

**Selling to  
Local Government  
Understanding the Documents  
Bromsgrove DC  
Redditch BC**

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# Facilitators

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# Housekeeping issues

- Emergencies
- Start and Finish Times / Breaks
- Mobiles off/silent
- Participants Materials
- Sharing experience / Networking

# The Battle of Worcester



# Agenda /The War Zone

- Getting ready for battle Surveillance  
PINs Contract Notices etc Sources of Info  
Pre tender briefings etc market surveillance
- Navigating the Minefield  
PQQ (Pre Qualification Questionnaire)
- Spot the sniper ITT (Invitation to tender)
- Enjoying the spoils of war  
Implementing, Managing, Improving
- Recovering from defeat  
Debrief Learn the lessons  
Do not snipe back

# Surveillance



# Notices

- PIN Prior information notice
- Contract notice
- Contract Procedure rules and regulations  
Standing Orders
- Tender Process to be followed

# Buyer Profiles

- Public sector purchasers' websites providing procurement information to suppliers encompassing, for example:
  - PIN notices
  - Copies of all other notices required by the directive
  - Tender specifications and additional documents
  - Future procurement requirements
  - The purchaser's procurement process
  - Contact details
  - Known as "Selling to Councils" in LG
- It is also worth having a look at the rest of the authorities site
- It will help you understand the culture and objectives of the potential customer and what is important to them This knowledge will give you some competitive advantage

# Local Websites

Website - [www.redditchbc.gov.uk](http://www.redditchbc.gov.uk)

[www.bromsgrove.gov.uk](http://www.bromsgrove.gov.uk)

[www.worcestershirecc.gov.uk](http://www.worcestershirecc.gov.uk)

[www.worcester.gov.uk](http://www.worcester.gov.uk)

For Redditch for example

Look under Business” then “Procurement”

Then “Current & Forthcoming Contracts”

# Sources of Local Public Sector Information

- IDEA [www.idea.gov.uk](http://www.idea.gov.uk)
- 4Ps [www.4ps.gov.uk](http://www.4ps.gov.uk)
- SOPO [www.sopo.org](http://www.sopo.org)
- CIPS [www.cips.org](http://www.cips.org)
- RIEPS [www.wmcoe.gov.uk](http://www.wmcoe.gov.uk)
- Firebuy [www.firebuy.gov.uk](http://www.firebuy.gov.uk)
- Police [www.bluelight.gov.uk](http://www.bluelight.gov.uk)
- E Portals - @UK ,Supply 2 Gov

# Other Pre Tender Information

- Public Sector notices
- OJEU Above threshold notices Contrax Weekly
- Appropriate below threshold  
e.g. Supply2 Gov, Trade Journals, Redditch Advertiser. Birmingham Mail
- Remember to check on Chamber of Commerce Federation of Small Businesses information sites
- Also look out for meet the buyers events, network meetings

# Need to know

- You need to understand how they go about their business, their processes
- What their business is
- What are their goals
- What they buy. How they buy
- You need to understand their supply chain relationships up the chain

# Navigating the Minefield

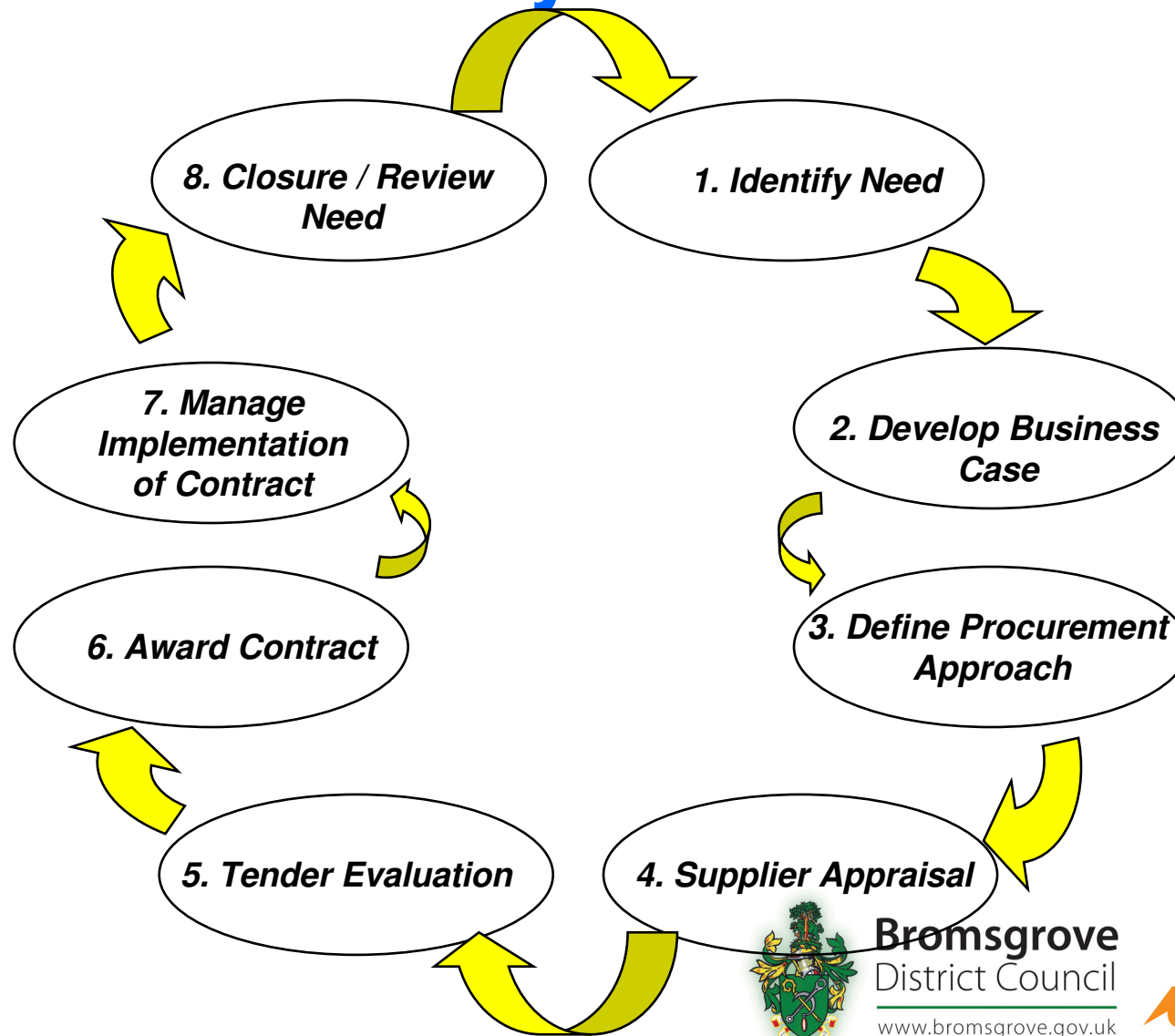


# The process- Your view

- PIN
- Contract notice
- Expression of interest (do not assume you will get in without applying)
- PQQ
- ITT
- Award
- Delivery

# Procurement Cycle

## The buyers view



# Underlying arrangements

**Open** any undertaking who applies may tender

**Restricted** any undertaking can apply to be selected to be invited to tender

**Negotiated with a call for competition and competitive dialogue** any undertaking can apply to be selected to participate

**Accelerated restricted/negotiated**

for use only in exceptional circumstances of urgency not of the contracting authority's making

# Selection of Tenderers

- Open procedure is open to all who request to be included\*
- For the restricted procedure minimum number to be included in ITT is 5 although any number can apply to be selected
- For the negotiated procedure (with competition) and competitive dialogue procedures the minimum number is 3
- Minimum number who are to be selected must be stated in the contract notice and must be sufficient to ensure genuine competition. Maximum number may be stated

# Timescales

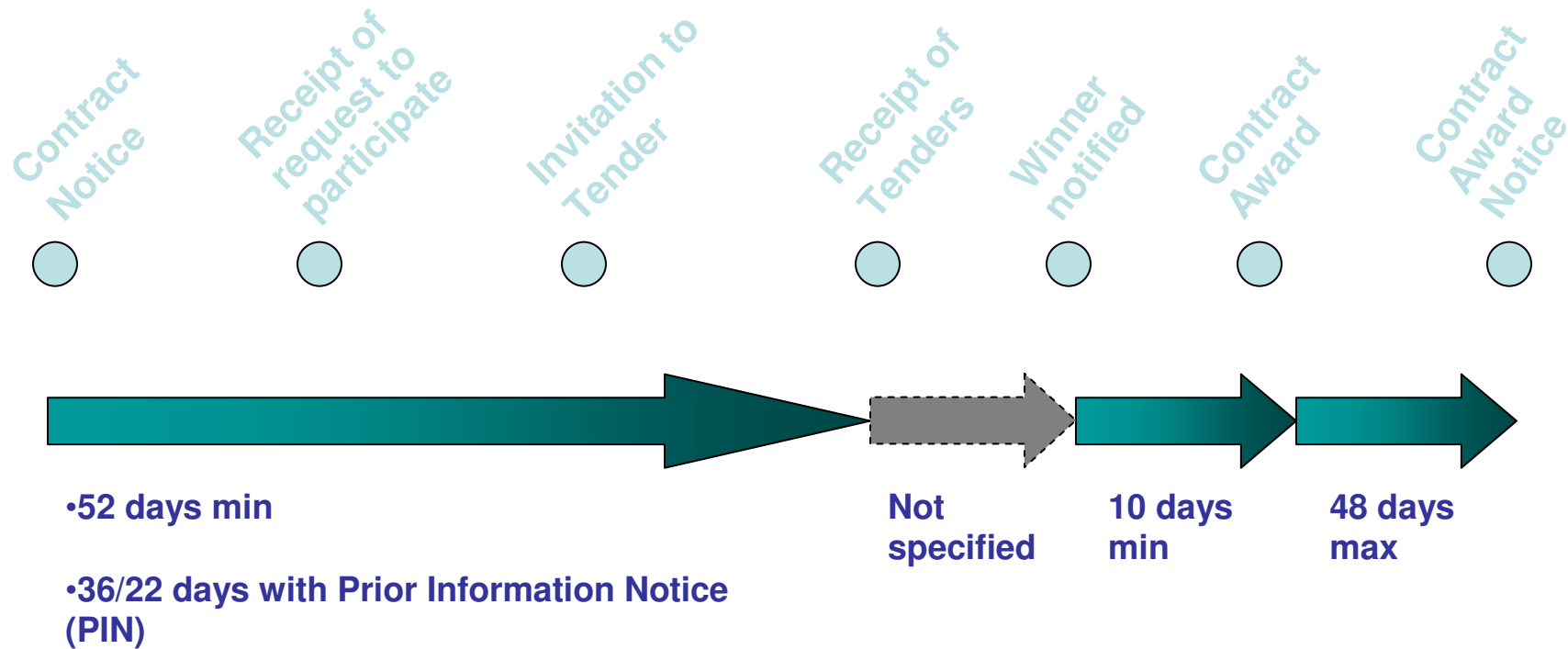
- Different timescales apply to different procedures e.g. open, restricted
- Make sure you are aware of those that apply to you on each occasion
- Keep to them you will be disqualified if you do not
- The timescales referred to in legislation are minimum requirements

# Selection of Tenderers

## Selection criteria

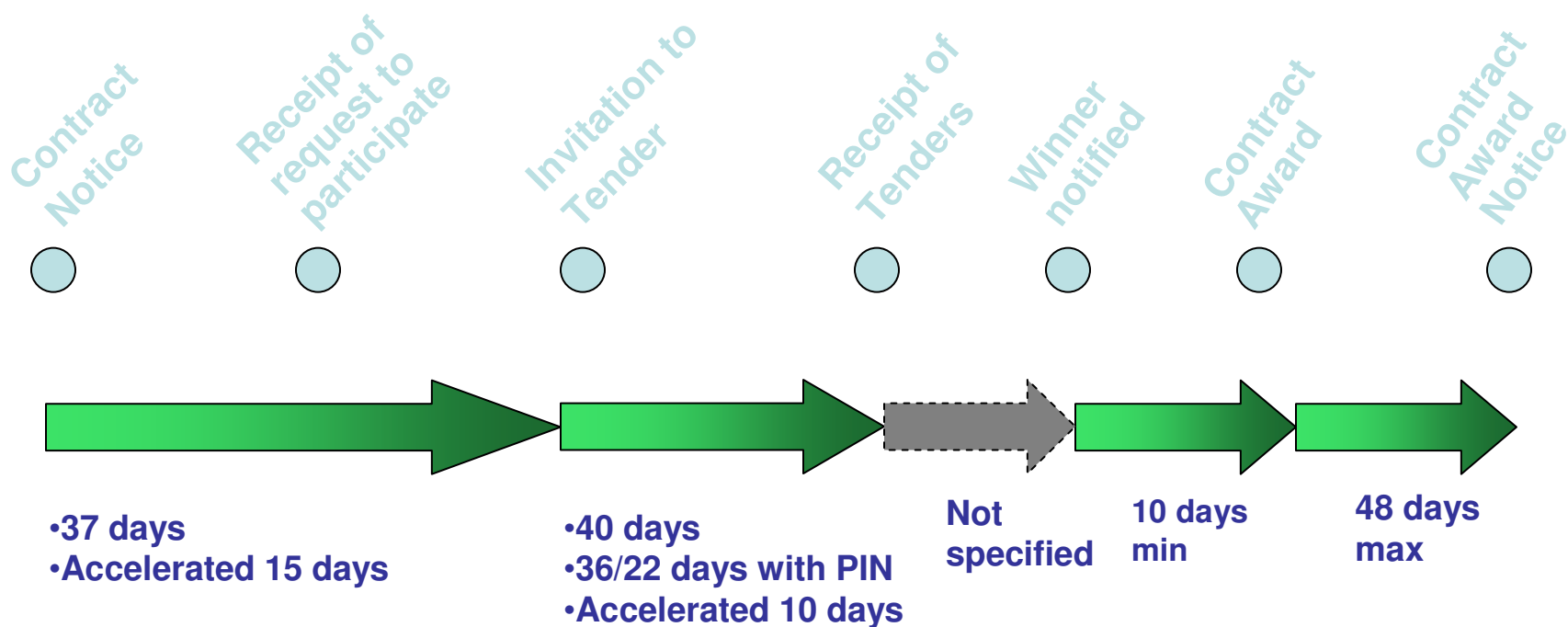
- First stage of process First opportunity to fail
- Purpose of Expression of Interest stage is to provide the contracting authority with information which will allow it to identify those companies that are deemed viable to deliver the need identified.
- issues such as economic and financial standing, technical capabilities and the candidates experience are all part of the selection criteria.
- Selection criteria must not be mixed with Award criteria

# Open Procedure minimum timescales



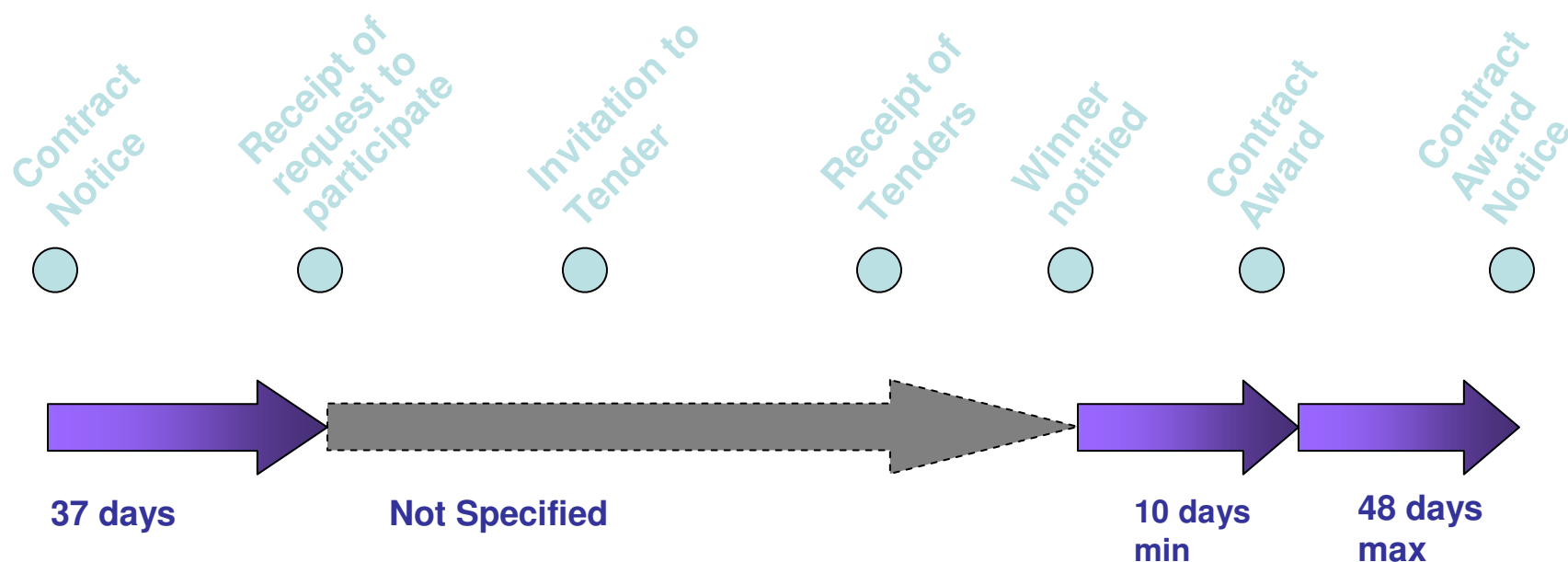
- Electronic communication – 7 day reduction for electronic notices  
5 day reduction for electronic tender docs
- All timescales must be reasonable

# Restricted Procedure minimum timescales



- Electronic communication – 7 day reduction for electronic notices  
5 day reduction for electronic tender docs
- All timescales must be reasonable

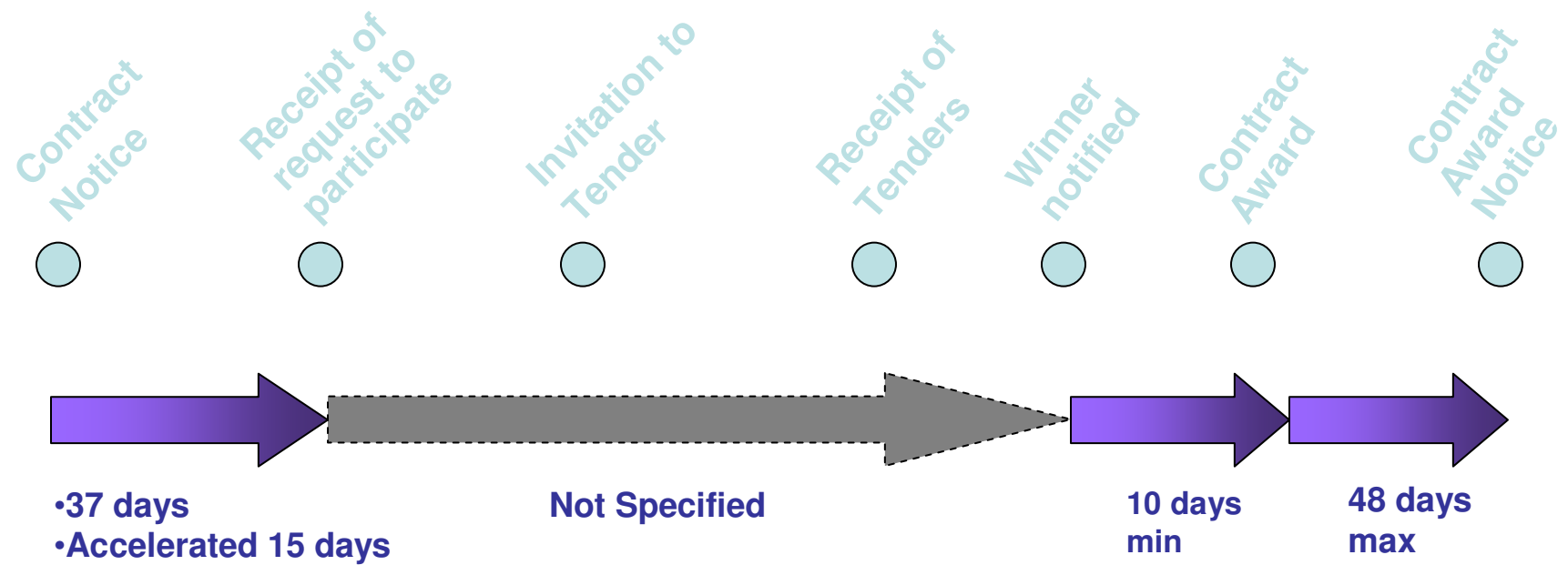
# Competitive Dialogue minimum timescales



•Electronic communication – 7 day reduction for electronic notices

•All timescales must be reasonable

# Negotiated Procedure minimum timescales



•Electronic communication – 7 day reduction for electronic notices

•All timescales must be reasonable

# Selection of Tenderers

## Selection criteria

- If you respond to an advert in OJEU under the restricted procedure and declare an expression of interest the first thing you are likely to receive is the PQQ (Post Qualification Questionnaire)
- This is an important document ,if you respond erroneously you are likely to be excluded
- For example do not ignore mandatory questions if you do you will be excluded
- Do not answer negatively to mandatory questions you will be excluded
- Always qualify your respond if in doubt, you will then get a chance to explain
- Do not lie you will be excluded

# Selection of Tenderers

**The type of information you are likely to have to provide at this stage includes**

- Basic Company information e.g. status- plc
- Financial Accounts
- HR Policies
- CV's of Managers, Professional qualification
- Quality Standards and Awards
- Corporate social responsibility policy (CSR)
- Past Experience and References
- Insurance Policies held
- Health & Safety Policy

# Potential disqualification

You can be excluded if you are/or have

- Of unsound economic and financial standing
- A criminal organisation, guilty of corruption, fraud or money laundering
- A bankrupt or in process of winding up?
- Guilty of grave professional misconduct
- Unpaid social security requirements
- Unfulfilled obligations relating to taxes
- No longer suitable to pursue professional activity
- Not technically and professional able
- Seriously misrepresented information

# Example of PQQ

## Discussion

# Pre Qualification Scoring

- Bromsgrove / Redditch
- PASS or FAIL so get it right !!!
- Others have more complicated systems
- You need to ensure that you understand the scoring system You are entitled to be told what it is
- It will impact on the way you respond

# Example of Pre-Qualification Scoring

## Qualification Policy

Question	Heading	Response	Weighting	Scoring
4.1	QA Accreditation	Independently by UK/EU QA assessment body	2	5
		Independently by other QA assessment body		4
		Independently by other 3rd party		3
		Implementation cert scheme/non independent		2
		Self-cert scheme/non-independent		1
		Other answers		0
		No QA accreditation		-2
4.2	Environmental policy	Established a Written Policy Document	1	5
		Statement within staff handbook		3
		Stated Company objective		1
		None		0

# Preparing for Battle



# ITT

The invitation to tender should include as a minimum:

- information and Instructions to bidders
- Contract terms and conditions
- The specification
- Price schedule
- Details of the procedures to follow

# ITT Preparation

- Before you start assess your chances of winning, bidding can be costly
- Do not assume that the ITT is always correct check it
- Check if criteria weightings or level of importance are listed, Can you meet them
- Prepare a tender strategy, do not leave it to chance
- Create a team to respond to the tender do not leave it to one individual
- Attend any tender briefing sessions offered
- Be prepared to challenge and ask questions of the contracting organisation
- If it is not electronic, copy documentation and store the originals safely to respond on

# ITT Response

- Allow enough time
- Work to and regularly review the tender strategy.
- Keep track of and respond to tender amendments issued
- Check and respond to commercial and contractual aspects e.g., guarantees, performance indicators, service level plans,
- Ensure you respond to the specification outlined
- Be innovative and offer variants if appropriate but also offer a compliant bid if possible
- Check financial schedules and consider cash flow issues.

# ITT Response

- Provide all information requested but be clear, accurate and brief at the same time
- Ensure all risks have been addressed
- Format the response in line with instructions
- Ensure third party requirements e.g. references, parent guarantees have been agreed.
- Check your response get an independent check.
- Ensure it is returned on time and carries no mark as to your identity on the envelope Make sure carriers are aware of this.
- Do not leave it until the day before the return date!

# Spot The Sniper



# Responding to the tender

## REMEMBER:

- To be considered, sealed tenders must be returned no later than... **Get it in on time**
- Intention to tender form  
“**Remember to return it**”
- Background information. **Do not ignore it, it might tell you the secret of winning!**
- Make sure you understand the scope and specification. **Do NOT assume**

# Responding to the tender

## LOOK OUT FOR:

- **Expertise** Tenderers should include in their response details of their expertise in the particular work stream(s) area, and examples of similar work that you have undertaken

If you are struggling here cut your losses, quit!

- **References for similar Work carried out**  
Please provide the following details of three organisations (preferably public sector) for which your organisation has recently carried out work of a similar nature.

Make sure they are similar and positive!

# Responding to the tender

## LOOK OUT FOR:

- **All Intellectual Property Rights** in services shall belong to and be the sole legal and beneficial property of the contracting authority and the Contractor shall as soon as possible assign these

Tread carefully do you really want to hand over your IPR

- **Questions** Responses to individual queries will be copied to all tenderers. Tenderers should note that any queries should be raised no later than 6 days before the closing date.

Think before you ask, do you want everybody to know the answer?

# Responding to the tender

## LOOK OUT FOR:

- **Added Value** Tenderers may include details of what they consider they can offer which will bring added value to the Council if they were awarded this contract.

*Always worth doing it may not be taken into account in the early evaluation but may be used as a differential in a close contest.*

- **Liquidated Damage** If Services are not performed or Completion of the Project does not occur in accordance with this Agreement then the Authority shall be entitled to:-deduct from any part of the Fees or to claim from the Contractor by way of liquidated damages for delay 2.5% of the Fees for every week's delay up to a maximum of 10%;

*Are you prepared to take this risk ?*

S B V

*Simply Best Value*



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# Responding to the tender

## LOOK OUT FOR:

- **Awards Criteria** The award criteria for this contract will be based upon the most economically advantageous tender in terms of the following:

*Make sure you understand the criteria and the respective weighting  
Price may not be the overriding factor*

- **Pricing** - The cost of the work will be based on the rates specified by hour and day, exclusive of VAT and will be fixed

*If this is how they have requested you to price do not put in a lump sum, for example. They will probably disqualify you!*

- **Pricing 2** Please confirm that your prices will remain fixed for the duration of the agreement.

*What are the consequences of this for your company?*

# Responding to the tender

## LOOK OUT FOR:

- **Payment terms** The Contractor shall render an account due to him, together with a detailed breakdown of the costs, a. Subject to the account being correct, payment will be made in sterling within 10 days of receipt of invoice and a discount of 2.5% will be deducted *Ouch! Make sure you know the terms that may be your profit going out of the window.*
- **Contacts** *Remember to ensure that you nominate a contact who can answer the questions*
- **Contract terms and conditions** *If included read them they may contain contractual terms which will influence your response. If not included ask for them.*

# Responding to the tender

## LOOK OUT FOR:

- **Insurances** You are required to provide Public Liability Employee liability and professional indemnity.  
*Do not be put off sometimes they are not as expensive as you think if the levels are excessive ask if they can be reduced*
- **Statutory Requirements** The Contractor shall comply with all statutory and other provisions to be observed and performed in connection with the Service.  
*Make sure you know what they are and what it means for you*

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# Responding to the tender

**LOOK OUT FOR:**

**Just about to send it?**

***Don't! Read it again and then send it!***

***Better still get someone else to read it.***

# Getting a medal



# ITT Award/Evaluation Criteria

- Contracts may be awarded on the basis of lowest price or most economically advantageous tender (MEAT)
- Contract notices or contract documents must provide the relative weighting given to each criteria used to judge the most economically advantageous tender.
- Where this is not feasible, award criteria must be stated in descending order of importance
- MEAT award criteria may include environmental characteristics (e.g. energy savings, disposal costs) provided these are linked to the subject matter of the contract

# ITT Award /Evaluation Criteria

- Award criteria is used to assess the actual candidates proposed solution against the contracting authorities requirement, in terms of the specification and contract terms and conditions
- Contracting Authorities cannot include criteria used at the selection stage in the award stage
- After publication of the criteria a new criteria cannot be added on

# ITT Award / Evaluation Criteria

- You need to understand how they are scoring to maximise your chances
- Everything is not always as it seems
- Challenge it if you are not happy
- You should receive the weightings at the start of the process If the odds are stacked against you pull out but inform the contracting authority why you have .They may reconsider it, if not now ,in the future

# Award criteria example



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# Recovering from defeat

- If it was a fair fight ,accept it
- Then see what you can learn from defeat
- Consider all the available information
- Go for a debrief
- Start all over again
- Patience and persistence is a must in the local government market

# Information Requirements

## Post Tender award

You have rights to information  
Contracting authorities are required to

- Notify Tenderers ASAP of decision
- Allow mandatory standstill period (10days) on contracts over the EU thresholds  
Alcatel Ruling
- Debrief on request( within 15 days)
- Contracts Award Notice (48 Days)

# Debriefing

- Alcatel  
10 day standstill and additional debriefing requirement
- Debriefing  
On request from a , the contracting authority shall as quickly as possible and within 15 days of a written request inform the candidate
  - of the reason for rejection e.g. non equivalence
  - the name of the successful tenderer and the advantages of that submission
  - not withstanding EU requirements debriefing is good procurement practice and certainly good marketing information
  - Can be informal or formal but go prepared, know what it is you need to know

# Consideration

Information is key to winning

Are you aware of your rights to information?

Do you request debriefs ,prepare for them and turn them to your competitive advantage ?

# Enjoying the spoils of war VE Day



# Remember

When you win

## **DELIVER**

The contract only starts when it is awarded  
Buyers sometimes let and forget,  
follow through and continue dialogue

# Delivering

- Relationships
- Implementation plan
- Managing the contract
- Financial arrangements
- Risk Allocation
- Performance management arrangements
- Improvements
- Managing your own supply chains
- Exit strategy

# The End

**Thank you and good luck  
You can Win**

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