

SCHEDULE 2 - SPECIFICATION

Section 1 – Introduction

This project is sought to secure the necessary skills to develop an accessible web based e-learning training package that will provide a baseline overview of the new Scottish domestic abuse legislation and coercive and controlling behaviours. The training package is intended to raise awareness and provide core information and guidance for the public sector and wider audience.

Section 2 – Background & Context

During parliamentary scrutiny of the Domestic Abuse (Scotland) Bill the Scottish Government committed to working with stakeholders to ensure appropriate training is delivered to enable readiness for the implementation of the new law, which came into force in April 2019. To support the Act's implementation, the Scottish Government provided £825,000 funding to Police Scotland to support development of a training package for police officers and staff. Police Scotland procured the services of SafeLives to develop their Domestic Abuse (DA) Matters training package - this includes a self-completion e-learning package on the new legislation which has been made available to all 22,000 staff within Police Scotland.

The Scottish Government also provided £166,000 in funding to Scottish Women's Aid to support the delivery of face to face training on coercion and control to Women's Aid groups across Scotland. Further in-house training was delivered by other criminal justice partners including COPFS and the judiciary.

However, it has since been identified by stakeholders that there is a gap in accessible training and information about the new domestic abuse legislation for wider public sector bodies including Local Authority - social work, education, and housing. It is agreed that there is an immediate need for accessible training since the new legislation is already in force.

The Scottish Government therefore propose to create a training package for the public sector and the wider public who have an interest in understanding what the new legislation entails and to build their understanding of coercive controlling behaviours and how to safely respond.

Police Scotland have advised that their DA Matters e-learning package could be used as a base package to adapt and build upon to make it fit for purpose and for a wider audience.

Section 3 – Scope /Statement of Requirement

The aim of this project is to create an e-learning package that will provide a baseline overview of the domestic abuse legislation and coercive and controlling behaviours. It will be developed to reach a larger audience of partners and the wider public who have an interest in understanding what the new legislation entails and to build their understanding of coercive controlling behaviours and how to safely respond. The

content will reflect a collaborative representation from a range of partners e.g. Local Authority social work, housing and education sector. The package should contain a variety of media - including video content, interactive exercises. The length of the package will be around 45 mins. The e-learning package will be hosted externally and available widely and freely to interested parties.

In delivering this project the supplier will:

- co-chair a development steering group with the Scottish Government involving expert contributors to shape content. Meetings should be scheduled to allow steering group input into development and finalisation of the package.
- project manage
- have overall responsibility for content development.
- lead on the technical design and build of the package.

SERVICE USERS

The e-learning package will be for the public sector and the wider public who have an interest in understanding what the new legislation entails and to build their understanding of coercive controlling behaviours and how to safely respond.

[Section 4 - Contract Period](#)

29 November 2019 to 31 March 2020

The Duration of the contract shall be **18 weeks**

There is the potential to extend the contract by **2 weeks to 14 April 2019**

[Section 5 – Data Protection](#)

Details are contained within the Scottish Government Terms and Conditions (**SGTC2**) attached.

[Section 6 – Outputs and Key Deliverables](#)

DELIVERABLES

- Weekly highlight reports to be produced – setting our work undertaken and achieved progress.
- Representation at fortnightly Steering Group meetings.
- Mid-project checkpoint: presentation on progress, early development work.
- Arrange meetings with the wider project team and key stakeholders to present outline of training and overview of package
- Presentation of draft e-learning package to the Violence Against Women and Girls Criminal Justice team, Scottish Government Policy Leads and stakeholders

- Set of clear, structured, comprehensive and accessible e-learning training material, in hardcopy and electronic format including presentation slide decks. This would include transfer of source material.
- Produce a final e-learning training package that is compatible with this requirements set out in this document and that is formally signed off by the Violence Against Women and Girls Project Lead in Criminal Justice Division, in the Scottish Government

Section 7 – Performance Measures and Reporting

Assessment of project progress and delivery of outputs will fall to the project lead and the Criminal Justice Division overseeing this project.

The successful contractor will be required to attend fortnightly steering group meetings at St Andrew's House, Regent Road, Edinburgh each fortnight.

Key Performance Targets – include KPIs which are measurable

The contract manager will want to ensure that any risks identified in respect of the contract period are suitably managed and mitigated at the initiation meeting by the contractor, this will cover: staff, resource, attendance at meetings and any project slippage, in terms of resilience issues.

A risk escalation route will involve the steering group responsible for mitigating any risks, if these cannot be managed they will be escalated through the Justice Board.

Section 8 – Contract Manager contact details.

Scottish Government Project Lead – [REDACTED]

Email: [REDACTED]

Section 9 – End of Contract and Exit Arrangements

A formal handover will take place in the final contract week, this will allow for all information gathered to be passed over to the lead policy area and project lead.

SCHEDULE 3 - EVALUATION GUIDE AND INSTRUCTIONS

1. INTRODUCTION

- 1.1. The evaluation criteria will consider Quality as well as Price. Each tender will be subjected to the evaluation process outlined below. The aim of the evaluation is to select the tender which represents the Most Economically Advantageous Tender (MEAT).
- 1.2. The winning tender will be the one that achieves the highest Combined Score (providing their tender is technically compliant). The Combined Score will be determined based on the following Quality/Price Ratio:
- Quality 80%
 - Price 20%

2. EVALUATION PROCESS

Evaluation of tenders will follow this process:

All tenders will be subject to the **Quality Analysis**

All tenders will be subject to the **Price Analysis**

Once both scores (Quality and Price) have been calculated, they will be added together to give the **Combined Score** for each compliant tender.

2.1. Quality Analysis

- 2.1.1. Tender responses to the Technical Questions, as outlined in Schedule 4 will be used to perform the Quality Analysis.
- 2.1.2. Each member of the Tender Evaluation Panel will evaluate each tender submission in isolation of the other evaluators.
- 2.1.3. Each evaluator will award a mark for each question between 0 and 4, in accordance with the methodology detailed in the table below:

QUALITY SCORING GUIDANCE		
Technical responses will be evaluated using the following methodology:		
Score	Definition	Description
0	Unacceptable	Nil or inadequate response. Fails to demonstrate an ability to meet the requirement.
1	Poor	Response is partially relevant but generally poor. The response addresses some elements of the requirement but contains insufficient/limited detail or explanation to demonstrate how the requirement will be fulfilled.
2	Acceptable	Response is relevant and acceptable. The response addresses a broad understanding of the requirement

		but may lack details on how the requirement will be fulfilled in certain areas.
3	Good	Response is relevant and good. The response is sufficiently detailed to demonstrate a good understanding and provides details on how the requirements will be fulfilled.
4	Excellent	Response is completely relevant and excellent overall. 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.
Evaluators can award a score of 0, 1, 2, 3 or 4.		

2.1.4. Once each evaluator has independently evaluated each of the tender submissions, a Moderation Meeting may be held with all members of the Tender Evaluation Panel to discuss tender scores and ensure consistency of approach with regard to the Quality Analysis.

2.1.5. The moderated average of all of the Tender Evaluation Panel marks for each question will be multiplied by the relevant question weighting, to give the question weighted score.

2.1.6. Quality Scores will be awarded using the following methodology:

1. Individual Question Score (expressed as a percentage) x Question Weighting x the Section Weighting = Question Weighted Score.
2. Sum of all Question Weighted Scores within a section = Total Section Weighted Score.
3. Sum of all Section Weighted Scores = Overall Quality Score for each Tenderer.

2.2. **Price Analysis**

2.2.1. To allow a comparison of bids, a Tender Sum Total will be calculated as set out in the Pricing Schedule (Schedule 5), which Tenderers are to complete.

2.2.2. The lowest total tender price, determined as the Tender Sum Total following the methodology in the Pricing Schedule, will be awarded 100% of the marks available for Price. The Price Score for the remaining Tenderers will be determined by allocating a mark for each Tenderers' Tender Sum Total relative to the lowest total tender price using the formula:

$$(\text{Lowest Tender Sum Total} / \text{Tenderer's Tender Sum Total}) \times 100.$$

2.3. **Combined Score**

2.3.1. The Combined Score will be calculated by adding the Overall Quality Score and the Overall Price Score together.

2.3.2. Scores will be rounded to 2 decimal places.

- 2.3.3. The Tenderer who achieves the highest Combined Score will be deemed to be the successful bidder, provided their tender has been deemed to be fully compliant in all other respects.
- 2.3.4. In the event of a tie the Scottish Ministers reserves the right to appoint the Tenderer who obtains the highest technical score.

3. TENDER CLARIFICATIONS

- 3.1. Written clarifications may be required to affirm the information provided in the tender. On completion of any clarification exercise, tender responses may be rescored to take account of the clarification.

4. AWARD CRITERIA

- 4.1. The Quality Award Criteria questions are provided in Schedule 4.
- 4.2. Tender responses are to be submitted via PCS.

SCHEDULE 4 – QUALITY QUESTIONS

Section 1: Mandatory Questions

Failure to disclose information relevant to this section or misrepresentation in relation to the information disclosed may result in exclusion of the bidder from this procurement process or the termination of any subsequent contract that is to be awarded to them.

The bidder may be asked to provide the relevant documentation or to state where the extract from the relevant register, for example judicial records, is available electronically to the public body so that it may retrieve this information. By indicating this information, the bidder agrees that the public body may retrieve the documentation subject to the national rules implementing Directive 95/46/EC on the processing of personal data, and in particular of special categories of data such as on offences, criminal convictions or security measure.

Relating to Criminal Convictions

1. The common law offence of conspiracy; where that conspiracy relates to participation in a criminal organisation as defined in Article 2 of Council Framework Decision 2008/841/JHA on the fight against organised crime or an offence under sections 28 or 30 of the Criminal Justice and Licensing (Scotland) Act 2010;
2. a) Corruption; within the meaning of section 1(2) of the Public Bodies Corrupt Practices Act 1889 or section 1 of the Prevention of Corruption Act 1906, where the offence relates to active corruption as defined in Article 3 of the Council Act of 26th May 1997 and Article 3(1) of Council Joint Action 98/742/JHA;
b) Bribery or Corruption within the meaning of sections 68 and 69 of the Criminal Justice (Scotland) Act 2003, where the offence relates to active bribery or corruption
c) Bribery within the meaning of sections 1 or 6 of the Bribery Act 2010;
3. Fraud where the offence relates to fraud affecting the European Communities' financial interests as defined by Article 1 of the Convention on the protection of the financial interests of the European Communities
 - a) the offence of cheating the Revenue
 - b) the common law offence of fraud
 - c) the common law offence of theft or fraud
 - d) fraudulent trading within the meaning of section 458 of the Companies Act 1985, or section 993 of the Companies Act 2006;
 - e) fraudulent evasion within the meaning of section 170 of the Customs and Excise Management Act 1979 or section 72 of the Value Added Tax Act 1994;
 - f) an offence in connection with taxation in the European Union within the meaning of section 71 of the Criminal Justice Act 1993;
 - g) the common law offence of uttering; or
 - h) the common law offence of attempting to pervert the course of justice;
4. Terrorist offences or offences linked to terrorist activities; listed in section 41 of the Counter-Terrorism Act 2008; or Schedule 2 to that Act where the court has determined that there is a terrorist connection.

5a) Money laundering within the meaning of sections 340(11) and 415 of the Proceeds of Crime Act 2002;

5b) Money Laundering or Terrorist financing; an offence in connection with the proceeds of criminal conduct within the meaning of section 93A, 93B or 93C of the Criminal Justice Act 1988;

6. Child labour and other forms of trafficking in human beings; any offence under Part 1 of the Human Trafficking and Exploitation (Scotland) Act 2015 or under any provision referred to in the Schedule to that Act;

7. Drugs trafficking, an offence in connection with the proceeds of drug trafficking within the meaning of section 49, 50 or 51 of the Drug Trafficking Act 1994;

8. Any other offence within the meaning of Article 57(1) of the Directive as defined by the law of any EEA state or any part thereof.

Question		Answer
1	Has the bidder itself or any person who is a member of its administrative, management or supervisory body or has powers of representation, decision or control therein been the subject of a conviction by final judgment within the last five years for one of the reasons (1-8) listed above?	<input type="checkbox"/> Yes <input type="checkbox"/> No
2	If the answer is yes to any, please provide details including: <ul style="list-style-type: none">• Date of conviction• Which of the points 1-8 it relates to and the reason• Name of the person convicted• A description of any measures taken by the bidder to demonstrate its reliability despite the existence of this relevant ground for exclusion	

Relating to the Levels of Insurance Cover

Question	Answer
<p>1 The Bidder confirms they already have or can commit to obtain, prior to the commencement of the contract, the levels of insurance cover indicated at Schedule 8 (Terms and Conditions), section 14.3 (as a minimum):</p>	<p><input type="checkbox"/> Yes, I already have this</p> <p><input type="checkbox"/> No, but I commit to obtain it</p> <p><input type="checkbox"/> No, and I cannot commit to obtain it</p> <p><input type="checkbox"/> Not applicable – my business is exempt</p>
<p>2 Provide details of the coverage you refer to in Q1 (above) here:</p>	

Information only Questions:

<p>1. The Scottish Business Pledge is a Scottish Ministers initiative which aims for a fairer Scotland through more equality, opportunity and innovation in business. Information on this can be found at the following link: https://scottishbusinesspledge.scot/</p> <p>Tenderers are asked to confirm if they have signed up to the Scottish Business Pledge.</p>	<p><input type="checkbox"/> Yes, I have signed this</p>
<p>2. The Scottish Living Wage Accreditation Initiative and the Living Wage Foundation recognise and celebrate the responsible leadership shown by Living Wage Employers and support employers to incorporate the Scottish Living Wage into organisational structures long term. More information can be found at the links below:</p> <p>http://scottishlivingwage.org/ http://www.livingwage.org.uk/</p> <p>Tenderers are asked to confirm if they are accredited as a Scottish Living Wage Employer.</p>	<p><input type="checkbox"/> Yes, I have this</p>

Section 2: Quality Questions

QUALITY AWARD CRITERIA		Section Weighting	Question Weighting
SECTION 1. METHODOLOGY		30%	
Q1.	The tenderer must clearly explain their proposed approach to delivering the services and outline the suitability, robustness and limitations of the proposed methods. This should include your ability to work flexibly and meet the timescales outlined in the specification.		100%
SECTION 2. STAFFING AND CAPABILITY		60%	
Q1.	The tenderer must provide details of all roles and responsibilities proposed for the delivery of the project and provide named individuals against these roles where relevant. This should include a CV detailing the experience, qualifications, competency and specialist skills these individuals possess to carry out the specified role.		70%
Q2.	The tenderer must provide two examples of recent relevant previous commissions, in order to demonstrate your capability to deliver this requirement. Please indicate if these were led by proposed team members and highlight their relevance to the commission requirements.		30%
SECTION 3. TIMETABLE AND DELIVERY		10%	
Q1.	The tenderer must provide a timetable for delivery of each of the key tasks. The timetable should highlight outputs and project milestones as well as allocation of staff and staff time against each task.		100%

