships and details of parent companies.
 - This section is for administration purposes, and must be submitted to the Council.



Standard Selection Questionnaire

Part 1: Candidate Information

Please answer the following questions in full. Note that every organisation that is being relied on to meet the selection must complete and submit the Part 1 and Part 2 self-declaration.

Section 1	Candidate information	
Question number	Question	Response
1.1(a)	Full name of the candidate submitting the information	
1.1(b) - (i)	Registered office address (if applicable)	
1.1(b) - (ii)	Registered website address (if applicable)	
1.1(c)	Trading status a) public limited company b) limited company c) limited liability partnership d) other partnership e) sole trader f) third sector g) other (please specify your trading status)	
1.1(d)	Date of registration in country of origin	
1.1(e)	Company registration number (if applicable)	
1.1(f)	Charity registration number (if applicable)	
1.1(g)	Head office DUNS number (if applicable)	
1.1(h)	Registered VAT number	
1.1(i) - (i)	If applicable, is your organisation registered with the appropriate professional or trade register(s) in the member state where it is established?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
1.1(i) - (ii)	If you responded yes to 1.1(i) - (i), please provide the relevant details, including the registration number(s).	

- **Part 2** is a self-declaration regarding whether or not any **exclusion grounds** apply.
- This may include **mandatory exclusion grounds** (e.g. corruption or fraud) or grounds for **discretionary exclusion** (e.g: breach of social obligations).
 - This section is **Pass/Fail**.
 - The bidder may Fail either at this stage of the tender or at tender award if the bidder cannot **verify the self-declaration**.
- If a bidder ticks ‘**Yes**’ for any of these grounds, they will be asked to provide **further details** demonstrating the organisation’s reliability despite the existence of the relevant exclusions.

SOUTHAMPTON
CITY COUNCIL

Standard Selection Questionnaire

Part 2: Exclusion Grounds

Please answer the following questions in full. Note that every organisation that is being relied on to meet the selection must complete and submit the Part 1 and Part 2 self-declaration.

Section 2	Grounds for mandatory exclusion	
Question number	Question	Response
2.1(a)	<p>Regulations 57(1) and (2) The detailed grounds for mandatory exclusion of an organisation are set out on this webpage, which should be referred to before completing these questions.</p> <p>Please indicate if, within the past five years you, your organisation or any other person who has powers of representation, decision or control in the organisation been convicted anywhere in the world of any of the offences within the summary below and listed on the webpage.</p>	
	Participation in a criminal organisation.	Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes please provide details at 2.1(b)
	Corruption.	Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes please provide details at 2.1(b)
	Fraud.	Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes please provide details at 2.1(b)
	Terrorist offences or offences linked to terrorist activities	Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes please provide details at 2.1(b)
	Money laundering or terrorist financing	Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes please provide details at 2.1(b)
	Child labour and other forms of trafficking in human beings	Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes please provide details at 2.1(b)
2.1(b)	<p>If you have answered yes to question 2.1(a), please provide further details.</p> <p>Date of conviction, specify which of the grounds listed the conviction was for, and the reasons for conviction,</p> <p>Identity of who has been convicted</p> <p>If the relevant documentation is available electronically please provide the web address, issuing authority, precise reference of the documents.</p>	

- **Part 3** contains contract specific questions.
- Bidders may be asked about **service specific accreditation**, for example whether they have the financial standing and technical capacity to meet the selection criteria
- Similar to Part 2, this is a **Pass/ Fail** section.
- For most of these questions, the bidder will be asked to **provide assurance that they meet the requirements.**

Project Specific Questions	Criteria
Pass/Fail Question 1. [...]	Pass/Fail
Pass/ Fail Question 2. [...]	Pass/ Fail

Tender Score Evaluation

- The Council evaluates all tenders on the basis of quality and price.
 - Contracts are awarded on the basis of MEAT (Most Economically Advantageous Tender).
 - The quality and price will be evaluated separately and given a specific weighting.
- Overall tender score will be calculated using a combination of the **MSQ score (quality)** and the **Pricing Schedule score (price)**.
 - The winning bidder will not necessarily be the bidder who can provide the service for the cheapest price.
- The **ITT** will detail the weighting of Price and Quality.

Final Score = final weighted quality score + evaluated price score

Method Statement Questions (MSQs)



- These are a selection of **project specific questions** asked, to determine which bidder would provide the best service.
- The number of MSQs will be proportional to the value and complexity of the contract (a higher value/complexity would mean more questions).
- They consist of multiple **long answer** questions.
 - Each has a **word limit** and a **weighting** to indicate the significance of the question.
- When preparing MSQ answers, bidders should check requirements detailed in the **ITT** and **Service Specification**.
- Answers to the MSQs are important both to **win** the contract and also as they set out how the bidder will **deliver** the **service**.
 - Responses must be **realistic** as the Council will expect the service to be delivered as described in the MSQs.
 - MSQ answers will be a cornerstone in the **contract monitoring**.

MSQ Scoring Criteria & Weighting

- Each long answer question will have:
 - A **word limit**
 - A **weighting**
 - Sometimes it also has a **sub-weighting** if there are sub-questions.
- Each answer will be **evaluated** and **commented** upon.
- Project specific weighting and evaluation details can be found in the ITT.
- **Every** question must be **answered**.
 - Any left unanswered will **automatically** receive a **zero** score. This will have a severe impact on the overall score and could immediately eliminate a bidder from the tender.

QUESTION	WORD LIMIT	WEIGHTING
1. [...]	2000	12.5%

Please insert your answer for Question 1 here

Example MSQ Layout

- Each MSQ response will be scored using criteria on a **scale from 0 to 5**.
 - What each number refers to is detailed in the table on the next slide.
- The total score for a particular response = score achieved out of 5/ 5 x the question weighting

For example, if an organisation scored 3 and the question was worth 10% of the overall score:

$$3/5 \times 10 = 6\%$$

So, their answer to this MSQ would contribute 6% to the final score.

- This approach is **applied to all tenders** so that all results are **comparable** on the same percentage basis.
- MSQ responses are used as a **quality evaluation**.



Judgement and Score	Performance
Excellent – 5	A comprehensive response which provides information that is highly relevant and fully compliant, logical and robust (and has addressed all content as requested in the Method Statement Questions). The bidder can deliver all stated requirements with no reservations about the ability to deliver the requirements and the response includes evidence based added value.
Good – 4	A detailed response which provides information that is directly relevant, fully compliant, logical and robust (and has addressed all content as requested in the Method Statement Questions). It indicates that all stated requirements are met .There are no reservations about the ability to deliver the requirements.
Satisfactory – 3	The response is compliant, logical and of a good standard (and has addressed all content as requested in the Method Statement Questions). All stated requirements are met; however there is a lack of clarity on some requirements.
Unsatisfactory – 2	A response which provides information that is generally relevant but is only partially compliant and there are shortfalls in the solution offered. This indicates that not all stated requirements would be met and there would be difficulty in delivering the Contract requirements.
Poor – 1	Below expectations. A response which fails to meet a number of stated requirements and relevance.
Unacceptable - 0	A response which does not provide information which is relevant and/or does not answer the question or no response is provided.

5) Pricing Schedule

- The **Pricing Schedule** provides the information for commissioners to **evaluate** a bidder's **Price**.
 - Commissioners ask for this breakdown to help understand how bidders arrived at the Price but the actual breakdown itself will not be scored.
- Each bidder must provide a **breakdown** of their **service costs** as detailed in the Pricing Schedule **tables**.
 - Bidders should consider whether or not TUPE would apply and seek advice on this if needed.
 - These costs must be broken down into the price per **year**.
 - The price **must exclude VAT**.
- The last Pricing Schedule table will detail the **total costs per annum**.
- Details of how the pricing will be **scored** is laid out in the **ITT**.



Next: another example pricing schedule breakdown of cost table

Example Pricing Schedule guidelines

PRICING SCHEDULE

1. The purpose of the Pricing Schedule is to provide a basis for obtaining competitive Tenders.
2. The Tenderer shall be deemed to be fully conversant with the items contained in the documents.
3. All items in the tables below shall be priced. If you cannot provide any items listed in the tables, please state "NOT AVAILABLE". Any such item left unpriced shall be deemed to be priced at £NIL.
4. The prices inserted in this Pricing Document shall be deemed to have taken into account all the responsibilities and obligations imposed upon the Tenderer by the Contract Documentation.
5. The responsibilities and obligations referred to in paragraph four (4) of this Pricing Document shall be deemed to be the full inclusive value of the services described in the Specification. These shall include general obligations, liabilities and risks incurred in the execution of the services set forth or reasonably implied in the documents on which the tender is based.
6. The Pricing Document must be downloaded, completed and attached within the Technical Questionnaire where required. Failure to provide such information with the Tender may result in the Tender being rejected.
7. **The quoted price(s) shall exclude Value Added Tax.**
8. If TUPE applies to the contract and the Tenderer's submission is successful, the Tenderer shall be liable for complying with its obligations under TUPE. Tenderers should be aware of this when putting together their submissions. The responsibility rests with the Tenderer to obtain any further TUPE information from the current service provider(s) that is needed in addition to that provided by Southampton City Council as part of the Invitation to Tender.
9. Please provide a breakdown of your service costs in Tables 1 to 8 inclusive. Such costs must take into account the salaries of any staff that might transfer under TUPE if you are successful in being awarded the contract and for the avoidance of doubt the Council shall not in such circumstances be liable to you for any failure by you to

Table 1 – Breakdown of corporate, office and overhead costs

BREAKDOWN OF CORPORATE, OFFICE AND OVERHEAD COSTS	£ per annum:
Service office costs (inc website maintenance)	
Office overheads (inc telephony, utilities and IT costs)	
Central management costs	
Other (please specify)	
Venue Hire	
TOTAL	

Table 2 – Breakdown of service costs – Children and Young Adults

BREAKDOWN OF SERVICE COST	£ per annum:
Paid staff WTE and cost	
Volunteer staff numbers and related costs	
All other staff, volunteer or function (e.g. children and young people) related overheads	
Surplus/contribution to overheads (Expressed as a percentage of the total) %	
Other costs	
TOTAL:	£ _____ per annum

Example Pricing Schedule breakdown of cost tables

ACTIVITY	STAFFING RATIO (staff to child)	AGE GROUP	COST PER HOUR PER CHILD TO SCC £	COST PER HOUR PER CHILD CHARGED TO PARENT/CARERS	TOTAL COST PER CHILD PER HOUR (SCC COST + PARENT/CARER COST)	WEIGHTING (%)
Activity Schemes	Basic (1 to 4)	3 – 12 years	£5.64	£1.50	£7.14	25%
Activity Schemes	Medium (1 to 2)	3 – 12 years	£8.61		£10.11	15%
Activity Schemes	High (1 to 1)	3 – 12 years	£13.96		£15.46	10%
Activity Schemes	Basic (1 to 4)	13 – 19 years	£5.64	£1.50	£7.14	25%
Activity Schemes	Medium (1 to 2)	13 – 19 years	£8.61		£10.11	15%
Activity Schemes	High (1 to 1)	13 – 19 years	£13.96		£15.46	10%

Some Pricing Schedules require bidders to break down the Price into Price per service user or per hour of service provision, such as in the cost table above. This breakdown helps commissioners to compare costs from different bidders.

Service Specification

- This document details the **background** to the **contract** as well as the **service** itself.
 - It does **not** need to be filled in and handed into the Council.
- This is a key document as it **defines** the **service** to be delivered.
 - Bidders' answers to the **MSQs** must **reflect** the **Service Specification**.
- The Service Specification is important for both the **bid** and the **lifetime** of the **contract**.
 - It will continue to be referred to as it will be the cornerstone of the **contract monitoring**.

1. Background
 - 1.1. City Context
 - 1.2. Legal Context
 - 1.3. Contract Context
 - 1.4. Overarching programme
 - 1.5. Commissioning for Social Value
 - 1.6. Making Every Contact Count
2. The service
 - 2.1. Principles
 - 2.2. Objectives
 - 2.3. Scope of Service
 - 2.4. Service to be provided
 - 2.5. Service Eligibility Criteria & Referrals
3. Outcomes
4. Location of Service
5. Safety, Safeguarding and Professional Standards
6. Monitoring
7. Management Information and Performance Indicators

Appendix 1

Contractual requirements for independent, voluntary and community sector services

Appendix 2

Safeguarding adults multi agency policy, guidance & toolkit

Appendix 3

Quality Safeguarding Standards for Non NHS Providers: Scoring Guidance

Appendix 4

Quality Safeguarding Standards for Non NHS Providers: Scoring Sheet

SERVICE SPECIFICATION

1. Background
2. Outcomes
3. Scope of the Service
4. Location of Service
5. Service to be Provided
6. Service Eligibility Criteria & Referrals

7. Safety, Safeguarding and Professional Standards
8. Information Governance and GDPR
9. Social Value Act
10. Monitoring
11. Management Information and Performance Indicators

This section generally provides the **specific context** of the contract, which demonstrates the **need** for the service provision. It focuses on the **principles** underpinning the service requirement, service **aims**, anticipated **scope** and **criteria** to be eligible to use the service, as well as an **outline** of the service to be provided.

The service provider's **obligations** and **requirements** when providing the service are highlighted in this section.

These aspects of the specification discuss how the service provision will be **monitored**, for example using Key Performance Indicators (**KPIs**) and **meeting** with a **Council representative**, as well as how **often** this monitoring will take place. The provider will be required to provide **Management Information** and **KPIs** periodically in reports using **tables** provided by the Council.

It details **where** the service should be provided and any **accessibility requirements**, as well as emphasising the provider's **responsibility** to ensure the **safety** of personnel and service users.

It also highlights legislation, such as General Data Protection Regulations, which a bidder must comply with should they win the contract.

Next: Statement of Non-Collusion and Non-Canvassing

Appendix 1

Contractual requirements for independent, voluntary and community sector services

Appendix 2

Safeguarding adults multi agency policy, guidance & toolkit

Appendix 3

Quality Safeguarding Standards for Non NHS Providers: Scoring Guidance

Appendix 4

Quality Safeguarding Standards for Non NHS Providers: Scoring Sheet

The Appendices will contain **contract specific details** and documents useful for **reference** and often containing contract specific **responsibilities**. This example contains **guidance** to ensure the provider meets its responsibilities, in the form of self-evaluative scoring sheets.

Statement of Non-Collusion and Non-Canvassing

Southampton City Council
ITT SCHEDULE 4
CERTIFICATE OF NON-COLLUSION
AND NON-CANVASSING

The "Contract"
To: Southampton City Council, Civic Centre Road, Southampton SO14 7LY
Date: _____
For the Attention of: _____

Statement of non-canvassing

I/we hereby certify that I/we have not canvassed any member, Director, employee, representative or adviser of the Council in connection with the proposed award of the Contract by the Council, and that no person employed by me/us or acting on my/our behalf, or advising me/us, has done any such act.

I/we further hereby undertake that I/we will not canvass any member, Director, employee, representative or adviser of the Council in connection with the award of the Contract and that no person employed by me/us or acting on my/our behalf, or advising me/us, will do any such act.

Statement of non-collusion

The essence of selective tendering for the Contract is that the Council shall receive bona fide competitive Tenders from all Tenderers.

In recognition of this principle, I/we certify that this is a bona fide offer, intended to be competitive and that I/we have not fixed or adjusted the amount of the offer in accordance with any agreement or arrangement with any other person (except any sub-contractor identified in this offer).

I/we also certify that I/we have not done, and undertake that I/we will not do, at any time any of the following acts:

- (a) communicate to a person other than the Council, the amount or approximate amount of my/our proposed offer except where the disclosure in confidence of the approximate value of the Tender was essential to obtain insurance premium quotations required for the preparation of the Tender; or
- (b) enter into any agreement or agreements with any other person that they shall refrain from tendering or as to the amount of any offer submitted by them; or
- (c) offer or agree to pay or give or actually pay or give any sum of money, inducement or valuable consideration, directly or indirectly, to any person for

doing or having done or having caused to be done in relation to any other offer or proposed offer, any act or omission.

I/we agree that the Council may, in its consideration of the offer and in any subsequent actions, rely upon the statements made in this Certificate.

Signed _____
Name: _____
Position _____
For and on behalf of **[Tenderer]**

<Example Statement of Non-Collusion and Non-Canvassing

- This short document must be **signed, dated** and **returned** to the Council.
- It is a declaration that a bidder has **not canvassed nor colluded** in relation to the contract they are bidding for.

Collusion = an agreement between two or more parties, sometimes illegal but always secretive, to limit open competition by deceiving, misleading or defrauding others of their legal rights, typically resulting in an unfair market advantage.

Canvassing = the systematic initiation of direct contact with individuals (for example, Council officers or members), commonly used during political campaigns, for benefit or gain.