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Tender

Concessionary Travel Applications Decision Maker

Department for Transport

F02: Contract notice

Notice identifier: 2024/S 000-004274

Procurement identifier (OCID): ocds-h6vhtk-043875

Published 8 February 2024, 3:29pm

Section I: Contracting authority

I.1) Name and addresses

Department for Transport

London

Email

taran.chana@dft.gov.uk

Country

United Kingdom

Region code

UK - United Kingdom

Internet address(es)

Main address

<https://www.gov.uk/government/organisations/department-for-transport>

I.3) Communication

The procurement documents are available for unrestricted and full direct access, free of charge, at

<https://dft.app.jaggaer.com/go/99330567018D847D2370>

Additional information can be obtained from the above-mentioned address

Tenders or requests to participate must be submitted electronically via

<https://dft.app.jaggaer.com/go/99330567018D847D2370>

Tenders or requests to participate must be submitted to the above-mentioned address

I.4) Type of the contracting authority

Ministry or any other national or federal authority

I.5) Main activity

General public services

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

Concessionary Travel Applications Decision Maker

Reference number

TLOT10166

II.1.2) Main CPV code

- 79000000 - Business services: law, marketing, consulting, recruitment, printing and security

II.1.3) Type of contract

Services

II.1.4) Short description

The Department for Transport are looking to procure a decision maker contract. As part of the English National Concessionary Travel Scheme legislation, operators can appeal to the Secretary of State for modification to the reimbursement rates set by local authorities for journeys made under the mandatory England-wide travel concession. The Secretary of State delegates this decision making to a decision maker acting on their behalf.

II.1.5) Estimated total value

Value excluding VAT: £247,500

II.1.6) Information about lots

This contract is divided into lots: No

II.2) Description

II.2.3) Place of performance

NUTS codes

- UK - United Kingdom

II.2.4) Description of the procurement

The appeals casework is demand-led depending on the number of appeals submitted each year by bus operators. The contract awarded for this work will cover appeals from 2024/25 to 2026/27, as well as a small number of remaining appeals from previous years. DfT have recently updated the reimbursement guidance and calculator, which may potentially lead to an initial increased number of appeals in 2024/25, and possibly 2026/27. DfT are also undertaking a review of the appeals process, in order to ensure that it is up to date and works as well as possible. The Decision Maker will be kept informed on any updates to the appeals process. We do not expect changes to the core requirement below.

5.2 The criteria required to be met for this contract are set out below. Bidders will need to demonstrate in their proposal examples of how and when they have employed these skills to enable the Department to assess the Decision Maker's skills:

5.2.1 The Decision Maker will be required to analyse evidence submitted by bus operators and TCAs and to make a judgement that will determine the level of reimbursement due.

5.2.2 In reviewing the evidence submitted, the Decision Maker will need to be able to identify and resolve any legal issues raised.

5.2.3 The Decision Maker will be expected to familiarise themselves with the latest

version of DfT's reimbursement guidance and reimbursement calculator and make use of this alongside any other robust additional evidence provided by operators and TCAs.

5.2.4 Quality assurance of the Decision Maker's analysis will be provided by DfT economists and lawyers.

5.2.5 Legislation gives the Decision Maker powers to hold an oral hearing to bring both parties to an appeal before them to give evidence, although it is at the Decision Maker's discretion whether to do so, as there is currently no obligation to hold an oral hearing.

5.2.6 For each appeal case, the Decision Maker will be required to complete a written determination report following quality assurance of the Decision Maker's analysis and by DfT economists and lawyers. When a determination of an appeal is complete the Contract Manager will forward this document to both parties involved in the appeal.

5.2.7 The Decision Maker may be required to comment on revisions made by the Department's officials to its reimbursement guidance and reimbursement calculator.

5.2.8 The Decision Maker may be required to suggest improvements to concessionary travel guidance and the appeals process, or to assist with any reviews of the guidance.

5.2.9 The Decision Maker may be required to attend meetings with external stakeholders. This could include reimbursement training and/or feedback sessions with local authorities and/or bus operators.

5.3 For accountability and consistency purposes, the Decision Makers will need to be nominated individuals. Proposals should therefore make clear which individual is being put forward for the role and provide relevant information with a Curriculum Vitae clearly showing the nominated person's experience.

5.4 Under the current legislation, bus operators are required to submit appeals within 56 days of the commencement or variation of concessionary travel schemes in TCA areas. As concessionary travel schemes usually commence from 1st April each year, this means the volume of the appeals caseload for that year is usually known by 27th May. However, it should be noted that negotiations between both parties continue throughout the appeals process and often lead to agreement and withdrawal of the appeal before determination is required.

5.5 Based on past appeals volumes, we estimate that an experienced Decision Maker would take on average, between three and five days to complete a standard case. However, if the issues are complex, or the Decision Maker is new to the subject area, it may take longer to complete a case.

5.6 The appointed Decision Maker will receive the Department's induction pack shortly

after the award of the contract. The pack

II.2.5) Award criteria

Price is not the only award criterion and all criteria are stated only in the procurement documents

II.2.7) Duration of the contract, framework agreement or dynamic purchasing system

Duration in months

36

This contract is subject to renewal

No

II.2.10) Information about variants

Variants will be accepted: No

II.2.11) Information about options

Options: No

II.2.13) Information about European Union Funds

The procurement is related to a project and/or programme financed by European Union funds: No

Section III. Legal, economic, financial and technical information

III.1) Conditions for participation

III.1.2) Economic and financial standing

Selection criteria as stated in the procurement documents

III.1.3) Technical and professional ability

Selection criteria as stated in the procurement documents

Section IV. Procedure

IV.1) Description

IV.1.1) Type of procedure

Open procedure

IV.1.8) Information about the Government Procurement Agreement (GPA)

The procurement is covered by the Government Procurement Agreement: Yes

IV.2) Administrative information

IV.2.2) Time limit for receipt of tenders or requests to participate

Date

11 March 2024

IV.2.4) Languages in which tenders or requests to participate may be submitted

English

IV.2.7) Conditions for opening of tenders

Date

11 March 2024

Local time

5:00pm

Section VI. Complementary information

VI.1) Information about recurrence

This is a recurrent procurement: No

VI.2) Information about electronic workflows

Electronic invoicing will be accepted

Electronic payment will be used

VI.4) Procedures for review

VI.4.1) Review body

Kings Bench Division, The Royal Courts of Justice

London

Country

United Kingdom

VI.4.3) Review procedure

Precise information on deadline(s) for review procedures

The contracting authority will operate a minimum 10 calendar day standstill period at the point information on the award of the contract is communicated to tenderers to provide time for unsuccessful tenderers to challenge the award decision before the contract is entered into. Unsuccessful tenderers shall be notified by the contracting authority as soon as possible after the decision is made as to the reasons why they were unsuccessful. The Public Contracts Regulations 2015 provide that aggrieved parties who have been harmed, or are at risk of harm, by breach of the rules are to take action in the High Court (England, Wales and Northern Ireland).