

INVITATION TO TENDER

Measuring the Value of the UK as a European Production Hub

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| Issue date: | 3 February 2022 |
| Contract Commencement: | March 2022 |

1. BACKGROUND INFORMATION

1.1. Introduction

The British Film Commission (BFC) is the UK Government's national organisation responsible for supporting inward investment film and TV production in the UK, funded by the Department for Digital, Culture, Media, and Sport (DCMS) through the BFI and by the Department for International Trade (DIT). The BFC is the national division of Film London.

The BFC leads on encouraging and supporting the production of international feature film and high-end television in the UK, strengthening and promoting the UK's production infrastructure, and working with the UK Government to ensure film-friendly policies.

1.2. Background to the research

The UK is recognised as a leading base for major film and high-end TV (HETV) production. It has earned this reputation due to its world-class cast, crew and infrastructure, its competitive and inclusive tax reliefs and the benefits conferred by the English language. Its proximity to the European mainland and Ireland and its easy access to the diverse locations, talent, infrastructure and complementary incentives on the continent also make the UK an important European production hub, adding exponentially to its appeal as a base for major film and HETV production. This is reflected in the collaborative nature of such productions based in the UK, many of which involve not only cultural exchange with other European partners, but high-value economic activity across the continent. Countless globally successful film and TV franchises benefit from this collaboration, from *Game of Thrones* to *Bond*.

While the UK's departure from the European Union has had an impact on the country's screen sector, the UK remains a very important base for inward investment film and HETV productions – as well as for co-productions, made under one of the UK's official treaties or under the European Convention on Cinematographic Co-Production (ECCC), which involve work in other European territories.

The UK demonstrated its commitment to collaboration with the EU/EEA screen sectors by pre-emptively adjusting its Cultural Tests – the gateway to creative sector tax reliefs – to allow the continued qualification of EEA content and personnel. The UK also transposed the revised 2018 Audiovisual Media Services Directive (AVMSD) during the transition period, now operative in UK statute as the Audiovisual Media Services Regulations 2020, so that "European works" quotas for Video on Demand (VoD) continue to apply in the UK, as do linear quotas as a consequence of the UK being party to the Council of Europe's Convention on Transfrontier Television (ECTT). In a further demonstration of its commitment to European partnerships, the UK ratified the Council of Europe's revised Convention on Cinematographic Co-Production in June 2021.

The BFC is working closely with our screen sector partners and EU/EEA counterparts to ensure our creative, cultural and commercial partnerships can continue to our mutual benefit and that of our international film and TV clients. To support this work, through this proposed research, we are seeking to develop a strong evidence base to demonstrate the benefits of continued collaboration for both the UK and our European neighbours. In doing so, we aim to demonstrate the value of maintaining and further developing the relationships, collaborations and policy frameworks that have delivered such success for all parties over many years, as well as providing further impetus to actively foster new opportunities to support film and HETV production investment across Europe.

2. STATEMENT OF REQUIREMENTS

2.1. Outline of requirements

The BFC is seeking to commission a supplier to:

- Collate evidence of film and HETV productions based in the UK which have also undertaken production activity in at least one key EU/EEA Member State
- Undertake analysis of this data to demonstrate the economic impact (including value to GDP and employment growth benefits) in those Member States, both individually and cumulatively, of such activity.

2.2. Purpose and target audience

This research is a fact-finding exercise to ascertain and analyse the impact and benefits of cross-border production activity operating out of the UK and in the European Union (EU) / European Economic Area (EEA). The intention is to advise and inform:

- The BFC, BFI and other stakeholders, including the UK Government, in order to support any discussions related to this subject through the provision of a compelling evidence-base
- The BFC's UK, US and international production, VFX and post-production clients who are budgeting, planning or structuring productions that will work between the UK and EU/EEA jurisdictions
- Screen bodies in relevant European jurisdictions, so that they may, as required, be able to make evidence-based cases to their national administrations regarding the benefits of ongoing collaboration with the UK, and to help productions operate between jurisdictions.

2.3. Service requirements

The BFC is inviting proposals that meet the research objectives within the available timeframe. This is a complex piece of analysis and the BFC is, therefore, open to all potential research designs. It will require analysis of a range of data sets, as well as anecdotal evidence relating to specific productions. As such, applicants will need to demonstrate excellent industry and market knowledge, as well as established relationships and a strong understanding of the production community, in order to fill gaps in our data and develop appropriate case studies.

The approach is likely to require interrogation of UK production data to determine where activity by UK-based productions has occurred in each of the following key EU/EEA jurisdictions:

Austria, Belgium, Bulgaria, Croatia, Czech Republic, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Lithuania, Malta, Netherlands, Norway, Portugal, Romania and Spain incl. Canary Islands.

The research should consider cross-border activity for feature films and HETV during both production (i.e. shooting in an EU/EEA studio or location) and post-production (i.e. work carried out by a European post-production/VFX house). While UK production data will be provided by the BFI, and the BFC will be able to advise on second country activity for UK-qualifying productions, we recognise that some bespoke case studies are likely to be required in order to ascertain the full value of European production activity stemming from productions based in the UK. The BFC and BFI will work with the tendered company in order to agree

an appropriate process to facilitate the gathering of such data, as required, but will also expect the tendered company to be able to call on its own contacts to contribute to this work.

The research should seek to address the following questions:

- How many UK-qualifying film and HETV productions undertook production and/or post-production activity in each jurisdiction during the period 2017 to 2020?
- What was the economic value (including employment) of this activity for each jurisdiction and overall?
- To what extent do UK-based projects shooting in EU/EEA jurisdictions qualify as national films in those countries? Appropriate reference should be made to the relationship between the local incentives and national film status.
- What are the strongest examples which demonstrate the benefit to the rest of Europe of the UK acting as a production gateway? Particular consideration should be given to those productions which undertook activity in multiple EU/EEA jurisdictions.

2.4. Deliverables

2.4.1. The research should be presented in the form of a draft written report outlining UK-based production activity in key EU/EEA jurisdictions, on a country-by-country basis. The report should be written in a clear and accessible style and include:

Part One

- an executive summary, offering an overview of the main findings addressing the study requirements.

Part Two

- a detailed profile of activity by UK-based productions in each of the key EU/EEA jurisdictions
- a discussion of the main findings and any issues arising from the research, including recommendations for further research where appropriate
- an appendix describing the methodology used.

2.4.2. A final report, as above, in MS Word, that incorporates feedback from the BFC at the draft report stage.

2.5. Research timeline and milestones

| Action | Date |
|---|-------------------|
| Kick-off meeting | w/c 07 March 2022 |
| 1 x midpoint project liaison meeting with BFC | w/c 28 March 2022 |
| Draft report delivered to BFC | w/c 18 April 2022 |
| Final report delivered to BFC | w/c 02 May 2022 |

2.6. Performance Requirements

All Research work performed in relation to this Contract must:

- 2.6.1. Be delivered on time and on budget.
- 2.6.2. Be delivered with skill, diplomacy, and respect for collaborative working.

2.7. Budget, Invoicing & Payment Schedule

The budget for this contract is up to £35,000. The total price will be exclusive of VAT but inclusive of all expenses and all other costs incurred.

As part of your fee proposal you should include a full resource schedule including a breakdown of activities, time allocated and hourly rate of the project team, including their respective job titles.

Bidders must produce a schedule of charges estimating the number of days and travel and subsistence costs associated with their bid.

Full invoicing will need to be submitted prior to the BFC's year end (31 March 2022) with a schedule of staged payments for work delivered thereafter up to the end of the contract period (28 May 2022), subject to written sign-off of the completion of each stage by the BFC.

3. INVITATION TO TENDER

3.1. Management

Proposals are requested for a Consultancy or Law Practice to deliver the above Research.

Potential Suppliers are invited to complete a Proposal as per the Tender Package.

3.2. Requests for Further Information and Clarifications

3.2.1. A period of requests for further information and clarifications in respect of this document and the overall process is open between 03 February 2022 and 17h00 on 11 February 2022. Requests for further information or clarifications must be submitted to Nick Toon at nick@rationale-consulting.co.uk who shall endeavour to respond within 5 working days. Any direct approach made to the BFC, other than through the specified route, may result in removal from the Tender process.

3.2.2. Whilst a potential Tenderer submitting any query will always remain anonymous, please note that unless a request is specific to that potential Supplier or of a confidential nature it may be published online for the benefit of other tendering companies.

3.3. Receipt of the Tender

3.3.1. Tender Response must be received no later than 12pm (noon) on 17 February 2022.

3.3.2. Tender Response must be submitted via email to procurement@britishfilmcommission.org.uk

3.3.3. The BFC will not consider any late responses to this Invitation to Tender nor will it consider requests for extension of the time or date fixed for the submission of responses. It may, however, in its own absolute discretion extend the time or date fixed for submission.

3.3.4. The BFC may at its sole discretion change any aspect of, or stop, this procurement exercise at any point.

3.3.5. For the avoidance of doubt the BFC will not be held liable for any costs incurred in responding to this Tender.

3.4. Format & Content of Proposals

3.4.1. Submissions must not be password protected.

3.4.2. Tenderer proposals shall be clearly legible.

3.4.3. Applicants should not assume that the evaluators have any prior knowledge of a Tenderer's organisation, its capabilities, or the solutions it offers.

3.4.4. Tenderers are reminded that any Proposal should respond specifically to the Statement of Requirements. Generic responses are unlikely to achieve good marks.

3.4.5. Introductory Statement & Credentials (Evaluation Weighting 20%)

- Please provide a summary Statement introducing your Consultancy/ Law Practice and appropriate credentials.
- Please outline your Consultancy's / Law Practice's familiarity and experience of working in the field of immigration law, and/or knowledge of visa and work permit requirements.
- Please detail any involvement your Consultancy / Law Practice may have had with similar Creative Industries research in the UK or elsewhere.
- Please detail any familiarity your Consultancy /Law Practice has with feature film and HETV production in the UK or elsewhere.

(Max. 2 pages A4)

3.4.6. Research Proposal (Evaluation Weighting 30%)

- Please provide an overview of how you plan to approach the research to be undertaken, taking into account the Service Requirements in section 2.3.
- Provide evidence of your understanding of the brief along with any challenges the research may face and explain how you plan to address these.
- Please outline your proposed research design and detail the methodology for evidence gathering.

(Max. 3 pages A4)

3.4.7. Examples & Testimonials (Evaluation Weighting 10%)

- Please include up to three examples of similar research projects you have completed within the last five years, with dates of completion.
- Provide any client satisfaction responses to these examples you have on file.
- Please give contact details of 2 x referees whom we may approach.

(Max. 2 pages A4)

3.4.8. Key Personnel & Resourcing (Evaluation Weighting 20%)

- Please provide a breakdown of your project team / key personnel for this Research work, including abridged CVs which detail relevant or similar experience, and that support confidence in your ability to deliver work undertaken fully.
- For each researcher dedicated to this project, indicate in each case any relevant legal or sector expertise.

(Max. 1 page A4 per researcher)

3.4.9. Research Project Budgets, Schedule of Fees & Financials (Evaluation Weighting 20%)

- Please propose your budgets and breakdown of costs for the research. This should include a breakdown of activities, time allocated and hourly rate of the project team, including their respective job titles.
- Bidders must produce a schedule of charges estimating the number of days and travel and subsistence costs associated with their bid.
- Please indicate where applicable any anticipated third-party sub-contracting or payments for research and data acquisition.
- As part of the selection process you may be asked to provide a copy of your audited accounts for the last two years or an alternative means of demonstrating financial status.

- There will be a requirement for pro-forma invoicing by 31st March 2021 with a pre-agreed payment instalment programme for work delivered thereafter up to the end of the contract period (28 May 2021), subject to written sign-off of the completion of each stage by the BFC. Please confirm that this is acceptable.

3.5. Selection Process

An evaluation team will consider all tenders correctly submitted. The weighted evaluation criterion for selection is as follows:

| | Criteria | Weighting |
|---|---|-------------|
| 1 | Introductory Statement & Credentials | 20% |
| 2 | Research Proposal | 30% |
| 3 | Examples & Testimonials | 10% |
| 4 | Key Personnel & Resourcing | 20% |
| 5 | Research Project Budgets, Schedule of Fees & Financials | 20% |
| | | 100% |

The score for each criterion will be divided by the maximum possible score of five (5) and then multiplied by the individual weighting for that question to give a weighted score.

For the avoidance of doubt, Tenderers will be scored in relation to *Budgets* and *Schedule of Fees* as value for money, as opposed to a direct comparison of pricing costs.

All criteria will be evaluated using the following scoring methodology:

| Interpretation | Score |
|--|-------|
| An excellent response that is realistic, appropriately detailed, and specific. There is no material weakness and the approach embodies accepted good practice in all material respects offering (as appropriate) excellent levels of functionality, performance, outcomes, ease of use, and other relevant characteristics. All material aspects of the question are fully answered and the approach described fully meets all material aspects of the requirement. | 5 |
| A good response that is realistic, appropriately detailed and specific and with only minor weaknesses, where the approach generally embodies accepted good practice and offers (as appropriate) good levels of functionality, performance, outcomes, ease of use, and other relevant characteristics. All material aspects of the question are fully answered and the approach described meets the material aspects of the requirement, with no or minor exceptions. | 4 |
| A satisfactory response that is realistic in all material respects, and that is at least sufficiently detailed and specific to give general clarity about what is to be delivered and how. There are some weaknesses, but the approach does not materially conflict with accepted good practice and generally offers (as appropriate) acceptable levels of functionality, performance, ease of use, and other relevant characteristics. | 3 |

| | |
|---|---|
| A deficient response where there is insufficient detail or specificity to be clear, wholly or for material aspects of the requirement, what is to be delivered and how. Where material parts of the question are not answered or material parts of the response are unrealistic or the approach described appears not to meet the requirement or to deliver (as appropriate) expected levels of functionality, performance, ease of use, or other relevant characteristics. | 2 |
| An inadequate response that is in part or in aggregate sufficiently unrealistic as to cast serious doubts over deliverability or efficacy or very materially lacking in detail or specificity or where, individually or in aggregate, there are very material weaknesses. | 1 |

4. PROCUREMENT TIMETABLE

The procurement timetable, outlined below, is for information and potentially subject to change. The BFC reserves the right to amend any aspect of the timetable during the procurement and evaluation process and furthermore reserves the right not to accept the lowest priced bid nor indeed any of the submissions.

| Action | Date |
|--|---------------------------|
| 1. Invitation to Tender issued | Thursday 03 February 2022 |
| 2. Period for clarifications closes | Friday 11 February 2022 |
| 3. Tender document responses deadline | Friday 17 February 2022 |
| 4. Face to Face interview with shortlisted tenderers | w/c 28 February 2022 |
| 5. Kick off meeting with winning bidder | w/c 07 March 2022 |
| 6. 1 x midpoint project liaison meeting with BFC | w/c 28 March 2022 |
| 7. Draft report delivered to BFC | w/c 18 April 2022 |
| 8. Final report delivered to BFC | w/c 02 May 2022 |

5. TENDERER INFORMATION

Please complete this information sheet and return it with your proposal.

Part 1 – Information relevant to the procurement.

| | |
|--|--|
| Name of Company tendering | |
| Trading as... | |
| PERSON MANAGING / OVERSEEING TENDER | |
| Mr/Mrs/Ms/Other | |
| Name | |
| Address | |
| Postcode | |
| Country | |
| Phone | |
| Mobile | |
| Email | |
| REGISTERED NUMBERS (as applicable) | |
| Company registration no. | |
| Charity registration no. | |
| VAT registration no. | |

Part 2 – information relevant to Contract management, if successful.

| | |
|-------------------------|--|
| CONTRACT MANAGER | |
| Mr/Mrs/Ms/Other | |
| Name | |
| Phone | |
| Mobile | |
| Email | |

| | |
|---|--|
| ACCOUNTS / INVOICING DETAIL & CONTACT(S) | |
| Company to be Invoiced | |
| Mr/Mrs/Ms/Other | |
| Name | |
| Phone | |
| Mobile | |
| Email | |

6. SUPPLIER DECLARATION

Tenderers may either print this declaration on plain white A4 paper, sign and date it with a pen, scan and then upload it as the final part of their submission or use an electronic signature.

6.1. Checklist

Please check each issue below and tick each box:

| We have provided the following forms: | |
|---|--|
| Tenderer Information | |
| Tenderer proposal | |
| This declaration, either printed then signed with an original signature, then scanned and uploaded as a .pdf, or signed electronically. | |

| | |
|---|--|
| We have: | |
| Made arrangements for the Tender to be uploaded and submitted on time, with adequate contingency for ICT failures, power outages etc. | |
| We have not: | |
| Annexed any document not specifically requested. | |

6.2. Declaration

We warrant, represent and undertake to the BFC that:

- a) neither we nor any employee or third party acting on our behalf has offered, promised or given any bribe or inducement or made any improper threat or colluded (or offered or agreed to collude) with any other person in connection with this procurement exercise
- b) we have complied in all respects with this Invitation to Tender
- c) all information, representations and other matters of fact contained in our Tender are true, complete, and accurate in all respects
- d) we have made our own investigations and research and have satisfied ourselves in respect of all matters (whether actual or contingent) relating to the Tender and have not submitted this Invitation to Tender response and will not have entered into the contract in reliance upon any information, representation, or assumption (whether made orally, in writing or otherwise) which may have been made by or on behalf of the BFC
- e) we have satisfied ourselves as to the correctness and sufficiency of the information we have inserted in the Tender
- f) we have full power and authority to enter into the contract and provide the services
- g) we are of sound financial standing and will have sufficient premises, working capital, skilled staff, and other resources available to us to provide the services in accordance with the contract
- h) we have obtained or are able to obtain all necessary consents, licences, and permissions to enable us to provide the services.

We hereby offer to provide the services relating to this Invitation to Tender which for the avoidance of doubt includes (but is not limited to) the prices and operational proposals set out in this Tender, the Specification, and any written clarifications issued or received by the BFC prior to the written acceptance of the BFC of this Tender.

| | | | |
|------------------------------|--|---------------------------------|--|
| Name of bidding Organisation | | Signature of authorised officer | |
| Date | | Position of authorised officer | |
| | | Name of authorised officer | |

(To be completed by the BFC when the results of the evaluation are known.)

We, the BFC, hereby accept your offer for the provision of Research services, acting as Research Partner to the BFC.

| | | | |
|----------------------------|--|----------------------------|--|
| Name of authorised officer | | Name of authorised officer | |
| Position | | Position | |
| Signature | | Signature | |
| Date | | Date | |