

This is a published notice on the Find a Tender service: <https://www.find-tender.service.gov.uk/Notice/013969-2021>

Tender

European Social Fund Provision 2014-20 (Skills Support to the Unemployed, Support for Young People who are NEET or At risk of becoming NEET, Community Grants and Skills Support for the Workforce)

Education and Skills Funding Agency

F02: Contract notice

Notice identifier: 2021/S 000-013969

Procurement identifier (OCID): ocds-h6vhtk-02be04

Published 18 June 2021, 10:45pm

The closing date and time has been changed to:

29 July 2021, 12:00pm

See the [change notice](#).

Section I: Contracting authority

I.1) Name and addresses

Education and Skills Funding Agency

Cheylesmore House, 5 Quinton Road

Coventry

CV1 2WT

Email

esfaprocurement.help@education.gov.uk

Telephone

+44 12345678

Country

United Kingdom

NUTS code

UK - United Kingdom

Internet address(es)

Main address

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

Buyer's address

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

I.3) Communication

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

<https://education.app.iaggaer.com>

Additional information can be obtained from the above-mentioned address

Tenders or requests to participate must be submitted electronically via

<https://education.app.iaggaer.com>

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

I.4) Type of the contracting authority

Body governed by public law

I.5) Main activity

Education

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

European Social Fund Provision 2014-20 (Skills Support to the Unemployed, Support for Young People who are NEET or At risk of becoming NEET, Community Grants and Skills Support for the Workforce)

II.1.2) Main CPV code

- 800000000 - Education and training services

II.1.3) Type of contract

Services

II.1.4) Short description

The ESFA, acting as a Co-Financing Organisation for the European Social Fund ("ESF"), is procuring education and training services to meet priorities identified by Local Enterprise Partnerships (LEPs) area European Structural and Investment Funds Sub-Committees. As a Co-Financing Organisation, the ESFA provides match funding at Priority Axis level utilising sources of funding as match for ESF funded activity.

These contracts support activity to increase participation in the labour market and thereby improve social inclusion and mobility by delivering education and training that supports the needs of employees and local employers. Specifically, these contracts provide for the supply of Skills Support to the Unemployed, Support for Young People who are NEET or At risk of becoming NEET, Community Grants and Skills Support for the Workforce.

II.1.5) Estimated total value

Value excluding VAT: £17,788,336.5

II.1.6) Information about lots

This contract is divided into lots: Yes

Tenders may be submitted for all lots

Maximum number of lots that may be awarded to one tenderer: 9

II.2) Description

II.2.1) Title

IP1.2 LEP South London Support for Young People who are NEET or At risk of becoming NEET

Lot No

1

II.2.2) Additional CPV code(s)

- 800000000 - Education and training services

II.2.3) Place of performance

NUTS codes

- UK - United Kingdom
- UKI - London
- UKI6 - Outer London – South

II.2.4) Description of the procurement

The ESFA, acting as a Co-Financing Organisation for the European Social Fund ("ESF"), is procuring education and training services to meet priorities identified by Local Enterprise Partnerships (LEPs) area European Structural and Investment Funds Sub-Committees. As a Co-Financing Organisation, the ESFA provides match funding at Priority Axis level utilising sources of funding as match for ESF funded activity.

investment priority for this procurement is :

Investment Priority 1.2 Sustainable Integration of Young People into the Labour Market.

Resources are being used in this investment priority to focus on helping young people, to participate in the labour market and learning.

The ESFA is looking to procure organisations to deliver education and training services to support young people who are not in education employment or training (NEET) or At risk of becoming NEET.

II.2.5) Award criteria

Quality criterion - Name: Readiness to deliver / Weighting: 12.5

Quality criterion - Name: Management and reporting / Weighting: 12.5

Quality criterion - Name: Engaging with and meeting the needs within the whole lot area / Weighting: 50

Quality criterion - Name: Meeting the needs of participants and employers / Weighting: 25

Cost criterion - Name: Volume and values / Weighting: 0

II.2.6) Estimated value

Value excluding VAT: £2,047,431

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

Start date

18 October 2021

End date

31 March 2023

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: Yes

Identification of the project

European social fund provision 2014-20

II.2.14) Additional information

EUROPEAN SOCIAL FUND PROVISION 2014-2020 IP 1.2 SUPPORT FOR YOUNG PEOPLE WHO ARE NEET OR AT RISK OF BECOMING NEET.

The contract value for this programme is £1,364,954 however this may increase by 50% over the lifetime of the contract to £2,047,431. Any increase will be wholly at the ESFA's discretion.

II.2) Description

II.2.1) Title

IP1.2 LEP North and East London Support for Young People who are NEET or At risk of becoming NEET

Lot No

2

II.2.2) Additional CPV code(s)

- 800000000 - Education and training services

II.2.3) Place of performance

NUTS codes

- UK - United Kingdom

- UKI4 - Inner London – East
- UKI5 - Outer London – East and North East

II.2.4) Description of the procurement

The ESFA, acting as a Co-Financing Organisation for the European Social Fund ("ESF"), is procuring education and training services to meet priorities identified by Local Enterprise Partnerships (LEPs) area European Structural and Investment Funds Sub-Committees. As a Co-Financing Organisation, the ESFA provides match funding at Priority Axis level utilising sources of funding as match for ESF funded activity.

investment priority for this procurement is :

Investment Priority 1.2 Sustainable Integration of Young People into the Labour Market.

Resources are being used in this investment priority to focus on helping young people, to participate in the labour market and learning.

The ESFA is looking to procure organisations to deliver education and training services to support young people who are not in education employment or training (NEET) or At risk of becoming NEET.

II.2.5) Award criteria

Quality criterion - Name: Readiness to deliver / Weighting: 12.5

Quality criterion - Name: Management and reporting / Weighting: 12.5

Quality criterion - Name: Engaging with and meeting the needs within the whole lot area / Weighting: 50

Quality criterion - Name: Meeting the needs of participants and employers / Weighting: 25

Cost criterion - Name: Volume and values / Weighting: 0

II.2.6) Estimated value

Value excluding VAT: £4,669,762.5

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

Start date

18 October 2021

End date

31 March 2023

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: Yes

Identification of the project

European social fund provision 2014-20

II.2.14) Additional information

EUROPEAN SOCIAL FUND PROVISION 2014-2020 IP 1.2 SUPPORT FOR YOUNG PEOPLE WHO ARE NEET OR AT RISK OF BECOMING NEET.

The contract value for this programme is £3,113,175 however this may increase by 50% over the lifetime of the contract to £4,669,762.50. Any increase will be wholly at the ESFA's discretion.

II.2) Description

II.2.1) Title

IP1.2 LEP South East Support for Young People who are NEET or At risk of becoming NEET

Lot No

3

II.2.2) Additional CPV code(s)

- 800000000 - Education and training services

II.2.3) Place of performance

NUTS codes

- UK - United Kingdom
- UKJ - South East (England)

II.2.4) Description of the procurement

The ESFA, acting as a Co-Financing Organisation for the European Social Fund ("ESF"), is procuring education and training services to meet priorities identified by Local Enterprise Partnerships (LEPs) area European Structural and Investment Funds Sub-Committees. As a Co-Financing Organisation, the ESFA provides match funding at Priority Axis level utilising sources of funding as match for ESF funded activity.

investment priority for this procurement is :

Investment Priority 1.2 Sustainable Integration of Young People into the Labour Market.

Resources are being used in this investment priority to focus on helping young people, to participate in the labour market and learning.

The ESFA is looking to procure organisations to deliver education and training services to support young people who are not in education employment or training (NEET) or At risk of becoming NEET.

II.2.5) Award criteria

Quality criterion - Name: Readiness to deliver / Weighting: 12.5

Quality criterion - Name: Management and reporting / Weighting: 12.5

Quality criterion - Name: Engaging with and meeting the needs within the whole lot area / Weighting: 50

Quality criterion - Name: Meeting the needs of participants and employers / Weighting: 25

Cost criterion - Name: Volume and values / Weighting: 0

II.2.6) Estimated value

Value excluding VAT: £3,000,000

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

Start date

18 October 2021

End date

31 March 2023

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: Yes

Identification of the project

European social fund provision 2014-20

II.2.14) Additional information

EUROPEAN SOCIAL FUND PROVISION 2014-2020 IP 1.2 SUPPORT FOR YOUNG PEOPLE

WHO ARE NEET OR AT RISK OF BECOMING NEET.

The contract value for this programme is £2,000,000 however this may increase by 50% over the lifetime of the contract to £3,000,000 Any increase will be wholly at the ESFA's discretion.

II.2) Description

II.2.1) Title

IP1.2 LEP SEMLEP Support for Young People who are NEET or At risk of becoming NEET

Lot No

4

II.2.2) Additional CPV code(s)

- 80000000 - Education and training services

II.2.3) Place of performance

NUTS codes

- UK - United Kingdom
- UKF - East Midlands (England)

II.2.4) Description of the procurement

The ESFA, acting as a Co-Financing Organisation for the European Social Fund ("ESF"), is procuring education and training services to meet priorities identified by Local Enterprise Partnerships (LEPs) area European Structural and Investment Funds Sub-Committees. As a Co-Financing Organisation, the ESFA provides match funding at Priority Axis level utilising sources of funding as match for ESF funded activity.

investment priority for this procurement is :

Investment Priority 1.2 Sustainable Integration of Young People into the Labour Market.

Resources are being used in this investment priority to focus on helping young people, to participate in the labour market and learning.

The ESFA is looking to procure organisations to deliver education and training services to support young people who are not in education employment or training (NEET) or At risk of becoming NEET.

II.2.5) Award criteria

Quality criterion - Name: Readiness to deliver / Weighting: 12.5

Quality criterion - Name: Management and reporting / Weighting: 12.5

Quality criterion - Name: Engaging with and meeting the needs within the whole lot area / Weighting: 50

Quality criterion - Name: Meeting the needs of participants and employers / Weighting: 25

Cost criterion - Name: Volume and values / Weighting: 0

II.2.6) Estimated value

Value excluding VAT: £1,200,000

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

Start date

18 October 2021

End date

31 March 2023

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: Yes

Identification of the project

European social fund provision 2014-20

II.2.14) Additional information

EUROPEAN SOCIAL FUND PROVISION 2014-2020 IP 1.2 SUPPORT FOR YOUNG PEOPLE WHO ARE NEET OR AT RISK OF BECOMING NEET.

The contract value for this programme is £800,000 however this may increase by 50% over the lifetime of the contract to £1,200,000. Any increase will be wholly at the ESFA's discretion.

II.2) Description

II.2.1) Title

IP1.4 North Eastern Community Grants

Lot No

5

II.2.2) Additional CPV code(s)

- 80000000 - Education and training services

II.2.3) Place of performance

NUTS codes

- UK - United Kingdom

II.2.4) Description of the procurement

The ESFA, acting as a Co-Financing Organisation for the European Social Fund (“ESF”), is procuring education and training services to meet priorities identified by Local Enterprise Partnerships (LEPs) area European Structural and Investment Funds Sub-Committees. As a

Co-Financing Organisation, the ESFA provides match funding at Priority Axis level utilising sources of funding as match for ESF funded activity.

investment priority for this procurement is:

Investment Priority 1.4 Community Grants.

The Services to be procured are for the management and running of a community grant programme funded by ESF.

The ESFA wishes to make ESF Community Grants available in the form of small grants (up to £20,000) to third sector and other small organisations for the purpose of mobilising disadvantaged or excluded unemployed and inactive people to enable their progress towards employment. Organisations that access grants need to be well placed to reach excluded individuals facing barriers, which hinder their access to mainstream provision Grants will:

- engage with marginalised individuals and support them to re-engage with education, training, or employment;
- will support a range of activities aimed at assisting the disadvantaged or excluded to move closer to the labour market by improving their access to mainstream ESF and domestic employment and skills provision; and
- will provide support to the hardest to reach communities and individuals, especially those from deprived communities, to access employment or further learning and training.

II.2.5) Award criteria

Quality criterion - Name: Delivery Model / Weighting: 50

Quality criterion - Name: Contract Management / Weighting: 12.5

Quality criterion - Name: Quality Assurance / Weighting: 12.5

Quality criterion - Name: Resourcing / Weighting: 25

Cost criterion - Name: Volume and values / Weighting: 0

II.2.6) Estimated value

Value excluding VAT: £1,125,000

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

Start date

18 October 2021

End date

31 March 2023

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: Yes

Identification of the project

European social fund provision 2014-20

II.2.14) Additional information

EUROPEAN SOCIAL FUND PROVISION 2014-2020 IP 1.4 COMMUNITY GRANTS.

The contract value for this programme is £750,000 however this may increase by 50% over the lifetime of the contract to £1,125,000. Any increase will be wholly at the ESFA's discretion.

II.2) Description

II.2.1) Title

IP1.4 South East Community Grants

Lot No

6

II.2.2) Additional CPV code(s)

- 80000000 - Education and training services

II.2.3) Place of performance

NUTS codes

- UK - United Kingdom
- UKJ - South East (England)

II.2.4) Description of the procurement

The ESFA, acting as a Co-Financing Organisation for the European Social Fund (“ESF”), is procuring education and training services to meet priorities identified by Local Enterprise Partnerships (LEPs) area European Structural and Investment Funds Sub-Committees. As a Co-Financing Organisation, the ESFA provides match funding at Priority Axis level utilising sources of funding as match for ESF funded activity.

investment priority for this procurement is:

Investment Priority 1.4 Community Grants.

The Services to be procured are for the management and running of a community grant programme funded by ESF.

The ESFA wishes to make ESF Community Grants available in the form of small grants (up to £20,000) to third sector and other small organisations for the purpose of mobilising disadvantaged or excluded unemployed and inactive people to enable their progress towards employment. Organisations that access grants need to be well placed to reach excluded individuals facing barriers, which hinder their access to mainstream provision Grants will:

- engage with marginalised individuals and support them to re-engage with education, training, or employment;

- will support a range of activities aimed at assisting the disadvantaged or excluded to move closer to the labour market by improving their access to mainstream ESF and domestic employment and skills provision; and

- will provide support to the hardest to reach communities and individuals, especially those from deprived communities, to access employment or further learning and training.

II.2.5) Award criteria

Quality criterion - Name: Delivery Model / Weighting: 50

Quality criterion - Name: Contract Management / Weighting: 12.5

Quality criterion - Name: Quality Assurance / Weighting: 12.5

Quality criterion - Name: Resourcing / Weighting: 25

Cost criterion - Name: Volume and values / Weighting: 0

II.2.6) Estimated value

Value excluding VAT: £1,125,000

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

Start date

18 October 2021

End date

31 March 2023

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: Yes

Identification of the project

European social fund provision 2014-20

II.2.14) Additional information

EUROPEAN SOCIAL FUND PROVISION 2014-2020 IP 1.4 COMMUNITY GRANTS.

The contract value for this programme is £750,000 however this may increase by 50% over the lifetime of the contract to £1,125,000. Any increase will be wholly at the ESFA's discretion.

II.2) Description

II.2.1) Title

IP2.1 Solent Skills Support for the Workforce and Skills Support for Redundancy

Lot No

7

II.2.2) Additional CPV code(s)

- 80000000 - Education and training services

II.2.3) Place of performance

NUTS codes

- UK - United Kingdom

II.2.4) Description of the procurement

Resources are being used in this investment priority for people in the workforce and those who have been made redundant within the last three months who lack basic skills or

qualifications needed for their career progression. This will facilitate business growth and innovation.

The strands in IP 2.1 are:

- Skills support for the workforce
- Skills support for individuals who are recently redundant (within the last three months) or at risk of redundancy.

II.2.5) Award criteria

Quality criterion - Name: Readiness to deliver / Weighting: 12.5

Quality criterion - Name: Management and reporting / Weighting: 12.5

Quality criterion - Name: Engaging with and meeting the needs within the whole lot area / Weighting: 50

Quality criterion - Name: Meeting the needs of participants and employers / Weighting: 25

Cost criterion - Name: Volume and values / Weighting: 0

II.2.6) Estimated value

Value excluding VAT: £2,569,125

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

Start date

18 October 2021

End date

31 March 2023

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: Yes

Identification of the project

European social fund provision 2014-20

II.2.14) Additional information

EUROPEAN SOCIAL FUND PROVISION 2014-2020 IP 2.1 SKILLS SUPPORT FOR THE WORKFORCE AND SUPPORT FOR REDUNDANCY.

The contract value for this programme is £1,712,750 however this may increase by 50% over the lifetime of the contract to £2,569,125. Any increase will be wholly at the ESFA's discretion.

II.2) Description

II.2.1) Title

IP1.1 Worcestershire Skills Support to the Unemployed

Lot No

8

II.2.2) Additional CPV code(s)

- 80000000 - Education and training services

II.2.3) Place of performance

NUTS codes

- UK - United Kingdom

- UKG1 - Herefordshire, Worcestershire and Warwickshire

II.2.4) Description of the procurement

The ESFA is looking to procure an organisation to deliver education and training to support unemployed individuals with the right level of support, tailored to the needs of individuals and businesses in local labour markets. This will be the primary added value for ESF

Activities include helping to identify the barriers individuals face in moving into work (including self-employment) and apprenticeships. Examples of such barriers include lack of confidence, recent work experience, basic skills, job-related skills, job-seeking skills, or other material barriers like debt, homelessness and substance misuse.

II.2.5) Award criteria

Quality criterion - Name: Readiness to deliver / Weighting: 12.5

Quality criterion - Name: Management and reporting / Weighting: 12.5

Quality criterion - Name: Engaging with and meeting the needs within the whole lot area / Weighting: 50

Quality criterion - Name: Meeting the needs of participants and employers / Weighting: 25

Cost criterion - Name: Volume and values / Weighting: 0

II.2.6) Estimated value

Value excluding VAT: £1,200,000

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

Start date

18 October 2021

End date

31 March 2023

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: Yes

Identification of the project

European social fund provision 2014-20

II.2.14) Additional information

EUROPEAN SOCIAL FUND PROVISION 2014-2020 IP 1.1 SKILLS SUPPORT TO THE UNEMPLOYED.

The contract value for this programme is £800,000 however this may increase by 50% over the lifetime of the contract to £1,200,000. Any increase will be wholly at the ESFA's discretion.

II.2) Description

II.2.1) Title

IP1.1 York, North Yorkshire and East Riding (More Developed and Transitional) Skills Support for the Unemployed

Lot No

9

II.2.2) Additional CPV code(s)

- 80000000 - Education and training services

II.2.3) Place of performance

NUTS codes

- UK - United Kingdom
- UKE12 - East Riding of Yorkshire
- UKE2 - North Yorkshire
- UKE21 - York
- UKE22 - North Yorkshire CC

II.2.4) Description of the procurement

The ESFA is looking to procure an organisation to deliver education and training to support unemployed individuals with the right level of support, tailored to the needs of individuals and businesses in local labour markets. This will be the primary added value for ESF

Activities include helping to identify the barriers individuals face in moving into work (including self-employment) and apprenticeships. Examples of such barriers include lack of confidence, recent work experience, basic skills, job-related skills, job-seeking skills, or other material barriers like debt, homelessness and substance misuse.

The estimated contract value stated in this lot is the combined contract value for both more developed and transitional.

This programme covers both more developed and transitional and one provider will be awarded two separate contracts for this lot. The combined values are set out within the additional information field below.

II.2.5) Award criteria

Quality criterion - Name: Readiness to deliver / Weighting: 12.5

Quality criterion - Name: Management and reporting / Weighting: 12.5

Quality criterion - Name: Engaging with and meeting the needs within the whole lot area / Weighting: 50

Quality criterion - Name: Meeting the needs of participants and employers / Weighting: 25

Cost criterion - Name: Volume and values / Weighting: 0

II.2.6) Estimated value

Value excluding VAT: £852,018

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

Start date

18 October 2021

End date

31 March 2023

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: Yes

Identification of the project

European social fund provision 2014-20

II.2.14) Additional information

More developed: EUROPEAN SOCIAL FUND PROVISION 2014-2020 IP 1.1 SKILLS SUPPORT TO THE UNEMPLOYED.

The contract value for this programme is £568,012 however this may increase by 50% over the lifetime of the contract to £852,018. Any increase will be wholly at the ESFA's discretion.

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

Originally published as:

Date

23 July 2021

Local time

12:00pm

Changed to:

Date

29 July 2021

Local time

12:00pm

See the [change notice](#).

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

English

IV.2.6) Minimum time frame during which the tenderer must maintain the tender

Duration in months: 7 (from the date stated for receipt of tender)

IV.2.7) Conditions for opening of tenders

Date

23 July 2021

Local time

12:01pm

Section VI. Complementary information

VI.1) Information about recurrence

This is a recurrent procurement: No

VI.3) Additional information

The ESFA, acting as a Co-Financing Organisation for the European Social Fund ("ESF"), is procuring education and training services to meet priorities identified by Local Enterprise Partnerships (LEPs) area European Structural and Investment Funds Sub-Committees. As a Co-Financing Organisation, the ESFA provides match funding at Priority Axis level utilising sources of funding as match for ESF funded activity.

There are 4 service streams in the procurement. In 3 of the service streams the successful contractors will directly deliver the services for; Skills Support to the Unemployed, Support for Young People who are NEET or At risk of becoming NEET, Community Grants and Skills Support for the Workforce. For the 4th service stream the successful Contractor will act as Managing Agent in relation to the assessment and distribution of Community Grants.

There are 9 Lots; geographically based and Applicants may apply for any number of Lots but should note that full delivery of all services must commence on 18 October 2021 (the Service Commencement Date).

Applicants should note that the provisions of EU Council Directive 2001/23/EC March 2001 (TUPE) may apply on award of the Contracts in any of the Lots. Further information is available at [insert reference to RMF] however; interested organisations should seek their own advice in relation to the application of TUPE. The ESFA offers no assurance in respect of the operation, effect or impact of TUPE on any of the Contracts.

VI.4) Procedures for review

VI.4.1) Review body

High Court

Royal Court of Justice, The Strand

London

Country

United Kingdom

VI.4.3) Review procedure

Precise information on deadline(s) for review procedures

The ESFA will issue notices of decisions to award the contracts, and operate a standstill period, in accordance with Regulations 86 and 87 of the Public Contract Regulations 2015 (“PCR 2015”). If any clarification regarding the award of the Contracts has not been successfully resolved between the parties, The Public Contracts Regulations 2015 (SI 2015 No. 102) provide for aggrieved parties who have been harmed or are at risk of harm by breach of the regulations to take legal action.

Any such action must be brought within the applicable limitation period. Where a contract has not been entered into, the Court may order the setting aside of the award decision or order the ESFA to amend any document and may award damages.

If a contract has been entered into the Court may, depending on the circumstances, award damages, make a declaration of ineffectiveness, order the ESFA to pay a fine, and/or order that the duration of the contract be shortened. The purpose of the voluntary standstill period referred to above is to allow the parties to apply to the Courts to set aside the award decision before the Framework Agreement is entered into.