

VOLUME 1

Instructions to Tender

For the Provision of a Mobility as a Service (Maas) Solution

Project REF:	DN 583133
Commencing:	21 March 2022
Contract Term:	4 October 2022 – 31 March 2024
Procedure:	RESTRICTED

Please submit Supplier Selection Questionnaire (Volume 2)

by: 13/05/2022 by 12:00 MIDDAY

Tenders by invitation only submission (Volume 3)

by: 20/07/2022 by 12:00 MIDDAY

Instructions to Tender

Date: 21/03/2022

Dear Sir, Madam

TENDER INVITATION

For the Provision of a Mobility as a Service (Maas) Solution

I have pleasure in enclosing the following documents in order that you may submit a tender for the above contract:

A downloadable copy of the Invitation to Tender document Volumes One, Two and Three:

Volume 1 being the Instructions to Tender.

Volume 2 being the Supplier Selection Criteria

Volume 3 being the Form of Tender and Quality Questions and Pricing Schedule

Appendices

Appendix A – West of England Combined Authority MaaS Specification

Appendix B – West of England MaaS Contract

Appendix C – West of England MaaS Commercial Evaluation

Appendix D – West of England MaaS Requirements Matrix

Please note this project is being procured under the Restricted Procedure pursuant to the Public Contracts Regulations 2015.

Bidders are advised that a tender shall only be considered when all requirements of the tender documentation are completed and returned and:

- it has met all of the eligibility and mandatory requirements
- the SSQ is submitted to the Combined Authority using The Portal no later than **12:00 midday on 13/05/2022**
- the tender is submitted to the Combined Authority using The Portal no later than **12:00 midday on 20/07/2022**
- it is accompanied by an undertaking which shall become a condition of the contract that the amount of the tender has not been calculated by agreement or arrangement with any other person other than the Combined Authority and that the amount of the tender has

not been communicated to any other person until after the closing date for the submission of tenders (see Certificate of Non-Collusion).

You are required to hold all information pertaining to this contract confidential and to limit the dissemination of information within your organisation on a need-to-know basis.

Yours faithfully

Emil Cirica

emil.cirica@westofengland-ca.gov.uk

Senior Procurement Officer

On behalf of THE WEST OF ENGLAND COMBINED AUTHORITY

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West of England Combined Authority Information

The West of England Combined Authority is creating a better, greener future for people who live and work in the region.

It's improving peoples' lives:

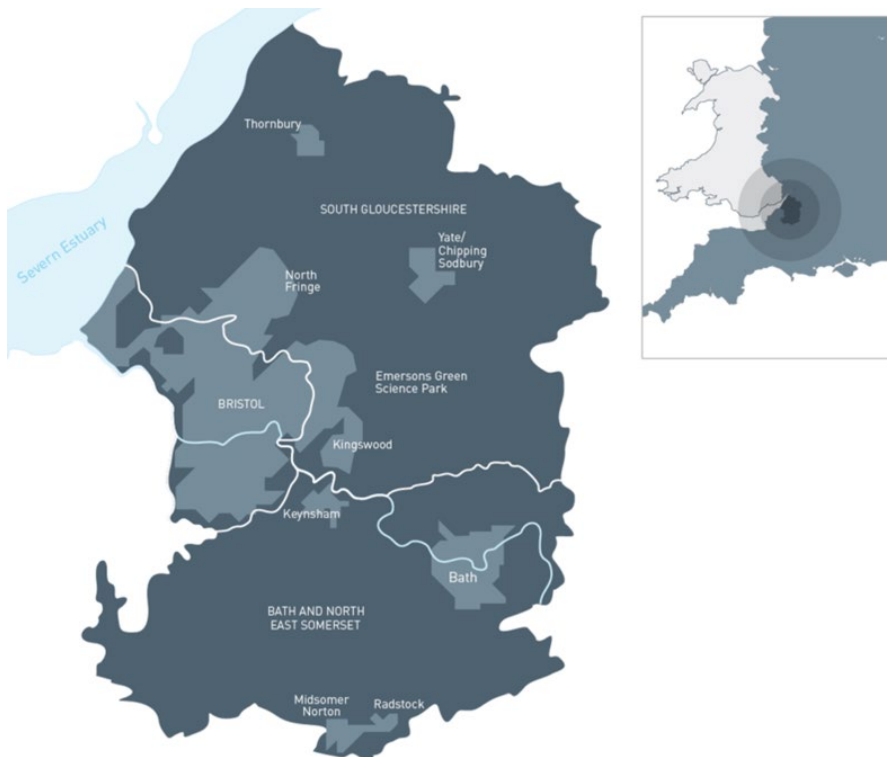
- helping residents secure decent jobs and homes they can afford.
- tackling climate change and the ecological emergency.
- providing access to skills and training.
- improving transport and the places people live, work and visit.
- supporting businesses to succeed.

The West of England Combined Authority is creating a region to be proud of.

The West of England region:

- has a diverse population of more than 1.1million people.
- boasts a highly skilled workforce and one of the highest levels of graduates in the UK.
- is home to innovative and creative businesses
- has an economy, built on strong foundations, worth over £40bn a year.

It's a region which competes on global scale. A region where ideas flourish and businesses grow.



www.westofengland-ca.gov.uk

1. Scope of the Contract

Please refer to Appendix A-West of England Combined Authority MaaS Specification for the scope and specification of requirements

2. Timetable of Key Dates

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

Date	Activity
21 March 2022	Tender documentation issued to bidders
21 March 2022	SSQ Clarification period OPENS
29 April 2022	SSQ Clarification period CLOSES
6 May 2022	SSQ WECA responds to clarification questions
13 May 2022 -12:00 midday	SSQ response submission deadline
20 May 2022	SSQ Validations for completion, certificates and Pass / Fail
15 June 2022	Production of SSQ debrief Letters
16 June 2022	SSQ Providers notified of the outcome of Stage 1
16 June 2022	ITT Clarification period OPENS
6 July 2022	ITT Clarification period CLOSES
13 July 2022	ITT Authority responds to clarification questions.
20 July 2022- 12:00 midday	ITT response submission deadline
15-19 August 2022	Provider Interview / Clarification session
19 September 2022	ITT providers notified of intention to award
20 September 2022	Standstill period commences
30 September 2022	Standstill period concludes at midnight
3 October 2022	Contract award concluded
4 October 2022	Commencement Date of Contract

- 2.2 Any SSQ response or tender response received after the specified deadlines will not be considered unless the closing date for receipt of either the SSQ Stage or ITT stage is formally extended by the Combined Authority and communicated.

2.3 Submissions received after the closing date may be considered in exceptional cases where submission is not possible for reasons outside of the Bidders control, however this will be permitted only at the discretion of the Combined Authority and their decision on this will be final.

3. Bidder's Responsibility

3.1 It is the responsibility of the Bidders to satisfy themselves as to the nature, extent and circumstances of the services to be provided and satisfy themselves as to their ability to fulfil the requirements.

3.2 Bidders will be taken to have, by their own examination of the contract documents, satisfied themselves as to the full requirements of the specification and contract terms.

3.3 Tenders must be based upon the conditions set out in the following documents, otherwise they may be rejected on the grounds of non-compliance.

- Instructions for Tendering Volume One
 - SSQ Volume Two
 - Invitation to Tender Volume Three
- (Together referred to as the tender documentation)

4. Combined Authority Clarifications

4.1 The Combined Authority may wish to make enquiries of your existing customers and/or require further information of you at any stage during the selection and award process.

4.2 The Combined Authority reserves the right to clarify any element of the submitted tender.

5. Anti-collusion Certificate

5.1 You must complete the Anti-Collusion Certificate found in Volume 3, If you do not do so, the Combined Authority reserves the right at its own choice and without consulting you either to reject the tender or to treat you as having agreed, by submitting your tender, to bind yourself to the Anti-Collusion Certificate as though you had completed it. You should also note that the Combined Authority will regard the lodging of a false Anti-Collusion Certificate as grounds justifying immediate rejection of your tender without further reference to you or for immediate termination of the Agreement with you in the event of a successful tender.

6. Transfer of Undertakings and Protection of Employment Regulations

6.1 We do not consider any person to be in scope of TUPE in the delivery of the services of this contract.

7. Monitoring

- 7.1 We require our MaaS Partner to cooperate willingly and fully with the monitoring and evaluation activities throughout the FTZ programme
- 7.2 Please refer to the Monitoring and Evaluation Section 6.11 of the Specification of Requirements which can be found in Appendix A-West of England Combined Authority MaaS Specification
- 7.3 Full details of the monitoring and evaluation regime will be shared with the successful provider

8. Freedom of Information Act

- 8.1 Bidders should note that the Combined Authority is subject to the 'Freedom of Information Act 2000' and provisions are in force allowing any person access to information held by the Combined Authority. There are limited exemptions to this. The exemptions include information, the disclosure of which would be an actual breach of confidence or likely to prejudice the commercial interests of any person, or information that constitutes a trade secret. Tenderers are requested to state which part, if any, of the information supplied with their tenders is confidential or commercially sensitive or should not be disclosed in response to a request for information. Where Bidders state that any information is confidential or commercially sensitive, they must also state why they consider the information to be confidential or commercially sensitive. Bidders' statements will be considered in the context of the exemptions provided for under the Act and the Combined Authority is unable to give any guarantee that the information in question will not be disclosed.

9. Transparency

- 9.1 Bidders should be aware that the Combined Authority is required to publish information regarding contracts under the government transparency policy. To view details of what must be published, see the Local Government Transparency Code 2015 at the link below.

[Local Government Transparency Code 2015](#)

- 9.2 Details of this contract will be published on the Combined Authority's website and the government's transparency website Find a Tender Service (. gov.uk) and Contracts Finder.
- 9.3 In submitting a tender, the Bidder accepts the Combined Authority's right to publish details of expenditure as well as information contained within the Bidder's tender.

10. Whistleblowing

- 10.1 The Combined Authority reserves the right to terminate the contract if the winning Bidder or anyone on its behalf bribes or tries to bribe anyone in connection with any

aspect of the tender process or commits an offence under the Prevention of Corruption Acts 1889-1916.

- 10.2 There are stringent similar provisions under both UK and European law in respect of money laundering and misconduct in respect of European funding.
- 10.3 The Combined Authority takes these issues very seriously. It encourages all Bidders to contact the Procurement team if any Combined Authority representative, employee or other Bidder or potential Bidder approaches them and either attempts to engage them in any such activity or infers that they could do so.
- 10.4 You should not attempt to canvass any Member or Officer of the Combined Authority about your tender or try and obtain confidential information relating to the service or the tendering process from anyone associated with the contract or from any other past or present contractor to the Combined Authority. If you do so your tender is likely to be rejected.

11. Instructions to Bidders

- 11.1 Tenders must be submitted in accordance with the following instructions. Any tenders not complying with the requirements of the tender documentation in any way may be rejected by the Combined Authority, whose decision in the matter shall be final.
- 11.2 The Combined Authority may reject non-compliant tender responses. Non-compliant tenders may include, but will not be limited to, late responses, qualified bids, or bids that do not follow the requested format.
- 11.3 This tender is being conducted under the Restricted Procedure which follows two stages. Please ensure you follow the instructions below.

Stage 1 – Open to all Bidders

The SSQ (Volume 2) is the first stage of the Restricted Procedure and is open to all interested bidders. Please refer to the Timetable of Key Dates in Section 2 for the deadline for submission of SSQ documentation.

Stage 2 – By invitation only

Following conclusion of the evaluation of Stage 1 (SSQ) we will invite those Bidders with the highest SSQ scores to participate in Stage 2. We intend to take five Bidders into Stage 2, assuming sufficient Bidders meet the SSQ requirements, but reserve the right to take forward additional Bidders if the scoring is particularly close.

Only those invited to will be eligible to proceed in the Procurement and submit a completed ITT / Tender document by answering the questions in Volume 3 (Quality Questions ITT)

After completing the evaluation of Volume 3 written responses the Combined Authority may invite Bidders to attend an interview and answer questions posed by the project panel.

Key members of the team who, if successful, will be directly delivering the services must attend.

The Combined Authority envisages that these interviews will take place between the 15 and 19 August 2022. Interviews will take place via Microsoft Teams video call.

The focus of the interview will be further interrogation and clarification of your bid. Interviews will not be scored but where they have a significant effect on the Combined Authority's confidence in your ability to deliver the service, will be used to adjust scores attributed to your bid.

Stage 3 - Any resulting Contract Award

Should this Procurement conclude with a Contract Award the following stages shall apply:

- The Combined Authority will announce the outcome of the procurement and issue Bidders with an intention to award letter – these letters will, for unsuccessful Bidders, give their score, the score of the 'preferred bidder' and state the distinct characteristics and advantages (where applicable) of the preferred bidder's submission
- Issue of the intention to award letters will start a mandatory 10-day standstill period which will conclude at midnight on Day 10. This period is mandatory under the Public Contracts Regulations 2015. You should familiarise yourself with the purpose of this period.
- At any time after conclusion of the mandatory standstill period (Day 11) the contract may be awarded by the Combined Authority to the preferred bidder.

11.4 Bidders should read the instructions and guidance carefully before completing the tender documentation. Failure to comply with these requirements for completion and submission of the tender response may result in the rejection of the tender.

11.5 You must submit all requested documents for the stage which you are responding to, please pay particular attention to declarations and appendices where requested.

11.6 By submitting a Tender in Stage 2, you will be taken to have agreed that your Tender will remain open for acceptance for a minimum of 120 days from the submission deadline date.

11.7 Bidders may modify their submission prior to the deadline for receipt. Bidders may withdraw their submission at any time prior to accepting notification of award.

11.8 Any part of your bid must not:

- Be qualified.
- Be conditional.
- Be accompanied by statements which could be construed as rendering your bid equivocal and/or placed on a different footing to those of other Bidders.

Only tenders submitted without qualification strictly in accordance with these instructions will be accepted for consideration. The Combined Authority's decision on whether or not a tender is acceptable will be final and the Bidder concerned will not be consulted. If a tender is excluded from further consideration the Bidder concerned will be so notified.

- 11.9 If the Combined Authority suspects that there has been a technical or arithmetical error in a Bidder's submission, it reserves the right to seek such clarification as it considers necessary from that Bidder only.
- 11.10 The form of contract that the Combined Authority proposes to enter into with the winning Bidder can be found at Appendix B – West of England MaaS Contract. Bidders may raise queries in respect of the contract terms through the clarification process described in paragraph 14. If, at any time prior to the bid submission date, the Combined Authority considers that changes are required to the contract, whether prompted by Bidder queries or otherwise, we will reissue the contract through the on-line portal.
- 11.11 By submitting its Tender, each Bidder is committing to enter into the form of contract set out in Appendix B – West of England MaaS Contract, as may be updated by the Combined Authority prior to the bid submission date. After selection of the winning Bidder, the Combined Authority will only make such changes to the draft contract (in conjunction with the winning Bidder) as are necessary to complete any gaps and ensure the draft is ready for execution by the parties.
- 11.12 All documentation supplied by the Combined Authority shall remain its property and confidential to it. Bidders may not without the Combined Authority's written consent at any time use for your own purposes or disclose to any other person (except as may be required by law) the tender or contract documents or any information or material which the Combined Authority may make available to Bidders all of which shall remain confidential to the Combined Authority.
- 11.13 The Combined Authority shall not be liable for any loss or expense incurred by any Bidder in the production of the SSQ / Tender or as a result of its decision not to award the contract to any Bidder.
- 11.14 The Combined Authority reserves the right to accept or reject any written tender and to abort the tender process and reject all tenders at any time prior to award of contract without incurring any liability to the affected Bidders. The Combined Authority is not bound to accept the lowest or any tender response made as a result of this invitation

12. Completing the SSQ and Invitation to Tender

- 12.1 These instructions are designed to ensure that all Bidders are given equal and fair consideration
- 12.2 You must respond to the Mandatory and Discretionary Grounds for exclusion in the format in SSQ Volume Two and return it via the online procurement portal, to arrive not later than the date specified on the front page. You may submit the quality selection criteria questions (1st 3 case studies and 2nd and 3rd questions) in a format of your choosing however you must quote the question you are responding to at the top of your page.
- 12.3 If you are invited to progress to Stage 2 and submit Volume Three you may respond in a format of your choosing however it must be clear which question you are answering. This could be achieved by clearly stating the question at the top of the relevant section of your bid document.
- 12.4 Where a page limit has been indicated for a specific response, please do not exceed this limit. Where a response exceeds the number stated in the question, the additional pages will not be read and will be disregarded from the evaluation.
- 12.5 If there is any question in the tender documentation you cannot answer or any requested information you cannot provide, you should give a full explanation as to why within your submission.
- 12.6 Please submit your tender and appendices with the exception of the Commercial Pricing Model in a PDF format. Please note that submitting a brochure will not be considered a bona fide tender. Any brochures will not be evaluated.
- 12.7 You are strongly encouraged to review the documents in their entirety before submitting your tender, paying special attention to the Pass/Fail elements, which may lead to your tender being rejected.

13. Commercial Model / Pricing Schedule (Stage 2 only)

- 13.1 The Commercial model / pricing schedule can be found in Appendix C – West of England MaaS Commercial Evaluation please ensure you complete the Commercial Model according to the instructions given within it.
- 13.2 Please sign and date the Commercial model / pricing schedule. Electronic signatures are accepted following the Electronic Signatures Directive 1999.
- 13.3 Prices should be submitted in pounds Sterling.
- 13.4 Prices must be kept open for a period of 120 days from your submission.

13.4 Prices quoted shall be exclusive of VAT.

14. Communication and Clarifications

- 14.1 The Combined Authority is utilising an electronic tendering tool to manage this procurement and communicate with Bidders with the contract being awarded using The Portal 'Supplying the South West'.
- 14.2 All Stage 1 SSQ (Volume 2) clarification questions must be received no later than **29/04/2022 at 1200 Midday** to allow time within the SSQ period for a detailed response to be distributed
- 14.3 All Stage 2 ITT (Volume 3) clarification questions must be received no later than **06/07/2022 at 1200 Midday** to allow time within the Invitation to Tender period for a detailed response to be distributed
- 14.4 During the tender process, any communication between Bidders and the Combined Authority shall be via the on-line portal.
- 14.5 If you have any enquiries about the tender documentation which might have any bearing on your tender, you should raise these through the online portal within the Clarification period. Unless a bidder states that an enquiry is confidential the Combined Authority will circulate a copy of the enquiry and its written reply to all Bidders but will preserve the anonymity of the enquirer. If the bidder states an enquiry is confidential and the Combined Authority agrees then the enquiry and response shall remain private to that bidder. If the Combined Authority does not agree that the enquiry is confidential then you will be given the option to a) withdraw your question b) have the enquiry and response shared with all bidders.
- 14.6 Bidders should notify the Combined Authority promptly of any perceived ambiguity, inconsistency, or omission in the tender documents, any of its associated documents and/or any other information issued to them during the procurement process.
- 14.7 The Combined Authority may make changes to the tender documentation at any time prior to the bid submission date. Such changes will be notified to Bidders via the on-line portal as tender amendments.
- 14.8 Bidders will be notified of the outcome of their tendering according to the indicative timetable provided at 2.0 above.
- 14.9 After the closing date for receipt of tenders the Combined Authority expects only to make contact with Bidders for the following purposes:
- To clarify a response or document received as part of the Bidder's submission.
 - To inform Bidders of the award decision.
 - To agree the commencement date.

- 14.10 Any information provided that has not been asked for will not be taken into consideration.
- 14.11 Tenders will only be accepted electronically if issued on www.supplyingthesouthwest.org.uk (The Portal). Tenders will not be accepted by email.
- 14.12 The tender documents must not be amended by the Bidder and no altered or erased figures should appear on the Pricing Schedule.
- 14.13 The submission of a tender by the Bidder is deemed to mean that they have understood the nature and extent of the service required. No claim founded on a Bidder's failure to obtain interpretation of the Contract prior to submission of their tender will be considered.

15. Method of Evaluation - Stage 1 SSQ Evaluation (Volume 2)

- 15.1 The SSQ document is open to all Bidders. There are a number of mandatory and discretionary Pass/Fail sections contained within the SSQ Document (Volume Two). Any tender that fails the initial Pass/Fail sections will be rejected and the remainder of your SSQ will not be evaluated – you will forfeit your position in the Tender.
- 15.2 The Combined Authority may seek clarifications from Bidders on discretionary grounds for rejection.
- 15.3 Subject to passing all Mandatory and Discretionary Grounds, the remainder of your SSQ response will be evaluated.
- 15.4 Your two quality question responses will be scored by the procurement panel using the 0-5 scoring methodologies published in Volume 2. As noted in Volume 2, a score of 0 or 1 on the first quality question (the case studies) will constitute a fail. The Combined Authority may at its discretion reject any Bidder whose SSQ response scores 0 or 1 on the first quality question.
- 15.5 The published weightings will be applied to your scores using the following methodology:

$$\text{YOUR SCORE} \times \frac{\text{MAX SCORE AVAILABLE (5)}}{\text{WEIGHTING}}$$

Example (on basis 3 Bidders being taken forward to Stage 2)

Criteria	Weight	Max Score	Supplier A		Supplier B		Supplier C		Supplier D		Supplier E	
			Score	Weighted Score	Score	Weighted Score	Score	Weighted Score	Score	Weighted Score	Score	Weighted Score
Case Study 1	25	5	4	20	2	10	3	15	3	15	5	25
Case Study 2	25	5	3	15	3	15	4	20	3	15	4	20

Case Study 3	25	5	4	20	3	15	4	20	2	10	4	20
Delivery	25	5	4	20	2	10	5	25	3	15	4	20
TOTAL	100	20		75		50		80		55		85

- 15.6 Your total SSQ score will determine your ranking. We intend to take the five highest scoring Bidders into Stage 2, assuming sufficient Bidders meet the SSQ requirements, but reserve the right to take forward additional Bidders if the scoring is particularly close. Bidders will be invited to Stage 2. Only if invited should you submit a tender response to Volume 3.
- 15.7 In the example used above Suppliers E, C & A would be invited to Stage 2.
- 15.8 Following the conclusion of the SSQ evaluation unsuccessful Bidders will receive a letter showing their scores with supporting commentary. Successful Bidders will be invited to proceed to Stage 2 and submit a response to Volume 3.

16. Method of Evaluation - Stage 2 Tender Evaluation (Volume 3)

- 16.1 Stage 2 (Volume 3) Tender submissions shall be evaluated using the published scoring methodology and evaluation criteria, in order to identify the most economically advantageous bid.
- 16.2 The most economically advantageous bid will be identified through the combined score of the following weighted criteria:
- 75% QUALITY**
25% COST
- 16.3 Quality questions can be found in VOLUME 3. The pricing schedule can be found in Appendix C – West of England MaaS Commercial Evaluation
- 16.4 The Combined Authority may at its discretion reject a bid which scores less than a 3 in response to any of the quality questions.
- 16.4 The weighting attributed to each of the quality questions is given below.
- 16.5 Weightings are given to each of the quality questions. Your weighted score for each question will be calculated as following:

$$\text{Question Score (0-5)} \times \text{Weighting} = \text{Actual Quality Score}$$

The maximum possible total score is 5

Example:

Question	Weighting	Supplier A		Supplier C		Supplier D	
		Score	Actual Quality Score	Score	Actual Quality Score	Score	Actual Quality Score
1	10%	3	0.3	4	0.4	4	0.4
2	15%	4	0.6	3	0.45	4	0.6
3	25%	4	1	4	1	5	1.25
4	25%	4	1	3	0.75	4	1
5	15%	4	0.6	3	0.45	4	0.6
6	10%	5	0.5	5	0.5	4	0.4
Sum TOTAL	100%		4*		3.55*		4.25*

16.6 The **Sum TOTAL*** of your Actual Quality Score will be used to calculate your overall Quality score out of 75%. This will be calculated in the following way.

Actual Quality Score

$$\text{Total Quality Score X } 75 = \text{Actual Quality Weighted Score}$$

Example:

Tenderer	1. Total Quality Score Available	2. Actual Quality Score	3. Quality Weighting (75%)	4. Actual Weighted Quality Score (%) Max 75%
Supplier A	5	4.00	75	60.00*
Supplier B	5	3.55	75	53.25*
Supplier C	5	4.25	75	63.75*

*. Your Cost score will be added to this figure to produce your final tender score. The highest scoring bid will be the Most Economically Advantageous Tender and the relevant bidder will become the preferred bidder for award.

17. Method of Evaluation – Commercial Model

17.1 This accounts for 25% of the overall evaluation marks available.

17.2 Please refer to Appendix C – West of England MaaS Commercial Evaluation

for the commercial model including instructions for completion. Please ensure you follow the instructions in the Commercial Model carefully, if you have any questions or are unsure about completing the Commercial Model please raise these as a clarification through the messaging function available in the Procurement Portal.

- 17.3 The Commercial Model features a combination of fixed and variable cost elements and requests a schedule of rates for evaluation. Please refer to the weightings set out in the Commercial Model which have been allocated to each pricing element. Once all information is input, the Commercial Model will produce an overall weighted price for each Bidder.
- 17.4 The Bidder with the lowest overall **weighted price**, shall be awarded 25% (i.e. full marks) for price. Scores for the remaining Bidders will be calculated using the following formula:

PART 1

$$\frac{1a \text{ Lowest Bidders Weighted Price}}{1b \text{ Bidders Weighted Price}} = 2) \text{ Unweighted Price Score}$$

PART 2

$$\frac{2) \text{ Unweighted Price Score}}{100} \times 25 = 4) \text{ Weighted Price Score}$$

Example

Tenderer	1b. Bidders Weighted Price	2. Unweighted Price Score %	3. Price Weighting	4. Weighted price score %
SUPPLIER A	£2,800,000.00	100%	25	25.00%
SUPPLIER B	£3,500,000.00	80%	25	20.00%
SUPPLIER C	£3,750,000.00	75%	25	18.67%

1a Lowest Bid £2,800,000.00

- 17.6 If the Combined Authority considers a Tender to be abnormally low priced, it will exercise the right to clarify as permitted by the Public Contracts Regulations 2015. The Combined Authority reserves the right to challenge how the Bidder can deliver the expected quality at that price. If the Combined Authority is satisfied that the tender price is indeed unsustainable, then it is at liberty to reject the tender.

18.0 Submission of Tender - Electronic Tendering

- 18.1 The Combined Authority is utilising an electronic tendering tool to manage this procurement and communicate with Bidders. Accordingly, there will be no hard copy documents issued to Bidders and all communications with the Combined Authority including the submission of Bidders responses will be conducted via the Portal.
- 18.2 Please allow sufficient time to upload documentation. It would be unwise to commence uploading documents less than two hours before the deadline. If you experience any technical difficulties in the lead up to the deadline, please contact Emil.Cirica@westofengland-ca.gov.uk
- 18.3 ProActis who provide the Portal also offer supplier support. For all support issues Bidders must in the first instance log their query via the following email:
- procontractsuppliers@proactis.com

If the query is of a time sensitive nature, they also have an Emergency Contact number:

- 0330 0050352

In the first instance Bidders should log their call using the email address provided

- 18.4 It is the Bidders' responsibility to ensure that all documents are uploaded on time. The e-tendering system 'Pro Contract' will hold all the information that Bidders upload securely until the Tender opening date.

19 FINANCIAL STANDING APPRAISALS

- 19.1 The Financial Information provided by bidders will be used by the Combined Authority to assess whether the bidders possess the necessary economic and financial capacity to perform the contract.
- 19.2 When undertaking the assessment, the Combined Authority looks at the Bidders' most recent financial statements along with those of any ultimate parent company (if applicable). These are checked for general audit issues and then analysed to give an indication of profitability, net worth, liquidity, capacity and general stability.
- 19.3 The Combined Authority reserves the right to use a variety of indicators as it considers appropriate including those from credit agencies. The Combined Authority will also consider any additional information submitted by the Bidder should the Bidder consider this necessary for the Combined Authority to have a fuller understanding of its financial position. This may be appropriate, for example, to obtain a fuller understanding of a Bidder's financial structure or funding arrangements. The Combined Authority would expect any such information to be verified by an independent source, for example, the

Bidder's auditors. Furthermore, the Combined Authority may (but is under no obligation) request further information or explanation from a Bidder.

- 19.4 Initially basic checks are made on a bidder's name and any relevant registration details (e.g., registered number at Companies House). The Combined Authority will check whether the bidder is trading or dormant and whether it has a parent company. The status of the financial statements is also determined to check whether information submitted is for the last accounting period.
- 19.5 When considering profitability, the Combined Authority looks at whether the organisation has made a profit or a loss in the year, which indicates the efficiency of the organisation. A loss in the year would be looked at in conjunction with the balance sheet resources available to cover this loss.
- 19.6 The Combined Authority will look at the bidder's balance sheet and determine the net worth of the organisation and that element that can be mobilised in a financial crisis. To do this the Combined Authority looks at net assets and also at the net tangible worth (excluding intangible assets) of the organisation.
- 19.7 When looking at liquidity the Combined Authority uses the current ratio and the acid test ratio. The current ratio is a measure of financial strength and addresses the question of whether the bidder has enough current assets to meet the payment schedule of its current debts with a margin of safety for possible losses in current assets. The Acid Test ratio measures liquidity and excludes stock to just really include liquid assets. Generally, the Combined Authority would expect a bidder to have a current ratio of at least 1:1.
- 19.8 Contract limit is the size of contract that is considered 'safe' to award to a bidder, based on a simple comparison of the estimated annual contract value to the annual turnover of the organisation. This gives an idea of financial strength to ensure that the bidder can cope financially with this size of contract. The Combined Authority assesses the capacity issue of whether the bidder has the resources to carry out the work and considers whether the bidder will become over-dependant on the contract in question. **Generally, the Combined Authority would expect a bidder to have a turnover of two times the annual value of the contract.**
- 19.9 The Combined Authority will consider all the above in relation to the bidder and that of any ultimate parent company and then a judgement would be made as to the risk that the organisation would represent to the Combined Authority. If the Combined Authority decides that the financial and economic standing of the bidder represents an unacceptable risk to the Combined Authority then the bidder will be excluded from further consideration in this process.

20.0 Collaboration Arrangements

- 20.1 Providers may wish to submit a collaborative bid. The possible methods for such collaboration are considered below.

- 20.2 Collectively, each entity that wishes to bid (whether it is a single entity, the lead partner or a joint and several liability consortium) is referred to as a “Bidder”. The Bidder is responsible for ensuring that the bid submission is fully completed, and the required information provided in respect of consortium members (as appropriate).
- 20.3 A consortia proposal requires either a clear lead organisation with whom the Combined Authority will contract or evidence of a consortia structure where all members are joint and severally responsible for the performance of the Contract, in which case all consortia members will sign the Contract
- 20.4 The following models of collaborative arrangements are indicative of possible collaborative working arrangements:
- Lead partner consortium
 - Joint and several liability consortiums.
 - Sub-contracting
- 20.5 **Lead partner consortium:** A lead partner consortium is a consortium of organisations who are working together to bid for, and if successful, enter into the Contract. One partner will enter into the Contract, on behalf of the other consortium members, and will be the conduit by which the Contract is delivered by the consortium members.
- 20.6 It is for the consortium members to assess whether their proposed partners have the capacity and capability likely to be able to deliver the requirements of this Contract. This is not the responsibility of the Combined Authority.
- 20.7 **Joint and several liability consortia:** The Combined Authority will have a Contractual relationship with all members of the consortium. It is usual for one consortium member to be nominated to co-ordinate the consortium bid – which may be referred to as the lead organisation. However, in these circumstances, the lead is for administrative purposes only and all members of the consortium are equally responsible for the delivery of the Contract.
- 20.8 Whilst there is a lead/administrative partner for bid co-ordination purposes, this organisation is not solely liable as the Combined Authority signs the Contract Agreement with all the members of the consortium; thus, all members are jointly and severally liable.
- 20.9 **Sub-contracting:** It should be noted that the ultimate responsibility for any sub-contracted obligations would always rest with the Bidder. It is recognised that arrangements in relation to sub-contracting may be subject to future change. However, Bidders should be aware that where, in the opinion of the Combined Authority, sub-contractors are to play a significant role, any changes to those sub-contracting arrangements may constitute a material change for the purposes of procurement law, and therefore may affect the ability of the Bidder to proceed with the procurement process and/or to perform their duties under the Contract. For the avoidance of doubt, in the event that the Combined Authority considers that such a change constitutes a

material change for the purposes of procurement law, then the Combined Authority reserves the right to disqualify the Bidder from the procurement process.

- 20.10 There is an expectation with this model that only minor and / or specialist elements of the service will be sub-contracted, i.e., the lead provider will deliver the core elements of the service.
- 20.11 The Combined Authority will make payments to the provider; that provider is responsible for payments to its sub-contractors.
- 20.12 The Combined Authority would not usually expect to see evidence of the administrative arrangements between the provider and sub-contractor, however, may wish to see evidence of performance monitoring, due diligence and subcontractor agreements and/or policies.
- 20.13 It is expected that successful Suppliers will have signed up to the Prompt Payment Code and/or will be willing to report to the Combined Authority their Sub-Contract payment performance.