

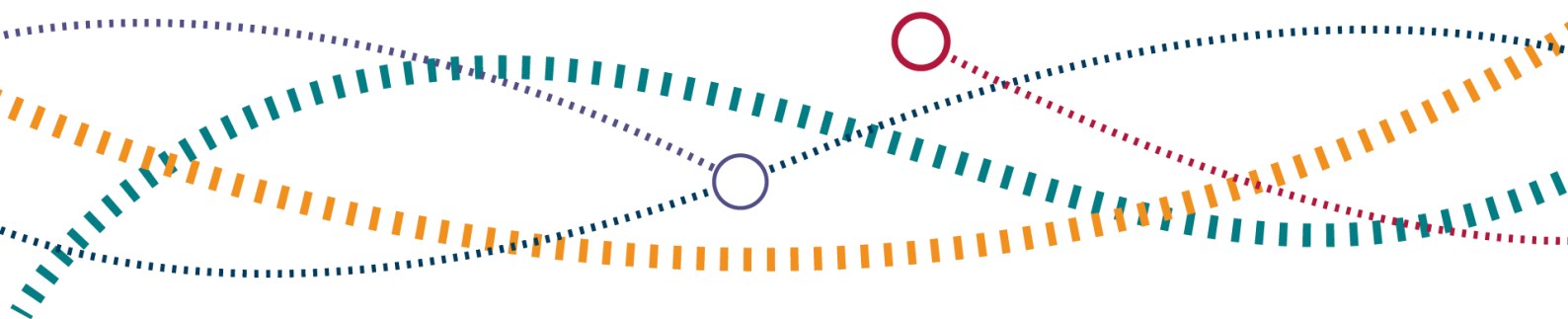


# Invitation to Tender (ITT) and Statement of Requirement

**A review of National Highways' culture, approach, and processes to promote, incentivise and embed innovation**

**04 December 2025**

- **CPV Code: 79410000**
- **Tender Reference: ORR/CT/25-84**



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# Purpose of the document

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The purpose of this document is to invite proposals for **a review of National Highways' culture, approach, and processes to promote, incentivise and embed innovation** 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

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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](http://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.

## 1.1 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

## 1.2 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

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### 2.1 Background of the project

- 2.1 The Office of Rail and Road (ORR) independently monitors National Highways' management of the strategic road network (SRN) – the motorways and main A roads in England. We scrutinise the company and hold it to account for its management of the SRN – including delivery of performance and efficiency. We also advise the government on the appropriate level of funding and performance requirements for future road periods (RPs) to help frame challenging and deliverable performance and efficiency requirements. These requirements are set out by the government in road investment strategies (RIS).
- 2.2 ORR is seeking consultants to undertake a review of National Highways' culture and attitude to promote, incentivise and embed innovation across its business to improve efficiency and drive better outcomes for road users, taxpayers, communities, and the wider public.
- 2.3 Within the RIS, National Highways has Designated Funds. These are designed to tackle specific and local problems, providing targeted benefits to the people, communities, and businesses who live and work alongside the SRN. Over the five-year road period of RIS2 (2020-2025) there were four specific funds. The Innovation and Modernisation fund delivered 255 schemes, split across five themes:
- **Design, construction and maintenance:** Finding innovative and more effective ways to design, build and maintain our roads.
  - **Connected and autonomous vehicles:** Supporting the move to semi-autonomous and autonomous vehicles, while putting users' safety at the forefront of emerging technologies.
  - **Customer mobility:** Providing seamless and sustainable journeys for our customers through reliable, information-rich highways.
  - **Energy and environment:** Saving energy, reducing our environmental impact and delivering value for money through sustainable road enhancements and renewals.
  - **Operations:** Unlocking capacity on our roads and making them safer for the people who use and work on them.

## 2.2 Project Objectives and Scope

- 2.4 The objective of this review is to understand the approach that National Highways takes to innovation, and how the outcomes from innovation are embedded to achieve the company's objectives, in particular to promote efficiency.
- 2.5 We want to ensure that National Highways has the culture, approach, and processes necessary to promote, incentivise and embed innovation, and evidence its benefits. This will help enable the company to use new and innovative products and processes, to help improve the SRN and the benefits derived from it.
- 2.6 Understanding this will also help ORR to:
- assure whether National Highways is able to utilise future innovations and spend effectively, by ensuring that innovative ideas and solutions are used to support, for example, productivity and efficiency; and
  - more effectively hold National Highways to account for benefits achieved from using Designated Funds (DF).
- 2.7 The scope of work required for this project has been split into two phases. The first phase will focus on the past work undertaken by National Highways, what lessons it has learned and applied and any additional lessons that can be learned for the future. The second phase will evaluate the processes that the company has in place, understand in which areas it is working well, and to make suggestions for improvement.
- 2.8 The activities proposed for **phase 1** are as follows:
- (a) review the schemes that National Highways committed funding to from its Innovation and Modernisation DF funding stream in RIS1 and RIS2 and deep dive into schemes that successfully went from pilot stage to BAU implementation, illustrated with relevant case studies;
  - (b) identify outcomes of innovation pilots at different stages and provide analysis of reasons given for go/no go at decision gates (for example, number of projects at each stage of alpha, beta etc., and identifying common themes);
  - (c) review how National Highways measures efficiencies and benefits that result from completion of innovation projects;
  - (d) review whether relevant recommendations from the June 2019 ORR report ['Review of Opportunities from Highways England's Innovation and Standards](#)



Management have been implemented and addressed and what benefits have been derived. Additionally, review the findings and recommendations of work done by National Highways' Innovation Group, including whether the group's recommendations have been implemented and addressed and what benefits have been derived; and

- (e) appointed consultant to propose areas for follow up in phase 2, based on its discovery in phase 1, moving from reflecting on lessons learned to embed positive change in the future.

2.9 The activities proposed for **phase 2** are as follows:

- (a) review how National Highways currently identifies opportunities, develops business cases for funding (including the criteria used to determine which projects receive funding), evaluates benefits on completion of schemes and projects, and learns lessons to improve its innovation processes;
- (b) review National Highways' processes, governance and standards to capture, introduce and embed innovation within the company, and the time it takes to realise benefits;
- (c) identify how innovation will deliver efficiency savings in both capital expenditure and operational expenditure budgets, as part of achieving the RIS3 settlement;
- (d) identify how effective the process is for external stakeholders bidding for funds (i.e., discovering the user journey);
- (e) identify any barriers for turning National Highways-funded innovation into BAU, and suggestions for improvements in the process;
- (f) benchmark how National Highways compares to related and/or comparable industries, domestically and abroad, in its ability to progress innovation propositions into implementation, and to use innovations that have shown success elsewhere, and outline any potential scope for improvement;
- (g) review how National Highways' approach to innovation is aligned with the government's growth agenda and can help to achieve RIS3 objectives; and
- (h) provide advice to National Highways to improve its next phase of Designated Funds innovation projects.

## 2.3 Project Outputs, Deliverables and Contract Management

### Outputs and Deliverables

2.10 The appointed consultants are to deliver the following for each of the two phases:

- (a) interim presentation of emerging findings;
- (b) followed by hosting a joint workshop with National Highways and ORR to gather views and present early findings;
- (c) draft report for ORR comment and review, which will also be shared with National Highways for factual accuracy;
- (d) final report for ORR that incorporates comments/amendments from ORR and, where relevant, National Highways;
- (e) host a workshop with ORR and National Highways to present report findings and recommendations; and
- (f) produce a slide presentation of the review methodology/ findings and recommendations for future use by ORR and National Highways.

2.11 Applicants should prepare a project plan and present it with the proposal. If a contract is awarded to the consultants, the plan should be kept up to date.

2.12 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.

### Contract Management Requirements

2.13 We would expect to hold progress update meetings on a fortnightly basis via Microsoft Teams.

2.14 The appointed consultants should provide key updates on a shared Microsoft Teams channel or similar.

2.15 National Highways will support the work and facilitate access to its staff and other information as appropriate. The company's involvement will be co-ordinated

through its Regulatory Strategy & Monitoring team who are responsible for coordinating and facilitating project work with ORR.

- 2.16 The Regulatory Strategy & Monitoring team will assist in scheduling meetings and dealing with data requests. Engagement with National Highways should be proportionate and sensitive to resource pressures.
- 2.17 National Highways may require a confidentiality agreement in relation to any of its confidential information that is disclosed to the appointed consultants and the outputs this generates. The onward disclosure of such information by the consultancy (other than to DfT or ORR) will usually require approval in writing from the company. The fact that the consultancy has been engaged by ORR on this contract is not of itself confidential information. The content of any information, findings, data, analysis or reports prepared for ORR by the appointed consultants, and that includes any of the confidential information, is.
- 2.18 The appointed consultancy will have access to available information necessary to carry out the project and to deliver the objectives and requirements identified in paragraphs 2.8 and 2.9.

## 2.4 Project Timescales

- 2.19 The provisional project timetable is as follows:
- inception meeting and commencement of phase 1 in February 2026;
  - completion of phase 1 by end June 2026;
  - commencement of phase 2 in September 2026; and
  - completion of phase 2 by end January 2027.

## 2.5 Budget and Payment Schedule

- 2.20 The maximum budget for this piece of work is £80,000 (inc. of expenses, exc. of VAT).

### Payment Options

- 2.21 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

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

### Transparency requirements

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

### Confidentiality

- 2.24 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

- 2.25 Contractors may use sub-contractors subject to the following:
- (a) that the Contractor assumes unconditional responsibility for the overall work and its quality; and
  - (b) 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.
- 2.26 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

- 2.27 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

- 2.28 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.
- 2.29 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

- 2.30 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

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### 3.1 The Tender Response

3.1 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
- 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.

### **(f) 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.

## **3.2 Evaluation Criteria**

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

- (a) completeness of the tender information;
- (b) completed Declaration Form of Tender and Disclaimer;
- (c) tender submitted in accordance with the conditions and instructions for tendering;
- (d) tender submitted by the closing date and time;
- (e) compliance with contractual arrangements; and
- (f) submission of Cyber Essentials.

- 3.3 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.
- 3.4 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 (35%)

- 3.5 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; and
  - (d) outline how the proposed approach utilises innovative consultation methodologies to develop a diverse and comprehensive evidence-base.

### Delivery (25%)

- 3.6 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; and
  - (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 (25%)

- 3.7 The proposal should set out any experience relevant to the project requirement. In particular, it must:
- (a) provide CVs of the consultants who will be delivering the project; and



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

### Cost / Value for money (15%)

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

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

- 3.9 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.

Grade	Requirement
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

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

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

requirement will be met in full.

3.11 For the Price evaluation the following shall apply:

- (a) fixed fee;
- (b) the lowest fixed fee will be awarded the maximum price score of 100;
- (c) all other bidders will get a price score relative to the lowest fee tendered;
- (d) the calculation we will use to calculate your score is as follows:

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

3.12 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

4.1 The timescales for the procurement process are as follows:

Element	Timescale
Invitation to tender issued	04/12/2025
Deadline for the submission of clarification questions	12/01/2026 @12:00
Deadline for submission of proposals	26/01/2026 @ 15:00
Award contract	w/c 09/02/2026
Project Inception Meeting	w/c 16/02/2026

### Tendering Instructions and Guidance

#### Amendments to ITT document

4.2 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

4.3 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

4.4 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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- 4.5 The tender shall consist of two envelopes and bidders must submit the correct documents to the correct envelope as set out below:
- (a) **Technical Envelope:** Quality response (Methodology, Delivery, Experience), Disclaimer and Cyber Essentials or ISO27000 certification (or equivalent); and
  - (b) **Commercial Envelope:** Price and Form of Tender.
- 4.6 If you are already registered on our eTendering portal but have forgotten your login details, please contact the portal administrator.
- 4.7 An evaluation team will evaluate all tenders correctly submitted against the stated evaluation criteria.
- 4.8 By issuing this Invitation to Tender ORR does not undertake to accept the lowest tender, or part or all of any tender. No part of the tender submitted will be returned to the supplier

### Debrief

- 4.9 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

- 4.10 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.
- 4.11 Tender prices must be in Sterling.
- 4.12 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

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

## Accessibility Guidelines

- 4.14 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

- 4.15 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.
- 4.16 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.
- 4.17 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.
- 4.18 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.
- 4.19 **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

- 4.20 Any services arising from this ITT will be carried out pursuant to the contract which comprises of:
- (a) ORR Terms & Conditions;
  - (b) Service Schedules;
  - (c) this Invite to Tender & Statement of Requirement document; and
  - (d) the chosen supplier's successful tender.

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

- 4.21 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.
- 4.22 Typically the following information will be published:
- (a) contract price and any incentivisation mechanisms;
  - (b) performance metrics and management of them;
  - (c) plans for management of underperformance and its financial impact;
  - (d) governance arrangements including through supply chains where significant contract value rests with subcontractors;
  - (e) resource plans; and
  - (f) service improvement plans.
- 4.23 Where appropriate to do so information will be updated as required during the life of the contract so it remains current.
- 4.24 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

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(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

4.25 Please use the following matrix to list such information:

Para. No.	Description	Applicable exemption under FOIA 2000





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