



‘Selling to the Council’

A guide for potential suppliers and contractors

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1.About this guide

Stevenage Borough Council has produced this guide to explain to existing and potential suppliers how they can 'Do Business with the Council'

Throughout this document reference to “suppliers” means potential suppliers of goods, providers of services, and contractors/constructors for works. It aims to help in three ways:

- It will make you aware of the rules the council must follow.
- It informs companies how to find opportunities to supply the council.
- It explains how to bid for council business.

The council encourages competition and welcomes bids from new and established suppliers. Contracts are generally awarded on the basis of the optimum combination of quality, service and cost (best value) to meet the council's requirements. The council cannot discriminate in favour of local suppliers or suppliers from minority backgrounds, but they will be given every encouragement to compete for council contracts.

The council makes full use of fair, non-discriminatory, honest and professional processes in the way it awards contracts and conducts its business processes.

2. Introduction

Stevenage Borough Council is located in Hertfordshire covering 10 square miles approximately 30 miles from Central London. The council provides services for 90,000 residents such as waste collection, planning and building control, revenues and benefits, children's play schemes, parking and environmental health inspections. The council has a main office in Danestrete in Stevenage Town Centre and a depot in Cavendish Road, there is also a customer service centre and play centres in the Borough. The council spends £38.5 million per annum on a variety of goods, works and services.

Further information about the council can be found at www.stevenage.gov.uk

3. Selling to the council

The council is keen to encourage a wide range of suppliers both large and small. The aim of this guide is to provide some key information on how the council buys a wide range of goods and services. All procedures relating to the purchase of goods, works and services are established in the council's main procedural rules:

- Contract Standing Orders
- Financial Regulations
- Corporate Procurement Strategy

4. Legal framework

When carrying out procurement the council is subject to regulations at a European, National and Local level.

4.1 Contract Standing Orders

The Contract Standing Orders regulate how we conduct our business and anyone employed by the council (all staff and including consultants) must conform to them. They set out the procedures for advertising, evaluating and letting contracts of different values and are part of the council's constitution.

4.2 UK and European Statutory Procurement Regulations

As a public body, Stevenage Borough Council is subject to The Public Contracts Regulations 2015. These set out how we must advertise all contracts; and for contracts over the set EU thresholds the detailed process and timetable they must follow. Contracts above the set EU thresholds for goods, works and services will be advertised in the Official Journal of the European Union (OJEU) before appearing on Supply Hertfordshire and on Contracts Finder; contracts below EU thresholds will be advertised on Supply Hertfordshire and Contracts Finder.

The threshold is based on the total aggregate value of a contract. For example if we are due to tender a 4 year supply contract with annual value of £45,000 the total value would be £180,000 and would need to be advertised in the OJEU. If the annual total was £20,000 the total value would be £80,000 and it would be advertised via Supply Hertfordshire and Contracts Finder.

4.3 EU procurement thresholds

The current EU procurement thresholds applicable from 1st January 2016 are below:

- Supplies £164,176
- Services £164,176
- Works £4,104,394

These thresholds are reviewed every two years by the European Union.

4.4 Freedom of Information Act

This legislation came into force in 2005 and entitles members of the public to access information held by public authorities. The council must respond to all requests for information. Suppliers must be aware of this duty, which may require us to disclose tender and contract information. If you consider that any information that you provide is commercially sensitive and you would not wish us to disclose it, you must advise us of this when returning your tenders to us. You will need to identify which information in your bid is commercially sensitive and explain (in broad terms) what harm may result from disclosure if a request is received and the time period applicable to that sensitivity. However you should be aware that, even where you have indicated information is commercially sensitive, we may be required to disclose it under the Act if a request is received.

5. How the council tenders

The aggregate value of the contract will determine which procedure must be followed by the council with respect to the number of quotes or tenders to be obtained.

5.1 Financial thresholds

The table below illustrates the current financial thresholds in the council's Contract Standing Orders.

<i>Contract Value</i>	<i>Minimum numbers</i>	<i>Where we advertise</i>
Under £5,000	At least 1 written quote (oral if under £1,000) shall be obtained	Advertising at this level is not mandatory.
Between £5,001 and £75,000	Minimum of 3 quotations to a purchaser specification via the Council's e-tendering system unless utilising a valid purchasing consortium framework or a valid SBC corporate contract.	Advertising at this level is not mandatory.
Between £75,001 and EU Threshold	Advertised tender unless utilising a valid purchasing consortium framework or a valid SBC corporate contract through the Council's e-tendering system.	Advertising Mandatory in Supply Hertfordshire Portal, Contracts Finder and other appropriate media.
Over EU Threshold	The appropriate EU Regulations to be adhered to.	Advertising Mandatory in OJEU, Supply Hertfordshire Portal, Contracts Finder and other appropriate media.

These limits apply to the total aggregated cost of the goods, works or services to be obtained - i.e. the contract sum, not a per annum value.

5.2 Procurement methods

There are a range of procurement methods available to officers.

a) Request to quote

Procurement route for low value purchases which fall below the formal tendering level of £75,000. The number of quotes sort will be dependant on the total contract value.

b) Open tender procedure

Single stage process where the requirement is advertised and all suppliers who express an interest are given the opportunity to submit a tender. This is the most common procedure.

c) *Restricted tender procedure*

This process is only used for over EU threshold tenders. Two stage process where suppliers respond to an advertisement and are required to submit a pre-qualification questionnaire (PQQ). The PQQ is then evaluated to form a short list of suppliers who meet the required criteria. Suppliers on the short list are invited to tender.

d) *Competitive dialogue procedure, Competitive with negotiation or Innovation partnership*

These EU processes are used where the Council's needs can't be met by adapting readily available solutions, or requirements involve design, or innovative solutions or the specification can't be established with sufficient precision.

e) *Dynamic purchasing system (DPS)*

A completely electronic procedure used for making commonly used purchases. It is open for new suppliers to join throughout its validity. For each individual contract all suppliers admitted to that DPS are invited to bid.

f) *Accelerated procedures*

These procedures can only be used in exceptional circumstances where normal timeframes are deemed to be impractical. These procedures allow for shortened timescales.

6. Tender process

The following section describes a typical tender process.

6.1 Advertisement

A contract notice or advertisement will be issued to invite suppliers to submit an Expression of Interest. The contract notice will appear first in the OJEU (if contract is above EU thresholds) then on the Supply Hertfordshire portal and Contracts Finder. The advertisement will show where to register and access the tender documents.

6.2 Selection questions The purpose of selection questions are to assess a supplier's suitability to supply the council and their ability to satisfy the contract. When using the restricted procedure these will be in the form of a Pre-Qualification Questionnaire, which will be evaluated before tenders are issued; this is often known as shortlisting. If using an open process the selection questions will form the first part of the tender return and the evaluation of the selection questions will be undertaken before the award criteria is evaluated.

The purpose of the selection stage is to select suppliers who can demonstrate their knowledge and ability to deliver the required goods, services or works. In general the information requested provides basic details about an organisation, verifies that it can be identified as a legitimate, discrete trading organisation, that it has acceptable levels of economic/financial standing and is prepared to hold the required level of insurance and that it follows good

practice in areas of equal opportunities, environmental protection and health and safety. The council uses the Crown Commercial Standardised Pre-Qualification Questionnaire as the basis for the selection questions.

The common areas assessed can be summarised as follows although some further additional questions may be added that are relevant to the contract being let:

a) *Supplier information*

The first section of the selection questions asks for company information. This information is used to establish the supplier's legal status, type of supplier e.g. SME, and bidding model e.g. supplying all the deliverables, using sub-contractors, forming a consortium etc.

b) *Grounds for Mandatory exclusion*

In this section suppliers are asked to confirm they have not been convicted of various offences in the past five years such as, but not limited to, bribery, corruption, terrorism, fraud and money laundering,

c) *Grounds for Discretionary exclusion*

In this section suppliers are asked to confirm that in the last three years they have not been guilty of: professional misconduct, distorting of competition, persistent deficiencies in a prior public contract leading to sanctions. Also that no conflicts of interest are present.

d) *Economic and Financial standing*

Suppliers will be asked to confirm they meet the minimum turnover threshold for that contract and have a Z score of at least 3 (the Z score calculates their financial stability) and that they can provide financial accounts or statements to evidence. The council may also undertake a credit check of the supplier

e) *Technical and professional ability*

Information requested in this section seeks to assess whether a supplier has relevant experience in and technical ability to carry out the categories of work or to provide the goods /services required. In most cases it will be necessary for the prospective supplier to provide details of contracts carried out for similar requirements over the recent years as well as providing contact details of at least 3 references from whom the council can directly obtain confidential references

f) *Additional Project Specific Questions*

The Council may choose to ask project specific questions such as whether the supplier is a qualified member of a specific association. The council needs confirmation that the supplier has or will commit to obtain the required levels of insurance for the contract

6.3 Completing the PQQ (Restricted process only)

Suppliers are required to submit the information requested by the deadline, via the Supply Hertfordshire portal, all of the instructions will be contained within the PQQ instruction document. The information provided will be evaluated by the council and used to create a shortlist of companies to be invited to tender. It is important that suppliers complete the PQQ in full and use current and accurate information.

6.4 PQQ evaluation (restricted process only)

Council officers will evaluate the PQQ's. Some elements will be evaluated on a Pass/Fail basis for example Financial Information, whilst other elements will be evaluated on a points scoring system - this information will be provided within the PQQ instruction document. The aim is to produce a shortlist of companies suitable to be invited to tender. Suppliers will be issued the tender based on the shortlist. Unsuccessful applicants will be notified.

6.5 Issue of tenders

A set of tender documents will be made available via the Supply Hertfordshire portal. The tender documentation will usually include the following although other documents such as plans and drawings may be included in the pack:

a) *Instructions to tenderers*

Provides instructions for completing the tender documentation.

b) *Tender evaluation criteria*

Explains how the tender will be evaluated and lists criteria/sub criteria and any weightings that may be applied.

c) *Specification*

Sets out what needs to be achieved and outcomes expected.

d) *Terms and conditions of contract*

Defines the legal relationship between the council and the applicant.

e) *Pricing document*

Document to be completed by the applicant, detailing their proposed pricing structure.

f) *Form of tender*

Form signed by the applicant agreeing to the terms and conditions of the tender.

g) *Selection questions (if open process)*

h) *Method statement questions*

Questions requesting details and evidence of how the supplier intends to provide the service.

6.6 Tender evaluation

Council officers will evaluate the tenders in a fair and objective manner against the pre-determined criteria shown in the invitation to tender. They may ask for clarification of any detail that is unclear. Evaluations will focus on examining how the tender proposals will deliver the service (quality) and the cost of the service (price). The Council will normally evaluate via the most economic advantageous tender (MEAT) process but may occasionally evaluate on price only. The split between quality and price for MEAT will be shown in the invitation to tender.

Tenderers will be notified in writing if they have been successful or unsuccessful. Unsuccessful tenderers will be advised of the reasons why they have not been awarded the contract including a breakdown of the area's concerned. Tenderers are able to request further detailed feedback if they wish to understand their scores and help with any future bids.

6.7 Interviews and presentations

During the tender evaluation period you may be invited to give a presentation or attend an interview as part of the evaluation process. If invited you will be given a brief detailing the format the presentation/interview will follow.

6.8 Contract performance

Suppliers and contractors must ensure that contracts are being performed in accordance with the requirements set out in the contract documentation. The council strives to improve its own performance and expects its suppliers and contractors to do the same. The council's suppliers and contractors will be monitored to assess their compliance with any pre-determined performance criteria. You may be asked to attend regular meetings to review contract performance.

6.9 Purchase orders

Official orders issued by the council should include an order number. It is important that when suppliers invoice us that they include the purchase order number on their invoices.

7. Framework agreements

Definition of a framework agreement from the Crown Commercial Service

“A framework agreement is ‘a general term for agreements with providers which sets out terms and conditions under which specific purchases (call-offs) can be made throughout the term of the agreement. Such agreements set out the terms and conditions for subsequent call-offs but place no obligations in themselves, on the procurers to buy anything. With this approach, contracts are formed only when goods, services and works are called off under the agreement’”

The council will sometimes use framework agreements, which are often let as collaborative ventures between various public sector organisations. One of the main reasons we will use this option is that it offers the council the opportunity to take advantage of economies of scale. Such contracts are fully

OJEU compliant and using them not only demonstrates value for money in the prices charged but also significantly reduces the costs of procurement.

Current contracts which have been called off from framework agreements include:

- Electricity
- Gas
- Mobile Phones
- Landlines
- Road Fuel
- Stationery
- ICT Toners
- Multi Function Devices
- Gas Servicing
- Consultancy

8. Collaboration and partnerships

Where appropriate the council will work with other local authorities and public bodies to maximise economies of scales and deliver costs and service efficiencies.

9. Procurement portals

The council has joined with other Hertfordshire local authorities and public bodies to work together in procurement and partnership projects for the benefit of all participating authorities.

As part of this partnership a portal has been created called “Supply Hertfordshire” which has been running since September 2010. It holds information about advertised opportunities and all tenders and some quotations are conducted through this site. The site enables suppliers to register free of charge to receive e-mail alerts on advertised opportunities. To register for alerts please visit: <http://www.supplyhertfordshire.uk/>

The current membership of Supply Hertfordshire (at March 2017) includes:

- Broxbourne Borough Council
- B3 Living
- Dacorum Borough Council
- East Hertfordshire District Council
- Hertfordshire County Council
- Hertsmere Borough Council
- Lee Valley Regional Park
- North Hertfordshire District Council
- St Albans City & District Council
- Stevenage Borough Council

- Three Rivers District Council
- Watford Borough Council
- Welwyn Hatfield Council

Together these organisations spend over £1 billion each year on a wide range of services (e.g. cleaning services), works projects (e.g. building refurbishments) and supplies (e.g. stationery). The aim is to ensure that opportunities for business reach as many potential suppliers as possible.

10. SME's and the third sector

The council is keen to work closely with SME's and Third Sector organisations. All parts of these sectors are encouraged to submit bids for our contracts. Businesses of all types and size will be treated fairly by the council.

11. Local Suppliers

The council is keen to encourage local suppliers to bid for contracts. Registering on the Supply Hertfordshire portal will enable the council to source local suppliers to be invited to quote.

12. Helpful tips

If you have been invited to tender or quote please bear in mind the following:

- Read the instructions carefully.
- Take the opportunity to raise queries as soon as possible. Do not leave it too late.
- Check with your legal advisor that they are happy with the council's terms and conditions of contract before you submit a tender.
- Complete (and sign where necessary) all documentation in full.
- Ensure that you submit all attachments and supporting information requested in order to ensure that your bid is fully evaluated.
- Proof read your tender submission.
- Submit your bid on time. Please remember that late tenders cannot be submitted.
- Do not submit marketing information that is not relevant to a question in the tender or as an alternative to providing a full explanation.
- Always answer all questions in full even if you have dealt with the council before, the evaluation panel will only be able to consider information that is written in your response.

- Be ready to provide further clarification on your tender submission and/or give a presentation to the evaluation panel.

13. Useful links

Supply Hertfordshire - register for alerts of advertised opportunities across Hertfordshire and be presented as an option for those officers conducting quotation level processes via the portal. <http://www.supplyhertfordshire.uk/>

Tenders Electronic Daily - all advertisements from the OJEU can be found on this site. There is free access to the site. <http://ted.europa.eu>

Contracts Finder - a free service for businesses, public sector buyers and the public. All Government and local government advertised contracts can be found on Contracts Finder. You can find live contract opportunities from across the UK. You can also subscribe to email alerts to receive updates on existing or new items. <https://www.gov.uk/contracts-finder>

14. Contact for Procurement

For further advice on procurement and tendering please contact the Corporate Procurement Department:

Procurement@stevenage.gov.uk

Tel: 01438 242222 (main switchboard)