

SCOTTISH PROCUREMENT EVALUATION WORKSHOP

SP- 17- 005/6

**Provision of Fair Work 2018
Employability Support Services Lots 1-
8 and 'West'**

AGENDA

1. Introductions
2. Objective and Requirements
3. Role of Scottish Procurement
4. Role of the Evaluation Panel Member
5. Evaluation Process
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 - B. Technical Evaluation
 - C. Evaluation Scoring
 - D. Evaluation Do's and Don'ts
 - E. Commercial Evaluation
5. Legal Case Studies
6. Timetable
7. Documentation

1. Introductions

Evaluator	Organisation	Evaluation
	SPCD	Qualification/Commercial
	SPCD	Qualification/Commercial
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	SPCD	Qualification/ Commercial

1.1 Introductions

Evaluator	Organisation	Evaluation
	Fair Work Directorate	Technical (Lot?)
	Fair Work Directorate	Technical (Lot ?)
	Fair Work Directorate	Technical (Lot ?)
	Fair Work Directorate	Technical (Lot ?)
	Fair Work Directorate	Technical (Lot ?)
	Fair Work Directorate	Technical (Lot ?)
	Fair Work Directorate	Technical (Lot ?)
	Fair Work Directorate	Technical (Lot ?)
	Fair Work Directorate	Technical (Lot ?)
	Fair Work Directorate	Technical (Lot ?)

2. Objectives & Requirements

- Introductory forum Moderators to meet Evaluators
- To inform panel members of their roles and responsibilities
- To share good evaluation practice and processes Dos and Don'ts
- A forum for Q and A
- Documentation

3. Role of Scottish Procurement

- Carry out initial completeness check of tender responses
- To facilitate access to the PCS(T) system;
- Produce Evaluation Panel guidance document;
- Facilitate the Technical Evaluation process;
- Chair the moderation meeting;
- Conduct Clarifications;
- Calculate moderated average scores;
- Finalise and agree comments to match scores;
- Conduct Commercial Evaluation;
- Draft and Finalise Contract and Recommendation Report (CARR)
- Issue Standstill Letters;
- Award Framework/Contract.

3. Role of The Evaluation Panel Member

- Confirm that there is no conflict of interest with any of the tenderers at all stages of the procurement process.
- To undertake an independent and unbiased assessment of each bid in accordance with the timescales set.
- Evaluate bids in an open, proportionate and transparent manner for evidence of how the bid technical submission meets the requirements of the selection/award criteria.
- Highlight any clarification questions to Scottish Procurement.
- Score the bids in accordance with the technical scoring guidance contained in the tender documentation/evaluation guidance document and provide robust comments that justify the score awarded and suggestions on how the bid could have been improved.
- Participate in the moderation meeting.
- Take ownership and responsibility for scores and comments and be available to support with debriefing of unsuccessful tenderers.

3. Role of The Evaluation Panel Member

- **When using PCS-T** – ensure completion of the process off-line and submit to Lead Buyer completed evaluation spread sheet including:
- Provide comments and scores – offering both Positive and Negative comments and score (0 – 4, evaluation criteria) that supports panel members comments.

<https://www.publictendersscotland.publiccontractsscotland.gov.uk/esop/pts-host/public/pts/web/login.html>

PCS-Tender

Login

Username

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[Need assistance?](#)

Please contact the Help Desk

0800 368 4850

email: help@bravosolution.co.uk

[System Requirements](#)

Welcome to PCS-Tender

PCS-Tender is the national eTendering system, and is centrally funded by the Scottish Government. The system is a secure and efficient means for buyers and suppliers to manage tender exercises online. The standard ESPD (Scotland) and ITT templates enable buyers to easily create consistent tender documentation.

Suppliers

Once you have registered as a supplier, you will be sent a password via email which will provide you with secure access to the site. You will then be able to express interest in any advertised tender exercises. Additionally, you will be able to complete your supplier profile, which will pre-populate tender responses providing buyers have used the standard questions.

[Case Studies](#) [PCS Advertising Portal](#) [The Scottish Government](#)

Scottish Government
Riaghaltas na h-Alba
gov.scot

SCOTLAND
EXCEL

NHS
National
Services
Scotland

Supplier
Development
Programme
Helping You Bid Better

Procurement Journey

13:40
19/04/2017

 **The Scottish Government**

4(a) Evaluation Process – Freedom of Information

The Evaluation stage of the Procurement Journey has become the subject of much scrutiny and challenge in recent years. [The Freedom of Information Act \(Scotland\) 2002](#) has led to a notable increase in the amount of documentation relating to the evaluation of tenders and contract awards being released into the public domain and it is your duty to ensure that any procurement process can withstand such scrutiny.

Evaluators are required to ensure their comments are justifiable to support applicable scores. Comments should be of a sufficient standard as not to embarrass Scottish Government for example “abysmal response”.

Evaluators completed worksheets will be held in ERDM.

4(b.1) Evaluation Process - Technical Evaluation

The Technical response poses questions relating to the requirements laid out in the tender documentation and the response is evaluated based upon the tenderers capability to deliver such requirements.

Evaluators must note the word limit attached to the evaluation criteria and must not evaluate anything which exceeds this word limit for the stated questions.

A Best Price Quality Ratio of 70:30 in favour of Quality will be applied.

4(b.2) Evaluation Process - Technical Evaluation

It is important that sufficient comments are provided and agreed at the moderation meeting to justify the scoring and to meet the requirements of the standstill letter.

The comments provided must :-

- reflect the reasons for the score awarded;
- detail the positive/negative aspects of the response;
- Explain what the bidder could have done to improve their bid.
- Detail any moderated revisions to initial comments/scores (if applicable)

Enter the scores and comments into PCS-Tender or relevant template provided if not using PCS-Tender against each of the corresponding questions.

Only the scores listed in the criteria can be awarded (i.e. 0, 1, 2, 3, or 4) – the descriptors of each are in the following table:

4(c) Evaluation Process - Evaluation Scoring

0 Unacceptable	Response is not considered relevant. The response is unconvincing, flawed or otherwise unacceptable. Response fails to demonstrate an understanding of the requirement.
1 Poor	Response is partially relevant and poor. The response sufficiently addresses some of the required output but contains insufficient / limited detail or explanation. The response demonstrates only limited understanding of the requirement. The answer contains ambiguities or deficiencies which could not be tolerated.
2 Acceptable	Response is completely relevant and acceptable. The response meets the majority of the requirement although may lack detail in certain areas. The response demonstrates an overall understanding of the requirement.
3 Good	Response is completely relevant and good. The response meets the requirement and is sufficiently detailed to demonstrate a good understanding of the requirement. The proposal may require further development but is considered credible in all areas.
4 Excellent	Response is completely relevant and excellent overall. The response meets or exceeds the requirement. The proposal is comprehensive, unambiguous and demonstrates a good understanding of the requirement. The proposal is well thought out, highly credible and may offer added value or innovation.

PCS-T converts scores to 25 ,50, 75, 100

4(d) Evaluation Process - Evaluation Do's and Don'ts

Do	Don't
Make note of areas that are unclear for clarification with the bidder	'Read between the lines', make assumptions or base scoring on your experience of a bidder
Read the submission at face value and score on the basis of the information provided	Collude with other panel members to agree scoring collectively
Score tenders independently and discuss any irregularities at the Tender Moderation Meeting	Make changes to the evaluation criteria during the process - the criteria MUST be the same as that published in the ITT
Ensure full justification for scoring is provided for each question to assist with compiling Standstill letters and any debriefing	Write any comments that you would not like to be released for a potential Freedom of Information request

4(e) Evaluation Process – Commercial Evaluation (i.e. Price)

The Commercial evaluation will be carried out by Scottish Procurement.

5.1 Legal Case Studies (No 1)

- **Woods Building Services v Milton Keynes Council** [\[2015\] EWHC 2011](#) 14 July 2015
- This case concerned an £8 million 4 year contract for asbestos services and reinstatement works. Serious questions were raised about the evaluation and highlighted particular issues concerning the reasons given and the evidence (or lack of it) that underpinned these. Reasons given which merely parroted the scoring criteria gave no reason for the score actually given (see para 31). A significant issue was the lack of contemporaneous recording of comments leading to ultimate lack of clarity. The court considered that there were manifest errors of assessment and that a different outcome should have been reached.

5.1 Legal Case Studies (No 1) - cont

- **Woods Building Services v Milton Keynes Council** [\[2015\] EWHC 2011](#)
14 July 2015
- Para 31. “In fact, at all three stages, the notes on the spreadsheets were extremely brief. They amounted either to a brief conclusion (rather than a statement of reasons) or a paraphrase of the scoring criteria. Thus, by way of example, for an answer where Woods scored 6, the evaluators noted that the response was generally of a good standard with no significant weaknesses, issues or omissions. That was simply a repetition of the scoring criteria. There was no explanation as to why Woods had achieved that score, much less anything to indicate why it had not received a score of 8 or 10. Similarly, for some of the EAS scores that received 10, the notes simply said “the panel were of the opinion that the response provided was to a very high standard, robust and will add value to the contract”. This was another paraphrase of the scoring criteria. It offered no reasons for the score awarded.”

5.2 Legal Case Studies (No 2)




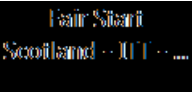

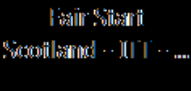

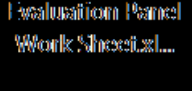
Patersons of Greenoakhill Ltd v South Lanarkshire Council [\[2014\] CSOH 21](#) (07 February 2014)

- Reasons given could not be said to be vague or incomprehensible when read with the ITT. More weight given to better and more comprehensive evidence of submissions and the ITT expressly stated that higher scores would be given for proposals supported by comprehensive and robust evidence. Adequate and readily understandable reasons were given for giving higher scores to the successful tenderer.

6. Evaluation Timetable

Activity	Date
Publish Contract Notice and ITT via PCS-T website	8 March 2017
Supplier Event	29 March 2017
Final date for clarification questions	5 May 2017 @ 1200 hrs
Final date for clarification answers broadcast	9 May 2017
Tender Return Date (firm date)	24 May 2017 @ 1200 hrs
Evaluation of Tender Responses / Clarifications / Approval Process	25 May to 22 September 2017
Moderation Meetings Lots 1 – 9	26 – 30 June 2017
Notification to successful and unsuccessful Tenderers	25 September 2017
Standstill Period Ends	5 October 2017
Contract Award	6 October 2017
Mobilisation Period	7 October 2017 to 2 April 2018
Operational Service Commencement Date (i.e. First Customer Referrals)	13 March 2018
Contract Commencement	3 April 2018

7. Documentation

<p>Declaration of Impartiality – must be signed and returned to SPCD by 12 noon on Tuesday 24 March 2015</p>	 Declaration of Impartiality.doc
<p>Please see attached some guidance for evaluators on how to access the ITT in PCS-T and how to mass download the tenders, export responses and end evaluation.</p>	 Evaluation Guidance.docx
<p>Statement of Requirement</p>	 
<p>Circular Notice 1 – Responses to Clarification Questions during the tendering</p>	
<p>Although you may only be evaluating one part of the tender response / Lot, you may be interested to see the overall BPQR evaluation criteria and weightings covering quality and price. This can be seen in the attached “Instructions to Tenderers” document issued to all tenderers.</p>	 
<p>Evaluators Offline Scoring Spreadsheet</p>	 
<p>Example of a Unsuccessful letter</p>	