# Invitation to Tender (ITT) and Statement of Requirement

# External Board Effectiveness Review 2025/26

30 June 2025

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Purpose of the document

The purpose of this document is to invite proposals for **the external board effectiveness review** of the Office of Rail and Road (ORR).

This document contains the following sections:

* + - 1. Introduction to the Office of Rail and Road
      2. Statement of Requirement
      3. Tender Proposal & Evaluation Criteria
      4. Procurement Procedures

## Introduction to the Office of Rail and Road

The Office of Rail and Road is the independent safety and economic regulator of Britain’s railways who also hold National Highways to account for its day-to-day efficiency and performance, running the strategic road network, and for delivering the five-year road investment strategy set by the Department for Transport (DfT).

ORR currently employs approximately 360 personnel and operates from 6 locations nationwide. The majority of personnel are located at ORR’s headquarters, 25 Cabot Square, London.

### Our strategic objectives

#### 1. A safer railway:

Enforce the law and ensure that the industry delivers continuous improvement in the health and safety of passengers, the workforce and public, by achieving excellence in health and safety culture, management and risk control.

#### 2. Better rail customer service:

Improve the rail passenger experience in the consumer areas for which we have regulatory responsibility and take prompt and effective action to improve the service that passengers receive where it is required.

#### 3. Value for money from the railway:

Support the delivery of an efficient, high-performing rail service that provides value for money for passengers, freight customers, governments, and taxpayers.

#### 4. Better highways:

National Highways operates the strategic road network, managing motorways and major roads in England. Our role is to monitor and hold it to account for its performance and delivery, so that its customers enjoy predictable journeys on England’s roads.

### Supplying ORR

The ORR procurement unit is responsible for purchasing the goods and services necessary for ORR to achieve its role as the economic and health & safety regulator of the rail industry.

The ORR Procurement unit subscribes to the following values:

* + - * + to provide a modern, efficient, transparent and responsible procurement service;
        + to achieve value for money by balancing quality and cost;
        + to ensure contracts are managed effectively and outputs are delivered;
        + to ensure that processes have regard for equality and diversity; and
        + to ensure that procurement is undertaken with regard to Law and best practice.

For further information on ORR please visit our website: [www.orr.gov.uk](https://www.orr.gov.uk/).

Small and Medium Enterprises

1. ORR considers that this contract may be suitable for economic operators that are small or medium enterprises (SMEs) and voluntary organisations. However, any selection of tenderers will be based on the criteria set out for the procurement, and the contract will be awarded on the basis of the most advantageous tender.

Small and Medium Enterprises and Voluntary Organisations:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Enterprise Category | Headcount | Turnover | Or | Balance Sheet Total |
| Micro | <10 | ≤ € 2 million |  | ≤ € 2 million |
| Small | <50 | ≤ € 10 million |  | ≤ € 10 million |
| Medium | <250 | ≤ € 50 million |  | ≤ € 43 million |
| Large | >251 | > € 50 million |  | > € 43 million |

Please ensure that you indicate how your organisation is categorised on the Form of Tender document which should be submitted along with your proposal.

## Statement of Requirement

### 2.1 Background of the project

1. The Office of Rail and Road (ORR) is an independent statutory body, with powers vested by Parliament in its governing board. ORR is the health and safety and economic regulator for the rail industry in Great Britain and has regulatory oversight of England's strategic road network. It holds Network Rail, National Highways, and London St. Pancras Highspeed to account for efficiency, performance, and delivery; protects user interests on both rail and road; and ensures the rail industry operates competitively and fairly. ORR also plays a key role in improving the rail passenger experience in the consumer areas for which it has regulatory responsibility. Additionally, it has economic regulatory functions in relation to railways in Northern Ireland and the UK section of the Channel Tunnel.
2. ORR operates under a unique legal framework that defines its constitution, staffing, financial arrangements, and conflict of interest provisions. The legislation also requires ORR to set and publish its own board procedures (available [here](https://www.orr.gov.uk/sites/default/files/2024-03/orr-board-rules-of-procedure.pdf)).
3. ORR holds a distinctive position within government as a non-ministerial department accountable directly to Parliament. It is staffed by civil servants, and its board members are appointed by the Secretary of State for Transport. Once appointed, board members can only be removed under limited statutory circumstances - an arrangement that reinforces the organisation’s independence from ministerial direction.
4. In line with best practice and the Corporate Governance Code for Central Government Departments (2017), ORR undertakes an independent board effectiveness review every three years, supplemented by annual internal reviews. The most recent external review was completed in March 2023, and its broadly positive findings are publicly available on ORR’s website ([here](https://www.orr.gov.uk/sites/default/files/2023-04/orr-board-effectiveness-review-march-2023.pdf)).
5. ORR has recently welcomed a new non-executive board member and is currently in the process of recruiting two additional non-executives, with appointments expected in autumn 2025. The board also includes two executive members: the Chief Executive and the Director of Railway Safety.
6. Board and executive relationships are widely regarded as constructive, with clearly defined roles, mutual respect, and a high degree of trust. ORR also maintains strong, professional relationships with its key stakeholders.
7. ORR’s Board holds its meetings primarily in person (in London), with virtual attendance permitted by exception. In addition to its regular meetings, the Board undertakes regional site visits and hosts stakeholder dinners at least twice a year. It also holds an annual strategy day to support long-term strategic planning and engagement.
8. ORR’s operating environment continues to evolve. The Government is currently progressing reforms to the rail sector, which are expected to shape ORR’s future role. At the same time, ORR continues to drive performance improvements through its strategic roads oversight of National Highways, all within the broader context of civil service reform and fiscal constraint.
9. This invitation to tender seeks to appoint an experienced external consultancy to conduct the next triennial board effectiveness review, ensuring that ORR continues to meet the highest standards of governance, accountability, and strategic leadership.

### 2.2 Project Objectives and Scope

**What does the project set out to achieve?**

1. The primary purpose of this board effectiveness review is to assess how well the ORR Board is fulfilling its governance responsibilities in support of the organisation’s strategic objectives, public accountability, and delivery of value to the taxpayer.
2. The review will provide an independent evaluation of the Board’s structures, behaviours, and performance, with a view to strengthening strategic oversight, enhancing decision-making, and ensuring the Board is equipped to lead the organisation through a period of significant external change. It will also support continuous improvement by identifying opportunities to enhance board capability, stakeholder engagement, and the effectiveness of governance processes.

**What are the key tasks?**

1. The project should:

* assess the Board’s current effectiveness, including its composition, capabilities, behaviours, and approach to decision-making, with a view to identifying strengths and areas for development;
* support the Board in enhancing its ways of working, reinforcing practices that promote high-quality governance, strategic oversight, and long-term organisational success; and
* fulfil ORR’s commitment to conduct a triennial board effectiveness review, in line with good governance standards and public sector expectations.

**What is included within the scope of the project?**

1. ORR’s Board is commissioning an independent board effectiveness review that draws on recognised best practice, including [guidance from the Financial Reporting Council (FRC)](https://www.frc.org.uk/library/standards-codes-policy/corporate-governance/corporate-governance-code-guidance/) and [relevant government frameworks](https://www.gov.uk/government/publications/arms-length-body-boards-guidance-on-reviews-and-appraisals/board-effectiveness-reviews-principles-and-resources-for-arms-length-bodies-and-sponsoring-departments).
2. The appointed reviewer will be expected to consider how best to integrate these complementary approaches in a way that supports the Board’s ongoing development and strengthens its readiness to respond to the evolving political, regulatory, and operational landscape.
3. The Board is seeking an external partner to carry out a review of board performance and effectiveness to explore the following proposed objectives:

* **Governance Effectiveness**: Assess the board’s fulfilment of its governance responsibilities, including opportunities to modernise structures and processes to support continuous improvement.
* **Strategic Leadership in Transformation**: Evaluate the board’s effectiveness in providing strategic oversight and challenge during a period of significant external change (e.g. rail reform, regulatory system evolution), ensuring that:
  + regulatory activities are proportionate, streamlined, and reduce unnecessary burdens and complexity; and
  + the organisation delivers clear, timely, and consistent regulatory signals that reduce uncertainty and support confident decision-making in industry.
* **Board–Executive Dynamics**: Review the strength of the board–executive relationship, focusing on interpersonal dynamics, collaboration, and communication to support effective leadership and delivery.
* **Stakeholder Confidence and Influence**: Examine how the board manages key relationships and external perceptions, including its credibility, influence, and engagement with stakeholders and partners.
* **Board Capability and Composition**: Identify any capability gaps of skills, experience and perspectives that may impact effective governance and strategic oversight to ensure the board remains fit for purpose in a changing regulatory and sectoral context.
* **Audit and Risk Oversight**: Assess the performance of the board’s audit and risk committee, including its oversight of emerging risks (e.g. cyber security), and its ability to ensure proportionate risk management and challenge excessive risk aversion.

**What is excluded from the scope of the project?**

1. The board effectiveness review is intended to focus on governance, strategic oversight, and board dynamics. The following areas are explicitly excluded from the scope of this project:

* **Individual performance appraisals** of board members or executives, which are managed through separate internal processes.
* **Operational or departmental reviews**, including assessments of day-to-day management or delivery functions.
* **Legal, financial, or compliance audits**, which fall under the remit of other assurance mechanisms.
* **Remuneration or HR policy reviews**, unless directly relevant to board governance or effectiveness.
* **Internal risk management processes**, including the design and implementation of risk frameworks, which are outside the scope of this review.
* **Implementation of recommendations arising from the review**, which will be the responsibility of ORR following the final report.
* **Technical assessments of rail or road sector performance**, beyond the board’s role in overseeing and responding to such matters.
* **Broader stakeholder engagement strategies**, except where they relate to the board’s role in managing key relationships and external perceptions.

**What will the outcome of the project be?**

1. The board effectiveness review will result in a set of evidence-based findings and recommendations that directly support the ORR Board in delivering against its governance and strategic responsibilities. The review should enable the Board to:

* Strengthen its governance effectiveness by identifying opportunities to modernise structures, streamline processes, and embed a culture of continuous improvement;
* Enhance its strategic leadership during a period of significant external transformation, ensuring it is confident in setting direction, responsive to change, and able to oversee proportionate, growth-enabling regulation;
* Foster a cohesive and informed board culture, where members are well-briefed, aligned around a shared purpose, and able to engage in constructive challenge and decision-making;
* Reinforce effective board–executive dynamics, promoting open communication, mutual trust, and collaborative leadership;
* Build stakeholder confidence, through credible, transparent engagement and a clear understanding of how the Board is perceived externally; and
* Ensure the Board’s composition remains fit for purpose, with the right mix of skills, experience, and perspectives to meet current and future challenges, including effective oversight of emerging risks and proportionate risk management.

**How long do we anticipate the project taking?**

1. Indicative timescales are as follows, whilst subject to modification and agreement with any appointed consultant:

| **Phase** | **Timeline** |
| --- | --- |
| Onboarding/briefing of consultancy | 2 weeks |
| Planning and document review | 3 weeks |
| Fieldwork (eg surveys, observations) | 5 weeks |
| Analysis and drafting of report | 3 weeks |
| Chair’s review and feedback | 2 weeks |
| Final reporting and board presentation | 2 weeks |

**What constraints does the project have?**

1. While the board effectiveness review is intended to be comprehensive and insightful, the project will operate within the following constraints:

* **Time and Resource Availability**: The review must be completed within a defined timeframe. This includes time for planning, fieldwork, analysis, and reporting. Scheduling interviews, observations, and feedback sessions with board members and senior executives may be challenging due to their existing commitments and availability.
* **Access to Information**: The reviewer may have restricted access to certain confidential or sensitive materials.
* **Scope Limitations**: The review will focus on board-level governance and strategic oversight. It will not include:
  + Individual performance appraisals;
  + Operational or departmental reviews;
  + Legal, financial, or compliance audits;
  + Internal risk management processes or frameworks;
  + Implementation of recommendations;
  + Technical assessments of sector performance beyond the board’s oversight role;
  + Broader stakeholder engagement strategies not directly related to board governance.
* **Subjectivity of Input**: Much of the review will rely on qualitative data, such as interviews and surveys, which may be influenced by personal perceptions or recent experiences.
* **Organisational Sensitivities**: The review may touch on sensitive issues such as board dynamics, leadership style, or capability gaps, which could affect openness or receptiveness to findings.
* **External Change and Uncertainty**: Ongoing reforms and political developments may create a fluid context, making it challenging to assess board effectiveness against a stable baseline.

**What are the security requirements particularly if the supplier will be processing personal data or accessing the ORR network in any capacity?**

1. Suppliers must adhere to robust security standards to protect the confidentiality, integrity, and availability of ORR data and systems. Where the supplier will be processing personal data or accessing the ORR network in any capacity, the following requirements will apply:

* **Data Protection Compliance**: The supplier must comply with all applicable data protection legislation, including the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018. This includes ensuring appropriate technical and organisational measures are in place to safeguard personal data.
* **Information Security Standards**: Suppliers are expected to operate in line with recognised information security standards. Evidence of certification or equivalent controls may be requested.
* **Access Controls**: Any access to ORR systems, networks, or data must be strictly controlled and limited to authorised personnel only. Access will be granted on a need-to-know basis and must be removed promptly when no longer required.
* **Confidentiality Agreements**: All personnel involved in the project must sign appropriate confidentiality or non-disclosure agreements, if required by ORR.
* **Secure Data Handling**: Personal and sensitive data must be stored, processed, and transmitted securely.
* **Use of ORR Systems**: If access to ORR’s internal systems or networks is required, this must be pre-approved and will be subject to ORR’s IT security policies and monitoring.
* **Incident Reporting**: The supplier must have procedures in place for identifying, managing, and reporting security incidents or data breaches. Any incidents affecting ORR data must be reported immediately.

1. Failure to meet these requirements may result in termination of the contract or other remedial action.

### 2.3 Project Outputs, Deliverables and Contract Management

#### Outputs and Deliverables

1. The supplier will be expected to deliver the following outputs as part of the board effectiveness review:
   * + - * **Project Plan**: A detailed project plan should be submitted with the proposal, outlining key milestones, methods, and timelines. If awarded the contract, the supplier will be responsible for keeping the plan up-to-date throughout the project.
         * **Survey and Analysis**: Design and administration of a confidential survey to gather insights from board members and stakeholders. The results should be analysed and integrated into the final report.
         * **Board Observation Session(s)**: The supplier will observe at least one full board meeting (and committee meeting) to assess boardroom behaviours, interactions, and decision-making in practice. Observations should be conducted discreetly and professionally, with findings integrated into the final report.
         * **Interim Findings Report and Presentation**: A draft report summarising emerging themes, initial observations, and areas for further exploration. This should be accompanied by a presentation to the ORR Chair and/or Board to allow for feedback prior to finalisation.
         * **Final Board Effectiveness Report and Presentation**: A comprehensive report setting out findings, analysis, and evidence-based recommendations aligned with the review objectives. The final report should be presented to the Board and/or relevant committees.
         * **Board Workshop**: A facilitated session with the Board to reflect on the findings, explore key themes, and support collective understanding and ownership of the recommendations.

#### Contract Management Requirements

1. The successful supplier will be expected to work closely with ORR to ensure the board effectiveness review is delivered to a high standard, on time, and within scope. To support this, the following contract management and reporting arrangements will apply:

Contract Management Approach

1. ORR will appoint a named project lead (the Board Secretary) who will act as the primary point of contact for the supplier.
2. Regular progress meetings will be held—fortnightly by default, with flexibility for weekly or monthly check-ins depending on the phase of the project. These meetings may be held remotely or in person, as appropriate.
3. A kick-off meeting will be scheduled at the start of the contract to agree the project plan, key milestones, and communication protocols.
4. A close-out meeting will be held at the end of the project to review outcomes, lessons learned, and next steps.

Reporting and Management Information

1. The supplier will be required to provide a brief written progress update ahead of each scheduled meeting, summarising:

* Activities completed
* Any emerging findings or risks
* Planned next steps
* Any support or decisions required from ORR

1. A project plan must be submitted with the proposal and maintained throughout the contract, updated as needed to reflect progress or changes.

Performance Monitoring

1. Given the short-term and focused nature of this project, formal Key Performance Indicators (KPIs) or Service Level Agreements (SLAs) will not be required. However, ORR will monitor performance against the following expectations:

* Delivery of agreed outputs to time and quality
* Responsiveness to feedback and requests for clarification
* Professional conduct and discretion, particularly during interviews and observations
* Adherence to data protection and confidentiality requirements

1. Should any significant issues arise, ORR reserves the right to escalate concerns and agree remedial actions with the supplier.

Roles and Responsibilities

1. ORR will provide access to relevant documentation, coordinate scheduling with board members and stakeholders, and offer timely feedback on draft outputs.
2. The supplier will be responsible for managing the delivery of all agreed outputs, maintaining regular communication, and ensuring that all work is conducted in line with the agreed scope and standards.

### 2.4 Project Timescales

A provisional project timetable is as follows:

| **Milestone / Activity** | **Target Date** |
| --- | --- |
| Start-up meeting and commencement | Week commencing **25 August 2025** |
| Board and committee observation sessions | Between **September and November** (exact dates to be agreed) |
| Submission of draft report | By **mid-December 2025** |
| Chair’s review and feedback | By **early-January 2026** |
| Submission of final report and recommendations | By **mid-January 2026** |
| Final presentation to the Board | **27 January 2026** |

### 2.5 Budget and Payment Schedule

The maximum budget for this piece of work is £30,000 (inc. of expenses, exc. of VAT).

Payment of the total fee will be on the delivery and acceptance by ORR of all required outputs and/or deliverables.

### 2.6 Further project related information for bidders

#### Transparency requirements

Please note ORR is required to ensure that any new procurement opportunity above £25,000 (excluding VAT) is published on Central Digital Platform, unless the ORR is satisfied it is lawful not to. Once a contract has been awarded as a result of a procurement process, ORR is required to publish details of who won the contract, the contract value and indicate whether the winning supplier is a SME or voluntary sector organisation.

#### Confidentiality

All consultants working on the project may be required to sign a confidentiality agreement and abide by the Cabinet Office’s protective marking guidelines, which ORR uses to protectively mark a proportion of its information. In addition, the consultant may be required to sign additional confidentiality agreements as required by external stakeholders.

#### Sub-Contractors

Contractors may use sub-contractors subject to the following:

* + - * + That the Contractor assumes unconditional responsibility for the overall work and its quality;
        + That individual sub-contractors are clearly identified, with fee rates and grades made explicit to the same level of detail as for the members of the lead consulting team.

Internal relationships between the Contractor and its sub-contractors shall be the entire responsibility of the Contractor. Failure to meet deadlines or to deliver work packages by a subcontractor will be attributed by ORR entirely to the Contractor.

#### Conflict of Interest

At the date of submitting the tender and prior to entering into any contract, the tenderer warrants that no conflict of interest exists or is likely to arise in the performance of its obligations under this contract; or

Where any potential, actual or perceived conflicts of interest in respect of this contract exist, tenderers need to outline what mitigation/safeguards would be put in place to mitigate the risk of actual or perceived conflicts arising during the delivery of these services.

The ORR will review the mitigation/safeguards in line with the perceived conflict of interest, to determine what level of risk this poses to them. Therefore, if tenderers cannot or are unwilling to suitably demonstrate that they have suitable safeguards to mitigate any risk then their tender will be deemed non-compliant and may be rejected.

## Tender Response and Evaluation Criteria

### 3.1 The Tender Response

The proposals for this project should include an outline of how bidders will meet the requirement outlined in section (ii) “Statement of Requirement”. The following information should be included:

* 1. **Understanding of customer's requirements**

Demonstrate an understanding of the requirement and overall aims of the project.

* 1. **Approach to customer's requirements**

Provide an explanation of the proposed approach and any methodologies bidders will work to;

Details of your assumptions and/or constraints/dependencies made in relation to the project

A project plan to show how outputs and deliverables will be produced within the required timescales, detailing the resources that will be allocated;

What support bidders will require from ORR;

* 1. **Proposed delivery team**

Key personnel including details of how their key skills, experience and qualifications align to the delivery of the project; and

Project roles and responsibilities

Confirmation that you have carried out the necessary employment checks (e.g. right to work in the UK)

Some relevant examples of previous work that bidders have carried out (eg. case studies)

* 1. **Pricing**

A fixed fee for the project inclusive of all expense. This should include a breakdown of the personnel who will be involved with the project, along with associated charge rates and anticipated time inputs that can be reconciled to the fixed fee.

* 1. **Conflicts of Interest**

Confirm whether you have any potential, actual or perceived conflicts of interest that may by relevant to this requirement and outline what safeguards would be put in place to mitigate the risk of actual or perceived conflicts arising during the delivery of these services.

### 3.2 Evaluation Criteria

Tenders will be assessed for compliance with procurement and contractual requirements which will include:

* + - * + Completeness of the tender information
        + Completed Declaration Form of Tender and Disclaimer
        + Tender submitted in accordance with the conditions and instructions for tendering
        + Tender submitted by the closing date and time
        + Compliance with contractual arrangements
        + Submission of Cyber Essentials certification (or equivalent)

Tenders that are not compliant may be disqualified from the process. We reserve the right to clarify any issues regarding a Bidder’s compliance. It will be at ORR's sole discretion whether to include the relevant Bidder’s response in the next stage of the process.

The contract will be awarded to the Bidder(s) submitting the **‘most advantageous tender’**. Tenders will be evaluated according to weighted criteria as follows:

#### Methodology (30%)

The proposal should set out the methodology by which the project requirement will be initiated, delivered and concluded. In particular, it must:

* 1. Explain the methodology and delivery mechanisms to ensure that the requirements of this specification are met in terms of quality;
  2. Explain how your organisation will work in partnership with ORR’s project manager to ensure that the requirement is met
  3. Explain how your organisation will engage with external stakeholders;
  4. Outline how the proposed approach utilises innovative consultation methodologies to develop a diverse and comprehensive evidence-base

#### Delivery (30%)

The proposal should set out how and when the project requirement will be delivered. In particular, it must:

* 1. Explain how this work will be delivered to timescale and how milestones will be met, detailing the resources that will be allocated to each stage;
  2. Demonstrate an understanding of the risks, and project dependencies and explain how they would be mitigated to ensure project delivery;
  3. Explain the resources that will be allocated to delivering the required outcomes/output, and what other resources can be called upon if required.

#### Experience (10%)

The proposal should set out any experience relevant to the project requirement. In particular, it must:

* 1. Provide CVs of the consultants who will be delivering the project;
  2. Highlight the organisation’s relevant experience for this project, submitting examples of similar projects.

#### Cost / Value for money (30%)

A **fixed fee** for delivery of the project requirement (inclusive of all expenses), including a **full price breakdown for each stage of the project** and details of the **day rates** that will apply for the lifetime of this project.

| Name of consultant | Grade | Role | Day rate | Number of days | Total cost (ex VAT) |
| --- | --- | --- | --- | --- | --- |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |

Please note that consultancy grades should align with the following definitions:

| Grade | Requirement |
| --- | --- |
| Junior consultant | Demonstrable experience in a wide range of projects in their specialist field. Evidence of client facing experience and support services to wider consultancy projects. |
| Consultant | Notable experience and in-depth knowledge of their specialist field. Evidence of a wide range of consultancy projects and client facing experience. Support work in process and organisational design and leading workshops and events. |
| Senior Consultant | Substantial experience in their specialist field and in a consultancy/training role. Previous experience in project management and working in a wide range of high quality and relevant projects. Familiarity of the issues/problems facing public sector organisations. |
| Principal Consultant | Substantial experience in their specialist field and in a consultancy/training role. Sound knowledge of the public sector and current policy and political issues affecting it. Previous experience in project management on at least three major projects, preferably in the public sector and using the PRINCE2 or equivalent method. |
| Managing Consultant | Substantial experience in their specialist field and in a consultancy role. In depth knowledge of the public sector and of current policy and political issues affecting it. Previous experience in project management on at least 5 major projects, preferably in the public sector and using PRINCE2 or equivalent methods. |
| Director / Partner | Extensive experience in their specialist field, in which they are nationally or internationally renowned as an expert. Extensive experience of leading or directing major, complex and business critical projects; bringing genuine strategic insight. In depth knowledge of the public sector and of current policy and political issues affecting it. |

#### Marking scheme

For the Methodology, Delivery and Experience shall be scored using the following:

|  |  |  |
| --- | --- | --- |
| **Table of Evaluation Methodology and Marking Scheme for Quality Criteria** | | |
| **Score** | **Category** | **Definition (Explanation)** |
| 0 | Unacceptable | Unanswered or totally inadequate response to the requirement. Complete failure to understand/reflect the core issues. Fails to demonstrate an ability to meet the requirement. |
| 1 | Poor | Minimal or poor response to meeting the requirement, with little or no relevance. Limited understanding misses some aspects.  The response addresses few elements of the requirement and contains insufficient/limited detail or explanation to demonstrate how the requirement will be fulfilled. |
| 2 | Fair | Response is mostly relevant, but elements of the response are poor. The response addresses most elements of the requirement but contains limited detail or explanation to demonstrate how some of the requirement will be fulfilled. |
| 3 | Acceptable | Response is relevant and acceptable. The response addresses a broad understanding of the requirement but lacks details on how the requirement will be fulfilled in certain areas. |
| 4 | Good | Response is relevant and good. The response is sufficiently comprehensive to assure and demonstrate a good understanding, also providing much detail on how the requirements will be fulfilled. |
| 5 | Excellent | Excellent response fully addressing the requirement and providing significant additional evidence of how the criterion has been met and how value would be added  The response is comprehensive, unambiguous and demonstrates a thorough understanding of the requirement and provides details of how the requirement will be met in full. |

For the Price evaluation the following shall apply:

* + - * + Fixed fee
        + The lowest fixed fee will be awarded the maximum price score of 100.
        + All other bidders will get a price score relative to the lowest fee tendered.
        + The calculation we will use to calculate your score is as follows:

Price Score = Lowest Total Fee x 100

Bidder’s Total Fee

Your score will then be multiplied by the weighting we have applied to this aspect of the price evaluation to provide a weighted score for the fee.

## Procurement Procedures

### Tendering Timetable

The timescales for the procurement process are as follows:

| Element | Timescale |
| --- | --- |
| Invitation to tender issued | 30 June 2025 |
| Deadline for the submission of clarification questions | 10 July 2025, 13:00 hrs |
| Deadline for submission of proposals | 24 July 2025, 13:00 hrs |
| Award contract | 15 August 2025 |
| Project Inception Meeting | w/c 25 August 2025 |

### Tendering Instructions and Guidance

#### Amendments to ITT document

Any advice of a modification to the Invitation to Tender will be issued as soon as possible before the Tender submission date and shall be issued as an addendum to, and shall be deemed to constitute part of, the Invitation to Tender. If necessary, ORR shall revise the Tender Date in order to comply with this requirement.

#### Clarifications & Queries

Please note that, for audit purposes, any query in connection with the tender should be submitted via the ORR eTendering portal. The response, as well as the nature of the query, will be notified to all suppliers without disclosing the name of the Supplier who initiated the query.

#### Submission Process

Tenders must be uploaded to the ORR eTendering portal no later than the submission date and time shown above. Tenders uploaded after the closing date and time may not be accepted. Bidders have the facility to upload later versions of tenders until the closing date/time.

The tender shall consist of two envelopes and bidders must submit the correct documents to the correct envelope as set out below:

* **Technical Envelope**: Quality response (Methodology, Delivery, Experience), Disclaimer and Cyber Essentials or ISO27000 certification (or equivalent)
* **Commercial Envelope:** Price and Form of Tender

If you are already registered on our eTendering portal but have forgotten your login details, please contact the portal administrator.

An evaluation team will evaluate all tenders correctly submitted against the stated evaluation criteria.

By issuing this Invitation to Tender ORR does not undertake to accept the lowest tender, or part or all of any tender. No part of the tender submitted will be returned to the supplier

#### Debrief

The debrief material shall contain comments and scores relevant to your tender. Bidders may seek clarification of the content, however no additional debriefs shall be offered. We shall not disclose comments and scores relevant to other tenders other than the total score of the winning bidder.

#### Cost & Pricing Information

Tender costs remain the responsibility of those tendering. This includes any costs or expenses incurred by the supplier in connection with the preparation or delivery or in the evaluation of the tender. All details of the tender, including prices and rates, are to remain valid for acceptance for a period of 90 days from the tender closing date.

Tender prices must be in Sterling.

Once the contract has been awarded, any additional costs incurred which are not reflected in the tender submission will not be accepted for payment.

#### References

References provided as part of the tender may be approached during the tender stage

#### Accessibility Guidelines

As a public body we are legally required to comply with accessibility guidelines. Please ensure any commissioned report is in a format that meets web accessibility regulations: [Guidelines for writing accessible reports for ORR - Guidance for external suppliers | Office of Rail and Road.](https://www.orr.gov.uk/media/23638)

#### Contractual Information

Following the evaluation of submitted tenders, in accordance with the evaluation criteria stated in this document, a contractor may be selected to perform the services and subsequently issued with an order.

Any contract awarded, as a result of this procurement will be placed with a prime contractor who will take full contractual responsibility for the performance of all obligations under the contract. Any sub-contractors you intend to use to fulfil any aspect of the services must be identified in the tender along with details of their relationship, responsibilities and proposed management arrangements.

The proposal should be submitted in the form of an unconditional offer that is capable of being accepted by the ORR without the need for further negotiation. Any contract arising from this procurement will be based upon ORR’s standard Terms & Conditions (see Form of Agreement attached). You should state in your proposal that you are willing to accept these Terms & Conditions.

ORR does not expect to negotiate individual terms and expects to contract on the basis of those terms alone. If you do not agree to the Conditions of Contract then your tender may be deselected on that basis alone and not considered further.

**ORR may be prepared to consider non-fundamental changes to the standard terms and conditions in exceptional circumstances. If there are any areas where you feel you are not able to comply with the standard ORR terms and conditions, then details should be submitted as a separate annex to the proposal using the following format:**

| Clause Number | Existing Wording | Proposed Wording | Rational for amendment |
| --- | --- | --- | --- |
|  |  |  |  |
|  |  |  |  |

Any services arising from this ITT will be carried out pursuant to the contract which comprises of:

* + - * + ORR Terms & Conditions;
        + Service Schedules;
        + this Invite to Tender & Statement of Requirement document; and
        + the chosen supplier’s successful tender.

ORR’s Transparency Obligations and the Freedom of Information Act 2000 (the Act)

The ORR is a central Government department and as such complies with the Government’s transparency agenda. As a result, there is a presumption that contract documentation will be made available to the public via electronic means. The ORR will work with the chosen supplier to establish if any information within the contract should be withheld and the reasons for withholding it from publication.

Typically the following information will be published:

* + - * + contract price and any incentivisation mechanisms
        + performance metrics and management of them
        + plans for management of underperformance and its financial impact
        + governance arrangements including through supply chains where significant contract value rests with subcontractors
        + resource plans
        + service improvement plans

Where appropriate to do so information will be updated as required during the life of the contract so it remains current;

In addition, as a public authority, ORR is subject to the provisions of the Freedom of Information Act 2000. All information submitted to a public authority may need to be disclosed by the public authority in response to a request under the Act. ORR may also decide to include certain information in the publication scheme which it maintains under the Act. If a bidder considers that any of the information included in its proposal is commercially sensitive, it should identify it and explain (in broad terms) what harm may result from disclosure if a request is received and the time period applicable to that sensitivity. Bidders should be aware that even where they have indicated that information is commercially sensitive ORR may be required to disclose it under the Act if a request is received. Bidders should also note that the receipt of any material marked “confidential” or equivalent by the public authority should not be taken to mean that the public authority accepts any duty of confidence by virtue of that marking. If a request is received ORR may also be required to disclose details of unsuccessful bids

Please use the following matrix: to list such information:

| Para. No. | Description | Applicable exemption under FOIA 2000 |
| --- | --- | --- |
|  |  |  |
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