

SELLING TO THE FIRE SERVICE COLLEGE

The Fire Service College (FSC) buys services, goods and works by competition whenever possible, in line with UK government policy and the relevant legal requirements. The College's aim is to achieve value for money. This means considering the optimum combination of quality and whole-life cost to meet the needs of the user.

As the Fire Service College is an agency of the Department for Communities and Local Government, this information has been produced using their guidelines.

QUOTATIONS AND TENDERS

For small-scale projects, where the estimated contract value exceeds a set amount, the FSC invites formal tenders. If a contract will exceed limits set by the EU, it must follow the EU Procurement Directives.

Whenever the FSC invites a company to tender, it will:

- invite tenders from enough suppliers to ensure that there is genuine competition
- make sure tendering procedures and documentation are as clear and concise as possible, and only ask for information necessary to evaluate bids
- establish the evaluation criteria on which the decision to award the contract will be based
- provide all tenders with equivalent information and opportunity

SUBMITTING QUOTATIONS AND TENDERS

The FSC uses its own terms and conditions (these are available at www.fireservicecollege.ac.uk), so please do not refer to any standard terms and conditions that your company uses when you submit a simple quotation or respond to a formal invitation to tender.

When you are invited to submit a formal tender you will receive a set of FSC terms and conditions, a specification, a tender form, a price schedule and a tender return label. You will be asked to sign, date and



return the tender and price schedule. If you do not do this, your tender may be invalidated, even if you send a covering letter.

Do not write on or change, in any way, the documents you return, except when asked to do so.

You may also send a covering letter and include supplementary material of your own with the specification, but do not qualify any of the terms and conditions. You should also supply any additional information that is requested.

When you submit a tender make sure all instructions are followed carefully, or it may be rejected. For example, tenders received after the stated deadline will be rejected, even if the delay occurred in transit.

EVALUATION OF TENDERS

All competing tenders are assessed against the same criteria, which will have been established before the tenders are opened.

Your bid will be successful if it is the one that offers the Department the best value for money.

Bids are evaluated by assessing how suppliers fulfil the key criteria in the specification, and other criteria such as price, delivery date and quality.

DEBRIEFING

If you would like to know why an offer of yours was rejected, you will be given appropriate contact details, and a full explanation will be given.

PUBLIC PROCUREMENT REGULATIONS

All government departments and many other public sector organisations must follow the World Trade Organization Government Procurement Agreement and a series of EU Procurement Directives. These are implemented in the UK by the Public Procurement Regulations, which regulate how the FSC buys works, goods and services.

OFFICIAL JOURNAL OF THE EUROPEAN UNION

If the value of a contract is estimated to be over the current relevant EU Procurement Directives threshold, and it is not exempt from the Regulations, the FSC is required to publish a contract notice in the supplement to the Official Journal of the European Union (OJEU). The contract notices allow you to express an interest in any of the proposals advertised.

On 1 January 2006, the thresholds were set at £93,738 for supplies and certain services and £3,611,319 for works. These thresholds are revised every two years. Up-to-date threshold figures can be located on the Office of Government Commerce (OGC) website at www.ogc.gov.uk

You will not be invited to tender if you do not send all the information requested within the time limit specified by an OJEU contract notice, even if you had previously expressed an interest.

FREEDOM OF INFORMATION ACT 2000

This Act came into force on 1 January 2005. In general terms, the Act obliges public authorities to divulge recorded information, either proactively following their publication schemes or following a request to do so.

The duty to divulge following a request covers all information held within FSC files at the time of the request, irrespective of when it was created. Compliance with FSC statutory obligations will mean, in practice, being as open as possible when faced with a request for information.

As a supplier to the FSC, you will understandably be concerned about the effect of the Act on information you supply to the College. The FSC reassures you that it is aware of your need to protect information which is commercially sensitive to you.

Certain information – including trade secrets or information which if disclosed could prejudice a person's commercial interests – is potentially exempt from disclosure. The FSC will seek to rely on those exemptions where it is appropriate for it to do so. There are also specific exemptions for personal data and information provided in confidence whose disclosure would constitute an actionable breach of confidence.

As a supplier to the FSC, you need to be aware that the FSC must consider each request for information it receives from 1 January 2005 on a case-by-case basis to determine whether to disclose it under the Act. This may involve weighing up the public interest in openness against the public interest in protecting commercial confidences.



Until the FSC receives a request for information it is not possible for it to state categorically that particular information is exempt from disclosure.

Suppliers are recommended to obtain their own legal advice about the effect of the Act, but further information is available from the OGC at www.ogc.gov.uk and the Department for Constitutional Affairs at www.dca.gov.uk

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DISCLAIMER

This Guidance has been produced by BiP Solutions Ltd to provide assistance to those engaged in public procurement. The Guidance has been published in good faith by BiP and BiP shall not incur any liability for any action or omission arising out of any reliance being placed on the Guidance by any organisation or other person. Any organisation or other person in receipt of this Guidance should take their own legal, financial and other relevant professional advice when considering what action (if any) to take in respect of any initiative, proposal, or other involvement with public procurement, or before placing any reliance on anything contained therein.



Expert public procurement consultancy for Buyers and Suppliers at your service



PASS – HELPING YOU MEET KEY OBJECTIVES

The key objective of public procurement professionals is to ensure that the most suitable supplier is selected to provide goods and services on terms which are likely to offer the best value for money. The PASS service helps you meet this requirement and deliver contracts that offer best value-for-money terms with suppliers who will execute them efficiently.

PASS CONSULTANCY

BiP's Procurement Advice and Support Service (PASS) provides organisations with access to experts in public procurement practices and procedures, thus helping you develop and deliver effective and efficient procurement. Our team offers a range of services to meet your specific needs. Whichever area you wish evaluated and improved, we have the experts to help.

The PASS consultancy's mission is to help you deliver the best in government procurement through:

- Practical solutions to improve procurement performance
- Innovative approaches to knowledge transfer within government
- Joined-up government
- Improved performance indicators
- Strategic direction and performance
- Opportunities offered by e-government
- Capacity to deliver change to meet identified needs
- Continuous improvement of services and challenging poor performance
- Sustainable development within decision-making processes and delivery of services
- EU-compliant processes
- Best practice procurement training

PASS TRAINING

Our consultants can provide you with bespoke training packages to suit your needs. Consultancy and training is available for the following: environmental purchasing, partnering, evaluation, e-government, supplier debriefing, UK legal processes and precedents, contract management, EU-compliant tendering and much more.

PASS ONLINE GUIDANCE

The PASS service provides online guidances on all aspects of the public procurement process and legal requirements: www.bipsolutions.com/html/briefing.php

PASS – EFFECTIVE DISPUTE MANAGEMENT

Contractual and procurement-related disputes are time-consuming, expensive and unpleasant. They can destroy client/contractor relationships, can add substantially to the cost of the contract, and can nullify some or all of its benefits or advantages. They can also have an impact on value for money. It is therefore in everyone's interest to work at avoiding disputes in the first place. Inevitably, however, disputes do occur and when they do the importance of a fast, efficient and cost-effective Alternative Dispute Resolution (ADR) procedure cannot be overstated. If a dispute arises, it is important to manage it actively and positively and at the right level in order to encourage early and effective settlement. Unnecessary delays and inefficiency can lead to rapid deterioration in relations and entrenchment of opinions. ADR through PADRE mediation involves the use of a trusted expert third party and is an effective alternative to litigation. PADRE mediation is provided by experts in contracting and public procurement. If you would like more details on how PADRE can help your organisation and become your mediation service of choice, telephone the PASS team on 0845 270 7055 or email pass@bipsolutions.com.

PASS HEALTH CHECK

The PASS service can help your organisation examine its current procurement organisational structures, strategies, processes, practices and related strengths and weaknesses. It delivers a detailed PASS Mark Health Check Outcome Highlight Report (OHR) that outlines areas of strength as well as those requiring further attention, and provides an outline Project Initiation Document (PID) designed to deliver a more effective and efficient tendering process that will help you achieve optimum performance and better value-for-money procurement.

PASS IN-HOUSE PRESENTATIONS

PASS consultancy can provide you with in-house presentations directed to buyer or supplier. Each presentation will be bespoke to your requirements, whether they be with regards to improving your tendering practices or your procurement strategy or processes. Contact: pass@bipsolutions.com



The PASS Mark Health Check is a process-based evaluation technique that helps identify how your company can develop more effective processes when tendering for public sector contracts.

For further information on the PASS service, contact our PASS Team on 0845 270 7055, email pass@bipsolutions.com or visit www.bipsolutions.com/pass/