

APPENDIX 1 – TENDER EVALUATION MODEL

PART 3: THE PROCESS AND EVALUATION STRATEGY & CRITERIA

1. ISSUE OF NOTICE AND TENDER DOCUMENTS

- 1.1. Following the publication of the OJEU Contract Notice, Bidders will be able to view all of the tender documents by registering on the West Sussex e-Sourcing Portal.

2. CLARIFICATION QUESTIONS

- 2.1. Bidders are now given time to create their response to all elements of the tender. In this period the Council welcomes clarification questions via the e-Sourcing Portal.
- 2.2. All queries relating to content of this ITT should be made via the secure messaging service within the Tender section of the e-Sourcing Portal. All communication with the Council must quote in the message heading the specific section and question number for which Bidders require information or clarification.
- 2.3. Please note it is the Council's policy to publish, in an anonymised format, all queries submitted and the Council's responses to such queries for the benefit of all other Bidders.
- 2.4. Any questions deemed to be commercially confidential should therefore be clearly marked and the Council will decide at its absolute discretion whether the question submitted and the Council's response to the question are commercially confidential or whether they should be made available to all Bidders. If the Bidder disagrees with the Council's decision, it may decide to withdraw the query.
- 2.5. All Bidders that wish to submit a Tender must return their submissions via the e-Sourcing Portal by the tender deadline (as detailed in Part 5 below), after this time the Tenders will be opened, evaluated and scored. Any further correspondence must be communicated through the e-Sourcing Portal.

3. HOW THE COUNCIL WILL ASSESS AND EVALUATE YOUR TENDER

The Council will assess each tender response against the following sets of criteria:

- 3.1. **Selection Criteria**

The Council will evaluate a Bidder's eligibility to tender, its economic and financial standing and its technical experience in providing similar services. These elements will be assessed via the Bidder's completion of the Standard Selection Questionnaire (SSQ). How this will be assessed is detailed further in Part 4 (Evaluation Methodology & Weighting). If a Bidder's Tender does not pass the selection stage, the Tender will be non-compliant and the Council will not evaluate the remainder of the Bidder's Tender.

3.2. **Award Criteria**

Once a Bidder has passed the selection element, the Council will evaluate the Bidder's Tender against the Award Criteria (see Part 4: Evaluation Methodology & Weighting). The Award Criteria are made up of two sections:

- The Technical Section, which evaluates how you propose to deliver the service; and
- The Commercial Section, which evaluates the price.

For more information, see Part 4 (Evaluation Methodology & Weighting).

4. COMPLIANCE CHECK

4.1. The Council will carry out an initial examination of the tender responses it receives to ensure compliance and completeness in accordance with the requirements set out in this ITT.

4.2. In particular, the tenders will first be reviewed to ensure that:

- The Tender has been submitted in accordance with the Council's requirements/instructions which have been notified to Bidders; and
- The Tender is sufficiently complete to enable the Tender to be evaluated in accordance with the evaluation methodology.

4.3. The Council may seek clarification from Bidders to determine if a Tender is complete and compliant.

4.4. Subject to 18.3, Tenders that are non-compliant with the requirements of this ITT may be rejected at this stage without further evaluation.

4.5. All Tenders which pass the compliance check as described above will be subject to full assessment and evaluation by the Council.

5. STANDARD SELECTION QUESTIONNAIRE (SSQ) ASSESSMENT

- 5.1. Bidder's responses to the SSQ will be assessed pass/fail, as detailed further in Part 4 (Evaluation Methodology & Weighting).

6. TENDER EVALUATION

- 6.1. The Council will evaluate all Tenders that pass the SSQ assessment.
- 6.2. The Council may (but is not obliged to) seek clarification(s) from Bidders in order to assist its understanding of the Bidder's Tender and where necessary for the purposes of carrying out a fair evaluation. Such clarifications will be issued to the Bidder through the e-Sourcing Portal. Bidders are asked to respond to such requests promptly and in a clear manner. Vague or ambiguous answers are likely to score poorly or render the Tender non-compliant. Information submitted by the Bidders via the e-Sourcing Portal in response to clarification questions will be taken into account when evaluating the Tenders.

PART 4: EVALUATION METHODOLOGY & WEIGHTING

7. OVERVIEW

- 7.1. The underlying principle of the Evaluation Methodology is to select the most economically advantageous tender (M.E.A.T) to the Council (in terms of the qualification, technical and commercial criteria described below) which meets the Council's requirements. Bidders will receive a score out of 100% on the basis of a commercial/technical split of 60% (commercial)/40% (technical) respectively.
- 7.2. This process involves the attribution of real 'value' to the qualitative elements of each Bidder's submission, to ensure that the Contract is awarded to the Bidder who achieves the highest total score when summing across all of the objective assessment areas, and not just the lowest price.
- 7.3. The Evaluation Methodology set out in this Part 4 (Evaluation Methodology & Weighting) will be used to evaluate the Tenders submitted by Bidders in response to this ITT and the Evaluation Methodology is designed to provide a structured and auditable approach to evaluating the Tenders submitted by Bidders.

8. ASSESSING THE SSQ RESPONSES

- 8.1. The responses to the SSQ will be assessed by the Council first and will be assessed as pass or fail basis.

- 8.2. Any questions requiring responses “for information only” purposes are marked as such and will not be assessed. However, a response is required from all Bidders.
- 8.3. All questions that require a mandatory response must be answered in the required manner or the Bidder may be excluded from further progression in the competition.
- 8.4. Tenders must achieve a “pass” in relation to all of the pass/fail tests applied in the assessment of the SSQ, in order for the Tender to progress to the next stage of the competition.
- 8.5. If a response to a particular question within the SSQ receives a fail or does not achieve the relevant minimum score, the Tender may be rejected, unless further assurance can be gained. The Council reserves the right to ask for additional information as appropriate.

Financial Assessment

- 8.6. A Bidder’s economic and financial standing risk will be evaluated on a PASS/FAIL basis.
- 8.7. A Bidder will be excluded from the procurement process if it does not have sufficient evidence of financial stability in order to perform the Contract. The Council will assess a Bidder’s economic and financial standing risk as follows:
- 8.8. A Bidder must meet the Council’s required financial ratios set out below:

Financial Ratios - analysis will be conducted using the following ratio’s, using last 2 year’s accounts where possible.

1. Cash/current assets > 0.05
2. Current Assets / Current Liabilities > 0.25
3. Net Assets + Long Term Liabilities – Intangible Assets > 0
4. $2 \times (\text{Current Year Shareholders funds} - \text{Previous Year Shareholders Funds}) + \text{Net Assets} > 0$
5. $\text{Turnover} / (\text{Current Assets} - \text{Cash}) > 2$

- 8.9. If all ratios receive a PASS, the Bidder will receive a PASS for this question.
- 8.10. If a Bidder receives a FAIL on one ratio, the Bidder will receive a PASS for this question.

- 8.11. If a Bidder FAILS on two or three ratios, then the Council will undertake a further economic and financial standing risk assessment, using an independent report from a credit reference agency (Creditsafe). If the financial risk score for the Bidder's organisation from this report is 30 or more then the Bidder will receive a PASS for this question. If the Bidder does not have a score in excess of 30 then the Bidder will FAIL this question and be excluded from the procurement, unless the Bidder provides a guarantor whose level of financial risk is acceptable.
- 8.12. If a Bidder FAILS on four or five ratios the Bidder will FAIL this question and will be excluded from the procurement process unless the Bidder can provide a guarantor whose level of financial risk is acceptable.
- 8.13. The above financial assessments will be repeated on any guarantor nominated under this question. Therefore, the guarantor will only be acceptable if either it would have passed all the ratios itself or if it failed on two or three ratios only, would have passed the credit rating with a report score of 30 or more. A guarantor who fails on four or more ratios will not be an acceptable guarantor under this question.
- 8.14. If the Bidder cannot provide a guarantor whose level of financial risk is acceptable, or cannot provide a guarantor where required to do so, the Bidder will FAIL this question and the Tender will be excluded.
- 8.15. The Council reserves the right to take up any references supplied.
- 8.16. The SSQ is enclosed (Document 04). This questionnaire must be downloaded, completed and uploaded at the relevant placeholder on the e-Sourcing Portal.
- 8.17. The areas covered in the SSQ are provided in the table below:

TABLE 1: SSQ REQUIREMENTS		
PART 1: POTENTIAL SUPPLIER INFORMATION		
Organisation Details	Bidders are asked to provide information about their organisation	For Information Only

Bidding Model	Bidders are asked to provide information about their organisation's proposed bidding model	For Information Only
Contact Details and Declaration	Bidders will declare that all information provided in this tender response is correct and give the contact details for the person responsible for this tender response.	Pass / Fail <i>A Fail will be awarded if "No" is ticked</i>
PART 2: EXCLUSION GROUNDS		
<p>Your organisation is eligible if none of the mandatory or discretionary exclusion grounds for rejecting a potential Bidder under Regulation 57 of the 2015 Regulations are applicable or may become applicable, to your company or any parent company.</p> <p>In some circumstances the Council is required by law to exclude you from participating further in a procurement if there are grounds for mandatory rejection.</p>		Pass / Fail <i>A Fail will be awarded where the Bidder indicates that any of the Exclusion Criteria apply and, where allowable, the Bidder does not indicate that self-cleaning has been undertaken.</i>
PART 3: SELECTION QUESTIONS		
Financial Standing	Bidders will need to demonstrate that they meet the Council's minimum standards of	Pass / Fail <i>A Fail will be awarded in accordance with the</i>

	economic and financial standing. Details of how the Council will assess a Bidder's financial standing are set out in paragraphs 22.6 to 22.14 above	<i>methodology set out at paragraphs 22.6 to 22.14 above</i>
Compliance	Bidders will need to confirm compliance to the Telecare Services Association or equivalent	Pass / Fail <i>A "Fail" will be awarded where "No" is ticked</i>
Compliance	Bidders will need to confirm their compliance with the minimum criteria as set out in Appendix 1 (Minimum Criteria)	Pass / Fail <i>A "Fail" will be awarded where "No" is ticked</i>
Technical and Professional Ability	Bidders are requested to provide details of up to three relevant previous contracts. Where a Bidder does not have any relevant experience, it must supply a statement of explanation.	For information only. Bidders should be advised that where other previous contracts have been identified in any MSQ response, WSCC may seek verification of the accuracy of the information provided. This will involve the

		Council contacting the Organisations from the information supplied at question 43 of the SSQ for verification purposes.
Modern Slavery	Bidders will need to confirm compliance with the Modern Slavery Act 2015	Pass / Fail <i>A "Fail" will be awarded where the Bidder ticks "Yes" to Q45 and "No" to Q46</i>
Insurance	Bidders will be required to have, or agree to take out should they be successful the following levels of Insurance: Public Liability Insurance - £10 million Employer's Liability Insurance - £5 million Professional Indemnity Insurance - £2 million Product Liability Insurance - £2 million	Pass / Fail <i>A "Fail" will be awarded where a Bidder indicates they do not have and will not obtain one or more of the insurances specified</i>
Past Performance	Bidders will declare any instances of poor	Pass / Fail <i>A "Fail" will be awarded</i>

	performance in the preceding three years	<i>where "Yes" is ticked one or more times.</i>
Health and Safety	Bidders are required to complete the West Sussex Health and Safety Questionnaire at Document 07	Pass / Fail <i>"Fail" criteria are set out in the Questionnaire itself.</i>
Safeguarding	Bidders will confirm that they have a safeguarding policy and will provide a copy to the Council if requested	Pass / Fail <i>A "Fail" will be awarded where "No" is ticked for one or more of these questions.</i>
Conflict of Interest	Bidders will complete the Capita Conflicts of Interest Questionnaire and submit this as part of their tender response	For information only
Business Continuity	Bidders will confirm that they have a Business Continuity Plan and will provide a copy to the Council if requested	Pass / Fail <i>A "Fail" will be awarded where "No" is ticked</i>
General Data Protections Regulation (GDPR)	Bidders will confirm compliance with the GDPR questions	Pass / Fail <i>A "Fail" will be awarded if "No" is ticked for one or more of these questions.</i>

Complaints	Bidders will confirm that they have a Complaints Policy and will provide a copy to the Council if requested	Pass / Fail <i>A "Fail" will be awarded where "No" is ticked</i>
Corporate Social Responsibility	Bidders will confirm that they have a Corporate Social Responsibility (CSR) Policy and will provide a copy to the Council if requested	Pass / Fail <i>A "Fail" will be awarded where "No" is ticked</i>
Freedom of Information (FOI)	Bidders will declare any elements of their bid they deem to be commercially sensitive.	For information only
Confirmations	Bidders must confirm that their bid is TUPE compliant.	Pass / Fail <i>A "Fail" will be awarded where "No" is ticked</i>
	Bidders must confirm that they have read, understand and accept the information contained in the Invitation to Tender (ITT) Document 01 and supporting documents, including Conditions of Tender (Appendix 1 of this document)	Pass / Fail <i>A "Fail" will be awarded where "No" is ticked</i>
	Bidders must confirm that they will comply	Pass / Fail

	with the Service Specifications at Document 02	<i>A Fail will be awarded if "No" is ticked</i>
	Bidders must confirm that they have read, understand and accept the Terms and Conditions of the Contract at Document 03.	Pass / Fail <i>A "Fail" will be awarded where "No" is ticked</i>

9. EVALUATING THE TECHNICAL RESPONSE: METHOD STATEMENTS

- 9.1. The technical response will first be evaluated out of 100% and then will have the weighting of 40% applied. It is split into a number of sub-criteria as detailed in Table 2 below.
- 9.2. Each of these sub-criteria has an overall weighting (expressed as a percentage) reflecting its relative importance to the Council as detailed in Table 2.

TABLE 2: TECHNICAL EVALUATION CRITERIA							
Sect ion	Sect ion Wei ghti ng (%)	Qu est ion	Que stio n Sub - Wei ghti ng (%)	W o r d L i m i t	Mini mum Scor e Thre shol d for Awar d (whe ther such awar d take s place after	Ove rall Ten der Wei ghti ng (%)	

					the initial evaluation stage or after the final evaluation stage following the Negotiation Stage)	
Technical	40	1	40	3000	3	16
		2	14	2000	3	5.6
		3	14	2000	3	5.6
		4	14	2000	3	5.6

		5	5	800	3	2
		6	5	800	3	2
		7	6	800	3	2.4
		8	2	500	3	0.8
Grand Total		100			40	

- 9.3. The MSQs, including the relevant response format, can be found at Document 05 (Method Statement Response) on the e-Sourcing portal. Bidders must provide their responses at the relevant placeholder.
- 9.4. Bidders must ensure their responses are within the word limits provided. Any additional wording above the stated limited will be redacted and will not be taken forward to evaluation.
- 9.5. Where any technical criteria/sub-criteria have a minimum score threshold for award (as identified in Table 2 (Technical Evaluation Criteria) above), A Bidder's initial Tender must achieve the relevant minimum score threshold in respect of each and every one of the relevant technical criteria/sub-criteria. **The Council shall reject Tenders that do not meet one or more of the minimum score thresholds.**
- 9.6. Where all of the MSQs achieve the relevant minimum score threshold, the score for each MSQ will then have the appropriate weighting applied to it to produce the final weighted score for the technical criteria. If in applying the weighting to arrive at a final score a calculation produces a score which is not a whole number, a score will be rounded to 2 decimal places.
- 9.7. The minimum score thresholds identified in Table 2 (Technical Evaluation Criteria) are for the award stage and will apply at award, whether such award takes place after the initial evaluation stage pursuant to paragraphs 26 and 27.1 or after the

final evaluation stage that follows the Negotiation Stage pursuant to paragraphs 27.2 to 27.8 and 28.

- 9.8. If the Negotiation Stage (as described in paragraph 27 below) is not utilised by the Council and where an award is made on the basis of initial Tenders, any Tender that scores less than a 3 for any of the MSQs will be rejected by the Council and will not be considered for award after the initial evaluation stage pursuant to paragraphs 26 and 27.1.
- 9.9. If the Negotiation Stage (as described in paragraph 27 below) is utilised by the Council, Bidders will be required to achieve a minimum score of greater than zero (i.e. 1 or above) for each of MSQs in order to be invited to participate in the Negotiation Stage. For the avoidance of doubt, any Tender that scores a zero for any of the MSQs will be rejected by the Council at this stage and will not go through to the Negotiation Stage. For an award following the final evaluation stage that follows the Negotiation Stage pursuant to paragraphs 27.2 to 27.8 and 28, any Tender that scores less than a 3 for any of the MSQs will be rejected by the Council and will not be considered for award.
- 9.10. Technical responses will be evaluated in accordance with the Scoring Matrix Table (Table 3 below) in terms of the extent to which the response demonstrates and evidences a proposal that meets the requirements set out in the Specification to determine a score ranging from 0 to 5. Only whole number scores between 0 and 5 will be applied. For the avoidance of doubt, only scores listed in the Scoring Matrix Table will be awarded (i.e. not "2" or "4").
- 9.11. The Scoring Matrix Table is set out in order to inform Bidders how the Council will approach scoring each criteria, and to provide guidance as to what a Bidder must aim for in order to achieve full marks. Note that the best rated response for each criteria will not necessarily be awarded the full marks for that criteria.

Table 3: Scoring Matrix Table	
Score	Definition
0	No response at all or insufficient information provided in the response such that the solution is totally un-assessable and/or incomprehensible.
1	Unacceptable submission which fails to set out a solution that addresses and meets the requirements: little or no detail may

	(and, where evidence is required or necessary, no evidence) have been provided to support and demonstrate that the Bidder will be able to provide the services and/or considerable reservations as to the Bidder's proposals in respect of relevant ability, understanding, expertise, skills and/or resources to deliver the requirements. Would represent a very high risk solution for the Council.
3	Submission sets out a solution that largely addresses and meets the requirements, with some detail (or, where evidence is required or necessary, some relevant evidence) provided to support the solution; minor reservations or weakness in a few areas of the solution in respect of relevant ability, understanding, expertise, skills and/or resources to deliver the requirements. Acceptable risk solution to the Council.
5	Submission sets out a robust solution that fully addresses and meets the requirements, with full details (and, where evidence is required or necessary, full and relevant evidence) provided to support the solution; provides full confidence as to the relevant ability, understanding, expertise, skills and/or resources to deliver the requirements. Low/No risk solution for the Council.

10. COMMERCIAL EVALUATION

- 10.1. The commercial response will first be evaluated out of 100% and then have the 60% weighting applied to it.
- 10.2. Bidders must complete Document 06 (Pricing Schedule) and upload it to the relevant placeholder on the e-Sourcing portal.
- 10.3. The Commercial element is broken down into the following sub-criteria and has a weighting (expressed as a percentage) reflecting its relative importance to the Council as detailed in Table 4.

TABLE 4: COMMERCIAL EVALUATION CRITERIA			
Element	Description	Commercial	Overall Tender

		Weighting (%)	Weighting (%)
Price A	Short Term Solution	25	15
Price B	Long Term Solution	32	19.2
Price C	Return on Investment	40	24
Price D	Training	3	1.8
Overall Weighting		100	60

10.4. The calculations that will be applied for each element are provided below:

Price A – Short Term Solution

$$\left(\frac{\text{Lowest Submitted Price over 5 years}}{\text{Bidder's Submitted Price over 5 years}} \right) \times \text{Commercial Section Weight} = \text{Weighted Score}$$

Price B – Long Term Solution

$$\left(\frac{\text{Lowest Submitted Price over 5 years}}{\text{Bidder's Submitted Price over 5 years}} \right) \times \text{Commercial Section Weight} = \text{Weighted Score}$$

Price C – Return on Investment

$$\left(\frac{\text{Lowest Net Cost over 5 years}}{\text{Bidder's Net Cost over 5 years}} \right) \times \text{Commercial Section Weight} = \text{Weighted Score}$$

Bidders should note that net cost is defined in the Instructions sheet in Pricing Schedule.

Price D – Training

$$\left(\frac{\text{Lowest Submitted Price over 5 years}}{\text{Bidder's Submitted Price over 5 years}} \right) \times \text{Commercial Section Weight} \\ = \text{Weighted Score}$$

Abnormally Low Tenders

- 10.5. The Council shall carry out due diligence on the bids it receives to ensure sustainability. A Bidder will be asked to explain the price or costs proposed in its Tender where a Tender appears to be abnormally low for solution and/or training costs or with regards to return on investment where the figure submitted is abnormally high.
- 10.6. Where the pricing of a Tender is abnormally low for solution and/or training costs or abnormally high for return on investment the Council reserves the right to reject the Tender in accordance with 2015 Regulations.

11. MODERATION OF TECHNICAL EVALUATION

- 11.1. Following the evaluation and scoring of Tenders in accordance with this Evaluation Methodology by the individual evaluation team members, a moderation meeting will be held.
- 11.2. The moderation meeting will look at the technical response by each Bidder for the MSQs. Individual scores will be discussed taking into account the strengths and weaknesses of each response and agreeing a single moderated score for each. It is this moderated score that will then be used as the final score for each Tender.

12. FIRST STAGE TENDER SUBMISSION SCORES

- 12.1. On conclusion of the first stage evaluation scores being awarded, the Council may, at its discretion, decide either to award the Contract on the basis of the initial Tenders pursuant to paragraph 27.1 below or to proceed to the Negotiation Stage as described in paragraphs 27.2 to 27.8 below.

13. NEGOTIATION STAGE

- 27.1 The Council reserves the right not to undertake the Negotiation Stage but to proceed directly to contract award following the moderation meeting held pursuant to paragraph 25 above where it is clear that the M.E.A.T (which is the highest scoring bid overall following evaluation and scoring in accordance with the Award Criteria and scoring methodology in this Part 4 (Evaluation Methodology &

Weighting)) is fully capable of fulfilling the Council's requirements without the need for further development of the proposal. Where this is the case all Bidders will be informed following the completion of the initial evaluation. Bidders should therefore ensure that their initial Tenders are their best offer with regards to the information provided in this ITT and the other procurement documents.

27.2 Where the Council decides to proceed to the Negotiation Stage, the Council will invite all Bidders that:

27.2.1 successfully pass the SSQ assessment (which for the avoidance of doubt includes, but is not limited to confirming that the Bidder accepts the Terms and Conditions of the Contract at Document 03 and compliance with the minimum criteria as set out in Appendix 1 (Minimum Criteria)); and

27.2.2 who score greater than zero for all of the MSQs (as described in paragraphs 23.7 to 23.9 above) to participate in the Negotiation Stage.

27.3 As part of the SSQ, Bidders will have confirmed that they comply with the minimum criteria of the Service Specification as outlined below and set out in further detail in Appendix 1 (Minimum Criteria) ("**the Minimum Criteria**"). These Minimum Criteria will be excluded from the Negotiation Stage:

- Paragraph 3 TEC Service Strategic Outcomes
 - 3.1: For Individuals/Customers
 - 3.2: For The West Sussex Health And Social Care System
 - 3.3: National Outcomes
- Paragraph 4 Development Partner
- Paragraph 8 Interdependency with Other Services
- TEC Technical Compliance - paragraphs 10.4 and 10.5
- Information Governance - paragraphs 10.6 and 10.7

27.4 The Negotiation Stage, if undertaken, will focus on the areas of the Tender identified below. For the avoidance of doubt, the terms and conditions of the Contract, the award criteria and weightings, the Selection Stage, the Council's Minimum Criteria and MSQs 5,6,7 and 8 will not form part of the Negotiation Stage.

Technical	Method Statement Questions 1 to 4
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Technical	The elements of the Service Specification excluding the Minimum Criteria
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- 27.5 Negotiations may take place via meetings and will be an opportunity for each Bidder and the Council to elaborate on how the proposal will deliver the requirements. The exact negotiation areas for the focus of the Negotiation Stage, based on the above, will be communicated to tenderers prior to the first round of negotiations.
- 27.6 On conclusion of the Negotiation Stage the Council may amend the terms and conditions of Contract to take into account factors raised during the negotiations. All Bidders will be advised of any amendments prior to the submission of Final Tenders.
- 27.6 On conclusion of the Negotiation Stage, the Council will require a final Tender to be submitted by each Bidder by the deadline date identified in the timetable below. As appropriate, references within this ITT shall then be read as "Final Tender" where negotiation has taken place. Final Tenders will not be subject to any further negotiations.
- 27.7 Bidders will be permitted to resubmit the whole of their submissions at Final Tender stage as the Council recognises that changes may be required to various elements of a Bidder's submission as a result of the negotiations that have taken place pursuant to this paragraph 27.
- 27.8 Bidders should provide a mark-up version of their submissions at Final Tender stage. This mark-up version should, as far as practicable, show the changes made to reflect the negotiation and clarification provided to Bidders during the Negotiation Stage. In addition Bidders should provide a full and final clean PDF version of all written responses, to ensure that information is not lost through tracked changes. This final PDF version will be "clean" and incorporate all tracked changes. The "clean" version will be used by the evaluation team to evaluate the Final Tenders, with cross referencing back to any tracked changes (in the mark-up version) only when the evaluator requires an understanding of why the change has been made.

28. FINAL TENDER SUBMISSION SCORES

- 28.1. Final evaluation will take place on the Final Tenders subsequently revised following the Negotiation Stage. The Council will evaluate the Final Tenders against the

Award Criteria (see Part 4: Evaluation Methodology & Weighting) and the final technical and commercial scores for each Final Tender will be combined to provide a final score for each Final Tender. The successful Final Tender will be the one that is found to be the M.E.A.T (which is the highest scoring bid overall following evaluation and scoring in accordance with the Award Criteria and scoring methodology in this Part 4 (Evaluation Methodology & Weighting)).

- 28.2. For the avoidance of doubt, where any technical criteria/sub-criteria have a minimum score threshold (as identified in Table 2 (Technical Evaluation Criteria)), a Bidder's Final Tender must achieve that minimum score threshold in respect of each and every one of the relevant technical criteria/sub-criteria. **The Council shall reject Tenders that do not meet one or more of the minimum score thresholds.**

29. OVERALL SCORING AND AWARD DECISION

- 29.1. The Council will award the highest scoring bidder the Contract.
- 29.2. Once the Council has reached a decision in respect of contract award, it will notify all Bidders of that decision and provide for a ten (10) day standstill period.
- 29.3. The preferred provider will be required to provide the documents listed below, prior to contract award:
- Business Continuity Plan
 - Complaints Policy
 - Corporate Social Responsibility Policy
- 29.4. Contract award is subject to the formal approval process of the Council. Until all necessary approvals are obtained and the standstill period completed, no contract will be entered into.

30. THE PROCESS AND COUNCIL DECISIONS

- 30.1. The Council reserves the right at any time to terminate the procurement process for any reason and to decide in its absolute discretion whether or not it will enter into any contractual arrangements at the termination of this procurement process.
- 30.2. In responding to this ITT or otherwise engaging in the procurement process, Bidders accept that their participation in the procurement process is entirely at their own risk and cost in full knowledge of the Council's right at any time and for any reason to terminate the procurement with or without the award of a contract.

- 30.3. The Council shall bear no liability whatsoever for the outcome of this procurement procedure, whether withdrawn or altered or recommenced, including any loss of bidding costs, loss of profits or economic loss incurred by a Bidder or by any other person arising out of or in connection with the conduct of this procurement procedure in accordance with the 2015 Regulations.

Financial Ratios - analysis will be conducted using the following ratio's, using last 2 year's accounts where possible.

6. Cash/current assets > 0.05
7. Current Assets / Current Liabilities > 0.25
8. Net Assets + Long Term Liabilities – Intangible Assets > 0
9. $2 \times (\text{Current Year Shareholders funds} - \text{Previous Year Shareholders Funds}) + \text{Net Assets} > 0$
10. $\text{Turnover} / (\text{Current Assets} - \text{Cash}) > 2$

- 13.1. If all ratios receive a PASS, the Bidder will receive a PASS for this question.
- 13.2. If a Bidder receives a FAIL on one ratio, the Bidder will receive a PASS for this question.
- 13.3. If a Bidder FAILs on two or three ratios, then the Council will undertake a further economic and financial standing risk assessment, using an independent report from a credit reference agency (Creditsafe). If the financial risk score for the Bidder's organisation from this report is 30 or more then the Bidder will receive a PASS for this question. If the Bidder does not have a score in excess of 30 then the Bidder will FAIL this question and be excluded from the procurement, unless the Bidder provides a guarantor whose level of financial risk is acceptable.
- 13.4. If a Bidder FAILS on four or five ratios the Bidder will FAIL this question and will be excluded from the procurement process unless the Bidder can provide a guarantor whose level of financial risk is acceptable.
- 13.5. The above financial assessments will be repeated on any guarantor nominated under this question. Therefore, the guarantor will only be acceptable if either it would have passed all the ratios itself or if it failed on two or three ratios only, would have passed the credit rating with a report score of 30 or more. A guarantor who fails on four or more ratios will not be an acceptable guarantor under this question.

- 13.6. If the Bidder cannot provide a guarantor whose level of financial risk is acceptable, or cannot provide a guarantor where required to do so, the Bidder will FAIL this question and the Tender will be excluded.
- 13.7. The Council reserves the right to take up any references supplied.
- 13.8. The SSQ is enclosed (Document 04). This questionnaire must be downloaded, completed and uploaded at the relevant placeholder on the e-Sourcing Portal.
- 13.9. The areas covered in the SSQ are provided in the table below:

TABLE 1: SSQ REQUIREMENTS		
PART 1: POTENTIAL SUPPLIER INFORMATION		
Organisation Details	Bidders are asked to provide information about their organisation	For Information Only
Bidding Model	Bidders are asked to provide information about their organisation's proposed bidding model	For Information Only
Contact Details and Declaration	Bidders will declare that all information provided in this tender response is correct and give the contact details for the person responsible for this tender response.	Pass / Fail <i>A Fail will be awarded if "No" is ticked</i>
PART 2: EXCLUSION GROUNDS		
Your organisation is eligible if none of the mandatory or discretionary exclusion grounds for rejecting a potential Bidder under Regulation 57 of the 2015 Regulations are applicable or may become		Pass / Fail <i>A Fail will be awarded where the Bidder</i>

<p>applicable, to your company or any parent company.</p> <p>In some circumstances the Council is required by law to exclude you from participating further in a procurement if there are grounds for mandatory rejection.</p>	<p><i>indicates that any of the Exclusion Criteria apply and, where allowable, the Bidder does not indicate that self-cleaning has been undertaken.</i></p>
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PART 3: SELECTION QUESTIONS

Financial Standing	<p>Bidders will need to demonstrate that they meet the Council's minimum standards of economic and financial standing. Details of how the Council will assess a Bidder's financial standing are set out in paragraphs 22.6 to 22.14 above</p>	<p>Pass / Fail</p> <p><i>A Fail will be awarded in accordance with the methodology set out at paragraphs 22.6 to 22.14 above</i></p>
Compliance	<p>Bidders will need to confirm compliance to the Telecare Services Association or equivalent</p>	<p>Pass / Fail</p> <p><i>A "Fail" will be awarded where "No" is ticked</i></p>
Compliance	<p>Bidders will need to confirm their compliance with the minimum criteria as set out in Appendix 1 (Minimum Criteria)</p>	<p>Pass / Fail</p> <p><i>A "Fail" will be awarded where "No" is ticked</i></p>

Technical and Professional Ability	<p>Bidders are requested to provide details of up to three relevant previous contracts. Where a Bidder does not have any relevant experience, it must supply a statement of explanation.</p>	<p>For information only. Bidders should be advised that where other previous contracts have been identified in any MSQ response, WSCC may seek verification of the accuracy of the information provided. This will involve the Council contacting the Organisations from the information supplied at question 43 of the SSQ for verification purposes.</p>
Modern Slavery	<p>Bidders will need to confirm compliance with the Modern Slavery Act 2015</p>	<p>Pass / Fail <i>A "Fail" will be awarded where the Bidder ticks "Yes" to Q45 and "No" to Q46</i></p>

Insurance	<p>Bidders will be required to have, or agree to take out should they be successful the following levels of Insurance:</p> <p>Public Liability Insurance - £10 million</p> <p>Employer's Liability Insurance - £5 million</p> <p>Professional Indemnity Insurance – £2 million</p> <p>Product Liability Insurance - £2 million</p>	<p>Pass / Fail</p> <p><i>A "Fail" will be awarded where a Bidder indicates they do not have and will not obtain one or more of the insurances specified</i></p>
Past Performance	<p>Bidders will declare any instances of poor performance in the preceding three years</p>	<p>Pass / Fail</p> <p><i>A "Fail" will be awarded where "Yes" is ticked one or more times.</i></p>
Health and Safety	<p>Bidders are required to complete the West Sussex Health and Safety Questionnaire at Document 07</p>	<p>Pass / Fail</p> <p><i>"Fail" criteria are set out in the Questionnaire itself.</i></p>
Safeguarding	<p>Bidders will confirm that they have a safeguarding policy and will provide a copy to the Council if requested</p>	<p>Pass / Fail</p> <p><i>A "Fail" will be awarded where "No" is ticked for one or more of these questions.</i></p>

Conflict of Interest	Bidders will complete the Capita Conflicts of Interest Questionnaire and submit this as part of their tender response	For information only
Business Continuity	Bidders will confirm that they have a Business Continuity Plan and will provide a copy to the Council if requested	Pass / Fail <i>A "Fail" will be awarded where "No" is ticked</i>
General Data Protections Regulation (GDPR)	Bidders will confirm compliance with the GDPR questions	Pass / Fail <i>A "Fail" will be awarded if "No" is ticked for one or more of these questions.</i>
Complaints	Bidders will confirm that they have a Complaints Policy and will provide a copy to the Council if requested	Pass / Fail <i>A "Fail" will be awarded where "No" is ticked</i>
Corporate Social Responsibility	Bidders will confirm that they have a Corporate Social Responsibility (CSR) Policy and will provide a copy to the Council if requested	Pass / Fail <i>A "Fail" will be awarded where "No" is ticked</i>
Freedom of Information (FOI)	Bidders will declare any elements of their bid they deem to be commercially sensitive.	For information only

Confirmations	Bidders must confirm that their bid is TUPE compliant.	Pass / Fail <i>A "Fail" will be awarded where "No" is ticked</i>
	Bidders must confirm that they have read, understand and accept the information contained in the Invitation to Tender (ITT) Document 01 and supporting documents, including Conditions of Tender (Appendix 1 of this document)	Pass / Fail <i>A "Fail" will be awarded where "No" is ticked</i>
	Bidders must confirm that they will comply with the Service Specifications at Document 02	Pass / Fail <i>A Fail will be awarded if "No" is ticked</i>
	Bidders must confirm that they have read, understand and accept the Terms and Conditions of the Contract at Document 03.	Pass / Fail <i>A "Fail" will be awarded where "No" is ticked</i>

14. EVALUATING THE TECHNICAL RESPONSE: METHOD STATEMENTS

- 14.1. The technical response will first be evaluated out of 100% and then will have the weighting of 40% applied. It is split into a number of sub-criteria as detailed in Table 2 below.
- 14.2. Each of these sub-criteria has an overall weighting (expressed as a percentage) reflecting its relative importance to the Council as detailed in Table 2.

TABLE 2: TECHNICAL EVALUATION CRITERIA							
Sect ion	Sect ion Wei ghti ng (%)	Qu est ion	Que stio n Sub - Wei ghti ng (%)	W o r d L i m i t	Mini mum Scor e Thre shol d for Awar d (whe ther such awar d take s place after the initia l eval uatio n stag e or after the final eval uatio n stag e follo wing the Nego	Ove rall Ten der Wei ghti ng (%)	

					tiatio n Stag e)	
Tec hni cal	40	1	40	3 0 0 0	3	16
		2	14	2 0 0 0	3	5.6
		3	14	2 0 0 0	3	5.6
		4	14	2 0 0 0	3	5.6
		5	5	8 0 0	3	2
		6	5	8 0 0	3	2
		7	6	8 0 0	3	2.4
		8	2	5 0 0	3	0.8
		Grand Total			100	

14.3. The MSQs, including the relevant response format, can be found at Document 05 (Method Statement Response) on the e-Sourcing portal. Bidders must provide their responses at the relevant placeholder.

- 14.4. Bidders must ensure their responses are within the word limits provided. Any additional wording above the stated limited will be redacted and will not be taken forward to evaluation.
- 14.5. Where any technical criteria/sub-criteria have a minimum score threshold for award (as identified in Table 2 (Technical Evaluation Criteria) above), A Bidder's initial Tender must achieve the relevant minimum score threshold in respect of each and every one of the relevant technical criteria/sub-criteria. **The Council shall reject Tenders that do not meet one or more of the minimum score thresholds.**
- 14.6. Where all of the MSQs achieve the relevant minimum score threshold, the score for each MSQ will then have the appropriate weighting applied to it to produce the final weighted score for the technical criteria. If in applying the weighting to arrive at a final score a calculation produces a score which is not a whole number, a score will be rounded to 2 decimal places.
- 14.7. The minimum score thresholds identified in Table 2 (Technical Evaluation Criteria) are for the award stage and will apply at award, whether such award takes place after the initial evaluation stage pursuant to paragraphs 26 and 27.1 or after the final evaluation stage that follows the Negotiation Stage pursuant to paragraphs 27.2 to 27.8 and 28.
- 14.8. If the Negotiation Stage (as described in paragraph 27 below) is not utilised by the Council and where an award is made on the basis of initial Tenders, any Tender that scores less than a 3 for any of the MSQs will be rejected by the Council and will not be considered for award after the initial evaluation stage pursuant to paragraphs 26 and 27.1.
- 14.9. If the Negotiation Stage (as described in paragraph 27 below) is utilised by the Council, Bidders will be required to achieve a minimum score of greater than zero (i.e. 1 or above) for each of MSQs in order to be invited to participate in the Negotiation Stage. For the avoidance of doubt, any Tender that scores a zero for any of the MSQs will be rejected by the Council at this stage and will not go through to the Negotiation Stage. For an award following the final evaluation stage that follows the Negotiation Stage pursuant to paragraphs 27.2 to 27.8 and 28, any Tender that scores less than a 3 for any of the MSQs will be rejected by the Council and will not be considered for award.

14.10. Technical responses will be evaluated in accordance with the Scoring Matrix Table (Table 3 below) in terms of the extent to which the response demonstrates and evidences a proposal that meets the requirements set out in the Specification to determine a score ranging from 0 to 5. Only whole number scores between 0 and 5 will be applied. For the avoidance of doubt, only scores listed in the Scoring Matrix Table will be awarded (i.e. not "2" or "4").

14.11. The Scoring Matrix Table is set out in order to inform Bidders how the Council will approach scoring each criteria, and to provide guidance as to what a Bidder must aim for in order to achieve full marks. Note that the best rated response for each criteria will not necessarily be awarded the full marks for that criteria.

Table 3: Scoring Matrix Table	
Score	Definition
0	No response at all or insufficient information provided in the response such that the solution is totally un-assessable and/or incomprehensible.
1	Unacceptable submission which fails to set out a solution that addresses and meets the requirements: little or no detail may (and, where evidence is required or necessary, no evidence) have been provided to support and demonstrate that the Bidder will be able to provide the services and/or considerable reservations as to the Bidder's proposals in respect of relevant ability, understanding, expertise, skills and/or resources to deliver the requirements. Would represent a very high risk solution for the Council.
3	Submission sets out a solution that largely addresses and meets the requirements, with some detail (or, where evidence is required or necessary, some relevant evidence) provided to support the solution; minor reservations or weakness in a few areas of the solution in respect of relevant ability, understanding, expertise, skills and/or resources to deliver the requirements. Acceptable risk solution to the Council.
5	Submission sets out a robust solution that fully addresses and meets the requirements, with full details (and, where evidence is required or necessary, full and relevant evidence) provided to support the solution; provides full confidence as to the relevant

	ability, understanding, expertise, skills and/or resources to deliver the requirements. Low/No risk solution for the Council.
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15. COMMERCIAL EVALUATION

15.1. The commercial response will first be evaluated out of 100% and then have the 60% weighting applied to it.

15.2. Bidders must complete Document 06 (Pricing Schedule) and upload it to the relevant placeholder on the e-Sourcing portal.

15.3. The Commercial element is broken down into the following sub-criteria and has a weighting (expressed as a percentage) reflecting its relative importance to the Council as detailed in Table 4.

TABLE 4: COMMERCIAL EVALUATION CRITERIA			
Element	Description	Commercial Weighting (%)	Overall Tender Weighting (%)
Price A	Short Term Solution	25	15
Price B	Long Term Solution	32	19.2
Price C	Return on Investment	40	24
Price D	Training	3	1.8
Overall Weighting		100	60

15.4. The calculations that will be applied for each element are provided below:

Price A – Short Term Solution

$$\left(\frac{\text{Lowest Submitted Price over 5 years}}{\text{Bidder's Submitted Price over 5 years}} \right) \times \text{Commercial Section Weight} \\ = \text{Weighted Score}$$

Price B – Long Term Solution

$$\left(\frac{\text{Lowest Submitted Price over 5 years}}{\text{Bidder's Submitted Price over 5 years}} \right) \times \text{Commercial Section Weight} \\ = \text{Weighted Score}$$

Price C – Return on Investment

$$\left(\frac{\text{Lowest Net Cost over 5 years}}{\text{Bidder's Net Cost over 5 years}} \right) \times \text{Commercial Section Weight} = \text{Weighted Score}$$

Bidders should note that net cost is defined in the Instructions sheet in Pricing Schedule.

Price D – Training

$$\left(\frac{\text{Lowest Submitted Price over 5 years}}{\text{Bidder's Submitted Price over 5 years}} \right) \times \text{Commercial Section Weight} \\ = \text{Weighted Score}$$

Abnormally Low Tenders

- 15.5. The Council shall carry out due diligence on the bids it receives to ensure sustainability. A Bidder will be asked to explain the price or costs proposed in its Tender where a Tender appears to be abnormally low for solution and/or training costs or with regards to return on investment where the figure submitted is abnormally high.
- 15.6. Where the pricing of a Tender is abnormally low for solution and/or training costs or abnormally high for return on investment the Council reserves the right to reject the Tender in accordance with 2015 Regulations.

16. MODERATION OF TECHNICAL EVALUATION

- 16.1. Following the evaluation and scoring of Tenders in accordance with this Evaluation Methodology by the individual evaluation team members, a moderation meeting will be held.
- 16.2. The moderation meeting will look at the technical response by each Bidder for the MSQs. Individual scores will be discussed taking into account the strengths and weaknesses of each response and agreeing a single moderated score for each. It is this moderated score that will then be used as the final score for each Tender.

17. FIRST STAGE TENDER SUBMISSION SCORES

- 17.1. On conclusion of the first stage evaluation scores being awarded, the Council may, at its discretion, decide either to award the Contract on the basis of the initial Tenders pursuant to paragraph 27.1 below or to proceed to the Negotiation Stage as described in paragraphs 27.2 to 27.8 below.

18. NEGOTIATION STAGE

- 27.1 The Council reserves the right not to undertake the Negotiation Stage but to proceed directly to contract award following the moderation meeting held pursuant to paragraph 25 above where it is clear that the M.E.A.T (which is the highest scoring bid overall following evaluation and scoring in accordance with the Award Criteria and scoring methodology in this Part 4 (Evaluation Methodology & Weighting)) is fully capable of fulfilling the Council's requirements without the need for further development of the proposal. Where this is the case all Bidders will be informed following the completion of the initial evaluation. Bidders should therefore ensure that their initial Tenders are their best offer with regards to the information provided in this ITT and the other procurement documents.
- 27.2 Where the Council decides to proceed to the Negotiation Stage, the Council will invite all Bidders that:
- 27.2.1 successfully pass the SSQ assessment (which for the avoidance of doubt includes, but is not limited to confirming that the Bidder accepts the Terms and Conditions of the Contract at Document 03 and compliance with the minimum criteria as set out in Appendix 1 (Minimum Criteria)); and
 - 27.2.2 who score greater than zero for all of the MSQs (as described in paragraphs 23.7 to 23.9 above) to participate in the Negotiation Stage.

27.3 As part of the SSQ, Bidders will have confirmed that they comply with the minimum criteria of the Service Specification as outlined below and set out in further detail in Appendix 1 (Minimum Criteria) ("**the Minimum Criteria**"). These Minimum Criteria will be excluded from the Negotiation Stage:

- Paragraph 3 TEC Service Strategic Outcomes
 - 3.1: For Individuals/Customers
 - 3.2: For The West Sussex Health And Social Care System
 - 3.3: National Outcomes
- Paragraph 4 Development Partner
- Paragraph 8 Interdependency with Other Services
- TEC Technical Compliance - paragraphs 10.4 and 10.5
- Information Governance - paragraphs 10.6 and 10.7

27.4 The Negotiation Stage, if undertaken, will focus on the areas of the Tender identified below. For the avoidance of doubt, the terms and conditions of the Contract, the award criteria and weightings, the Selection Stage, the Council's Minimum Criteria and MSQs 5,6,7 and 8 will not form part of the Negotiation Stage.

Technical	Method Statement Questions 1 to 4
Technical	The elements of the Service Specification excluding the Minimum Criteria

27.5 Negotiations may take place via meetings and will be an opportunity for each Bidder and the Council to elaborate on how the proposal will deliver the requirements. The exact negotiation areas for the focus of the Negotiation Stage, based on the above, will be communicated to tenderers prior to the first round of negotiations.

27.6 On conclusion of the Negotiation Stage the Council may amend the terms and conditions of Contract to take into account factors raised during the negotiations. All Bidders will be advised of any amendments prior to the submission of Final Tenders.

27.6 On conclusion of the Negotiation Stage, the Council will require a final Tender to be submitted by each Bidder by the deadline date identified in the timetable below. As appropriate, references within this ITT shall then be read as "Final Tender"

where negotiation has taken place. Final Tenders will not be subject to any further negotiations.

- 27.7 Bidders will be permitted to resubmit the whole of their submissions at Final Tender stage as the Council recognises that changes may be required to various elements of a Bidder's submission as a result of the negotiations that have taken place pursuant to this paragraph 27.
- 27.8 Bidders should provide a mark-up version of their submissions at Final Tender stage. This mark-up version should, as far as practicable, show the changes made to reflect the negotiation and clarification provided to Bidders during the Negotiation Stage. In addition Bidders should provide a full and final clean PDF version of all written responses, to ensure that information is not lost through tracked changes. This final PDF version will be "clean" and incorporate all tracked changes. The "clean" version will be used by the evaluation team to evaluate the Final Tenders, with cross referencing back to any tracked changes (in the mark-up version) only when the evaluator requires an understanding of why the change has been made.

31. FINAL TENDER SUBMISSION SCORES

- 31.1. Final evaluation will take place on the Final Tenders subsequently revised following the Negotiation Stage. The Council will evaluate the Final Tenders against the Award Criteria (see Part 4: Evaluation Methodology & Weighting) and the final technical and commercial scores for each Final Tender will be combined to provide a final score for each Final Tender. The successful Final Tender will be the one that is found to be the M.E.A.T (which is the highest scoring bid overall following evaluation and scoring in accordance with the Award Criteria and scoring methodology in this Part 4 (Evaluation Methodology & Weighting)).
- 31.2. For the avoidance of doubt, where any technical criteria/sub-criteria have a minimum score threshold (as identified in Table 2 (Technical Evaluation Criteria)), a Bidder's Final Tender must achieve that minimum score threshold in respect of each and every one of the relevant technical criteria/sub-criteria. **The Council shall reject Tenders that do not meet one or more of the minimum score thresholds.**

32. OVERALL SCORING AND AWARD DECISION

- 32.1. The Council will award the highest scoring bidder the Contract.

- 32.2. Once the Council has reached a decision in respect of contract award, it will notify all Bidders of that decision and provide for a ten (10) day standstill period.
- 32.3. The preferred provider will be required to provide the documents listed below, prior to contract award:
- Business Continuity Plan
 - Complaints Policy
 - Corporate Social Responsibility Policy
- 32.4. Contract award is subject to the formal approval process of the Council. Until all necessary approvals are obtained and the standstill period completed, no contract will be entered into.

33. THE PROCESS AND COUNCIL DECISIONS

- 33.1. The Council reserves the right at any time to terminate the procurement process for any reason and to decide in its absolute discretion whether or not it will enter into any contractual arrangements at the termination of this procurement process.
- 33.2. In responding to this ITT or otherwise engaging in the procurement process, Bidders accept that their participation in the procurement process is entirely at their own risk and cost in full knowledge of the Council's right at any time and for any reason to terminate the procurement with or without the award of a contract.
- 33.3. The Council shall bear no liability whatsoever for the outcome of this procurement procedure, whether withdrawn or altered or recommenced, including any loss of bidding costs, loss of profits or economic loss incurred by a Bidder or by any other person arising out of or in connection with the conduct of this procurement procedure in accordance with the 2015 Regulations.