

Selling to The Department for Education and Employment : Guidance 12

DfEE Procurement Policy Statement

The role of Government procurement is to make taxpayers' money go further. To do this requires the professional identification of what we need and the selection, delivery and management of the best supply strategies to meet those needs. When this is done well we make the most use of what we have and also free up resources for other priorities elsewhere.

In DfEE, procurement is a very well developed function, recognised as an essential part of the organisation and fully supportive of the Department's business objectives. We seek to deliver continuous improvement in the efficiency and effectiveness of what we do, and to harness appropriate tools, such as information technology.

If you have dealings with DfEE you can expect the following:

- We will treat you and your organisation with impartiality, honesty and integrity in a co-operative and not adversarial spirit.
- The highest procurement standards will be clearly visible, consistently.
- Competitive tendering conforming to international obligations will be the norm, where it adds value.
- Within the bounds of commercial confidentiality, we will, on request, debrief winners and losers on the outcome of the tendering process so as to facilitate improved performance on future occasions.
- Our contract terms will prevail, but they are negotiable and reasonable.
- Contract management will be proactive, not punitive - we act as partners, not policemen.
- A positive response to change, underpinned by common sense.
- To be paid promptly for work done in accordance with contracts made.

By the same token the best types of organisations for us to deal with are those who:

- are fair and open in their dealings with customers;
- put in bids which address the absolute essentials and cover all of the issues in an easy-to-follow format;
- fulfil all of the contract conditions that fall to them;
- recognise, and are seen to recognise, that the key to success lies in the two-way relationship between contractor and customer; and

- share ideas to help us, and themselves, to improve.

DfEE Environmental Policy

It is the aim of public procurement to achieve value for money primarily through competition. Value for money can be defined as the optimum combination of whole life costs and quality to meet the customer's requirement. The emphasis on whole life costs means that we must take into account all aspects of cost including running and disposal costs as well as initial purchase price.

Environmental Policy and Procurement

The Department is committed to operating efficiently and with minimal negative environmental impact. Procurement can have a considerable influence by:

- conserving energy, water, wood, paper and other resources, particularly those that are scarce or non-renewable;
- reducing waste through re-use and recycling and by using refurbished and recycled products and materials;
- encouraging suppliers through specifications to develop environmentally preferable goods and services at competitive prices;
- phasing out or minimising substances such as greenhouse gases and vehicle emissions which are damaging to health and the environment;
- ensuring that products derived from wildlife such as wood, paper, leather goods are from sustainable sources and comply with EC and International trading rules;
- working with suppliers to improve environmental performance where this is relevant to the contract and is consistent with the achievement of value for money; and
- meeting all relevant current and foreseen statutory regulations and official codes of practice and asking suppliers to do the same.

These are intended to ensure that suppliers are given a reasonable time to respond to adverts. This includes responding to requests for expressions of interest as well as responding to invitations to tender. There are different types of tendering procedures that can be adopted, although the DfEE has for the most part chosen to opt for the "Restricted Procedure". This means that all companies who reply within the stipulated time limits will be assessed against the stipulated published pre-qualification criteria and considered for tendering against stipulated published criteria. The best qualified firms will be invited to submit a tender, but the numbers will be restricted to that indicated in the original advert.

The EC rules also require the DfEE to publish an annual Prior Information Notice. This contains information about those known anticipated purchases of particular categories of goods and services expected to exceed the specific threshold over the coming year. The purpose is to give potential suppliers early notice of any planned large requirements.

The OJEC notices are now published in electronic format and access to this is by several sources.

One source of procurement information on DfEE and Government purchasing generally is Government Opportunities. This is published weekly by Business Information Publications Ltd.

Government Opportunities also contains information on Better Quality Services Reviews, Private Finance Initiative and Public Private Partnerships reports and reviews for Agencies and Non-Departmental Public Bodies as well as lists of procurement publications and Government Contacts.

This magazine is the only publication that will contain a paper version of the Department's OJEC notices. As official agents of the European Commission's publishing house - EUROP - BiP also provide the OJEC on CD-ROM format.

Preparing an Effective Tender

The tender proposal is the only means at your disposal to put forward the case for your organisation in a competitive tendering exercise. Unless you get it right first time it can become a lost opportunity leaving you exposed to failure, with a cost but no return. How you prepare and present your tender proposal can be a crucial factor in securing a contract.

The following general guidance may help you to understand what can turn a tender into a winning tender.

- Read the ITT properly - preparation is the key, so understand fully what is being asked of you.
- Respond in the required format - follow the layout requested, keep to the order for documents if one is given, send it to the person named and get the address right.
- Full answers good, part answers bad - it's your only chance so give solutions rather than create more questions which may never get asked. Answer the question but be concise; if people have to work too hard to find the answer it creates a poor impression.
- Be upfront - our ITT will be as honest about the requirement

Green Claims Code

This Government code covers any green claim made about a product or service at the point of sale. In summary it asks that a green claim should be:

- clear, accurate and capable of being supported by scientific evidence;
- relevant to the product or service and used only in an appropriate context;
- clear about what aspect of the product or service the claim refers to;
- significant in terms of its overall impact on the environment during its lifecycle;
- open about any significant doubt or division of scientific opinion over the issue in question;
- explicit about any symbol used in the claim; and
- written in plain language.

DfEE Prompt Payment Policy

The DfEE clearly recognises the importance of cash flow to all businesses, especially small ones. In the light of this, all of its Standard Terms and Conditions of contracts for goods and services contain provision so that:

- if a correctly submitted invoice is produced to the DfEE in respect of work under a contract that has been correctly performed, the DfEE shall pay the price normally within 30 days of receipt; and
- an identical provision exists so that any sub-contractors are similarly treated by the main contractor.

The DfEE has introduced strict monitoring of these targets, but in addition, all DfEE Standard Terms and Conditions of contract also contain a provision where a contractor believes payment is overdue. This allows the contractor to speak to the named contact in the first instance. If in the event the problem is not resolved to his satisfaction he can write to the Director of Procurement in DfEE. He in turn will ensure that the complaint is dealt with by an official who is independent of the main contract. He will also ensure that the contractor is not treated adversely in future for having made a complaint.

Suppliers can help by ensuring that all necessary details are included on invoices, that they are correctly addressed and that any changes of name or address on their part are notified promptly to the Department.

Public Procurement

In common with all Government Departments and many other public sector bodies, the DfEE is subject to a series of EC regulations (that are part of UK law) that govern how it may purchase goods, services and works over a specified value.

Where the estimated value is expected to exceed the relevant EC threshold, requirements have to be advertised in the daily supplement to the Official Journal of the European Communities (OJEC). The threshold varies from time to time and has traditionally been amended every two years on 1 January. The thresholds only apply to certain services that need to be advertised and the current level is approximately £104,435 for those as well as all goods. The level for works is approximately £4,016,744.

The Regulations stipulate timescales that must be adhered to as possible. In return we look for honest bids with no hidden costs. Organisations that "make the money" through contract variations have a short shelf life in DfEE.

- If the answer to the invite is "NO" - please tell us. We can then learn from that for future requirements.
- Time is of the essence - planning ahead to ensure you meet the deadline is essential. In DfEE timing can be critical and if you can't meet the bid delivery deadline, what else can't you meet?
- Debrief or not debrief - if you don't quite make it this time ask "why". We can all learn from failure but in a positive way. Start your preparation for next time now.
- Bulky bids equal freebie advertising - don't use the bid as a vehicle to issue glossy but meaningless brochures about your organisation. It's a waste of your money and our time.

Like all Government Departments our procurement exercises have no hidden agenda. All that we want is to identify suppliers who can work with us to help us achieve our business objectives. Starting off on the right foot is a positive signal which won't be missed.

Tender Evaluation

Your bid will be successful if it is the one that offers the Department the best value for money. You will under normal circumstances be informed of the broad evaluation criteria used for assessing bids. Rest assured that all bidders are assessed against the same criteria.

We would aim to award a contract as soon as possible after the assessment process has been completed. This might involve you attending an interview where you will be given the opportunity to present your bid in more detail and will be questioned by a panel of officials on certain aspects of it.

Debriefing

Within the limits of some commercial confidentiality, DfEE will always offer unsuccessful tenderers the reasons why their bid failed. Such debriefing can be by letter, by phone or face to face.

This should be viewed as a two-way process. The comments from the Department should be viewed as constructive. They are aimed at making unsuccessful tenderers aware of certain weaknesses (and strengths) and enabling them to compete better for future work.

Contract Conditions

These sets of conditions of contract are the most commonly used:

- Services.
- Purchases.
- Consultancy.

Please note: IT contracts are based on CCTA model conditions of contract.

Who to Contact

Head of Procurement and Contracting

Contact: Paul Neill - (01928) 794601 - paul.neill@dfee.gov.uk

Paul Neill is Head of Procurement and Contracting for the Department for Education and Employment. He was previously Head of Procurement at HM Customs and Excise and has had senior Procurement roles in Local Government, British Telecom and the NHS. A Fellow of CIPS, Paul is a member of the Government Procurement Policy Committee and chairs the cross-governmental procurement action group on communication and marketing.

Procurement Policy Team

Contact: Lorraine Purcell - (0114) 2593151

Procurement in DfEE is handled by specialist teams who between them cover most of the goods and services purchased. Details of these areas of responsibility are detailed below along with a contact name. The procurement policy team based in Sheffield coordinates major procurement activity, and provides advice and guidance on all aspects of departmental procurement. If you cannot find the product or service you are interested in amongst the business teams please contact the policy team for advice.

Alternatively you can E-mail us at: procurement.contracting@dfee.gov.uk

Business Services Team

Contact: David Dunn - (01325) 392226

Have responsibility for the provision of procurement support on major policy initiatives, and for the procurement of non-IT related business and management consultancy services, office supplies, computer consumables, post and distribution services, uniforms and clothing, non-bulk copier paper, and printed requirements.

E-mail us at: procurement.contracting@dfee.gov.uk

Estates & Office Machinery Team

Contact: Paul Foulds - (01928) 794559

Have responsibility for the provision of estates-related goods and services including the purchase of furniture, office machinery (excluding IT equipment), building, safety and estates maintenance work and the disposal of surplus furniture and equipment.

E-mail us at: procurement.contracting@dfee.gov.uk

Information Technology Team

Contact: Derek Godfrey - (0114) 2593747

Have responsibility for Information Technology (IT) products, systems and services - including all aspects of hardware, software, systems and systems development, system support, hardware maintenance, contractors and consultancy, and for Voice and Video Telephony products, systems and services - telephone and video hardware, phone systems, airtime and network supply, control systems, systems and hardware support, contractors and consultancy.

E-mail us at: procurement.contracting@dfee.gov.uk

Publicity & Communications Team

Contact: Liz Rowlands - (0114) 2594160

Have responsibility for television, press, magazine, periodical advertising and research, exhibitions, conferences, displays and publicity events, writing, editing, translation, design, printing, distribution and storage of leaflets and brochures, audio visual materials, Internet pages, stationery, binders, video production and photography, slides and OHTs.

E-mail us at: procurement.contracting@dfee.gov.uk

Research Team

Contact: Dave Harp - (0114) 2594118

Local authorities buy a wide range of goods and services. They make their own decisions on the way they invite tenders and award contracts, subject to the law and financial propriety, in accordance with their own standing orders which are made under Section 135 of the Local Government Act 1972.

The purchasing organisation within authorities varies from one to another but there are four basic approaches you may encounter:

- authorities which allow each potential unit to buy for itself;
- authorities where the unit which buys the most acts for the others;
- authorities where a central purchasing facility provides for all units; and
- authorities where goods and services are bought through a consortium.

The largest consortia are concerned solely with purchasing and distribution for their member authorities. There are others which buy particular product ranges.

The way in

There are various types of local authority body. Look up your council in the telephone directory or Yellow Pages and contact them for details of their methods and requirements.

The Municipal Yearbook (and Public Services Directory) has a section which lists the major consortia and gives contact points in councils throughout the country. Copies are available from:

Book Sales Department, Newman Books
32 Vauxhall Bridge Road
London SW1V 2SS
Tel: (0208) 973 6400

General queries on local authority tendering issues can be addressed to the Local Government Competition and Quality Division of the Department of the Environment, Transport and the Regions. They can be contacted at:

Local Government Competition and Quality Division, Department of the
Environment, Transport and the Regions, 5th Floor
Eland House, Bressenden Place
London SW1E 5DU
Tel: (0208) 890 4071

Produced by kind permission of the
Department for Education and Employment

Have responsibility for the Department's research budget and are responsible for the planning, approval and commissioning of all projects funded from it and the printing and publishing of research reports and briefs. They hold and maintain a database of research contractors, which holds information on services and specialisms offered together with staff details, etc. They are also responsible for the database of external research which draws together details of research funded by organisations outside the Department and which also has links to other similar databases.

E-mail us at: procurement.contracting@dfee.gov.uk

Training & Development Team

Contact: Ray Ball - (0114) 2597030

Have responsibility for external training, development and educational services, including open courses, seminars, training consultancy and for departmental corporate membership of professional bodies.

E-mail us at: procurement.contracting@dfee.gov.uk

Employment Service (ES)

The Employment Service (ES) aims to make a major contribution to an efficient and flexible labour market and to the Government's objectives of high and stable employment and growth, equality of opportunity and social inclusion. Its chief priority is to help individuals facing particular difficulty in the labour market to move from welfare and economic inactivity into sustainable employment. It does this through correct application of the JSA regime, delivery of the New Deals and the pilot ONE service, and provision of appropriate information, advice, training and support. The main purchasing areas include all estates-related goods and services including security, catering, stationery, print procurement, building maintenance, computer consumables and office furniture.

The Estates and National Contracts Unit is responsible for both the tendering and letting of national contracts and subsequent contract management and the procurement of goods for the Head Office estate. This includes IT which is provided to ES under a partnership contract.

The way in

Goods and services will normally be acquired from suitable suppliers after competitive procedures. National Contracts are arranged by the Head Office teams and ordered regionally as the budgets are held within individual regions.

However, Regional Teams are responsible for letting and managing a number of other contracts solely for their region.

Head of Estates & National Contracts Manager, Estates
& National Contracts Division, Head Office Purchasing Unit, 1st Floor, Porterbrook
House
7 Pear Street,
Sheffield S11 8JF

All information in this guidance is checked and believed to be correct, but cannot be so guaranteed and the publishers shall not be liable for any loss suffered directly or indirectly as a result of its use.