

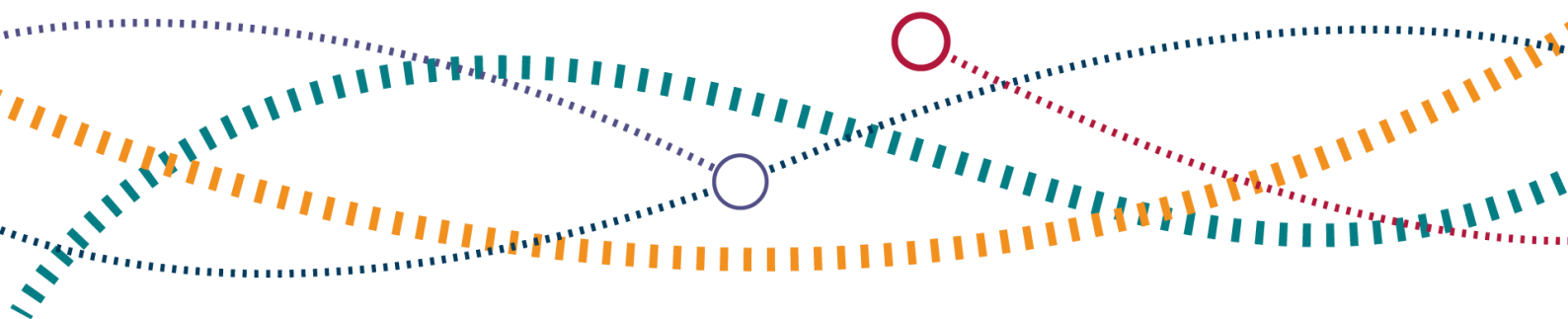


Invitation to Tender (ITT) and Statement of Requirement

Digital Safety Strategy and Strategic Risk Chapter Development

28 November 2025

- CPV Code: **72222000**
- Supplementary Code: **79410000**
- Tender Reference: **ORR/CT/25-82**



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Purpose of the document

The purpose of this document is to invite proposals for **input into developing an RSD Digital Safety Strategy and Strategic Risk Chapter** for the Office of Rail and Road (ORR).

This document contains the following sections:

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

1. Introduction to the Office of Rail and Road

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

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

Our strategic objectives

1. A safer railway:

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

2. Better rail customer service:

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

3. Value for money from the railway:

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

4. Better Highways:

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

Supplying ORR

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

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The ORR Procurement unit subscribes to the following values:

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

For further information on ORR please visit our website: www.orr.gov.uk.

Small and Medium Enterprises

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

Small and Medium Enterprises and Voluntary Organisations:

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

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

2. Statement of Requirement

2.1 Background of the project

ORR is the health and safety regulator for Great Britain's railways. Whilst ORR does not own or manage health and safety risk on Britain's railways, it is critical that ORR understands the risk profile of the industry to focus its resources to priority areas, in a proportionate approach to target non-compliance with legal obligations (which also reduces risk). The Railways Safety Division (RSD) who commissioned this project is responsible for implementing ORR's Health and Safety strategy for regulating Great Britain's railways. [Health and safety regulatory strategy \(orr.gov.uk\)](https://www.orr.gov.uk/health-and-safety-regulatory-strategy)

Due to the increased use of, and reliance on, digital systems we expect the railway industry to fully understand and continuously improve their management of safety risks in software systems, including the use of Artificial Intelligence (AI) and any associated cyber security requirements. The railway industry must manage the risks from digital systems in the same way as any other risk. These risks should form part of their Safety Management System as required by the [Railway and Other Guided Transport Systems \(Safety\) Regulations 2006](#) as amended.

For example, we have seen several software system failures due to poor design, incorrect data or insufficient testing that have resulted in near misses of trains. As yet they have not resulted in actual harm to people, however the nature and extent of the emerging risk is clear. Recent examples include: the Cambrian Line incident¹ in 2017 where four trains travelled over the Cambrian Coastline in Gwynedd while temporary speed restrictions weren't showing as active; and in August 2019, several electricity generators tripped at approximately the same time, which disrupted the power supply from National Grid, causing the power supply to the rail network to drop. That resulted in 31 trains being stranded due to safety systems being activated because of the temporary drop in electrical frequency.

These instances highlight the need for robust software development practices, including testing and risk assessment to identify safety hazards that arise from digital systems.

ORR is not the enforcing authority for cyber security issues in the railway industry. The Department for Transport (DfT) is designated as the Competent Authority under the Network and Information Systems (NIS) Regulations 2018. However, there is a

¹ [Report 17/2019: Loss of safety critical signalling data on the Cambrian Coastline - GOV.UK](#)

fine line between safety risks potentially caused by poorly designed, operated and maintained software-based systems (i.e. ORR's remit) and cyber security matters and both organisations work closely to ensure a robust approach is taken.

We have already invested in initial training for ORR's inspectors in digital safety to enable them to undertake inspections from an informed perspective. The rail sector is undergoing rapid digital transformation through increased digitalisation of rolling stock, the roll out of European Rail Traffic Management System (ERTMS) and increased connectivity between rail systems.

Therefore, the purpose of this work is to support ORR's development of an informed, comprehensive and robust digital safety strategy and supporting Strategic Risk Chapter (SRC) ([Current Strategic Risk Chapters](#)) that can build on the work delivered to date and set the direction of travel for our future work. It will also be used to guide the railway sector to fully understand the topic and, their regulatory responsibilities.

Objectives:

The purpose of this project is to utilise external expertise to inform ORR's design of a new (and first) digital safety strategy and accompanying strategic risk chapter. These must be aligned to ORR's overall [ORR's Health and Safety Regulatory Strategy](#). Our new strategy and accompanying SRC will help to drive continuous improvement and industry excellence in digital safety within their health and safety management maturity ([Risk Management Maturity Model](#)). The SRC's help prioritise ours and the industry's strategic focus on specific topic areas, which we update as part of a rolling process, focused on the key risks from across the sector and based on incident data, risk trend analysis and the findings from our inspections, investigations and audit. Specifically, we are looking to develop a digital safety strategy that sets out our regulatory approach for digital systems, which is underpinned by a more detailed SRC, which cover the following areas (not exhaustive):

- Address the overlap of digital safety and cyber-security disciplines in managing health and safety risks.
- Highlight the H&S regulatory duties to manage the health and safety risk arising from digital systems.
- Bring together digital safety principles that are aligned to rail industry standards and international best practice (e.g. EN 50126, 50716, 50129, IEC 62443 and IEC 63452).

- How to increase collaboration between digital safety and cyber security functions when considering digital systems and/or solutions.
- How to integrate digital technologies into the rail industry's risk management and assurance activities (including how to accommodate the rapid development timeframes for digital technologies and the importance of holistic risk management for both digital safety and cyber security functions).
- How to align the ROGs regulatory framework and Cyber Security Management Systems together with managing digital safety risks.
- Advocate for greater recognition at senior management levels within the rail industry supporting effective management and assurance arrangements of safety risks arising from digital systems.
- Addresses the use of AI systems in safety critical/non safety critical applications and advocates for robust assurance mechanisms that reflects regulatory duties and emerging learning;
- Consider potential current or emerging health impacts resulting from the adoption of digital systems e.g. Human Factors.
- Support industry in building its own resilience to digital technology adoption (now and into the future) in order to identify and then mitigate risks.
- Consideration of longer term digital safety risks on rail sector, such as quantum computing.

Scope:

To carry out a review of recent incidents related to cyber security and software assurance incidents within the rail sector and any other literature/learning in the public domain related to cyber security and software issues that may have learning from a safety perspective. This review should also include relevant literature from other UK CNI sectors. Collate and analyse that review as one of the project outputs.

The knowledge and experience of the successful bidder will help inform the final ORR digital safety strategy. Therefore, the bidder should identify examples of similar strategies or learning points for digital safety. The supplier's outputs (see 2.3 below) include producing a proposed digital safety strategy and SRC for ORR to consider that covers and

short to medium timeframes (because as our knowledge base increases this will inform further iterations of the strategy).

The supplier will produce interim / draft and final project reports as outlined in Section 2.3, within the project timescales outlined in Section 2.4.

2.3 Project Outputs, Deliverables and Contract Management

Outputs and Deliverables

The Supplier is to deliver:

- A project plan (to be presented with the proposal)
- Undertake a review of recent incidents related to software systems, cyber security and software assurance incidents within the rail sector and any other relevant literature/learning to identify learning relevant to this project's scope and deliverables.
- Identify and summarise the current threats to CNI over the short to medium term and their potential impact on the rail sector.
- Produce a draft report and proposed ORR digital safety strategy document and Strategic Risk Chapter for review and comment which details the findings, conclusions and recommendations.
- Produce a final report and proposed digital safety strategy and SRC which incorporates the amendments from ORR review.
- A presentation of the findings and recommendations to ORR

Any analysis carried out by the Supplier in support of the contract deliverables must be supported by analytical assurance. This must be documented and an analytical assurance statement submitted to summarise the assurance that has been carried out together with the risk of error, scope for challenge and any uncertainties associated with the analysis.

All documents must meet our [Guidelines for writing accessible reports for ORR - Guidance for external suppliers | Office of Rail and Road.](#)

Contract Management Requirements

It is expected there will be biweekly progress updates from the suppliers, which will be documented by the suppliers (via email, video call and/or conference call).

There will also be monthly meetings (timings to be agreed) between the ORR project team and suppliers, which can take place face-to-face or remotely.

Work collaboratively with ORR to develop a proposed digital safety strategy, building on work done to date to ensure it is aligned to ORR's Health and Safety Regulatory Strategy.

Additional ad-hoc meetings may be required for requirements gathering, data collection, and reviewing of outputs.

At the end of the project the suppliers are to return and/or appropriate dispose of any relevant data/information created and provided by ORR during the course of the project.

The appointed supplier will have access to available information necessary to carry out the project and to deliver the objectives and requirements identified above.

2.4 Project Timescales

The provisional project timetable is as follows:

- Startup meeting and commencement w/c 19th January 2026
- Biweekly progress meetings/updates and raising of any issues
- Monthly high-level updates
- Draft report by w/c 23rd March 2026
- Final report by the 30th March 2026, which will be presented to ORR on or after TBC.
- All deliverables must be accepted by ORR no later than 31 March 2026 to ensure delivery within the current financial year.

2.5 Budget and Payment Schedule

The maximum budget for this piece of work is £25,000 (inc. of expenses, travel, exc. of VAT).

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

2.6 Further project related information for bidders

Intellectual Property Rights

ORR will own the Intellectual Property Rights for all project related documentation and artefacts.

Confidentiality

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

Sub-Contractors

Contractors may use sub-contractors subject to the following:

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

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

Conflict of Interest

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

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

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

Data Protection and Security Requirements

The successful supplier will be required to comply with ORR's Data Processing Schedule, which forms part of the contract. This includes full compliance with UK GDPR and the Data Protection Act 2018, secure handling of ORR data, encryption of data in transit and at rest, and maintenance of Cyber Essentials (or equivalent) certification throughout the contract. The supplier must notify ORR of any critical data breach within 2 hours and provide a full report within 48 hours. All ORR data must be securely deleted within 30 days of project completion using industry-standard erasure methods. No transfer of ORR data outside the UK is permitted without prior written consent. ORR reserves the right to audit compliance and conduct penetration testing during the contract term where appropriate and if required.

3. Tender Response and Evaluation Criteria

3.1 The Tender Response

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

(a) Understanding of customer's requirements

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

(b) Approach to customer's requirements

- Provide an explanation of the proposed approach and any methodologies bidders will work to;
- Details of your assumptions and/or constraints/dependencies made in relation to the project
- A project plan to show how outputs and deliverables will be produced within the required timescales, detailing the resources that will be allocated;
- An understanding of the risks, and explain how they would be mitigated to ensure delivery
- Details of your approach to our security requirements as outlined in the SOR.
- What support bidders will require from ORR;

(c) Proposed delivery team

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

- Confirmation that you have carried out the necessary employment checks (e.g. right to work in the UK)
- Some relevant examples of previous work that bidders have carried out (e.g. case studies)

(d) Pricing

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

(e) Conflicts of Interest

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

3.2 Evaluation Criteria

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

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

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

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

Methodology (25%)

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

- (a) Explain the methodology and delivery mechanisms to ensure that the requirements of this specification are met in terms of quality;
- (b) Explain how your organisation will work in partnership with ORR's project manager to ensure that the requirement is met
- (c) Explain how your organisation will engage with external stakeholders;
- (d) Outline how the proposed approach utilises innovative consultation methodologies to develop a diverse and comprehensive evidence-base

Delivery (30%)

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

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

Experience (30%)

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

Provide CVs of the consultants who will be delivering the project;

- (a) Highlight the organisation's relevant experience for this project, submitting examples of similar projects.

Cost / Value for money (15%)

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

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Name of consultant	Grade	Role	Day rate	Number of days	Total cost (ex VAT)
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Please note that consultancy grades should align with the following definitions:

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

Marking scheme

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

Table of Evaluation Methodology and Marking Scheme for Quality Criteria

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

For the Price evaluation the following shall apply:

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

$$\text{Price Score} = \frac{\text{Lowest Total Fee}}{\text{Lowest Total Fee}} \times 100$$

Bidder's Total Fee

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

4. Procurement Procedures

Tendering Timetable

The timescales for the procurement process are as follows:

Element	Timescale
Invitation to tender issued	28 th November 2025
Deadline for the submission of clarification questions	15 th December 2025
Deadline for submission of proposals	14 th January 2026
Award contract	22 nd January 2026
Project Inception Meeting	TBC

Tendering Instructions and Guidance

Amendments to ITT document

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

Clarifications & Queries

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

Submission Process

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

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

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

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

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

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

Page Limits for Tender Responses

To ensure fairness and comparability, the main response covering Methodology, Delivery, and Experience must not exceed 25 pages in total. This limit includes diagrams, tables, and graphics but excludes annexes such as CVs, case studies, and supporting documents. Annexes may be provided separately and will not count toward the page limit.

Submissions must be uploaded via the ORR eTendering portal in PDF or Word (.docx) format.

Debrief

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

Cost & Pricing Information

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

Tender prices must be in Sterling.

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

References

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

Accessibility Guidelines

As a public body we are legally required to comply with accessibility guidelines. Please ensure any commissioned report is in a format that meets web accessibility regulations:

[Guidelines for writing accessible reports for ORR - Guidance for external suppliers | Office of Rail and Road.](#)

Contractual Information

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

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

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

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

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

Clause Number	Existing Wording	Proposed Wording	Rational for amendment

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

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

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

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

Typically the following information will be published:

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

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

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

Please use the following matrix: to list such information:

Para. No.	Description	Applicable exemption under FOIA 2000



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