Invitation to tender for the provision of

**a telephony system and broadband service**

to the



Scottish Public Services Ombudsman (SPSO)

and on behalf of



The Scottish Commissioner for Human Rights (SHRC)

and



The Children and Young People's Commissioner Scotland (CYPCS)

4 June 2018

## Introduction

**SPSO**

The Scottish Public Services Ombudsman (SPSO) is responsible for considering complaints about the providers of public services under the Scottish Public Services Ombudsman Act 2002 which came into force in October 2002

The SPSO is the final stage for complaints about organisations providing public services in Scotland and deals with complaints about councils, the National Health Service, housing associations, the Scottish Government and its agencies and departments, colleges and universities and most Scottish public bodies. She is an independent public official appointed by HM The Queen on the nomination of the Scottish Parliament.

Details of the Ombudsman’s team are available at:

<http://www.spso.org.uk/who-we-are>

The Ombudsman’s most recent Annual Report is available at:

<http://www.spso.org.uk/annual-reports>

**SHRC**

The Scottish Human Rights Commission is an independent public body, accountable to the people of Scotland through the Scottish Parliament. The Commission has a general duty to promote awareness, understanding and respect for all human rights – economic, social, cultural, civil and political – to everyone, everywhere in Scotland, and to encourage best practice in relation to human rights. Our full duties and powers are set out in the Scottish Commission for Human Rights Act 2006.

The Commission is accredited as an ‘A Status’ [National Human Rights Institution](http://www.scottishhumanrights.com/international/our-role-as-an-nhri/) (NHRI) within the United Nations (UN) system. This means we can report directly to the UN on human rights issues. We are the only Scottish organisation that can make direct contributions to the UN Human Rights Council. The Commission has powers to recommend changes to law, policy and practice; promote human rights through education, training and publishing research; and to conduct inquiries into the policies and practices of Scottish public authorities.

Details of the Chair and Commissioners are available at:

<http://www.scottishhumanrights.com/about/people/>

The Commission’s most recent Annual Report is available at:

<http://www.scottishhumanrights.com/policy-publications/>

**CYPCS**

The Children and Young People's Commissioner Scotland is a person. Their job is to help children and young people in Scotland understand their rights and to make sure those rights are respected. Their goal is for children and young people in Scotland to be as safe and happy as possible.

The current Commissioner is Bruce Adamson. He looks after the rights of:

* everyone in Scotland under 18
* everyone in Scotland under 21 who has been looked after or in care.

Details of the Commissioner are available at:

<https://www.cypcs.org.uk/about/commissioner>

The Commission’s most recent Annual Report is available at:

<https://www.cypcs.org.uk/about/annual>

## Service being procured: telephony and broadband services

### Project Specification

The requirements outlined in this invitation to tender include provision for service to The Scottish Public Services Ombudsman (SPSO), The Scottish Commissioner for Human Rights (SHRC) and the Children and Young People's Commissioner Scotland (CYPCS) who will be based in the same building.

Detailed functional requirements are listed in Annex 1. Bidders are invited to provide a response to each point, using Annex 1 as a template, which will form the main basis of our Evaluation. We are looking for telephony and broadband services, ideally from a single supplier. Bidders who can provide telephony services but not broadband may be considered. However, bidders offering only broadband without telephony will not.

If any software needs to be installed on client-side servers or devices, please give details of this software.

### Additional Information

The Ombudsman is inviting tenders for telephony and broadband services for a period of five years with the option to extend. Bidders must be aware of, and take account of, the confidentiality requirements of section 19 of the SPSO Act. A copy of section 19 is attached at Annex 2.

### Project timetable

The timetable for this project is as follows:

|  |  |
| --- | --- |
| Invitation to tender issued | Monday 4 June 2018 |
| Deadline for submission of tenders | Friday 22 June 2018 |
| Evaluate tenders | Thursday 28 June 2018 |
| Appoint supplier (subject to any clarification or verification required by the Ombudsman) | Monday 2 July 2018 |

If clarification of the tender submission is required, bidders will be contacted during week commencing 25 June. In this case, the contract award date could be deferred to Friday 6 July 2018.

The required service implementation date has not yet been confirmed, however, this is expected to be in October / November 2018 to align with the upcoming office move. The successful bidder may be required to conduct preparatory work, including liaising with other contractors to facilitate installation.

## Tender Submissions

All bidders must use the template provided at Annex 1 for their response. Tender submissions **must** include:

1. A detailed response addressing all areas identified in the Functional Requirements listed in Annex 1.
2. Details of the bidder’s experience relating to similar work. Summaries of relevant work carried out for two clients (with contact details), who would be willing to provide the Ombudsman with a reference.
3. A breakdown of costs for the work detailing costs per person per hour and all consumables. Please identify the following:
	1. Installation and set-up costs
	2. All ongoing service charges
	3. Add-ons / different levels of service
	4. Total cost of contract over 5 years

Note: All of the above should clearly show VAT

1. Details for the provision of ongoing support and related service standards. Include:
	1. A description of training to be provided to key support staff - please advise what format you would propose this would take, and what it would cover.
	2. Support to be provided during core working hours of 08:30 - 17:30, Monday to Friday. Please provide details of how this will be provided, including SLA response times.
	3. Maintenance to be provided, e.g., software updates/upgrades as required.
	4. If additional costs could be incurred in the course of the contract, please give examples of these with indicative costs, e.g., adding new users, additional lines, upgrades, support, enhancements.
2. Implementation plan
3. Evidence of Living Wage Employer status.
4. Requirement in terms of payment e.g. monthly invoice/payment periods.
5. Before the award of the contract, the preferred bidder may be asked to provide a copy of the organisation’s professional indemnity or public liability insurance cover. If production of either of the above would cause you difficulty, you should indicate this now.
6. The standard terms of the contract regarding termination.

## Administration of tender

### Contracts and Procurement Policy

This invitation to tender (ITT), tendering process and the eventual contract are being managed in accordance with the SPSO’s Procurement Policy. This is available as Section 9 of our Finance Handbook, available online as a PDF here:

<https://www.spso.org.uk/spso-policies>

The policy is designed to ensure that all SPSO procurement activity is focussed on the delivery of value for money and conducted to high professional standards and to the relevant legal requirements. In particular, our Procurement Standards include Value for Money, Responsible Purchasing, Ethical Standards, Openness and transparency.

The SPSO is an accredited Living Wage employer and the successful bidder must also meet this standard.

Occasionally, contractors may provide information to the SPSO on the basis that it will remain confidential and will not be disclosed in the event that an information request is made for it. The SPSO will agree to accept information in confidence from contractors only in very limited circumstances. Even where we do agree to accept information in confidence, the information may still be disclosed if the disclosure would no longer constitute an actionable breach of confidence, for example, if the information is no longer confidential.

### Tender conditions

1. Suppliers are invited to submit a tender, including all expenses, for providing the services as described in this document. If the costs are not fixed for the duration of the contract, the review points and basis of the review should be clearly detailed.
2. Potential suppliers must meet their own costs of responding to this tender and any costs they incur in responding to this tender.
3. Prices quoted must be held firm for at least 45 days from the closing date for tenders
4. The supplier must be willing for the response to this invitation to tender to form part of the contractual relationship with the Scottish Public Services Ombudsman.

## Making a tender

Please note that the closing time and date for tender responses is **Friday 22 June 2018**. Any response received after that date will not be considered further.

A full response to this tender must be addressed by email to ICT@spso.gsi.gov.uk or in hard copy to:

Louise Rae

Information Analyst

Scottish Public Services Ombudsman

4 Melville Street

Edinburgh

EH3 7NS

Your submission must be clearly marked “RESPONSE to telephony and broadband tender” in order to ensure the contents are not opened before the deadline.

Any questions or requests for clarification may be emailed to ICT@spso.gsi.gov.uk no later than Monday 11 June 2018. Your email must be clearly titled “ENQUIRY about telephony and broadband tender”.

## Assessment of tenders

The assessment of tenders will be undertaken by an evaluation panel which will include representatives from SPSO, SHRC and CYPCS. The panel will consider all tenders against the Functional Requirements set out in Annex 1 and will make a decision on the basis of how closely tenders meet the requirements set out in this invitation. If a tender does not substantially conform to the tender requirements it will not be considered further, in particular, any submission with a score of zero against an essential functional requirement will be rejected.

Each item in the Functional Requirements will be given a score as follows:

|  |  |
| --- | --- |
| *Score* | *Description* |
| 5- Excellent | Meets exactly the specified standard |
| 4- Good | Meets the standard well but not completely |
| 3- Fair | Mostly meets the standard but fails in parts |
| 2- Doubtful | Mostly fails the standard but meets in some |
| 1- Poor | Significantly fails to meet standard |
| 0- Reject | Completely fails to meet standard |

The following requirements will be scored and weighted to give each submission a score out of 100% as follows:

|  |  |  |
| --- | --- | --- |
| 1 | Response to Functional Requirements  | 40% |
| 2 | Experience of similar work including references | 10% |
| 3 | Breakdown of costs | 20% |
| 4 | Ongoing support and service standards | 15% |
| 5 | Implementation plan | 10% |
| 6 | Living Wage standards met | 5% |
| 7 | Payment requirements | 0% |
| 8 | Professional indemnity / liability | 0% |
| 9 | Terms of contract regarding termination | 0% |

Item 1 – The total score for Functional Requirements will be calculated based on a maximum score of 5 points for each of the functional requirements.

Item 3 - Full cost details must be provided as requested, otherwise the submission will score zero here. Scores will be awarded by ranking all submissions in order of total cost over 5 years. The supplier with the lowest total cost will receive 20, second will receive 18, third, 16 and so on.

Items 2 and 4-6 – These will be scored 0-5 based on the scheme detailed above. Items 2 and 5 will be multiplied by 2 and item 4 will be multiplied by 3 to give the weighted scores.

Items 7 - 9 – This information is required but will not form part of the weighted score.

The Ombudsman and/or representatives from SHRC and CYPCS may undertake, if deemed appropriate, communications or meetings with bidders to clarify / verify their tender submissions. This may be in writing, by phone or a discussion at the Ombudsman’s office. If a meeting is required, we anticipated this would be held on Wednesday 27 June 2018 and the contract award date would be deferred to no later than Friday 6 July 2018. These meetings would not form part of the evaluation process and therefore would not be marked separately but they will be used to validate the scores allocated to your response. In the event of clarification or verification being required, bidders would be contacted during week commencing 25 June 2018.

**Annex 1: Requirements and Response Template**

|  |  |
| --- | --- |
| Company Name: |  |
| Company Address: |  |
| Contact name for this Tender: |  |
| Position: |  |
| Telephone No: |  |
| Email:  |  |

**1. Functional Requirements *(Weighting 40%)***

| *Functional Requirement Item* | *Priority* | *Details* | *Response* |
| --- | --- | --- | --- |
| **Capacity** |
| **C.1** | Essential | 100+ direct lines with scope to increase in the future |  |
| **C.2** | Essential | 3 free phone numbers with scope to increase in the future |  |
| **C.3** | Essential | 5 phone lines for shared spaces such as meeting rooms and hot-desks with scope to increase in the future |  |
| **C.4** | Essential | 3 fax lines |  |
| **Broadband & Internet**  |
| **B.1** | Important | 4 broadband (fibre) internet line for occasional use, use by guests, and for resilience and backup purposes. We will have a separate line for core business use, however the broadband lines will be used for streaming video content. This will be used for both wired and Wi-Fi connectivity |  |
| **B.2** | Important | 1 ADSL line - for backup purposes. |  |
| **Hardware**  |
| **H.1** | Essential | Supplier to provide infrastructure as required |  |
| **H.2** | Essential | Handsets required |  |
| **H.3** | Important | Conference call units required (For use in Board room, possibly training room, possibly office-holder offices.) |  |
| **H.4** | Important | Wi-Fi hardware |  |
| **Numbers** |
| **N.1** | Essential | Existing 0800 telephone to be retained (details of existing numbers available on request) |  |
| **N.2** | Important | Existing fax numbers to be retained (details of existing numbers available on request) |  |
| **N.3** | Important | Existing direct dial numbers to be retained (details of existing numbers available on request) |  |
| **Core functionality** |
| **CF.1** | Essential | Call forwarding / transfer to internal numbers |  |
| **CF.2** | Essential | Voicemail to be configurable by users and preferably also by authorised the client's administrators (eg in case of unexpected absence) |  |
| **CF.3** | Essential | Automatic messaging eg to welcome, give advice, advise of office closures, notify of call recording |  |
| **CF.4** | Essential | Menu options for call routing ie press 1 for X, press 2 for Y etc. |  |
| **CF.5** | Essential | Hunt groups eg to direct incoming calls to a team, rather than an individual |  |
| **CF.6** | Essential | Call pickup groups eg ability to pick up a call coming in to a colleague's direct line |  |
| **CF.7** | Essential | Multi-party calling / conference calling (preferably also including external parties) |  |
| **CF.8** | Important | Video calling |  |
| **CF.9** | Important | Call forwarding / transfer to external numbers |  |
| **CF.10** | Important | Automatic messaging to be configurable by authorised users; including different messages for different groups of lines. |  |
| **CF.11** | Important | Menu options for call routing to be configurable by authorised users |  |
| **CF.12** | Important | Call pickup and hunt groups to be configurable by authorised users |  |
| **Supporting Flexible Working** |
| **SFW.1** | Essential | Facility to divert phone numbers, including direct dials and 0800 numbers, to other locations or mobile numbers as necessary. |  |
| **SFW.2** | Important | Facility to simultaneously divert calls to a given number (eg an 0800 number) to multiple parties including internal and external numbers. |  |
| **SFW.3** | Desirable | Please provide information on any other ways your system could support flexible working outside of the office. |  |
| **Accessibility** |
| **A.1** | Essential | System to be compatible with voice dictation software (currently using Nuance Dragon Pro 15 ) |  |
| **A.2** | Essential | Desk phones to be compatible with headsets for hands-free operation (currently using Jabra Pro 9450 and Plantronics SupraPlus H251) |  |
| **Users** |
| **U.1** | Essential | Users to have codes to login to the system eg for billing and call routing purposes |  |
| **U.2** | Desirable | One line to be available for use in reception area without a login |  |
| **Call Recording**  |
| **CR.1** | Essential | System must have call recording - please provide an overview of this functionality |  |
| **CR.2** | Essential | The client to have access to configure call recording, for example, which lines or users are recorded and which are not. |  |
| **CR.3** | Essential | Call recordings to be downloadable by authorised staff. |  |
| **CR.4** | Important | All users to have the option to activate / deactivate call recording on any given call. |  |
| **Data and analytics**  |
| **DA.1** | Essential | Reports / dashboards showing volume of calls to/from each number, call duration, peak call times etc |  |
| **DA.2** | Important | Reports and dashboard to be configurable by the client |  |
| **Business Continuity**  |
| **BC.1** | Essential | In case of major incident/emergency/exceptional circumstances affecting the client, for example loss of communications, power, building etc, please provide information how you would support us in continuing to operate. |  |
| **BC.2** | Essential | In the event of the supplier being affected by major incident/emergency/exceptional circumstances, please provide information on how you would ensure continuity of service and minimise the impact on the client. |  |

**2. Experience *(Weighting 10%)***

Details of the bidder’s experience relating to similar work. Summaries of relevant work carried out for two clients (with contact details), who would be willing to provide the Ombudsman with a reference.

*Response*:

**3. Costs *(Weighting 20%)***

A breakdown of costs for the work detailing costs per person per hour and all consumables. Please identify the following:

* 1. Installation and set-up costs
	2. All ongoing service charges
	3. Add-ons / different levels of service
	4. Total cost of contract over 5 years

Note: All of the above should clearly show VAT

*Response*:

**4. Support and service standards *(Weighting 15%)***

Details for the provision of ongoing support and related service standards. Include:

* A description of training to be provided to key support staff - please advise what format you would propose this would take, and what it would cover.
* Support to be provided during core working hours of 08:30 - 17:30, Monday to Friday. Please provide details of how this will be provided, including SLA response times.
* Maintenance to be provided, e.g., software updates/upgrades as required.
* If additional costs could be incurred in the course of the contract, please give examples of these with indicative costs, e.g., adding new users, additional lines, upgrades, support, enhancements.

*Response*:

**5. Implementation plan *(Weighting 10%)***

*Response*:

**6. Evidence of Living Wage Employer status. *(Weighting 5%)***

*Response*:

**7. Requirement in terms of payment e.g. monthly invoice/payment periods. *(Weighting 0% but must be provided)***

*Response*:

**8. Professional indemnity / public liability insurance *(Weighting 0% but must be provided)***

Before the award of the contract the preferred bidder may be asked to provide a copy of the organisation’s professional indemnity or public liability insurance cover. If production of either of the above would cause you difficulty, you should indicate this now.

*Response*:

**9. The standard terms of the contract regarding termination *(Weighting 0% but must be provided)***

*Response*:

## Annex 2: Section 19 of the Scottish Public Services Ombudsman Act 2002

19 Confidentiality of information

(1) Information obtained by the Ombudsman or any of the Ombudsman’s advisers in connection with any matter in respect of which a complaint or a request has been made must not be disclosed except for any of the purposes specified in subsection (2) or as permitted by subsection (3).

(2) Those purposes are—

(a) the purposes of—

(i) any consideration of the complaint or request (including any statement under section 11),

(ii) any investigation of the matter (including any report of such an investigation),

(b) the purposes of any proceedings for—

(i) an offence under the Official Secrets Acts 1911 to 1989 alleged to have been committed in respect of information obtained by the Ombudsman,

(ii) an offence of perjury alleged to have been committed in the course of any investigation of the matter,

(c) the purposes of an inquiry with a view to the taking of any of the proceedings mentioned in paragraph (b),

(d) the purposes of any proceedings under section 14.

(3) Where information referred to in subsection (1) is to the effect that any person is likely to constitute a threat to the health or safety of patients, the Ombudsman may disclose the information to any person to whom the Ombudsman thinks it should be disclosed in the interests of the health and safety of patients.

(4) In relation to information disclosed under subsection (3), the Ombudsman must—

(a) where the Ombudsman knows the identity of the person to whom the information relates, inform that person of the disclosure of the information and of the identity of the person to whom it has been disclosed, and

(b) inform the person from whom the information was obtained of the disclosure.

(5) It is not competent to call upon the Ombudsman or the Ombudsman’s advisers to give evidence in any proceedings (other than proceedings referred to in subsection (2)) of matters coming to the knowledge of the Ombudsman or advisers in connection with any matter in respect of which a complaint or request has been made.

(6) A member of the Scottish Executive may give notice in writing to the Ombudsman with respect to—

(a) any document or information specified in the notice, or

(b) any class of document or information so specified,

that, in the opinion of the member of the Scottish Executive, the disclosure of the document or information, or of documents or information of that class, would be contrary to the public interest.

(7) Where such a notice is given nothing in this Act is to be construed as authorising or requiring the Ombudsman or any of the Ombudsman’s advisers to communicate to any person or for any purpose any document or information specified in the notice, or any document or information of a class so specified.

(8) Information obtained from the Information Commissioner by virtue of section 76 of the Freedom of Information Act [2000 (c. 36)](http://www.opsi.gov.uk/acts/acts2000/ukpga_20000036_en_1) is to be treated for the purposes of subsection (1) as obtained in connection with any matter in respect of which a complaint or request has been made.

(9) In relation to such information, subsection (2)(a) has effect as if—

(a) the reference in sub-paragraph (i) to the complaint or request were a reference to any complaint or request, and

(b) the reference in sub-paragraph (ii) to the matter were a reference to any matter.

(10) In this section and section 20 references to the Ombudsman’s advisers are to persons from whom the Ombudsman obtains advice under paragraph 10 of schedule