

Invitation to Quote

Contract name: Independent Review of Home to School Transport Arrangements



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1. Introduction

The purpose of this ITQ is to obtain professional, properly defined and priced propositions and solutions for an Independent Review of Home to School Transport (HTST) arrangements.

1.1 The Council

Brighton & Hove City Council (“the Council”) is a ‘unitary authority’, which means that it is a single tier authority responsible for all local governance functions within the area. This includes functions such as social services, libraries, waste disposal and collection, highways, education, planning, licensing and much more.

1.2 The Council’s Corporate Priorities

The four strands of the council’s purpose are:

- A good life: Ensuring a city for all ages, inclusive of everyone and protecting the most vulnerable.
- A well run city: Keeping the city safe, clean, moving and connected.
- A vibrant economy: Promoting a world class economy with a local workforce to match.
- A modern council: Providing open civic leadership and effective public services

The council’s purpose is to provide strong civic leadership for the wellbeing and aspiration of the city.

More information about Brighton & Hove City Council is available on our [website](#).

2. Overview of independent review

You are invited to submit a quotation for the undertaking of an independent review of Home to School Transport (HTST) in Brighton and Hove. This is following a number of concerns raised in September 2019 about the delivery of our HTST arrangements. The Children, Young People and Skills Committee agreed on the 16th September 2019 to carry out an independent review of these arrangements.

Your quotation must be completed in English and must be submitted no later than **12:00 mid-day Wednesday 20th November 2019 to the LGA. The LGA's contact details are:**

Alison Michalska
LGA Children's Improvement Advisor SE Region
Tel: 07920727626 Email: alisonmichalska@icloud.com

The LGA have agreed to assist the Council in identifying potential applicants and will contact a range of local authorities in their network but will not play any part in the evaluation of the bids.

The consultant/organisation undertaking the review will need to be able to receive information from a number of stakeholder organisations and be expected to present their report at the Children and Young Person's Scrutiny Committee on the 14 January 2020.

The consultant/organisation will also need to work alongside Contact, a charity for families with disabled children. Contact will be expected to work closely with PaCC to engage with the community and also share the knowledge and expertise on national best practice with regards to running a successful and effective home to school transport department.

Budget

There is an indicative budget of **£10,000** for this assignment, any bids received exceeding this budget will be discarded.

Impartiality

It is a requirement that the consultant/organisation appointed is impartial. When you submit please confirm you have not had any commercial interest in Edge Public Solutions and the following transport operators during the previous 5 years:

Ace Taxis (West Sussex) Ltd
Ace Travel (Sussex) Ltd
Brighton and Hove Radio Cabs Ltd
Brighton and Hove Streamline Ltd
Brighton Taxi 4 U
Community Transport (Brighton, Hove and Area) Ltd
Haywards Heath Taxi Ltd
Minibus Travel Services Ltd
Southern Taxis Brighton Ltd
Spiral
Sprint Airport Transfers

Please commit to not establishing any commercial connection with these operators during this contract.

Confidentiality

Bidders shall use this ITQ and any other information furnished to them under this ITQ solely for the purposes of responding to this ITQ. All such documents and information bidders receive shall remain the property of the Council, shall be kept confidential and shall be returned to the Council on request. Reproduction of any part of this ITQ is authorised only for the preparation of the response. Bidders shall ensure that all such copies are destroyed when no longer required in connection with this ITQ.

Bidders shall not issue any form of publicity or advertisement regarding this process without the prior written consent of the Council.

Bidders shall not transfer, assign or distribute this ITQ to any other company or person without the written permission from the Council's Corporate Procurement Department. A failure to gain the required authority will in such circumstances prevent consideration of the tendered offer.

Bidders must complete all sections of the ITQ document.

Please answer the questions specifically for your company/organisation.

3. Timetable

Please find an indicative timetable

Task	Date
Issue of ITQ documents	<i>Tuesday 12th November 2019</i>
ITQ return date and time	<i>12:00pm (noon) Wednesday 20th November 2019</i>
Award of Contract	<i>Friday 22nd November 2019</i>
Contract Commencement	<i>Monday 2nd December 2019</i>
Hold inception meeting	<i>Monday 2nd December 2019</i>
Develop draft report	<i>17:00pm Friday 20th December 2019</i>
Submit final draft report	<i>17:00pm Monday 6 January 2020</i>
Committees final review	<i>Monday 13 January 2020</i>

4. Milestone Dates

The consultant/ organisation must complete their report by 17:00pm on Monday 6 January

The consultant/ organisation must be available to present to present their report at the Children, Young People & Skills Committee on the 13th January 2020 at Brighton and Hove City Council.

5. Terms & Conditions

The Council's short form consultancy contract terms and conditions will apply to this contract and is attached.

6. Specification

The reviewer will conduct a review of the development of the current Home to School Transport arrangements. The review must include input from stakeholders, specifically PaCC and Contact¹ as well as reviewing documentation and meeting with key officers.

The review shall provide a report which considers the following key areas:

Rationale and timescales

The review shall examine the Council's decision making from October 2018 to the present day.

The rationale for the changes made in 2019 as to how Brighton and Hove City Council commission Home to School transport for vulnerable children.

The extent to which there was appropriate consideration as to the cost implications of introducing a new way of delivering the service.

The extent to which the timetable for implementation of the new system was appropriate.

The extent to which there was appropriate consideration as to the impact on service users of introducing a new way of delivering the service.

The extent to which risk assessment procedures and equalities impact assessment should have been considered at this stage and to what extent they should have been re-examined as the proposals for a new system emerged.

Procurement Process

Procurement of Consultants

- a) Design and development of the procurement documents which led to the successful bid by Edge, including the extent to which the specification was considered against statutory duties relating to children:
 - How the service specification requirements were identified.
 - The consultation / coproduction process with parents and stakeholders (including PaCC) throughout the whole process of service redesign, and to assess how much their views were taken into consideration when procuring Edge.
 - The degree to which value for money was considered.

¹ Contact - A national charity for families with disabled children. They support families with guidance and information and bring them together to support each other. They also help families to campaign, volunteer and fundraise to improve life for themselves and others.

- Evaluation process of the bidders: consideration of whether any issues arise from the use of designated authority for the awarding of a contract of this nature.

Dynamic Purchasing System and Procurement of Operators

- b) The effectiveness of the procurement process and the allocation of work relating to operators.
- How the service specification requirements were identified. Whether they were sufficient and whether a proper process of risk analysis was undertaken.
 - The consultation / coproduction process with parents and stakeholders (including PaCC) throughout the process, and to assess how much their views were taken into consideration when designing the procurement process.

Implementation of the new system

- c) The extent to which there was clarity as to roles and responsibilities of all parties involved in the delivery of the service, including the responsibilities of Edge.
- The extent to which it was established that operators were required to and were performing to the city's "Blue Book" vehicle standards, including CCTV and whether personal information sheets and safeguarding in respect of each route was in place prior to commencement of service.
 - The extent to which business continuity planning featured in the programme of implementation.
 - The effectiveness of the safeguarding and monitoring arrangements to oversee the implementation of the new service and the ongoing arrangements. Specifically in relation to:
 - Establishing that operators were performing to specification, including in relation to CCTV.
 - That all drivers and escorts had DBS checks.
 - That drivers and escorts had completed the relevant training for the transportation of individuals with special educational needs.
 - Strategy around information sharing on the needs of the child, at all stages of the process.
 - The effectiveness of the approach in relation to the obtaining of information about pupils, and sharing with operators.
 - The effectiveness of the approach as to the assessment of the individual transport needs of the children and young people who were using the service.
 - The effectiveness of the approach to the appropriate allocation of transport to vulnerable children and young people, in respect of:
 - The routes
 - The vehicle

- The combination of children
 - The role of the schools
- The communication strategy throughout the period of change, and whether key opportunities to communicate were missed, this should include feedback from all stakeholders about the quality and regularity of communications.
 - The handing back of contracts at short notice including the reasons providers handed back routes that they had secured under competition and their ability to do so without incurring a penalty.
 - Any business continuity planning in place should the handing back of routes at short notice occur.

Council's response to the disrupted delivery of the home to school transport service

- d) The safeguarding implications for children, young people with additional needs accessing the service.
- An analysis of the full impact of the disruption on the service, from the perspective of stakeholders.
 - Consideration as to the crisis management arrangements on behalf of the council to include:
 - The speed of response
 - Allocation of resources
 - Communication with all stakeholders
 - Involvement of key stakeholders in seeking solutions
 - The implementation of the recommendations contained within the PaCC crisis action plan.
 - Actions to mitigate the impact of the handing back of routes by the providers.
 - An analysis of the financial implications- consideration of the impact the changes and the costs of introducing new ways of working had in relation to:
 - Stakeholders, including the costs of external support
 - The Council

Concerns & Complaints

- e) In relation to those children and young people who experienced disruption:
- how the complaints process was communicated to parents, carers and stakeholders
 - how issues and resulting communications (written and verbal) were logged and acted upon

- speed of response
- how were they resolved
- whether there was adherence to safeguarding procedures

Recommendations moving forward

The review needs to provide clear co-produced recommendations for the future delivery of the service taking into account the learning from the independent review. This may include changes to current operational systems and procedures, and how the Council engages with the community. The review should consider what ongoing formalised scrutiny of the recommendations will be required.

7. ITQ Response

7.1 Organisation Details

(For information only)

7.1.1	Registered Organisation Name:	
7.1.2	Registered Address:	
7.1.3	Details of contact person for tender	<i>Include name, position, address, telephone number and email address for correspondence.</i>
7.1.4	Phone Number:	
7.1.5	Web site Address:	
7.1.6	Company Registration Number:	
7.1.7	Date of registration:	
7.1.8	Charities/Housing Association or other registration number (if applicable):	<i>Please specify registering body</i>
7.1.9	VAT Registration number (if applicable):	
7.1.10	Legal Status:	<i>Plc, Ltd, Charity etc</i>
7.1.11	Has the organisation traded under any other names:	<i>YES/NO (delete as appropriate and provide details)</i>

7.2 Business conduct and history

(Pass/Fail) If the Council deems responses submitted in this section to be unsatisfactory, they have the right to fail the application

7.2.1	Do any of the mandatory or discretionary exclusion criteria (see section 4/Appendix A) apply to you or your organisation?	YES/NO <i>(delete as appropriate and provide details if "Yes")</i>
7.2.2	Does the organisation have any outstanding legal actions against it?	YES/NO <i>(delete as appropriate and provide details if "Yes")</i>
7.2.3	Have you or your organisation ever been accused of or committed an act of grave misconduct in the course of your business or profession? In this context "grave misconduct" includes any breach of The Employment Relations Act 1999 (Blacklists) Regulations 2010	YES/NO <i>(delete as appropriate and provide details if "Yes")</i>
7.2.4	In the last three years has your organisation: a) Had a contract terminated or been refused the opportunity to re-tender for a contract? b) Been successfully sued for breach of contract?	a) YES/NO <i>(delete as appropriate and provide details if "Yes")</i> b) YES/NO <i>(delete as appropriate and provide details if "Yes")</i>
7.2.5	Have any senior members of your organisation been involved in any firm that has been liquidated or gone into receivership?	YES/NO <i>(delete as appropriate and provide details if "Yes")</i>
7.2.6	Within the last five years has your company been subject to any actions by the Health & Safety Executive or Environment Agency in respect of any suspected breach of legislation?	YES/NO <i>(delete as appropriate and provide details if "Yes")</i>
7.2.7	Within the last three years, has any adverse finding been made against your organisation by an Employment Tribunal, Employment Appeal Tribunal or any court, in relation to any claim made by your current, former or potential employees?	YES/NO <i>(delete as appropriate and provide details if "Yes")</i>

(For information only)

7.2.8	Are you an existing or previous supplier to the Council?	YES/NO (delete as appropriate and provide details of previous contracts if "Yes")
7.2.9	Have any of your senior managers or employees directly involved in the provision of this contract (or their relatives) been employed by, or elected Members of, the Council within the last five years?	YES/NO (delete as appropriate and provide details if "Yes")
7.2.10	Does your organisation have any direct or indirect association with any Member or employee of the Council?	YES/NO (delete as appropriate and provide details if "Yes")

If your organisation is a subsidiary of another organisation, please answer the four questions below:

7.2.11	Please provide a copy of your parent organisation's accounts for the last two years* as an appendix. These accounts should be audited if this is a requirement for your parent organisation. *if your parent organisation is unable to provide two years of data please contact the Council via the Portal.	Information attached? YES/NO
7.2.12	Please provide confirmation of your organisation's willingness to arrange for a guarantee or a performance bond if requested.	YES/NO
7.2.13	Please provide the Name and Registered Address of the ultimate parent company	
7.2.14	Please provide the Registration Number of the ultimate parent company	

**7.3 Equalities and Diversity
(For information only)**

7.3.1	Does your organisation have policies in place to ensure compliance with the Equality Act 2010 relating to equal opportunities, discrimination and harassment?	YES/NO (delete as appropriate)
7.3.2	In the last three years has your organisation been the subject of formal investigation by any statutory body in relation to your employees?	YES/NO (delete as appropriate and provide details if "Yes")
7.3.3	Do you have a responsible person nominated for equal opportunities/discrimination/harassment control?	YES/NO (delete as appropriate)
7.3.4	Do all your staff receive training on equal opportunities, discrimination and harassment issues, proportionate to their responsibilities and roles?	YES/NO (delete as appropriate)
7.3.5	Does your organisation carry out equal opportunities monitoring?	YES/NO (delete as appropriate and provide details of monitoring categories used if "Yes")
7.3.6	Does your organisation provide a minimum of the Living Wage for all staff? Details about the Brighton Living Wage can be found here , and more information regarding the Living Wage can be found at this website	YES/NO (delete as appropriate)

8. Tender Evaluation

8.1 **Tenders will be evaluated on price 25% and quality 75% Total = 100%**

8.2 Quality Evaluation Criteria

Submissions will be evaluated by the evaluation panel. There are three types of question - bidders should ensure they answer each question as part of their submission, even if it is not scored:

1. **For information only** – these questions are not scored or evaluated and help give the Council more information on bidders.
2. **Pass/Fail** – these are areas the Council considers essential to perform the contract. Bidders must pass all of these questions to be considered for full evaluation and shortlisting.
3. **Scored** – these relate to this specific contract and allow the Council to differentiate between submissions for awarding the contract.

Scored questions are scored on a scale of 0 - 5, as per the table below:

Score	Performance	Judgement
5	Meets and exceeds criteria	Excellent
4	Meets the criteria	Good
3	Meets the criteria in most aspects, fails in some	Satisfactory
2	Fails to meet the criteria in most aspects, meets it in some	Unsatisfactory
1	Significantly fails to meet the criteria	Poor
0	Completely fails to meet the criteria	Not to be

Scored questions will be assessed by the evaluation team, who will agree on a single moderated score for each question. Scored questions will carry a **weighting**, as indicated in each question.

The formula used to calculate the weighted scores for each scored question is:

$$\text{Question Weighted Score (\%)} = (\text{Bidder's score} / \text{maximum score e.g. 5}) \times \text{Question Weighting.}$$

The weighted scores for each question will then be added together to give an overall weighted score for each submission.

Quality Criteria	Weightings (%)
Experience	40
Stake holder management	30
Methodology	20
Timetable	10

8.3 Quotation requirements - technical & professional capability

Please provide method statements detailing your proposals for delivering the specification detailed above.

Please include the following key points:

Experience: (maximum word limit 1000 words) (40% weighting)

Please tell us about your experience and expertise in relation to the operational and strategic delivery of Home to School Transport. The Council is looking for providers who have had previous experience in reviewing the systems and procedures employed to run an effective and safe home to school transport service. An understanding/ working knowledge of the complexities involved in arranging transport for children and young people with special educational needs is essential. Applicants who can demonstrate they have had direct experience of managing or leading a successful home to school transport service will achieve a higher score in this section. In particular, please provide the following:

- List qualifications relating to SEND Law (broadly Children, Education, Equalities Acts) plus Disabilities Training
-

- Provide evidence of satisfaction levels of provision from parent carers and schools/colleges (if applicable)
- Demonstrate experience of effective co-production with a parent carer forum and the broader SEND community, including seldom heard and YP

Stakeholder Management (maximum 1000 word limit) (30 % weighting)

In line with the specification, please detail in your Stakeholder Management Plan how you/ your organisation will communicate and work with all stakeholders detailed in the specification. The Council is looking for details within the plan which show the different methods you will employ to engage all stakeholders and what flexibility you are able to apply to ensure we capture their views. In addition, the Council would also want to know how you propose to report stakeholder feedback and make it an integral part of the final report.

The following partners and stakeholders must be contacted as part of the process:

- The Executive Director of Families, Children and Learning and the Assistant Director for Education & Skills
- Members of PaCC and Amaze
- Parent / carer community (opportunity to input via focus groups and to comment anonymously)
- Where appropriate young people who use the home to school transport service
- Councillors who have been contacted by parents expressing concerns
- Officers from the city council HTST team, procurement and legal teams
- Edge consultants
- The contractors providing transport
- Union representatives
- Head teachers and chairs of governors of the Specialist SEND hubs, plus staff representation from mainstream schools
- Specialist after school provision operators, respite providers and social workers where relevant

Those applicants who are able to provide a range of strategies to engage stakeholders and who can evidence how feedback from stakeholders has shaped future recommendations will receive higher marks in this section.

Methodology: (maximum 1000 word limit) (20% weighting)

Please tell us how your company will undertake each aspect of the independent review, in doing so please refer to sections of the specification. Include any information/ documents/ data you/ your organisation will require beforehand so that you are able to identify the key points of focus for the onsite visit.

The Council is looking for a flexible and thorough approach to the review that takes into account the local context within which the Brighton and Hove City Council home to school transport service operates. Those applicants who can clearly articulate how their methodology will provide a set of evidence based recommendations will receive a higher score for this section.

Timetable: (maximum 1000 word limit) (10 % weighting)

In line with the specification, please provide your proposed timetable which is to detail all review stages and milestones, including the start/end date of each task and the meeting of the review deadline. The timetable is to be a Gantt chart or similar and be attached as a separate A3 PDF document (max 2 pages).

A timetable that is able to fulfil all of the above criteria will receive higher marks in this section.

8.4 Price Evaluation Criteria

Tenderers must submit:

- 1) A total fixed cost to deliver the Project Outputs and Products, and Consultation and Engagement as outlined in this ITQ document and related Appendices.

The total fixed cost will be scored. Please also include a detailed breakdown of the total fixed cost between the outputs, products and tasks as a separate pricing schedule. This will not be scored; however, it is important that the Council is able to assess the whole life cost of this project and the value for money that is offered up to £10,000 estimated budget.

- 2) A fixed day-rate for any work that may be required to update the outputs and products of the assignment for a 5 month period after its completion.

Price	Weighting (%)
<p>A total fixed cost to deliver the Project Outputs and Products, Consultation and Engagement as outlined in this ITT document and related Appendices.</p> <p>Note: The total fixed cost will be scored. Please also include a detailed breakdown of the total fixed cost between the outputs, products and tasks as a separate pricing schedule. This will not be scored; however, it is important that the Council is able to assess the whole life cost of this project and the value for money that is offered up to £10,000 estimated budget.</p>	90
A fixed day-rate for any work that may be required to update the outputs and products of the assignment for a 5 month period after its completion.	10

The total fixed delivery cost will be scored using the following formula:

- Total fixed delivery cost = (Lowest tendered fixed price / fixed tender price) x weighting (90%)

The fixed day rate element will be scored using the following formula:

- Fixed day rate = (Lowest tendered day rate / fixed tender day rate) x weighting (10%)

The overall price score will be the two combined price scores multiplied by the overall weighting of 25 %.

8. Pricing Schedule

Consultant fees
Expenses (Incl. subsistence)
Other costs
Hours required for preparation work
Fixed Day rates

8.1 Payment terms:

8.1.1 The price shall be indicated exclusive of VAT

8.1.2 The price shall be inclusive of all out of pocket expenses, including telecommunication, copying, printing, photography, materials, report preparation and publication, presentation materials, travel, subsistence and accommodation.

9. References

(Pass / Fail) Tenderers are required to provide details of three references with which you have had a contract of a similar size and characters that proposed by the Council within the last three years, two of which must be current. If you have a current contract with the Council, the Council reserves the right to use this as one of the references. References will form part of the evaluation process.

	Reference 1	Reference 2	Reference 3
Name			
Organisation			
Contract name			
Scope of contract			
Title			
Address			
Tel. No.			
Fax No.			
Email Address			
Contract length			
Annual Contract Value			

10. Non Collusion Certificate

TO: Brighton & Hove City Council

RE:

The essence of the public procurement process is that the Council shall receive bona fide competitive tenders from all Bidders. We, the undersigned, hereby certify that this is a bona fide bid and (except as authorised in the Invitation to Tender) we have not, and insofar as we are aware neither has any of our officers, employees, servants or agents:

- (i) Entered into any agreement with any other person with the aim of preventing bids being made or as to the fixing or adjusting of the amount of any bid or the conditions on which any bid is made; or
- (ii) Informed any other person, other than the person calling for this bid, of the amount or the approximate amount of the bid, except where the disclosure, in confidence, of the amount of the bid was necessary to obtain quotations necessary for the preparation of the bid for insurance, for performance bonds and/or contract guarantee bonds or for professional advice required for the preparation of the bid; or
- (iii) Caused or induced any person to enter into such an agreement as is mentioned in paragraph (i) above or to inform us of the amount or the approximate amount of any rival bid for the agreement; or
- (iv) Committed any offence under the Bribery Act 2010; or
- (v) Offered or agreed to pay or give any sum of money, inducement or valuable consideration directly or indirectly to any person for doing or having done or causing or having caused to be done in relation to any other Bid or proposed Bid for the works any act or omission; or
- (vi) Canvassed any other persons referred to in paragraph (i) above in connection with the agreement; or
- (vii) Contacted any officer of Brighton and Hove City Council or their agents about any aspect of the agreement including (but without limitation) for the purposes of discussing the possible transfer to the employment of the Participant of such officer or agent for the purpose of the agreement or for soliciting information in connection with the agreement.

We also undertake that we shall not procure the doing of any of the acts mentioned in paragraphs (i) to (vii) above before the hour and date specified for the return of the bid nor (in the event of the bid being accepted) shall we do so while the resulting contract(s) continue in force between us (or our successors in title) and Brighton and Hove City Council

In this certificate, the word "person" includes any person, body or association, corporate or incorporate and "agreement" includes any arrangement whether formal or informal and whether legally binding or not.

Signed	
Name	
Position in organisation	
For and behalf of	
Date	

11. Freedom of Information

In accordance with the obligations and duties placed upon public authorities by the Freedom of Information Act 2000 and the Environmental Information Regulations 2004 (together the 'Information Laws'), all information submitted to the Council may be disclosed in response to a request made pursuant to the Information Laws.

In respect of any information submitted by a Bidder that the Bidder considers to be commercially sensitive the Bidder should set out the following information in the box below.

- clearly identify such information as commercially sensitive
- explain the potential implications of disclosure of such information
- provide an estimate of the period of time during which the Bidder believes that such information will remain commercially sensitive

Where a Bidder identifies Information as commercially sensitive, the Council will endeavour to maintain confidentiality. Bidders should note, however, that even where information is identified as commercially sensitive, the Council might be required to disclose such information in accordance with the Information Laws. Accordingly the Council cannot guarantee that any information marked 'commercially sensitive' will not be disclosed.

In accordance with Section 10 above, please submit your response below.

12. Form of ITQ

To: Brighton & Hove City Council

Dear Sir/Madam,

ITQ for: The supply of an independent review of Home to school transport in Brighton and Hove.

We the undersigned DO HEREBY UNDERTAKE on the acceptance by the Council of our tender to supply and deliver the services on such terms and conditions and in accordance with such specifications as are contained or incorporated in the Contract.

Any prices, rates or discounts quoted in this tender are valid for 180 days after the tender return date and we confirm that the terms of the tender will remain binding upon us and may be accepted by you at any time before the expiry of that period.

Signed	
Name	
Position in organisation	
Duly authorised to sign tenders for and behalf of <i>[Name]</i>	
Registered Address	
Nationality of Company	
Company number	
Date	