

Legal Representation for the Insurance Team

NCCT43264

Invitation to Tender

**Wednesday 1 October 2025**

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# Context and requirement of the procurement

* 1. Context

Norfolk County Council is the local authority for Norfolk and provides a wide range of services for people who live, work, do business in or visit the county, including Children’s Services, Community Services, highway maintenance, waste disposal, libraries, museums, Fire and Rescue, economic development and Trading Standards.

In addition, Norfolk County Council operates a number of wholly owned subsidiary companies such as the Norse Group Limited, Repton, Independence Matters and Hethel Innovation Limited. More information can be found on the Council’s website [www.norfolk.gov.uk](http://www.norfolk.gov.uk).

The council requires legal services for the in-house insurance team to predominately help support the delivery of the claims service, and is retendering its expiring framework agreement for these services.

* 1. Requirement

The insurance team is a team of 12 staff led by the Head of Insurance and comprises a mixture of claims handler investigators and insurance officers with administrative support provided by the Business Support Team.

Legal representation is required by the insurance team to predominately help support the delivery of the claims service.

In the past 3 years the authority has received over 5000 claims across its insurance programme and of these just under 100 have been litigated. The main area of support will be in respect of litigated cases although not exclusively.

The council is seeking to purchase legal representation. The service will need to provide a high standard of professional service advice and guidance on all matters relating to insurance claims handled by the team. Typical duties will include but not be limited to:

* Provision of general legal advice
* Representing the authority in litigation
* Maintaining a knowledge of issues facing the authority and being prepared to offer legal opinions
* Supporting the development and knowledge of the insurance team.

Regular management information relating to claims settlement and costs will need to be provided.

The insurance team provide support to the Norse Group and as such require coverage across the country.

Full details of the requirement can be found in the Service Specification, which forms a Schedule to the Terms and Conditions.

**Please note** that Norfolk County Council has joined the government's Devolution Priority Programme.

This process has the potential to lead to the establishment of a county combined authority for Norfolk and Suffolk, with strategic powers, headed by an elected mayor.

Government has also invited participation by Norfolk in Local Government Review. This process has the potential to lead to unitary local government in Norfolk. One of these changes could happen without the other. The contract may be assigned or novated to any successor authority(ies) to Norfolk County Council or to any joint body incorporating or formed by any such successor. The County Council or a successor authority or joint body may order services on behalf of other local authorities serving any area within Norfolk's current geographical boundaries.

# Correspondence and clarifications

All correspondence and clarifications will be issued via In-Tend. Please make sure your details are correct and that you check the system regularly. The procurement exercise may move quickly and you must be prepared to respond to queries during the evaluation process in a timely manner, and we advise adding a second person or a team to your In-Tend account for contingency.

Any internal reviewers such as board members, trustees or partners who may raise issues must be engaged early to ensure points of clarification and any commercial issues that may affect your bid can be raised with us by the clarification date.

If you encounter any difficulties whilst using the system you can contact the In-Tend support team by phoning 0845 557 8079 or +44 (0) 114 407 0065 or by emailing support@in-tend.co.uk.

# About this procurement document

* 1. The main parts of the first section of this procurement document

|  |  |
| --- | --- |
| Section | Purpose |
| Advice and instructions to Applicants | Tells you how to upload your application and what you must do if you wish to take part in the tender. |
| Procurement Process Information and Procurement Timeline | Sets out key details about the procurement process and the anticipated dates for key elements in the procurement process. |
| Contract Data | Tells you what the terms of any contract entered into under the tender will be. |
| Receipt and Evaluation of Applications | Tells you what we will do with applications we receive, how we will evaluate them and our rights and obligations in respect of the receipt and evaluation process. |
| Evaluation Information | Contains key information that we will use in the evaluation process, including how we will score responses. |

|  |  |
| --- | --- |
| **Entering into contracts from and operation of the framework** | Contains information about how contracts will be entered into from the framework agreement. |
| **Important Legal Notice** | Sets out the basis on which we will conduct the tender exercise. |

* 1. Forms for completion by Applicants

The forms that make up the parts of the document that are to be completed by Applicants are labelled A to Z. The forms that you must complete and return are contained in this document unless otherwise indicated.

**Please note that you, and any subcontractors involved in the delivery of the contract, must be registered on the Government’s Central Digital Platform, Find a Tender Service, or we will not be able to accept your bid.**

Information about the Government’s Central Digital Platform can be found online at [Find a Tender Service](https://www.find-tender.service.gov.uk/) and [Central Digital Platform - factsheet (HTML) - GOV.UK](https://www.gov.uk/government/publications/procurement-act-2023-short-guides/central-digital-platform-factsheet-html?utm_source=phpList&utm_medium=email&utm_campaign=Procurement+Act+Update+%285th+February+2025+-+Issue+%234%29&utm_content=HTML).

Further details about the forms are contained in sections 7 and 8, including which forms are and are not being used in this procurement. The forms labelled A to Z are:

|  |  |
| --- | --- |
| Section | Purpose |
| Form A – Details of Applicant | This tells us about you and your organisation and who is applying. |
| Form B – Grounds for exclusion | This form tells us whether there are any grounds under which we will have to exclude you, and any sub-contractors you might rely on to deliver the contract, from bidding.  |
| Form C – Compliance with minimum Standards | This form checks your experience and whether you hold the relevant experience and registrations where necessary. It includes minimum standards such as finance and Health and Safety and other checks where relevant to the contract.  |
| Form D – Willingness and ability to enter into the Framework Agreement | This form checks whether you are prepared to enter in to the contract without change and whether you hold the relevant insurances. |
| Form E – Shortlisting questions | This is a form used for shortlisting applicants and is only used in staged procurements. . |
| Form F – Quality | This form seeks to determine how you will deliver the contract. |
| Form G – Price  | This form is about the price you will charge for the service.  |
| Form Z – Applicant’s checklist and declaration | This form is your checklist to ensure that you have included everything required and your declaration that you are prepared to provide the contract as tendered, under the terms and conditions issued.  |

* 1. The following documents are attached

|  |  |
| --- | --- |
| **Section** | **Purpose** |
| Terms and Conditions  | The terms and conditions referred to in the Contract Data |
| Specification and requirements | Tells you about the context for this procurement and the specification for the goods and/or services we require. This forms a Schedule of the Contract. |
| Call off terms and conditions | The terms and conditions that will be used by users of the framework agreement when awarding a contract under the Framework Agreement. This will form a Schedule of the Contract. |

* 1. Obligation to consider Small and Medium Enterprises

The Council has considered SMEs and as a result:

* Insurance requirements within the tender have been assessed as fair against the subject matter of the contract; and
* Insurance at the levels required is not expected to be purchased until a contract is awarded; and
* Limits of liability in the contract have been assessed as reasonable against the subject matter and value of the contract; and
* Performance management reporting is at the minimum required for the Council to be assured of effective delivery.

# Advice and instructions to Applicants

* 1. Issues to consider before bidding

We suggest that Applicants consider the following issues before deciding whether to bid:

* 1. Have you read the Specification and the minimum requirements in Form C, and are you able to provide the service? If you aren’t certain, ensure you seek early clarification.
	2. If there are strict deadlines for implementation or delivery, are you able to meet them?
	3. Is there anything in the documents that you think would prevent you from bidding? If so, please request clarification to ensure there isn’t a miscommunication.
	4. Tender preparation

When preparing your tender, it is important to consider the following:

1. Have you read all the instructions, the documents attached and taken in to account any indicative budget provided in the documents or contract notice?
2. Are you registered on the Government’s Central Digital Platform, Find a Tender Service? More information is available at [Find a Tender Service](https://www.find-tender.service.gov.uk/) and [Central Digital Platform - factsheet (HTML) - GOV.UK](https://www.gov.uk/government/publications/procurement-act-2023-short-guides/central-digital-platform-factsheet-html?utm_source=phpList&utm_medium=email&utm_campaign=Procurement+Act+Update+%285th+February+2025+-+Issue+%234%29&utm_content=HTML).
3. Tenders should be clear and concise and in Form F must describe how you will provide the service being tendered rather than just stating that you will provide the service.
4. Bids that are ambiguous or generic in their response or don’t describe how the service will be provided are unlikely to score well. In our experience, tailored solutions that have taken in to account the Council’s requirements in their answers usually score better than generic responses that have not.
5. If the word count is causing you significant issues with answering a question thoroughly, please raise this as a clarification.
6. Please note that the evaluation panel will be made up of people with different experiences and skills and you should take this into account when writing your response.
7. When completing the price schedule at Form G, have you ensured that your price is fully inclusive of all costs of providing the service in accordance with the contract? We cannot accept bids that have been caveated (see Instructions to Applicants below). If you are unclear about pricing, please seek clarification.
	1. Return of your application
8. If you intend to submit a Tender, please ensure that you arrange to return the documents by the date and time stated. The Council is under no obligations to accept late Tenders.
9. You do not need to submit any of the first section of this Invitation to Tender: you only need to submit the Forms from page 30 onwards.

How to upload and submit your application

1. Log in to In-Tend and navigate to “My Tenders” under the “Tenders” tab near the top of the page. Locate the procurement that you are applying for and click “view details”.
2. Click on the tab where you found the tender documents for download. Depending on the procurement this may be labelled as “Request to Participate”, “Conditions of Participation”, “ITT” or “Invitation to Tender”.
3. Scroll down the page until you see a button in the centre of the screen entitled “Attach Documents”. Click on this and it will take you in to your computer to select and attach files. Select the file you need, click “Open” and it will upload the document to the screen. Repeat these actions until everything you wish to attach as part of your application is displayed on the webpage, click on the “Submit Return” button.
4. If you have made a mistake or forgotten to upload a document, you can repeat this process. You may submit your application multiple times, but only the final submission will be evaluated.
5. We advise that you leave plenty of time for upload and submission of your documents to allow for any possible problems with internet or power.
	1. Instructions to Applicants

Applicants must follow all the numbered instructions below.

First steps

1. If you take part in this procurement exercise you will be bound by the terms stated in the Important legal notice. You should review this notice carefully.
2. Applicants should view the Procurement Privacy Notice on the Council’s website <https://www.norfolk.gov.uk/what-we-do-and-how-we-work/open-data-fois-and-data-protection/data-protection/privacy-notices/procurement-service-privacy-notice> and must raise any concerns about the Privacy Notice and how personal information will be handled during the procurement process without delay.

Language

1. All questions, notices, tenders, supporting documents and correspondence are to be submitted in English.

The clarification process

1. If there is anything unclear or you think that you need more information, you must send in a clarification question as early as possible in the process and in any case before the final deadline given in the Procurement Process Information and Procurement Timeline. Questions must be submitted via In-Tend correspondence and must be associated with the correct project to receive a response. Clarification questions will be answered on a regular basis through the clarification facility on In-Tend.
2. Once the final deadline is passed, no new questions may be sent in but you will have a final chance to seek clarification of answers already given. You must submit any such request within the period stated in the Procurement Process Data.
3. Tenders must be made against the contractual terms referred to in the Contract Data, without qualification or caveat. We do not expect to change the contract terms but if, exceptionally, you want to raise any issues about them you must do so at an early stage in the clarification process. You should not submit extensive proposals for change. We may issue revised contractual terms applicable to all bidders, and if we do so your tender must be submitted against those terms.

Content of the application

1. In preparing your application you must assume that the evaluators know nothing about your organisation.
2. Throughout the application, you should reflect the Statement of Requirements or Service Specification. To assist you in achieving the highest scores, you should review the “Descriptors for the allocation of quality scores” in the Evaluation Data and write your answers accordingly.
3. You have an overriding obligation to exercise your skill and judgment, to ensure that your solution is fit for purpose and to warn us if, in your opinion, our proposed application of your solution would result in a poor or unacceptable outcome for us.
4. Different questions may be marked by different evaluators and not all evaluators will have read your entire application. The answer to each question must be self-contained. Answers such as “see answer to question x” are not acceptable. You must not include brochures, leaflets or other attachments unless specifically requested. If you do, they will not be read, except where an Applicant has submitted a completed European Single Procurement Document.
5. The forms for completion must be reproduced and completed, except where we say otherwise.
6. So that they are readable, answers must be in a minimum of 11-point font, with line spacing of 1.2 times.
7. You must keep to the given word or page limits for each question.
8. Documents must not contain any embedded objects which appear in the printed copy as icons, rather than in full.
9. It is your responsibility to make sure that your application is complete and unambiguous.
10. If you have collaborated with a third party to develop your response it remains your responsibility to ensure that all statements made in your bid are accurate and the approach you have described in your bid is deliverable. Poorly tailored bids are unlikely to score well.
11. Similarly, if you have used AI or Machine Learning Tools, including Large Language Models to generate parts of your response, it remains your responsibility to ensure that all statements made in your bid are accurate and the approach you have described in your bid is deliverable. You are again reminded that poorly tailored bids are unlikely to score well. You are also reminded that AI tools introduce an increased risk of misleading statements via “hallucination”.

No caveats or qualifications

1. Your tender must not be caveated or qualified. The following are some examples of caveats or qualifications:
2. statements that you have made certain assumptions and that, if these assumptions prove incorrect, you may wish to change price, timescales, quality, terms and conditions or other aspects of your offer;
3. statements that you do not comply with any mandatory requirement of the specification;
4. statements that you do not accept, or wish to modify, any aspect of the Contract or that any variant or additional term or condition will apply.

Completion of the application

1. You should not complete and submit your application until after the clarifications have closed.
2. Your application must consist of all the documents listed in the checklist at Form Z. You must include all attachments requested but should include no other documents (and any other document will be disregarded by the Council when conducting its evaluation).
3. On finalising your application, you must complete the checklist at Form Z, and then sign the declaration, scan and upload it as part of your submission.

Submission

1. Your submission must be uploaded and submitted before the deadline specified in the Procurement Process Data. We are under no obligation to consider any application which arrives after the deadline.

Multiple bids

1. Multiple applications from a given prime contractor or consortium will not be evaluated by the Council.
2. An applicant may act as the proposed prime contractor for one bid, and a proposed sub-contractor for another.
3. However, an applicant may act as:
* the proposed prime contractor for one bid, and a proposed sub-contractor for another; or
* the proposed prime contractor for one bid, and a proposed consortium member for another; or
* a consortium member for more than one bid.
1. Where an Applicant is involved in more than one bid, all relevant forms must be completed for each bid.
2. Where they form part of more than one bid, Applicants shall pay particular attention to the need to avoid collusion in pricing and commercial terms.
3. In particular, no Applicant shall be involved in the setting of the price to be tendered to the Council for more than one bid.

**Offer capable of acceptance**

1. If we appoint you to the Framework all statements and commitments made by you in your tender shall be binding upon you.
2. Your tender must constitute an offer to provide the supplies, works or services specified in this Invitation to Tender in accordance with the contractual terms referred to in the Contract Data, as amended by any clarification response issued by the Council before the tender submission date. Your offer must remain open for acceptance for the period stated in the Procurement Process Data.
3. We may accept your offer by writing to you appointing you to the framework, at which point a binding agreement will exist between you and us without any need for further formalities.
4. However, without prejudice to the enforceability of the above agreement we may require you to execute the agreement as a deed after award and you must do so promptly on request. We will not agree any modification to the agreement at this stage.

# Procurement Process Information and Procurement Timeline

* 1. Timetable and information

The procurement timetable, outlined below, is for information and potentially subject to change. The Council reserves the right to amend any aspect of the timetable during the procurement and evaluation process.

|  |  |
| --- | --- |
| ****Information**** | Details |
| ****Procurement reference number**** | NCCT43264  |
| ****Procurement title**** | Legal Representation for the Insurance Team |

|  |  |
| --- | --- |
| **Date contract notice dispatched to publisher** | Wednesday 1 October 2025 |
| **Procurement procedure** | Open procedure as defined in the Procurement Regulations 2024 |
| **Justification for decision not to subdivide into lots (section 18(2)(b) of the Procurement Act 2023)** | Dividing the Framework Agreement in to lots risks restricting a firm’s ability to work across contracted areas of law in handling a case |
| **Final deadline for submission of clarification questions relating to tender** | 11:00 AM UK time on 3 November 2025  |
| **Deadline to request further explanation about clarification answers (no new questions to be introduced)** | Midnight UK time on the third working day after the Council sends its final answers to the clarification questions received before the above deadline |
| **Deadline for submission of tender documents** | 11:00 AM UK time on Wednesday 12 November 2025 |
| **Expected date for issuing Contract Award notice and for standstill period to commence** | 28 November 2025 |
| **Expected date for standstill period to finish** | Midnight UK time on 10 December 2025 |
| **Expected Framework Award** | 11 December 2025 |
| **Contracting Authority’s name and address** | Procurement Sourcing TeamNorfolk County CouncilFloor LG County HallMartineau LaneNorwichNR1 2DHUnited Kingdom**DO NOT SEND ANY CORRESPONDENCE BY POST** |
| **Correspondence** | All correspondence and clarifications regarding the procurement should go through In-Tend: <http://In-Tendhost.co.uk/norfolkcc>  |
| **Public Services (Social Value) Act 2012** | The Public Services (Social Value) Act 2012 does not apply to this procurement, because the nature of a framework agreement is not conducive to Social Value as there is no guarantee of work |
| **Address for submission of tender documents** | All tenders must be submitted via the In-Tend portal. |
| **Period for which offers must remain open for acceptance** | 90 days from the tender submission deadline |
| **Award decision and standstill process** | The Council shall have no obligation to Applicants concerning debriefing beyond those contained in the Procurement Regulations 2024. The Council will observe a standstill period and will not appoint to the framework until after midnight on the eighth working day from when the contract award notice has been published. |

# Contract Data

* 1. Contract information

|  |  |
| --- | --- |
| ****Contract information**** | Details |
| **Conditions of contract** | As set out in Form D. |
| **Framework commencement date** | The **framework** will commence on the day we send you our formal award letter accepting your **application to the Framework**. |
| **Required Service Commencement Date** | 1 May 2026 |
| **Term** | 48 months from the Required Service Commencement Date |

|  |  |
| --- | --- |
| **Permits, consents and licences** | As set out in Form D |
| **Required insurances and limits of liability** | As set out in Form D  |

* 1. Framework specific conditions

|  |  |
| --- | --- |
| ****Framework specifics**** | Details |
| **Framework contracts term** | Contracts awarded under the framework may have a maximum total duration of 6 years. No contract awarded from the framework will be permitted to extend beyond 30 April 2036. |
| **User Organisations** | The framework agreement is being let by Norfolk County Council as the contracting authority, and can be used by:* Norfolk County Council and its agents
* Any successor body to the Council including any company formed by the Council to carry out its Risk and Insurance functions
* Any organisation the Council outsources its Risk and Insurance requirements to
* Any public body with which the Council enters into pooling arrangements for the provision of its Risk and Insurance services.
 |
| **Maximum number to be appointed to the Framework Agreement** | A maximum of six (6) Applicants will be admitted to the framework. |

# Receipt and evaluation of Applications by the Council

General

* 1. We will admit, evaluate and where appropriate reject Applications reasonably, impartially and as set out below. We make no other commitments concerning our admission, evaluation or rejection of Applications.
	2. New and forgotten documents may not be able to be considered after the tender deadline has passed.

Clarification

* 1. It is your responsibility to make sure that your Application is clear, complete and unambiguous. We may ask you to clarify your answers provided that in our judgment this does not adversely affect the integrity and fairness of the exercise, but we have no general duty to do so and other bidders may be notified of clarifications that have been sought and what they were regarding.

The Public Services (Social Value) Act 2012

* 1. The Authority is not specifically seeking to deliver social value for its area of operations via this framework agreement, however relevant environmental or other social considerations are included in the specification.

Compliance with Instructions to Applicants

* 1. You must comply with the Instructions to Applicants or you risk your Application being rejected.

Grounds for exclusion (Form B)

* 1. If any of the grounds for exclusion set out in Form B applies, we will consider whether you are an excluded or excludable supplier in accordance with the requirements of sections 57 and 58 of the Procurement Act 2023.
	2. If we conclude that you are an excluded supplier, we will exclude you.
	3. If we conclude that you are an excludable supplier, we may exercise our discretion and permit the remainder of your Application to be considered.

Compliance with minimum standards (Form C)

* 1. We will check that you have provided, in your answers on Form C, evidence that you meet the minimum standards set out there. We will not be able to further consider your application if in our opinion you do not meet the minimum standards.

Willingness and ability to comply with contractual requirements (Form D)

* 1. We will check that you have confirmed that you can enter into the contract under the specified terms and conditions (without modification) and hold appropriate levels of insurance (or are willing to obtain it).

Form E (not used)

Award of Overall Quality Score (Form F)

* 1. For each question in Form F, we will award a mark based on the Descriptors stated in the Evaluation Data (unless we state, on Form F, that we are using different descriptors for that question).
	2. Each question in Form F is weighted. The weightings are set out in the Evaluation Data.
	3. The score for each question will be divided by the maximum possible score for that question and then multiplied by the individual weighting to give a weighted score.
	4. For example, if a score of 3 out of 5 is given and the question is worth 10% of total marks (3/5\*10), then the weighted score will be 6.
	5. We will sum the weighted Scores to give an Overall Quality Score.

Quality Threshold

* 1. We will reject any tender which does not achieve an Overall Quality Score greater than or equal to the Quality Threshold stated in the Evaluation Data.

Abnormally low tenders

* 1. We may reject tenders which we consider to be abnormally low, having first followed any statutory process which applies.

Award of Price Score (Form G)

* 1. Price marks will be awarded as follows:
* The bid with the lowest price will be allocated the maximum number of weighted points. Other tenders being awarded marks in proportion to this price, so that for example a total price that is 30% more expensive will receive 30% fewer marks, one that is 60% more expensive will receive 60% fewer marks etc.
	1. A total of 40% of the overall score is allocated to Price.
	2. We will exclude from the final calculation of Price Scores any tender which has been rejected.

Combining Overall Quality and Price Scores

* 1. To give a Total Score out of one hundred, the Overall Quality Score will be added to the Price Score.
	2. In the event of a tie, the tied bidders will be asked to submit a revised price by a given deadline.

Appointment to the Framework Agreement

* 1. We will (subject to our right not to make an award at all) first make a provisional award to the Applicants achieving the highest Total Scores to the stated maximum number as contained in the Invitation to Tender.
	2. The standstill period will commence when we publish the contract award notice.
	3. Our contract award decision is not binding on us and we may decide not to appoint to the Framework at all or, in the event of an error or misjudgement being identified, change our award decision prior to appointment to the Framework.
	4. Our appointment to the Framework communicated to the Applicant by us in writing, will constitute acceptance of the Applicant’s offer and a deed will then exist between us and the Applicant on the terms set out in this Invitation to Tender. We may though require the successful Applicant to execute a written agreement between us.
	5. We will check whether you have signed the declaration in Form Z as part of the evaluation process. If the declaration is not signed, we will be unable to appoint you to the Framework.

# Evaluation Information

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| --- | --- |
| ****Evaluation information**** | Where |

|  |  |
| --- | --- |
| **Grounds for exclusion** | As set out in Form B |
| **Minimum standards including technical and professional capacity** | As set out in Form C |
| **Willingness and ability to comply with contractual requirements** | As set out in Form D |

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| --- |
| ****Award Criteria - Weightings for quality and price**** |
| **Overall Price weighting** | 40% |
| **Overall Quality weighting** | 60% |
| Total | 100% |

**Weighting of quality questions (Form F1)**

|  |  |  |
| --- | --- | --- |
| ****Reference**** | ****Subject area**** | ****Weighting as apercentage of the marks available**** |

|  |  |  |
| --- | --- | --- |
| F1.1 | **Scenarios – three scenarios all worth 10% each** | 30% |
| F1.2 | **Cost effectiveness** | 10% |
| F1.3 | **Risk Management** | 5% |
| F1.4 | **Training and Development** | 5% |
| F1.5 | **Fraud** | 5% |
| F1.6 | **Added value** | 5% |
| **Total** |  | 60**%** |
| **Quality threshold****(minimum acceptable overall quality score)** | 35 marks out of 60 |

**Descriptors for the award of quality marks**

|  |  |
| --- | --- |
| **The mark to be awarded is that for which the descriptors most closely match the tenderer’s response** | **Mark awarded** |
| An excellent response that is realistic, appropriately detailed and specific. Any weakness is immaterial and:* the approach embodies accepted good practice in all material respects and offers excellent levels of (as appropriate) functionality, performance, environmental performance, ease of use and other relevant characteristics;
* the response is tailored to the requirement wherever relevant and, where relevant, to specific circumstances;
* all material aspects of the question are fully answered, and the approach described fully meets all material aspects of the requirement;
* where relevant the proposal is ambitious in terms of outcomes, and sets out a convincing, coherent and evidence-based approach to achieving the outcomes claimed; and
* where relevant, the organisation, capacity, qualification and experience of staff assigned to performing the contract are excellent.
 | 5 |
| A good response that is realistic, appropriately detailed and specific and with only minor weaknesses, where:* the approach generally embodies accepted good practice and offers good levels of (as appropriate) functionality, performance, environmental performance, outcomes, ease of use and other relevant characteristics;
* with minor or no exceptions, the response is tailored to the requirement where relevant and, where relevant, to specific circumstances;
* all material aspects of the question are fully answered, and the approach described meets the material aspects of the requirement, with no or minor exceptions;
* where relevant the proposal seeks to deliver a good level of outcome, and sets out a convincing, coherent and evidence-based approach to achieving the outcomes claimed; and
* where relevant, the organisation, capacity, qualification and experience of staff assigned to performing the contract are good, with only minor deficiencies.
 | 4 |
| A satisfactory response that is realistic in all material respects, and that is at least sufficiently detailed and specific to give general clarity about what is to be delivered and how. There are some weaknesses, but all of the following requirements are met:* the approach does not materially conflict with accepted good practice and generally offers acceptable levels of (as appropriate) functionality, performance, environmental performance, ease of use and other relevant characteristics;
* all material aspects of the question are fully answered, and the approach described meets the material aspects of the requirement, with no or minor exceptions;
* while the response may be somewhat generic, it is not inappropriate to the specific circumstances or too high-level to give reasonable clarity and confidence;
* where relevant the proposal seeks to deliver acceptable outcomes, and sets out a reasonably convincing, coherent and evidence-based approach to achieving the outcomes claimed; and
* where relevant, the organisation, capacity, qualification and experience of staff assigned to performing the contract are generally acceptable.
 | 3 |
| A rather deficient response that is not of a sufficient standard to meet all the bullet points set out above for a score of ‘3’ but that is not considered so unsatisfactory as to raise serious doubts as to the prudence of entering into a contract incorporating the response, as further described in the descriptor below for a score of ‘1’. | 2 |
| A response which shows **some or all** of the following characteristics such that in the round a prudent contracting authority would have serious doubts about entering into a contract incorporating the response:* there being insufficient detail or specificity to be clear, wholly or for a material aspect of the requirement, what is to be delivered and how;
* the approach materially conflicting with accepted good practice and/or failing to offer acceptable levels of (as appropriate) functionality, performance, environmental performance, ease of use or other relevant characteristics;
* material parts of the question(s) not being answered or material parts of the response being unrealistic or the approach described, in some material respect, appearing not to meet the requirement or not to comply with the law;
* the approach described appearing, in some material respects, not to deliver expected levels of (as appropriate) functionality, performance, environmental performance, ease of use or other relevant characteristics;
* the approach conflicting with accepted good practice in some material respects;
* the approach being in material part inappropriately generic or a poor fit with the specific circumstances or context;
* the approach being unacceptably unambitious in terms of outcomes or the approach to achieving the claimed outcomes being materially unconvincing; and/or
* where relevant, the organisation, capacity, qualifications and/or experience of staff assigned to performing the contract not reaching the expected levels in some material respects.

**If any response receives a score of ‘1’, the entire submission will be rejected.** | 1 |
| No response or a response with insufficient content to allow meaningful evaluation or a fundamentally unrealistic response or a clearly unacceptable response where the weaknesses, individually or in aggregate, are fundamental.**If any response receives a score of ‘0’, the entire submission will be rejected.** | 0 |

**When evaluators are reviewing your response, they will be considering the following points, as relevant to the question.**

* Detail, completeness and specificity
	+ How detailed is the answer about what is to be delivered and how?
	+ Are all aspects of the question covered?
	+ Is the answer sufficiently specific and, where relevant, tailored to the requirement and the context?
* Is the proposal realistic – for example in (as relevant) timescales, resourcing, identification and mitigation of risks and obstacles, and if relevant stakeholder engagement, cultural fit and/or technical approach?
* Does the proposal accord with good practice?
* Does the proposal meet the requirement in all material respects?
* Is the proposal suitably ambitious in terms of outcomes, and to what extent does it set out a convincing, coherent and evidence-based approach to achieving the outcomes claimed?
* As relevant, the functionality, performance, environmental performance, ease of use and other relevant characteristics provided by the proposal
* Where relevant to the question, evaluate the organisation, qualification and experience of staff assigned to performing the task. For example:
	+ Is the structure appropriate to the service to be delivered?
	+ Is the balance of front-line, management and support staff appropriate?
	+ Are key staff suitably qualified and experienced?

# Entering into contracts from and operation of the framework

A Framework Agreement is a contract between a contracting authority and one or more suppliers that provides for the future award of contracts by that contracting authority to the supplier or suppliers.

When entering into contracts from the Framework Agreement, the Council will use the call-off terms and conditions included as a Schedule to the Terms and Conditions of Contract in accordance with the Framework Agreement.

A guide has been produced for Suppliers who are bidding for a place on the Framework Agreement, explaining how Frameworks operate: this is included in the application pack.

Please note that your response to this application will form part of the supplier catalogue provided to users of the framework.

* 1. Contract quantities

Figures are entirely dependent on the numbers and types of claims received by the insurance team, but are estimated to be between £300,000 and £500,000 per annum.

Please note that there is no guarantee of work.

* 1. Awarding contracts from the framework

Each time the Council has a requirement it will either:

* directly award a contract to one supplier from information supplied in this Invitation to Tender and from the prices submitted in the price schedule (“Direct Award”)

or

* hold a competition involving all suppliers capable of performing the contract. This will involve inviting bids from Suppliers on the framework and will be scaled to the size and complexity of the requirement (“Further Competition”)

It is anticipated that most contracts will be directly awarded.

* 1. Duration of Call-Off Contracts

Contracts awarded under the framework may have a maximum total duration of 6 years. No contract awarded from the framework will be permitted to extend beyond 30 April 2036 and must be awarded during the term of the Framework.

* 1. Setting the evaluation criteria for Further Competitions

Users of the framework will be able to refine, but not fundamentally alter, the criteria specified below at 9.5. Each framework user will be able to decide what percentage of marks it wants to allocate to each of the evaluation criteria, within the maximum and minimum amounts allowed.

* 1. The criteria for further competitions

The award criteria for further competitions will be set within the ranges indicated in the table below:

|  |  |  |  |
| --- | --- | --- | --- |
| Evaluation criteria | Minimum and maximum % | Sub-criteria | Sub-criteria % of overall score |
| The Service | Can be between 10% and 70% | To be determined at further competition | To be determined at further competition |
| Social Value | Can be between 0% and 20% | To be determined at further competition | To be determined at further competition |
| Team availability | Can be between 0% and 30% | To be determined at further competition | To be determined at further competition |
| Quality | Can be between 10% and 70% | To be determined at further competition | To be determined at further competition |
| Price | Can be between 30% and 70% | To be determined at further competition | To be determined at further competition |
| Total | 100% |  |  |

* 1. Direct contract award

The Council reserves the right for users of the framework to conduct a Direct Award process in addition to the further competition route, where the requirement can clearly be met through information supplied in this Invitation to Tender by a single Supplier.

Direct Awards will be made based on the information supplied in Applicants’ responses to this Invitation to Tender and from the prices submitted in the price schedule, and will take in to account:

* The services offered in the Invitation to Tender aligned with the specific requirement
* The price(s) quoted in the Price Schedule
* Where relevant, locality
* Experience of the team relevant to the claim
* Team availability
* **Any capacity constraints indicated within the framework tender response.**

**Where a Provider is unable to fulfil the requirement at direct contract award, the next most appropriate Provider will be awarded the contract.**

# Important legal notice

**No implied contract**

* 1. Norfolk County Council (“the Council” or, where the context so requires, “We”) does not make any binding commitment to actual or potential tenderers (“Applicants” or, where the context so requires “you”) or to any other party about its conduct of this procurement exercise, other than to abide by its statutory obligations and the express terms of this Important Legal Notice.

**Acceptance of conditions**

* 1. Any Applicant who participates in this procurement exercise shall be deemed to accept the above condition and the conditions set out below. These conditions form the entire understanding between the parties about the conduct of the tender exercise.
	2. The Council will not accept any change to the terms of this legal notice and in the event that any Applicant submits any tender or notice which seeks to change these conditions the purported change shall be void, even if the Council considers the Applicant’s completed request to participate or tender.

**Communications, information and notices**

* 1. Applicants shall not, in connection with this procurement exercise, rely on any communication from the Council (including without limitation any notice published by the Council and any information published on any web site) unless it specifically states that it concerns this procurement exercise and bears the reference number stated on the front page of this document. Applicants shall not rely on any communication which is not in writing.
	2. Information supplied by the Council is subject to constant updating and amendment in the future and is necessarily selective and is supplied for general guidance in the preparation of tenders. It does not purport to contain all of the information which Applicants may require and Applicants must satisfy themselves by their own investigations about the accuracy of such information.
	3. The Council has taken reasonable steps to ensure, as at the date of each document supplied by the Council in connection with this procurement (“Procurement Document”), that the facts which are contained in or provided with each such document are true and accurate in all material respects. But the Council does not make any representation or warranty as to the accuracy or completeness of the Procurement Documents, or the reasonableness of any assumptions on which they may be based. The Council accepts no liability to Applicants however arising, whether resulting from the use of the information provided, or from any omissions from or deficiencies in the information. As such, the Council cannot accept responsibility for any inaccurate information obtained by Applicants.
	4. Any notice from any person in connection with this procurement exercise must be sent to the Contact Name and Address stated in the Procurement Process Data below in accordance with the relevant timescales.

**Amendments to the procurement process**

* 1. The Council may at its sole discretion change any aspect of, or stop this procurement exercise at any point and if it stops the exercise (or the procurement of any lot or lots therein) need not provide any Applicant with the scores allocated in any marking exercise already undertaken or the reasons for the allocation of those scores.

**Applicants’ costs**

* 1. The Council will not under any circumstances be liable to pay Applicants for any costs incurred as a result of their participating in this procurement exercise.

**Standstill period and contract award notice**

* 1. The Council shall have no obligation to Applicants concerning debriefing beyond those contained in the Procurement Regulations 2024. The Council will observe a standstill period and will not formally appoint to the framework until after midnight on the eighth working day beginning with the day when the contract award notice is published.
	2. Applicants hereby agree that they will not reveal the Council’s provisional award decision to any person (other than staff, Directors, trustees or professional advisers who have a need to know) until the completion of the standstill period, and that they will place a similar obligation on any person to whom they notify the Council’s provisional decision.

**Confidentiality, Freedom of Information and Intellectual Property**

* 1. The Council is subject to laws about access to information including the Freedom of Information Act 2000, the Environmental Information Regulations 2004, the Audit Commission Act 1998 and the Procurement Act 2023. The Council may - despite any claim made by any Applicant that any information is given in confidence or is confidential in nature – be required to release any information it holds in accordance with the law, subject to the Council’s discretion concerning any applicable exemption or the application of any public interest test. It is important to note that information may be commercially sensitive for a time - for example, during a tender process - but afterwards some of that information it may not be, while other information may remain commercially sensitive for a longer period. The timing of any request for information may be extremely important in determining whether or not information is exempt. Applicants should note that no information is likely to be regarded as exempt forever.
	2. The Council does not in general consider the identities of the successful bidder or of unsuccessful bidders to be commercially confidential. It
	3. will publish the details of the successful bidder(s) as required by the Procurement Regulations 2024 and the Local Government Transparency Code;
	4. will provide unsuccessful bidders with a copy of successful bidders’ assessment summaries, redacted only to the extent that they contain information that is sensitive commercial information and where there is an overriding public interest in its being withheld from publication or other disclosure;
	5. will publish such details of unsuccessful bidders as are required by Regulation 27 of the Procurement Regulations 2024; and
	6. may release the identity of unsuccessful bidders in response to FOI requests without consultation with the bidders concerned once the contract has been awarded.
	7. Any working documents produced by the Council in the course of evaluation shall remain confidential to and the property of the Council and need not be retained by the Council.
	8. All intellectual property rights in the Procurement Documents and all materials provided by the Council or its professional advisers, consultants or information providers in connection with this tender and tender process are and shall remain the property of the Council and/or its professional advisers, consultants and/or information providers. The information they contain shall be used only for the purpose of preparing a tender and delivering any resulting contract.
	9. The contents of the Procurement Documents together with all other information, materials, specifications or other documents provided pursuant to or in the course of this procurement exercise, or prepared by the Applicants specifically for such purposes, shall be treated at all times as confidential by the Applicants unless put in the public domain by the Council. Applicants may not disclose any such information, materials, specifications or other documents to any third parties or to any other part of the Applicant´s company or group or use them for any purpose other than for the preparation and submission of responses to the Procurement Documents. Applicants may not publicise the Council’s name or the tender without the prior written consent of the Council.
	10. Applicants must seek the approval of the Council before providing to third parties any information provided in confidence by the Council and shall ensure that all third parties to whom disclosure is made shall keep any such information, materials, specifications or other documents confidential and not disclose them to any other third party except as set out above.

**Collusion, canvassing, bribery and corruption**

* 1. Applicants shall not enter into any agreement or arrangement with any other person with the intent that the other person shall refrain from responding to the procurement exercise or submit an excessively high price or an otherwise unattractive or non-compliant offer nor enter into any price-fixing agreement with any other person in respect of this procurement process.
	2. Applicants shall not, in connection with this procurement process or the proposed contract:
	3. offer any inducement, fee or reward to any officer or member of the Council;
	4. do anything which would constitute a breach of section 117(2) of the Local Government Act 1972 or of the Bribery Act 2010; or
	5. canvass any officer or member of the Council in connection with the response/tender about any aspect of the proposed contract or for soliciting information in connection therewith.
	6. If any Applicant or any employee of any Applicant or any third party acting on behalf of any Applicant commits an act detailed in clauses 10.18 or 10.19 or offers, promises or gives any bribe or inducement or makes any improper threat or colludes (or offers or agrees to collude) with any other Applicant in connection with this procurement exercise then, in addition to any criminal sanction such conduct may attract, the Council may:
	7. immediately exclude that Applicant’s offer from consideration;
	8. exclude that Applicant from future procurement exercises;
	9. terminate any contract entered into with that Applicant; and
	10. recover from that Applicant the reasonable costs of re-running this procurement exercise and any consequential losses (including loss of anticipated savings) which result from any delay in letting a contract.
	11. If any person approaches any Applicant seeking any bribe or making any offer to collude in respect of this procurement exercise, that Applicant is to contact the Council’s Head of Law immediately.



**Legal Representation for the Insurance Team**

NCCT43264

Invitation to Tender

TO BE COMPLETED AND RETURNED BY APPLICANT

**URGENT: ACTION REQUIRED**

YOU MUST BE REGISTERED ON THE CENTRAL DIGITAL PLATFORM AND PROVIDE A SHARE CODE AS PART OF YOUR BID

Form A: Details of Applicant

**Applicants are to edit the header of this form to insert their name at the top of every page.**

**You must be registered on the government’s Central Digital Platform,** [Find a Tender Service](http://www.find-tender.service.gov.uk)**, or we will not be able to accept your bid. You will be required to enter a Share Code generated on the Central Digital Platform or you will not be able to submit your bid on the in-tend platform.**

**Form A is split into different parts.**

**Part 1 of Form A is information relevant to the procurement.**

## Part 1 – basic details

|  |  |
| --- | --- |
| Name of person or organisation tendering  |  |
| Trading as… |  |
| Find a Tender Service registration number |  |
| Are you bidding in conjunction with another supplier? | Answer ‘yes or no’       |
| If yes, who is the lead bidder? |  |

|  |
| --- |
| **Person managing bid** |
| Ms, Mr, etc |  |
| Name |  |
| Address |  |
| Postcode |  |
| Country |  |
| Phone |  |
| Mobile |  |
| **Director, partner or trustee overseeing bid** |
| Mr, Ms, etc |  |
| Name |  |
| Address |  |
| Postcode |  |
| Country |  |
| Phone |  |
| Mobile |  |
| **Registered office address** |
|  |
|  |
|  |
| Postcode |  |
| Country |  |
| **Applicant’s registration number, as applicable** |
| Company registration no.  |  |
| Charity registration no.  |  |
| VAT registration no. |  |
| Other registration no. |  |
| **Group structure (as applicable)** |  |
| Name of immediate parent organisation |  |
| Company registration number |  |
| Name of ultimate UK holding company |  |
| Company registration number |  |
| Name of ultimate parent organisation |  |
| Country |  |

|  |
| --- |
| **Company size** |
| Are you an SME? (yes/no) |  |
| **Type of organisation (select one box only)** |
| Sole Trader |[ ]  Public sector |[ ]
| Partnership(Unincorporated) |[ ]  Private Company |[ ]
| Limited Liability Partnership (‘LLP’) |[ ]  Public Limited Company |[ ]
| Private Co. Limited by Guarantee |[ ]  VCSE, please select: Choose an item. |

**Part 2 is information relevant to contract management if you were to be successful and is non-mandatory.**

## Part 2 – contract management

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Role | Name | Phone | Mobile | Email |
| Contract manager |  |  |  |  |
| Ordering/referral |  |  |  |  |
| Contract queries |  |  |  |  |
| Invoice queries |  |  |  |  |
| Emergency out of hours contact |  |  |  |  |

**If you are not an existing NCC supplier, please complete the BACS form below. We will only pay by BACS transfer.**

|  |
| --- |
| Bank Details |
| Account Type |    |
| Name of Bank |        |
| Address of Bank |        |
| Sort Code |        |
| Account Number |        |
| Building Society Roll Number |        |
| Name the account is held in |        |

Form B: Grounds for exclusion

* **Applicants are to reproduce this Form B, retaining the question text and question numbering, and return it as part of their submission. Applicants are to answer all questions.**
* Applicants must edit the header of this section to insert their name at the top of every page of the forms so that it is clear to evaluators whose bid is whose.
* **Please do not append any documents unless specifically requested below.**
* If you cannot answer ‘yes’ to every question below it is very unlikely that your bid or application will be accepted, and you should contact us for advice before completing this form.
* Please see section 4.4 of this document for how this Form B should be completed if you are bidding as a lead contractor with sub-contractors or as a consortium.
* Applicants and any sub-contractor or member of a consortium who are also completing Form B must complete the self-declarations in relation to this Form B on behalf of all connected persons and entities, in accordance with The Procurement Act 2023 and the Procurement Regulations 2024.

## **B.1 Mandatory Grounds for Exclusion**

**We certify that we are registered on the Government’s Central Digital Platform, Find a Tender Service, and that we are not considered an excluded supplier under any of the provisions in** [**Schedule 6 of the Procurement Act 2023**](https://www.legislation.gov.uk/ukpga/2023/54/schedule/6)**.**

[ ]  Yes

[ ]  No

**If you have answered “no”, please provide an explanation below.**

## **B.2 Discretionary Grounds for Exclusion**

**We certify that we are registered on the Government’s Central Digital Platform, Find a Tender Service, and that we are not considered an excludable supplier under any of the provisions in** [**Schedule 7 of the Procurement Act 2023**](https://www.legislation.gov.uk/ukpga/2023/54/schedule/7)**.**

[ ]  Yes

[ ]  No

**If you have answered “no”, please provide an explanation below.**

## **B.3 Sub-contractors**

**We certify that the subcontractor(s) we rely on to deliver this contract are, or will be by contract award, registered on the Government’s Central Digital Platform, Find a Tender Service, and are not an excluded supplier(s) under any of the provisions outlined in B.1.**

[ ]  Yes

[ ]  No

**If you have answered “no”, please provide an explanation below.**

**We certify that the subcontractor(s) we rely on to deliver this contract are, or will be by contract award, registered on the Government’s Central Digital Platform, Find a Tender Service, and are not an excludable supplier(s) under any of the provisions outlined in B.2.**

[ ]  Yes

[ ]  No

**If you have answered “no”, please provide an explanation below.**

Please note that we will verify the information provided on this Form B with the Central Digital Platform.

We reserve the right to ask you to replace any sub-contractors that you are relying on to deliver the contract that are excluded or excludable suppliers.

Form C: Compliance with minimum standards

* **Applicants are to reproduce this Form C retaining the question text and question numbering and return it as part of their submission. Applicants are to answer all questions.**
* Applicants must edit the header of this section to insert their name at the top of every page of the forms so that it is clear to evaluators whose bid is whose.
* **Please do not append any documents unless specifically requested below.**
* **Responses to this Form C will be evaluated against the criteria at the end of the Form.**

## **Technical or Professional ability**

Our minimum standards for technical or professional ability are that Applicants have the experience, capabilities and qualifications set out in the questions below and are able to provide satisfactory references as evidence of their relevant track record. Please complete each question as instructed.

We need to be satisfied that your organisation has previous relevant experience in providing similar services.

* 1. **Do you have a proven track record and extensive knowledge and experience of providing Legal Representation to Local Authorities or other large organisations?**

[ ]  Yes

[ ]  No

If yes please provide detailed evidence of your organisation’s relevant experience, including details of previous clients and projects (maximum 500 words). If no, please explain how you think that skills you have acquired may be transferrable to this work. Please note that if you cannot evidence a proven track record and extensive knowledge of providing Legal Representation your application will fail.

**Answer below** (maximum 500 words)

We need to be satisfied that key personnel who will provide work under this framework have the relevant professional, managerial and technical expertise required for the role.

* 1. **Do the key personnel you will use to provide services under this framework have the relevant professional, managerial and technical expertise required for the role?**

[ ]  Yes

[ ]  No

If yes, please provide CVs for each person (attached separately and clearly cross-referenced to this question) detailing experience, qualifications and training received for each individual. Furthermore please include details of memberships to professional or regulatory bodies or steering groups. Please note that if you cannot evidence relevant experience and qualifications for each individual that would be working on our behalf your application is likely to fail.

**Answer below** (maximum 200 words plus a CV per person)

We need to be satisfied that your organisation and key personnel are registered with the Solicitors Regulation Authority (SRA) or are willing to register in order to be awarded work.

* 1. **Is your organisation registered with the Solicitors Regulation Authority or willing to become registered with the SRA?**

[ ]  Yes

[ ]  No

[ ]  Willing

* 1. **Are your key personnel currently registered with the Solicitors Regulation Authority or willing to become registered with the SRA?**

Key personnel are those staff that would be working on and/or supervising our claims.

[ ]  Yes

[ ]  No

[ ]  Willing

If yes to c) and d), please confirm Registration Numbers, and provide any special conditions pertaining to those registrations.

If you have answered ‘Willing’, please confirm that you will apply to Solicitors Regulation Authority (or the local equivalent if outside of the UK) if successful and will have this registration in place prior to commencement of services.

If you have answered ‘No’ to c) or d) your application will automatically fail.

**Answer below** (maximum 500 words)

We need to be satisfied that your organisation has sufficient senior staffing to provide resilience in the event of absence of key personnel.

* 1. **Does** **your organisation have at least 15 partners?**

[ ]  Yes

[ ]  No

Please note that if your organisation does not have at least 15 partners your application is likely to fail due to concerns about resilience during the term of the framework agreement and any call-offs from the framework agreement that may extend beyond its term.

* 1. **Please provide details of your current case load, both within your organisation and of key personnel, split by field of expertise.**

Please note that if you cannot evidence a track record of providing services in at least 8 of these fields of expertise, your application is likely to fail.

|  |  |  |
| --- | --- | --- |
| **Fields of expertise** | **Current number of cases for the organisation** | **Current number of cases for the key personnel** |
| Motor own damage and third party |  |  |
| Motor injury |  |  |
| Public liability damage only |  |  |
| Public liability injury |  |  |
| Employer’s liability |  |  |
| Disease claims |  |  |
| Stress |  |  |
| Abuse (Social Care) |  |  |
| Failure to remove/neglect (Social Care) |  |  |
| Fatalities |  |  |
| Human Rights Act |  |  |
| Data Protection |  |  |

We need to ensure your organisation has enough geographical coverage to meet the needs of this framework. Organisations are expected to be able to provide national coverage and have staff and offices in at least three regional areas.

* 1. **Do you have coverage across the country?**

[ ]  Yes

[ ]  No

Please provide details of your local and national offices and/or staff locations. Please note that if you cannot evidence sufficient geographical coverage your application is likely to fail.

**Answer below** (maximum 500 words)

## **Policies**

Please attach the following policies to your application. They will be reviewed and marked in accordance with the pass/fail criteria at the bottom of this Form C.

* Record retention and archiving policy
* Data protection policy

## **Performance**

**Has your organisation:**

1. had any contract terminated early for breach of contract in the last 36 months (this applies to any contract you have operated, not just Council contracts)?

[ ]  Yes

[ ]  No

1. had any contract amended or varied due to poor performance or contractual non-compliance in the last 36 months (this applies to any contract you have operated, not just Council contracts)?

[ ]  Yes

[ ]  No

1. been subject to any performance or warning notices (or similar notices) issued by commissioners or other bodies regarding any contractual or performance issues?

[ ]  Yes

[ ]  No

If your answer to any of the above is ‘yes’, please give details on a fully referenced separate sheet explaining what happened and what you have done to put matters right, and attach copies of any relevant correspondence with the relevant contracting authority or regulatory body. If you are unable to evidence what you have done to put matters right, your application will fail.

**Answer below** (a guide of 500 words)

To be scored as a pass/fail. If you fail this part of the application, your application will not be considered further.

## **References**

Applicants must have experience of providing the services they are applying to provide. Therefore, we require details of two people that can provide references from organisations for whom you have provided services of a similar scope to the requirements within this procurement in the last 3 years. If applying as a consortium, we require each member to supply details of two referees.

**Failure to provide two eligible referees**  **may result in disqualification**

|  |  |  |
| --- | --- | --- |
| **Reference information** | **Referee 1** | **Referee 2** |
| Customer Organisation: |  |  |
| Customer contact name: |  |  |
| e-mail: |  |  |
| phone number: |  |  |
| Date contract awarded: |  |  |
| Contract reference and brief description: |  |  |
| Total contract value in GBP(£): |  |  |
| Contract length in years: |  |  |

Scored as a pass/fail. If you are unable to provide satisfactory referees we will not take your application further.

## Economic and financial standing

The information provided will be used to assess your Organisation’s financial standing.

**Our minimum standards for economic and financial standing are that:**

* Applicants comply with regulatory requirements relating to the filing of statutory accounts
* Applicants’ statutory accounts (if any) have received a ‘clean’ audit opinion or, where the audit opinion is qualified, suitable, appropriate and timely action has been taken to deal with the issues raised;
* The financial aspects of Applicants’ organisations (including but not limited to the payment of creditors) are properly managed;
* Applicants’ organisations are financially sustainable, including adequate liquidity, profitability, balance sheet strength and cash flow.

**Checks and review:**

1. We will first check that your statutory accounts (where you are required to file them) have been filed on time. If they are overdue, we will seek an explanation from you and, if no acceptable explanation is forthcoming, we will not take your application further.
2. We will make checks with a credit rating agency and, if there are any adverse reports (such as High Court writs, County Court Judgements, or qualifications to your auditor’s report) we will seek an explanation from you. If no acceptable explanation is forthcoming, we will not take your application further.
3. Subject to (1) and (2) above we will review the information provided and publicly available information and will consider whether there are “warning signals” which, taken together, indicate significant cause for concern about your financial stability. These may include:
4. falling cash levels
5. falling profit margins
6. increasing overdraft with static turnover
7. major reductions in staffing
8. increasing employment with static turnover
9. increasing debtor and creditor days
10. larger increases in creditors than debtors
11. deteriorating liquidity
12. over-reliance on short term debt
13. high gearing
14. unsatisfactory results of ratio analysis
15. increasing pension liabilities
16. heavy write-offs of foreign or subsidiary holdings
17. late filing of accounts
18. qualified accounts
19. profit warnings
20. County Court Judgements (CCJs)
21. poor credit ratings
22. unusual accounting policies
23. changing auditors and bankers
24. debt rating downgrades/alerts
25. concerns raised by investment bank prospect reports
26. adverse press reports.

We may seek further information or explanation from you about any such matter.

**Information required:**

The following financial information is required to be provided and an assessment will be undertaken to produce a summary profile of your organisation's financial condition and that of its ultimate parent (if applicable).

If you have changed your legal identity during the last two years, please provide accounts for both old and new identities.

A qualitative assessment will be used to identify the level of risk presented by your organisation the results of which will be categorised either as a Low Risk, Medium Risk or High Risk.

The Council may seek further information from any Applicant about their economic and financial standing during the evaluation.

The Council may also ask any Applicant whether it is willing to offer a financial guarantee (such as a parent company guarantee or ultimate holding company guarantee) and/or a performance bond and/or any similar instrument and may take into account the comfort offered by these instruments in its assessment of whether financial risk is ‘high’.

**In order to meet minimum standards your organisation must be categorised as either a 'low' or 'medium' risk. Applicants categorised as a 'high' risk will be eliminated and their application will not be taken further.**

1. Please provide a copy of the audited accounts at i for the most recent two years. If this is not available please provide one or more of ii, iii or iv to demonstrate your economic/ financial standing. Please indicate which items you have attached to your bid by ticking “yes” or “no” in the relevant box.
2. A copy of the audited accounts for the most recent two years.

[ ]  Yes

[ ]  No

1. A statement of the turnover, profit and loss account, current liabilities and assets, and cash flow for the most recent year of trading for this organisation.

[ ]  Yes

[ ]  No

1. A statement of the cash flow forecast for the current year and a bank letter outlining the current cash and credit position.

[ ]  Yes

[ ]  No

1. Alternative means of demonstrating financial status if any of the above are not available (e.g. forecast of turnover for the current year and a statement of funding provided by the owners and/or the bank, charity accruals accounts or an alternative means of demonstrating financial status).

[ ]  Yes

[ ]  No

1. Have you complied with regulatory requirements relating to the filing of statutory accounts, including filing accounts on time?

[ ]  Yes

[ ]  No

**If you have answered “no”, please provide an explanation below**

1. Where the Council has specified a minimum level of economic and financial standing and/or a minimum financial threshold within the evaluation criteria for the **tender,** please self-certify by answering ‘Yes’ or ‘No’ that you meet the requirements set out here.

[ ]  Yes

[ ]  No

**If you have answered “no”, please provide an explanation below**

1. Where the audited accounts (if any) provided do not cover the most recent full financial year (or part financial year if you have been trading for less than one financial year), please provide a statement of your turnover, profit & loss and cash flow for that financial year (or part year if full year not applicable) and an end period Balance Sheet, or a draft set of accounts.
2. Where a Consortium or Association is proposed, the information is requested for each member company.

**Evaluation**

For each candidate we will prepare an analysis stating a summary score, from 1 to 3, as follows

1 – High risk Unacceptable financial risk

2 – Medium risk Some concerns but acceptable

3 – Low risk No material concerns

and a summary justification for the score given, reflecting reasoned professional judgment, where an Applicant receives a score of 1.

Parent Companies will not be reviewed unless a company fails its initial assessment.

We will eliminate Applicants who score 1.

## Modern Slavery Act

If you have an annual turnover of at least £36 million and are a relevant commercial organisation as defined in the Modern Slavery Act 2015, please confirm that you have published a statement and that you meet the requirements of Section 54 and any guidance issued under Section 54 of the Modern Slavery Act 2015.

[ ]  Yes

[ ]  No

[ ]  N/A – our turnover is less than £36 million and we are not a relevant commercial organisation as defined in the Modern Slavery Act 2015.

If you cannot answer yes to this question where you have an annual turnover of at least £36 million and are a relevant commercial organisation as defined in the Modern Slavery Act 2015, your tender will be rejected.

## Compliance with equality legislation

For organisations working outside of the UK please refer to equivalent legislation for the country or countries in which you are located.

1. In the last three years, has any finding of unlawful discrimination been made against your organisation by an Employment Tribunal, an Employment Appeal Tribunal or any other court (or in comparable proceedings in any jurisdiction other than the UK)?

[ ]  Yes

[ ]  No

1. In the last three years, has your organisation had a complaint upheld following an investigation by the Equality and Human Rights Commission or its predecessors (or a comparable body in any jurisdiction other than the UK), on grounds of alleged unlawful discrimination?

[ ]  Yes

[ ]  No

If you have answered “yes” to either or the questions above, please provide a summary of the nature of the investigation and an explanation of the outcome of the investigation to date.

If the investigation upheld the complaint against your organisation, please use the written response to explain what action (if any) you have taken to prevent unlawful discrimination from reoccurring.

You may be excluded if you are unable to demonstrate to the Council’s satisfaction that appropriate remedial action has been taken to prevent similar unlawful discrimination reoccurring.

**If your answer to questions 1 or 2 is “Yes”, explain below**

1. If you use sub-contractors, do you have processes in place to check whether any of the above circumstances apply to these other organisations?

[ ]  Yes

[ ]  No

[ ]  N/A

**If your answer to this question is “No”, explain below.**

**Responses to questions 1 and 2 will be scored against the criteria at the end of this Form C where a written response has been provided to support a “yes” to either of these questions. If you fail this part of the evaluation, your** tender is likely to be rejected.

|  |  |
| --- | --- |
| Descriptor FOR THE ALLOCATION OF PASS/FAIL scores | Mark awarded |
| The application shows one or more of the following features appropriate to the question:* Applicant has not provided a response
* Applicant provides a response of such a poor standard as to provide no confidence that the Applicant could meet the requirements
* Applicant provides no evidence that their experience and/or expertise is relevant to this contract
* The Applicant has demonstrated poor industry practice in their response
* The Applicant does not hold the required qualification(s), registration(s) or licence(s) in order to perform the contract and will not do so by contract commencement
* Supporting documents (where requested) are of insufficient quality, depth or relevance to provide any confidence that the Applicant could meet the requirement.
 | Fail |
| The application shows, relevant to the appropriate question, that:* The Applicant has the required experience and/or expertise to provide the service and provides some confidence that they would be able to perform the contract
* The Applicant has demonstrated that they have the capability to perform the contract
* The Applicant has demonstrated that they hold the required qualification(s), registration(s) or licence(s) in order to perform the contract or that they will do so by contract commencement
* The Applicant has demonstrated good industry practice in their response
* The supporting documents (where requested) are of good quality, relevant and of sufficient depth and demonstrate that the Applicant could meet the requirement.
 | Pass |

Form D: Willingness and ability to comply with contractual requirements

* Applicants are to reproduce this Form D, retaining the question text and question numbering, and upload it as part of their submission. Applicants are to answer all questions.
* Applicants must edit the header of this section to insert their name at the top of every page of the forms so that it is clear to evaluators whose bid is whose.
* **Please do not append any documents unless specifically requested below.**

D1. Conditions of contract

The following questions are marked as pass/fail, where “yes” is a pass, and “no” is a fail.

1. **Terms and conditions**

We are willing to enter into the contract in accordance with the specified terms and conditions, without modification.

[ ]  Yes

[ ]  No

1. **Data Protection**

We understand the requirements of the Data Protection Act (DPA) 2018 and guarantee our ability to comply with the applicable regulations and legislation.

[ ]  Yes

[ ]  No

1. **Data Centres**

Norfolk County Council as a data controller must ensure that any personal data provided by it to you is handled and stored in such a way that it is protected according to UK GDPR standards. That applies even where your data centre is outside of the United Kingdom or European Union. Should your data centre be located in a third country, please confirm what country this is and, where necessary, what measures you propose to guarantee an equivalent level of protection.

Where will you store and handle personal data pertaining to case work awarded under the framework agreement?

UK: [ ]  Yes [ ]  No

European Union: [ ]  Yes [ ]  No

If somewhere outside the EU or UK, where are your data centres located:

If you have selected a country outside the UK or European Union, please confirm what country this is and, where necessary, what measures you propose to guarantee an equivalent level of protection.

**Please answer below:**

Norfolk County Council in recognition of its responsibilities as data controller is unable to process your application if no response to this question is received, or if the response, in its opinion, is unclear or unable to establish how an equivalent level of protection is to be provided. You should consider taking legal advice on this issue if you are unsure of how to respond.

1. **Insurance**

Please provide details of your organisation’s insurances.

|  |  |  |
| --- | --- | --- |
| Specific minimum insurances | We already hold this insurance (state insurer, policy number, extent of cover and expiry date below) | *Or* We are willing and able to obtain and maintain this insurance if awarded the contract (answer yes below) |

|  |  |  |
| --- | --- | --- |
| Employer’s liability to at least the level required by law  |  |  |
| Public liability to £5,000,000 in respect of any one claim; no annual or total cap |  |  |
| Professional Indemnity to £5,000,000 in respect of any one claim; no annual or total cap |  |  |
| Unless already provided for as part of your Public Liability Insurance, Cyber Liability cover (First and Third Party) to a minimum of £5,000,000 in respect of any one claim, including as a minimum; loss of data, stolen data, identify theft, loss of monies, loss of reputation and media coverage; no annual or total cap. |  |  |
| All risks or malicious damage insurance of £100,000 (one hundred thousand pounds) in respect of each and every claim |  |  |
| Trustees’, Directors’ and Officers’ indemnity to at least £2,000,000 in respect of any one incident for the duration of this framework agreement and its call-off contracts |  |  |
| An indemnity to principal clause to be included in each policy |  |  |

We reserve the right to request copies of policy documents to verify the level and types of coverage offered and ensure that they are suitable for the service.

Scored on a pass/fail basis: If you do not currently hold and are unwilling or unable to obtain the minimum levels of insurance, your application will be rejected and your tender will be taken no further.

D2. Policies and Procedures

**D2.1** Please confirm that your organisation has a working awareness of, or will do (at the commencement of framework), the following:

|  |  |  |  |
| --- | --- | --- | --- |
| **No.** | **Item** | **Currently working to** | **Will work to** |
|  | Safeguarding Adults National Framework of Standards and the Norfolk County Council Safeguarding Children, Young People & Vulnerable Adults, incorporating E – safety policy | [ ]  Yes [ ]  No  | [ ]  Yes[ ]  No  |
|  | Section 117(2) Local Government Act 1972 | [ ]  Yes[ ]  No  | [ ]  Yes[ ]  No  |

Scored on a pass/fail basis: If you are not currently working to or are not willing to work to an awareness of the above, your application will be rejected and your tender will be taken no further.

**D2.2** Please confirm that your Organisation either currently has policies and procedures in place or will have them in place at the commencement of a framework if awarded that incorporate the following:

|  |  |  |  |
| --- | --- | --- | --- |
| **No.** | **Policy/Procedure** | **Have in place** | **Will have in place** |
|  | Acceptance of Gifts/Legacies | [ ]  Yes[ ]  No  | [ ]  Yes[ ]  No  |
|  | Business Continuity Planning | [ ]  Yes[ ]  No  | [ ]  Yes[ ]  No  |
|  | Complaints and Commendations | [ ]  Yes[ ]  No  | [ ]  Yes[ ]  No  |
|  | Confidentiality and Disclosure | [ ]  Yes[ ]  No  | [ ]  Yes[ ]  No  |
|  | Critical incidents / accidents / emergencies responding / recording | [ ]  Yes[ ]  No  | [ ]  Yes[ ]  No  |
|  | Declaration of Interest/Conflict of Interest | [ ]  Yes[ ]  No  | [ ]  Yes[ ]  No  |
|  | Personnel Issues (including grievance and disciplinary) | [ ]  Yes[ ]  No  | [ ]  Yes[ ]  No  |
|  | Professional Conduct | [ ]  Yes[ ]  No  | [ ]  Yes[ ]  No  |
|  | Quality Assurance Policy | [ ]  Yes[ ]  No  | [ ]  Yes[ ]  No  |
|  | Sexual Orientation | [ ]  Yes[ ]  No  | [ ]  Yes[ ]  No  |
|  | Staff Training and Development | [ ]  Yes[ ]  No  | [ ]  Yes[ ]  No  |
|  | Violence against staff | [ ]  Yes[ ]  No  | [ ]  Yes[ ]  No  |
|  | Whistle Blowing guidance/policy of Partners | [ ]  Yes[ ]  No  | [ ]  Yes[ ]  No  |

Scored on a pass/fail basis: If you do not currently have in place and are unwilling or unable to put in place the above policies and procedures, your application will be rejected and your tender will be taken no further.

Form F: Quality

* Applicants are to reproduce this Form F retaining the questions and numbering and return it as part of their tender submission. Applicants must answer all questions.
* Applicants must edit the header of this section to insert their name at the top of every page of the forms so that it is clear to evaluators whose bid is whose.
* Applicants’ responses must be clearly legible and in at least 11-point type, on a line spacing of at least 1.2 times the type size.
* The answer to each question must be self-contained. Responses such as ‘see answer to question x’ are not acceptable.
* You should not assume that the evaluators have any prior knowledge of your organisation, its capabilities or the solutions your organisation offers and you should ensure your responses to each question presume the evaluators know nothing of your organisation, and where relevant your subcontractors, consortium members or partners if you are heavily reliant on a third party in a bid.
* **Please do not append any documents unless specifically requested below.**
* Ensure that your answers are succinct and do not drift over the word count guide unnecessarily. If the word count is causing you significant issues with answering a question thoroughly, please raise this as a clarification. Please note that if you grossly breach the word count guide anything over that guide is likely to be disregarded.
* Please ensure all answers are fully referenced to the relevant question.
* The scoring matrix provided in Evaluation Data (Section 8) is to assist evaluators in establishing areas of the proposals that concern them, and those areas that they think are good, and feedback will be provided to all Applicants.

### AI and Machine Learning (not scored)

Are AI or machine learning technologies used as part of the products or services you intend to provide?

[ ]  Yes

[ ]  No

If “Yes”, please describe how AI technologies are integrated into your service offerings below, and ensure that they are fully described in your responses to the weighted questions.

### F1.1 Scenarios (30%) – three scenarios all worth 10% each

Scenario 1 – Highways (10%)

A personal injury claim has been submitted for a vehicle collision at a minor road/main road junction. The claimant was travelling on the minor road intending to turn right when they collided with an HGV travelling on the main road. It is alleged that there was inadequate carriageway markings and signage on the minor road.

The claimant suffered head and face injuries, whiplash and damage to their right shoulder and wrist. The claimant worked as a self-employed landscape gardener and is alleging that they are unable to continue in that occupation.

1. What legislation and case law (if any) applies?
2. What documentation would you need to consider and why?
3. What witnesses would you speak to and what information would you expect to obtain from them?

Liability has subsequently been admitted, and further injuries have been indicated. Medical evidence has been provided, the claimant is now alleging stress and mental issues about driving.

1. What medical experts would you instruct and why?
2. Would any non-medical experts be needed? If yes, why?
3. What would affect your valuation of this claim and why?

**Answer below** (A guide of 1500 words)

Scenario 2 – Employer’s liability (10%)

An EL claim has been received for alleged shoulder injury caused by repeated lifting without assistance over the past 5 years. Claimant has advised that she has taken early retirement due to ill health.

1. What legislation (if any) applies?
2. What documentation/info would you need to consider and why?
3. What witnesses would you speak to and why?

Further injuries have subsequently been indicated. Medical evidence has been provided, the claimant is now alleging they are suffering from CRPS.

1. What medical experts would you instruct and why?
2. Would any non-medical experts be needed? If yes, why?
3. What would affect your valuation of this claim and why?

**Answer below** (A guide of 1500 words)

Scenario 3 - Motor (10%)

We have received notification of a motor accident on a narrow road involving a Fire Appliance insured by NCC and a third-party car over 5y ears old. There was minor damage to the Fire Appliance, but extensive damage to the car. There were no injuries.

1. At notification stage, what documentation would you need to consider and why?
2. What witnesses would you speak to and why?
3. What implications would arise from a decision to dispute liability?
4. If agreed that liability should be accepted, what initial action would you take?
5. If third-party had entered into a credit hire agreement, what information and documentation would you need to assess their claim. What would affect your valuation of this claim and why?
6. What, if any, case law applies?

**Answer below** (A guide of 1500 words)

### F1.2 Cost effectiveness (10%)

Please describe how you will ensure that a cost-effective service is provide to the council.

You may wish to consider such factors as:

* ensuring staff carrying out tasks are not over-qualified
* efficiencies in requesting documentation
* avoiding unnecessary delays that could result in higher costs
* use of technology to streamline administrative functions

What management information will you supply to help the council mitigate its costs?

**Answer below** (A guide of 750 words)

### F1.3 Risk Management (5%)

Please describe how you would provide risk management advice, in addition to the claims settlement advice.

**Answer below** (A guide of 500 words)

### F1.4 Training and Development (5%)

Please describe how

* you support your staff to ensure they are up to date with changing legislation and practices.
* you would support the development and knowledge of the council's insurance team, including the formats and frequency you will provide training and share knowledge.

**Answer below** (A guide of 500 words)

### F1.5 Fraud (5%)

Please detail the measures you will use to identify fraudulent cases and provide recommendations on appropriate action that can be taken where fraud is suspected or identified.

In your answer you may cite examples of previous cases where you have pleaded fraud and the percentage of claims where you have been successful in having the claim struck out or discontinued.

**Answer below** (A guide of 500 words)

### F1.6 Added value (5%)

Appointed suppliers will be expected to add value to the service by offering opportunities involving the council, other customers and members of the public by offering additional services such as:

* Networking opportunities with other like-minded customers
* Risk management advice and recommendations
* Horizon scanning

Appointed suppliers will be expected, where feasible, to add value by attracting and aligning other resources to offer information, advice and training.

Please describe your ideas for how this can be achieved.

**Answer below** (A guide of 600 words)

Form G: Pricing schedule

* Applicants’ responses shall be clearly legible and in at least 11-point type, on a line spacing of at least 1.2 times the type size.
* Applicants must edit the header of this section to insert their name at the top of every page of the forms so that it is clear to evaluators whose bid is whose.
* **Please do** not **append any documents unless specifically requested below.**
* All prices tendered must exclude VAT.
* **Prices quoted may be used for direct award of contract.**
* **Please note that the price quoted by you is the maximum you will be able to charge throughout the term of the framework, unless otherwise indicated in the terms and conditions of** contract.

##  Price schedule

Please input below the day rates you will charge for the staff grades below. Grading descriptions are given at the bottom of the table.

The rates you input below will be the rates you will charge should you be successful in being appointed to the framework and awarded work via the call off process.

Each grade will be weighted as follows:

* Paralegal (7%)
* Trainee (10%)
* Junior Solicitor (2%)
* Solicitor (2%)
* Senior Solicitor (7%)
* Partner (10%)
* In-house Counsel (2%)

|  | **Paralegal** | **Trainee** | **Junior Solicitor/FCILEX** | **Solicitor/FCILEX** | **Senior Solicitor/FCILEX** | **Partner** | **In-house Counsel** |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Daily rate £ | Daily rate £ | Daily rate £ | Daily rate £ | Daily rate £ | Daily rate £ | Daily rate £ |
| Motor own damage and third party |  |  |  |  |  |  |  |
| Motor injury |  |  |  |  |  |  |  |
| Public liability injury |  |  |  |  |  |  |  |
| Employers liability |  |  |  |  |  |  |  |
| Disease claims |  |  |  |  |  |  |  |
| Stress |  |  |  |  |  |  |  |
| Abuse (Social Care) |  |  |  |  |  |  |  |
| Failure to remove / neglect (Social Care) |  |  |  |  |  |  |  |
| Fatalities |  |  |  |  |  |  |  |
| Human Rights Act |  |  |  |  |  |  |  |
| Data Protection |  |  |  |  |  |  |  |
| **Totals for each grade** | £ | £ | £ | £ | £ | £ | £ |

|  |  |
| --- | --- |
| **Grade** | **Description** |
| Partner | Only qualified solicitors can become partners. Partners are the owners of the firm. |
| Senior Solicitor | A solicitor: typically, we would expect a person in this category to have a minimum of 10 years relevant experience. |
| Solicitor | A person who has obtained a degree and gone on to take the Law Society’s examinations and who has undertaken a Training Contract. Solicitors have rights of audience in front of all Judges in open Court, save for the High Court, the Court of Appeal and the House of Lords (unless they have attained a higher rights of audience qualification). Every solicitor practising in England and Wales, who holds a current practising certificate is registered with the Law Society and their details, including number of years of qualification, can be found on the Law Society’s Website: [www.lawsociety.org.uk/choosingandusing/findasolicitor.law](http://www.lawsociety.org.uk/choosingandusing/findasolicitor.law)Typically, we would expect a person in this category to have a minimum of 5 years relevant experience. |
| Junior Solicitor | A solicitor: typically, we would expect a person in this category to have a minimum of 2 years relevant experience. |
| Trainee | Refers to a person who has completed all examinations to become a solicitor and who is in the course of a 2-year training contract with a firm of solicitors. |
| Paralegal | Refers to a person who has no legal qualification and who generally works under the direct supervision of a qualified lawyer. |

Form Z: Applicant's declaration

* Please read the declaration carefully before signing it.
* Applicants may either print this Form Z on plain white A4 paper, sign and date it with a pen, scan and then upload it as the final part of their submission, or use an electronic signature.
* Applicants are to edit the header of this section to insert their organisation’s name at the top of every page of the forms.

## Z.1 Checklist

Check each issue below and tick each box.

|  |  |
| --- | --- |
| We confirm that:  | Tick |
| We are registered on the Government’s Central Digital Platform, Find a Tender Service  | [ ]  |
| Any subcontractors we are relying on are registered on the Government’s Central Digital Platform, Find a Tender Service  | [ ]  |
| We do not appear on the Government’s debarment list | [ ]  |
| Any subcontractors we are relying on do not appear on the Government’s debarment list | [ ]  |

|  |  |
| --- | --- |
| We have completed the following forms: | Tick |
| * Form A (as the cover sheet to our submission)
 | [ ]  |
| * For VAT Registered Organisations provide a copy of your VAT certificate
 | ☐  |

|  |  |
| --- | --- |
| * Form B
 | [ ]   |
| * Form C including references, plus supporting financial information
 | [ ]   |
| * Form D
 | [ ]   |
| * Form F
 | [ ]   |
| * Form G
 | [ ]   |
| * This Form Z
 | [ ]   |

|  |  |
| --- | --- |
| We have: | Tick |
| Amended the header on each form to insert our organisation’s name. | [ ]   |
| Included all required documents and information, without omission. | [ ]   |
| Made arrangements for the tender to be uploaded and submitted on time, with adequate contingency for ICT failures, power outages etc. | [ ]   |

|  |  |
| --- | --- |
| We have not: | Tick |
| Used a smaller typeface or line spacing than that permitted. | [ ]   |
| Annexed any document not specifically requested. | [ ]   |

## Z.2. Declarations

**AI, Large Language Models and Machine Learning Software declarations**

AI tools can be used to improve the efficiency of the bid writing process, however they may also introduce an increased risk of misleading statements. Have you used AI or machine learning tools, including large language models, to assist in any part of your tender submission? This may include using these tools to support the drafting of responses to Award and/or Minimum Standards questions.

[ ]  Yes

[ ]  No

Please detail any instances where AI or machine learning tools, including large language models, have been used to generate written content or support your bid submission, below:

Where AI tools have been used to support the generation of Tender responses, please confirm that they have been checked and verified for accuracy:

[ ]  Yes

[ ]  No

**Important Legal Notice declaration**

We agree to the conditions specified in the ‘Important Legal Notice’ at section 10 of the Invitation to Tender.

We warrant, represent and undertake to the Council that:

1. neither we nor any employee or third party acting on our behalf has offered, promised or given any bribe or inducement or made any improper threat or colluded (or offered or agreed to collude) with any other person in connection with this procurement exercise
2. we have complied in all respects with this Invitation to Tender
3. all information, representations and other matters of fact contained in our tender are true, complete and accurate in all respects
4. we have made our own investigations and research and have satisfied ourselves in respect of all matters (whether actual or contingent) relating to the tender and have not submitted this tender response and will not have entered into the contract in reliance upon any information, representation or assumption (whether made orally, in writing or otherwise) which may have been made by or on behalf of the Council
5. we have satisfied ourselves as to the correctness and sufficiency of the information we have inserted in the tender
6. we have full power and authority to enter into the framework agreement and provide the services
7. we are of sound financial standing and will have sufficient premises, working capital, skilled staff, and other resources available to us to provide the services in accordance with the contract
8. we have obtained or are able to obtain all necessary consents, licences and permissions to enable us to provide the services.

We hereby offer to provide the services in accordance with the contract attached as the annexure to this Invitation to Tender which includes for the avoidance of doubt any documents specified in the contract as forming part of the contract including (but not limited to) the prices and operational proposals set out in this tender, the terms and conditions of contract, the Specification attached as a Schedule to the terms and conditions, and any written clarifications issued or received by the Council prior to the written acceptance of the Council of this tender.

|  |  |  |  |
| --- | --- | --- | --- |
| Name of Tendering Organisation |  | Signature of authorised officer |  |
| Date |  | Position of authorised officer |  |
|  |  | Name of authorised officer |  |
| Name of Tendering Organisation |  | Signature of authorised officer |  |
| Date |  | Position of authorised officer |  |
|  |  | Name of authorised officer |  |