

Invitation to Tender

Tender reference	KH/ACS/LCC/17/576
Tender for	Provider List for Day Time Support Services for Older People and People with Dementia
Appendix	Appendix 5 Evaluation Criteria Selection

Evaluation Overview

All submissions will be marked over a one stage process before a place is given on the Provider List.

Selection Evaluation Criteria – Acceptance/rejection of Tenderers based on business standing, financial standing, technical and professional ability.

In these procurement documents the term "Self-cleaning" is used. This term arises out of Regulation 57(13) of The Public Contracts Regulations 2015. Self-cleaning allows Tenderers to provide evidence that any breaches that may have occurred in the grounds for exclusion outlined in this document have now been rectified and measures have put in place to ensure compliance. The Authority reserves the right to consider the measures taken and deem whether the remedial action taken is sufficient and whether the Authority requires the submission of satisfactory evidence by the Tenderer prior to appointment.

CRITERIA	SECTION NUMBERS	DOCUMENT	EXPLANATION FOR ALLOCATION OF WEIGHTING	CRITERIA WEIGHTING
Selection	1 - 7	Selection Criteria Questionnaire	Must pass all questions to be eligible to be appointed	Pass or Fail

Where appropriate, the Authority will request evidence of the self-cleaning measures implemented following the evaluation process. If any of the successful Tenderers are found to have failed the selection criteria or fail to provide the information required by the Authority, they will be rejected from the process and the Authority will go to the next highest scoring Tenderer

Stage 1: Selection Evaluation Criteria

Part 1: Potential supplier Information

Section 1 - Potential supplier information (1.1), Bidding model (1.2, 1.3)	
1.1 (a) – (f)	
PASS	All information has been provided for all questions.
FAIL	Information requested not provided for all questions.
1.1 (g)-(i)	
PASS	A response of 'Yes'; or a response of N/A if not applicable.
FAIL	A response of 'No'.
1.1 (g)-(ii)	
PASS	If response to 1.1 (g)-(i) is 'Yes' all requested information has been provided.
FAIL	If response to 1.1 (g)-(i) is 'Yes' but no response provided to 1.1 (g)-(ii).
1.1 (h)-(i)	
PASS	A response of 'Yes' or 'No' is provided (if applicable); OR no response as the question is not applicable as the procurement is not for services.
FAIL	A failure to provide a response to 1.1 (h)-(i) where appropriate.
1.1 (h)-(ii)	
PASS	If response to 1.1 (h)-(i) is 'Yes', the requested information and confirmation of compliance has been provided.
FAIL	If response to 1.1 (h)-(i) is 'Yes' but no confirmation of compliance is given in response to 1.1 (h)-(ii).
1.1 (i) – (m)	
PASS	All information has been provided for all questions, where applicable.
FAIL	Information requested not provided for all questions, where applicable.
1.2	
PASS	Tenderer has responded that they are bidding as a single supplier; OR Tenderer has responded that they are bidding as part of a group or consortium and all information is provided for 1.2 (a-e).
FAIL	No response provided; OR if bidding as part of a group or consortium, all applicable information requested in 1.2 (a-e) is not provided.
1.3	
PASS	All requested information for sub-contractors/supply chain has been provided, if applicable.
FAIL	Where applicable, the information requested for sub-contractors/supply chain is not provided.

Part 2: Exclusion Grounds

Section 2 - Grounds for mandatory exclusion (2.1)	
See Annex D of the questionnaire for guidance	
2.1(a)	
For the questions within 2.1(a) you must self-certify whether any of the grounds for mandatory exclusion apply, as specified by the questions.	
The detailed grounds for mandatory exclusion of an organisation are set out in Annex D of the Selection Criteria Questionnaire, which should be referred to before completing these questions.	
PASS	Responses of 'No' to each question; OR a response of 'Yes' to one or more questions (accompanied by 'No' for the remainder of the questions) and the required information is provided in question 2.1(b), and appropriate evidence of self-cleaning for each response of 'Yes' is provided within 2.1(c). (See section on 'Self-cleaning' below for guidance and instructions on this).
FAIL	The Authority is entitled to exclude Tenderers from this procurement if any of the mandatory grounds for exclusion apply, as indicated by a Tenderer responding 'Yes' to a question, and/or the Authority has other external evidence. However, the Authority will consider all the relevant circumstances, and will at its discretion allow a Tenderer to score a PASS and proceed if it provides evidence of 'Self-cleaning' to the Authority's satisfaction.
2.1(b)	
PASS	A response of 'Yes' to one or more of the offences listed in 2.1(a) and further details as requested provided; OR no response provided as not applicable.
FAIL	A response of 'Yes' to one or more of the offences listed in 2.1(a) and further details as requested not provided.
2.1(c)	
PASS	Responses of 'No' to all offences listed in 2.1(a); OR a response of 'Yes' and sufficient evidence of self-cleaning is provided to the satisfaction of the Authority (see full details within section on 'Self-cleaning' below).
FAIL	If any of the mandatory grounds for rejection apply and the Tenderer does not provide sufficient evidence of 'Self-cleaning', then the Authority will score this section of the Tenderer's application as a FAIL. If a Tenderer is scored a FAIL for this section, then this will result in the Tenderer's elimination from the evaluation process and the Authority will not proceed with the scoring of the Tender's submission. (See section on 'Self-cleaning' below).
Section 3 - Mandatory and discretionary grounds relating to the payment of taxes and social security contributions (3.1 – 3.2)	
3.1(a)	
PASS	Response of 'Yes' and information requested provided, if applicable; OR a response of 'No' and sufficient evidence of self-cleaning is provided to the satisfaction of the Authority (see full details within section on 'Self-cleaning' below).
FAIL	The Authority is entitled to exclude Tenderers from this procurement if any of the grounds for exclusion apply, as indicated by a Tenderer responding 'No' to the question, and/or the Authority has other external evidence. However, the Authority will consider all the relevant circumstances, and will at its discretion allow a Tenderer to score a PASS and proceed if it provides evidence of 'Self-cleaning' to the Authority's satisfaction.
3.1(b)	

PASS	If the response to question 3.1(a) is 'No' and information requested is provided; OR no response required due to a response of 'Yes' to question 3.1(a).
FAIL	If the response to question 3.1(a) is 'No' and information requested is not provided.
3.2	
PASS	If the response to question 3.1(a) is 'No' and a response of 'Yes' is provided.
FAIL	The Authority is entitled to exclude Tenderers from this procurement if any of the grounds for exclusion apply, as indicated by a Tenderer responding 'No' to the question, and/or the Authority has other external evidence. However, the Authority will consider all the relevant circumstances, and will at its discretion allow a Tenderer to score a PASS and proceed if it provides evidence of 'Self-cleaning' to the Authority's satisfaction.
Section 4 - Grounds for discretionary exclusion (4.1 – 4.3)	
4.1 (a) - (i) and 4.1(j)-(i) - 4.1(j)-(iv)	
You must self-certify whether any of the grounds for discretionary exclusion apply, as specified by the questions.	
PASS	Responses of 'No' to each question; OR a response of a 'Yes' to one or more questions but appropriate evidence of self-cleaning is provided within 4.3 (see section on 'Self-cleaning' below for guidance and instructions on this).
FAIL	The Authority is entitled to exclude Tenderers from this procurement if any of the discretionary grounds for exclusion apply, as indicated by a Tenderer responding 'Yes' to a question, and/or the Authority has other external evidence. However, the Authority will consider all the relevant circumstances, and will at its discretion allow a Tenderer to score a PASS and proceed if it provides evidence of 'Self-cleaning' to the Authority's satisfaction.
4.2	
PASS	If the Potential supplier is a relevant commercial organisation subject to Section 54 of the Modern Slavery Act 2015, a response of 'Yes' to both confirmation statements; OR a response of a 'No' to one or more confirmation statements but appropriate evidence of self-cleaning is provided within 4.3 (see section on 'Self-cleaning' below for guidance and instructions on this); OR no response as the Tenderer is not a relevant commercial organisation subject to Section 54 of the Modern Slavery Act 2015.
FAIL	The Authority is entitled to exclude Tenderers from this procurement if any of the discretionary grounds for exclusion apply, as indicated by a Tenderer responding 'No' to one or more of the confirmation statements, and/or the Authority has other external evidence. However, the Authority will consider all the relevant circumstances, and will at its discretion allow a Tenderer to score a PASS and proceed if it provides evidence of 'Self-cleaning' to the Authority's satisfaction.
4.3	
PASS	No response required due to responses of 'No' to all situations and statements listed in 4.1 and responses of 'Yes' to the confirmations in 4.2 (where applicable); OR a response of 'Yes' to one or more of the situations and/or statements listed in 4.1 and/or a response of 'No' to either confirmation in 4.2 (if applicable) and sufficient evidence of self-cleaning is provided in 4.3 to the satisfaction of the Authority (see full details within section on 'Self-cleaning' below).
FAIL	If any of the grounds for rejection apply in 4.1 and 4.2 and the Tenderer does not provide sufficient evidence of 'Self-cleaning' in 4.3, then the Authority will score this section of the Tenderer's application as a FAIL.

	If a Tenderer is scored a FAIL for this section, then this will result in the Tenderer's elimination from the evaluation process and the Authority will not proceed with the scoring of the Tender's submission. (See section on 'Self-cleaning' below).
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Self-cleaning: important instructions

Self-cleaning: If a Tenderer responds 'Yes' to any of the questions within 2.1(a) or 4.1, or 'No' to any of the questions within 3.1(a), 3.2, and 4.2 (if applicable), the Authority may request further evidence of self-cleaning at any time prior to award.

In order for the evidence referred to above to be sufficient, the Tenderer shall, as a minimum, prove that it has:

- Paid or undertaken to pay compensation in respect of any damage caused by the criminal offence or misconduct;
- clarified the facts and circumstances in a comprehensive manner by actively collaborating with the investigating authorities; and
- taken concrete technical, organisational and personnel measures that are appropriate to prevent further criminal offences or misconduct.

The measures taken by the Tenderer shall be evaluated taking into account the gravity and particular circumstances of the criminal offence or misconduct. Where the measures are considered by the Authority to be insufficient, the Tenderer shall be given a statement of the reasons for that decision, and the question(s) shall be scored as a FAIL.

The Authority can use its discretion as to whether the Tenderer may be awarded a PASS, provided the Tenderer can demonstrate remedial action to the Authority's satisfaction.

If a Tenderer answers 'Yes' to any of the questions within 2.1(a) or 4.1 or 'No' to any of the questions within 3.1(a), 3.2, and 4.2 (if applicable) and subsequently **does not provide any evidence that is requested** of Self-cleaning the Tenderer will fail that question and be excluded from the process.

Self-cleaning is not applicable to discretionary exclusion grounds which are procurement-specific and which do not arise from Tenderer misdeeds ("conflict of interest" and "distortion of competition from prior involvement").

Part 3: Selection Questions

Section 5 – Economic and Financial Standing (5.1 – 5.5)							
5.1-5.3(a-b)							
PASS	The Tenderer can provide the requested details to one of the questions 5.1, 5.2, 5.3(a) or 5.3(b).						
FAIL	The Authority may fail a Tenderer if they cannot provide the requested details for at least one of the questions 5.1, 5.2, 5.3(a), or 5.3(b).						
5.4							
PASS	<p>The specified minimum level of economic and financial standing for this procurement is set out below:</p> <p><i>If both of the following criteria are achieved, the Tenderer will achieve a PASS and should select 'Yes' within the Selection Criteria Questionnaire.</i></p> <ul style="list-style-type: none"> • A result of 0.7 or above for the current ratio; and • A result of 1 or below for the debt ratio. <p><u>To calculate the financial ratios:</u></p> <table border="1"> <thead> <tr> <th colspan="2">FINANCIAL INFORMATION – evaluation method</th> </tr> </thead> <tbody> <tr> <td>Current ratio</td> <td>Current assets divided by current liabilities</td> </tr> <tr> <td>Debt ratio</td> <td>Total debt divided by total assets</td> </tr> </tbody> </table> <p>The Authority reserves the right to carry out further financial stability evaluation if it deems it necessary, which may involve seeking further information such as details of your accounting model or information concerning any underwritten debt.</p> <p>At the sole discretion of the Authority, the further information provided may be taken into account to assess whether your organisation will PASS the question.</p>	FINANCIAL INFORMATION – evaluation method		Current ratio	Current assets divided by current liabilities	Debt ratio	Total debt divided by total assets
FINANCIAL INFORMATION – evaluation method							
Current ratio	Current assets divided by current liabilities						
Debt ratio	Total debt divided by total assets						
FAIL	<p>If a Tenderer selects 'No' for Question 5.4 as they did not satisfy both of the above criteria they may FAIL that question in which case the Authority will not proceed with the scoring of their tender.</p> <p>Tenderers may be required to confirm the following information during evaluation stage when requested:</p> <ul style="list-style-type: none"> • Current assets • Current liabilities • Total debt • Total assets <p>The Authority will use the above information to calculate the ratios. If a Tenderer is found not to satisfy both the above criteria they may fail question 5.4 and be excluded from the procurement.</p> <p>The Authority reserves the right to carry out further financial stability evaluation if it deems it necessary, which may involve seeking further information such as details of your accounting model or information concerning any underwritten debt.</p>						

	<p>At the sole discretion of the Authority, the further information provided may be taken into account to assess whether your organisation will PASS the question.</p> <p>The Authority reserves the right to use a third party provider of business information. This may be to validate the financial information provided by the Tenderer, to identify areas of concern, and/or obtain further information where required.</p>
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5.5

PASS	<p>Where the Tenderer is relying on another member of the bidding group/consortium or any subcontractors or other security in order to meet the selection criteria relating to economic and financial standing, the Tenderer confirms that the relevant person or entity is willing to provide a guarantee or other security if required.</p>
FAIL	<p>Where the Tenderer is relying on another member of the bidding group/consortium or any subcontractors or other security in order to meet the selection criteria relating to economic and financial standing, the Tenderer does not confirm that the relevant person or entity is willing to provide a guarantee or other security if required.</p> <p>The Authority reserves the right to carry out further financial stability evaluation if it deems it necessary, which may involve seeking further information such as details of your accounting model or information concerning any underwritten debt.</p> <p>At the sole discretion of the Authority, the further information provided may be taken into account to assess whether your organisation will PASS the question.</p>

Section 6 – Technical and professional ability (6.1 - 6.3)

6.1

This question requires contract(s) that are relevant to the Authority's requirement. **The Authority's requirements are set out within the ITT and Specification documents.**

Examples of contracts relevant to the Authority's requirements may include:

- Day Time Support contract(s) for services similar to those set out with in the Authority's ITT and Specification documents;
- Social Care contract(s) for services which are similar in nature to those set out within the Authority's tender documents specifically the service specification.
- Other contracts or major grants as the Authority sees appropriate.

Tenderers may provide:

1. references from other local authorities, e.g. Contract Managers; or in the event that this is not possible, Tenderers may provide:
2. references from other public sector bodies, e.g. if you have been contracted by the NHS; or in the event that this is not possible, Tenderers may provide:
3. references from the Authority staff if options 1 and 2 are not possible. This could be the relevant Contract Management Officer or Commissioning Manager.

The relevancy of your contracts to the Authority's requirements will be assessed on the following:

1. The nature of the service (service description);
2. Training and/or or qualifications of staff and information on the numbers of staff this applies to;
3. Governance arrangements to ensure legally compliant and safe delivery of all Services

PASS	The information is complete and the reference(s) which the Authority obtains are satisfactory.
FAIL	<p>If one or more references gives evidence of a failure to deliver the required levels of contract performance it may result in a FAIL.</p> <p>No description(s) provided in response to the question, or the contracts provided are not relevant to the Authority's requirements may result in a FAIL.</p> <p>If it is not possible to validate the accuracy of the information provided or if the accuracy of the information provided is put in significant doubt by the referee this may result in a FAIL.</p> <p>However, the information for the other questions within section 6 will be taken into account by the Authority to assess whether your organisation will PASS the question.</p> <p>Please note that the Authority will check the word-count of your response(s), any words above the word-count will not be evaluated. The word-count applies to each contract, i.e. you have 500 words for Contract 1, 500 words for Contract 2, 500 words for Contract 3.</p>

6.2

This question requires an explanation as to why examples cannot be given within 6.1 and how you meet the selection criteria relating to technical and professional ability.

PASS	Explanation not required by virtue of the response given to 6.1, or the explanation provided is satisfactory.
FAIL	<p>No response to the question, or the explanation is not satisfactory.</p> <p>However, the information for the other questions within section 6 will be taken into account by the Authority to assess whether your organisation will PASS the question.</p>

6.3

This question requires previous experience of working with subcontractors.

PASS	The evidence submitted is satisfactory, even if limited, or no response due to no subcontracting in proposed delivery model.
FAIL	No description(s) provided in response to the question where the Tenderer has stated they would use subcontracting within the delivery model.

Section 7 – Additional Questions including Project Specific Questions

7.1 Insurance

PASS	You either have or can commit to obtain, prior to the commencement of the Provider List, each of the levels of insurance cover indicated as set out within question 7.1.
FAIL	You have not got each level of insurance cover as set out within question 7.1 and are not willing to obtain each level of insurance cover if offered a place on the Provider List.

7.2 Data Protection	
7.2(a)	
PASS	A Response of Yes
FAIL	A Response of No
7.2(b)	
PASS	The information provided is complete and satisfactory and evidence is provided to support your company's ability to implement appropriate technical and organisational methods to comply with UK GDPR and ensure the protection of the rights of data subjects.
FAIL	The information is not provided, or the information provided is not satisfactory.

7.3 Health and Safety	
7.3 (a)	
PASS	The information provided is complete and satisfactory and includes details of existing policy and examples of how risks are controlled. *Note – a response to this question is not applicable if you are an organisation with less than 5 employees
FAIL	The information is not provided, or the information provided is not satisfactory.

7.4 Business Dealings within Russia or Belarus	
7.4(a)	
PASS	A Response of 'No'.
FAIL	A Response of 'Yes' and information requested has NOT been provided, or a response of 'Yes' and the information provided entitles the Authority, at its sole discretion, to exclude the bid in accordance with current law and guidance.
7.4(b)	
PASS	A Response of 'No.'
FAIL	A Response of 'Yes' and information requested has NOT been provided, or a response of 'Yes' and the information provided entitles the Authority, at its sole discretion, to exclude the bid in accordance with current law and guidance.
7.4(c)	
PASS	A Response of 'No.'
FAIL	A Response of 'Yes' and information requested has NOT been provided, or a response of 'Yes' and the information provided entitles the Authority, at its sole discretion, to exclude the bid in accordance with current law and guidance.

7.5 (a) Service Specific Requirements	
The information you provide within this section is for information only and will not be scored. The information you provide will be included on the Authority's Day Time Support Services web page.	

Please ensure you comply with the stated word limits.	
PASS	You have completed the required information in Appendix 4a and 4b for each Service.
FAIL	You have not completed the required information in Appendix 4a and 4b for each Service.
7.6 (a)	
PASS	You have confirmed you have read and understood the Minimum Quality standards and agree to meet and maintain the standards throughout the duration of the Agreement.
FAIL	You have not confirmed you have read and understood the Minimum Quality standards and agree to meet and maintain the standards throughout the duration of the Agreement.