

SELLING TO THE DEPARTMENT FOR CHILDREN, SCHOOLS AND FAMILIES



CURRENT CONTRACTS ADVERTISED BY THE DEPARTMENT

Since January 2006, the Department for Children, Schools and Families (DCSF) has been required to publicise requirements advertised via the Official Journal of the European Union (OJEU). The Department may also publish adverts for requirements not advertised in the OJEU on its website at www.dcsf.gov.uk/procurement/index.shtml

However, due to the nature of the Department's requirements, contracting opportunities are also advertised in specialist publications, trade, national and local press. Therefore this information should not be relied on solely to identify all potential contracts that may be of interest.

THE DEPARTMENT'S PROCUREMENT POLICY

Government procurement aims to make taxpayers' money go further. To do this, DCSF has to identify what it needs and then select, deliver and manage the best supply strategies to meet those needs. When government procurement is done well, DCSF makes the most use of what it has and frees up resources for priorities elsewhere.

In the Department, procurement is well developed. It is recognised as an essential part of the organisation and fully supports the Department's business objectives.

DCSF aims to deliver continuous improvement in the efficiency and effectiveness of what it does, harnessing appropriate tools such as information technology.

Suppliers dealing with the Department can expect the following:

- The Department will treat you and your organisation with impartiality, honesty and integrity in a spirit of cooperation, not adversity;

- Procurement standards will be of the highest calibre, clearly visible and consistent;
- Competitive tendering, conforming to international obligations, will be the norm wherever this method adds value;
- To facilitate improved performance, and within the bounds of commercial confidentiality, the Department will (on request) debrief winners and losers on the outcome of the tendering process;
- The Department will adhere to its contract terms, but these are negotiable and reasonable;
- Contract management will be proactive, not punitive – the Department will act as partner, not police;
- 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 DCSF to work with are those which:

- Are fair and open in their dealings with customers;
- Put in bids which address the absolute essentials and cover all the issues in an easy-to-follow format;
- Fulfil all 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;
- Share ideas to help the Department and themselves improve.

It is government policy to encourage the use of small to medium-sized enterprises (SMEs) to help improve commercial performance.

The Department is also keen to expand the supply side of the education market. It believes that small businesses can play an important role in achieving this goal.

Therefore, the Department's aim is to enhance opportunities for SMEs wherever possible and when it is consistent with value for money and the requirement to treat all companies fairly.

The Department is fair and honest in the way it selects suppliers – it endeavours to make prompt payments and has simplified its contracting procedures and documentation to make dealing with the Department as straightforward as possible.

PROMPT PAYMENT POLICY

The Department clearly recognises the importance of cash flow to all businesses, especially small ones. In light of this, all standard terms and conditions of contracts for goods and services contain provision so that, if a correctly submitted invoice is produced in respect of work under a contract that has been correctly performed, the price will normally be paid within 30 days of receipt. An identical provision exists so that any subcontractors are similarly treated by the main contractor.

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

SUSTAINABLE PROCUREMENT

The Department is committed to integrating sustainability factors into its procurement activities. It will use its purchasing power to maximise environmental, social and economic benefits and to minimise waste, securing value for money in the long term.

Through its roles as employer, partner, estates manager and purchaser, DCSF contributes in many ways towards a range of sustainability issues. These include energy efficiency, waste reduction through reuse and recycling schemes, and minimising vehicle emissions and greenhouse gases. Equally, the Department's main business contributes to wider economic and social objectives by encouraging children to develop skills and knowledge that will equip them for life and work.

Purchasers should continue to seek value for money, providing evidence that sustainability has been addressed in their decision making. Procurement activity can have a considerable influence. Department purchasers take a proactive approach and can encourage colleagues to consider procuring sustainable products where appropriate.

ENVIRONMENTAL 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 reuse and recycling and by using refurbished and recycled products and materials;
- Ensuring that products derived from natural resources, such as wood, paper and leather goods, are from sustainable sources and comply with EC and international trading rules;
- Encouraging suppliers, through specifications, to develop environmentally preferable goods and services at competitive prices;
- Phasing out or minimising the presence of substances, such as greenhouse gases and vehicle emissions, that are damaging to health and the environment;
- Working with suppliers to improve environmental performance where this is relevant to the contract and consistent with the achievement of value for money;
- Meeting all relevant current and foreseen statutory regulations and official codes of practice and asking suppliers to do the same.

GREEN CLAIMS CODE

This code sets out the standard of information that the public can expect to be given about the environmental impacts of consumer products. The Government first launched the code in 1998 and updated it in 2000 to take account of the international standard (ISO 14021) on environmental claims.

The code states 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;
- Written in plain language.

More information on the code is available on the Defra website at www.defra.gov.uk

PUBLIC PROCUREMENT

In common with all government departments and many other public sector bodies, the Department is subject to the EU Treaty, EU Procurement Directives (EU rules) and 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 EU threshold, requirements have to be advertised in the daily supplement to the OJEU. 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, as of 1 January 2006, the current level is £93,898 for those services and all goods. The level for works is £3,611,474.

The regulations also stipulate timescales that must be adhered to. These are intended to ensure that suppliers are given reasonable time to respond to adverts. This includes responding to requests for Expressions of Interest as well as responding to Invitations to Tender (ITT).

There are different types of tendering procedures that can be adopted, although the Department has, for the most part, opted for the Restricted Procedure. This means that all companies who reply to an OJEU advert 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 – the numbers will, however, be restricted to that indicated in the original advert.

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

Procurement information on departmental and government purchasing can be found on the *Government Opportunities* website at www.govopps.co.uk It contains information on better quality services reviews, Private Finance Initiative and Public Private Partnership reports and reviews for agencies and non-departmental public bodies, in addition to lists of procurement publications and government contacts.

BIDDING FOR BUSINESS

Policy teams, with knowledge of the subject area, procure contracts for the majority of educational services and programme expenditure. Suppliers interested in specific areas of education should contact the relevant policy team directly. To determine contacts, please get in touch with the Public Communications Unit (see 'Useful contacts' below).

New requirements are usually advertised in the OJEU or national or trade press as appropriate. Major running cost purchases (such as IT, consultancy and estates) are procured by central teams on behalf of the Department.

For general procurement enquiries, telephone the Procurement Helpline on **0114 259 4707**.

PREPARING AN EFFECTIVE TENDER

The tender proposal is the sole way of putting forward the case of an organisation in a competitive tendering exercise. How suppliers prepare and present a tender proposal can be a crucial factor in securing a contract.

The following general guidance is designed to help suppliers understand what can turn a tender into a winning tender:

- Read the ITT properly – preparation is the key, so make sure you understand fully what is being asked;
- 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;
- Give full answers – give solutions and answer the whole question, but be concise. If people have to work too hard to find the answer it can create the wrong impression;
- Be upfront – an ITT issued by DCSF will be as honest about the requirement as possible. In return, the Department looks for honest bids with no hidden costs;
- Organisations that make money through contract variations have a short shelf-life in the Department;
- If suppliers decide not to answer an ITT they should inform the Department, which can then learn from that for future requirements;
- Time is of the essence – plan ahead to ensure deadlines are met. Timing can be critical in the Department, and, if suppliers cannot meet the bid delivery deadline, the Department may worry about what other deadlines may be missed;
- Debrief or not debrief;
- Bulky bids mean freebie advertising – do not use the bid as a vehicle to issue glossy brochures about your organisation;
- Like all government departments, DCSF's procurement exercises have no hidden agenda. All the Department wants is to identify suppliers who can work with it to help it achieve its business objectives.

TENDER EVALUATION

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

DCSF aims to award a contract as soon as possible after the assessment process has been completed. The assessment process might involve attending an interview, where suppliers will be given the opportunity to present their bid in more detail and be questioned by a panel of officials on certain aspects of it.



DEBRIEFING

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

Debriefing should be viewed as a two-way process. The Department's comments are designed to be constructive and aim to draw suppliers' attention to certain weaknesses (and strengths), so that they can compete better for future work.

DEPARTMENT CONTRACT TERMS AND CONDITIONS

Due to the complexity of the majority of the Department's requirements, contract terms and conditions are compiled on a case-by-case basis. However, most are based on its standard terms and conditions.

Examples of specifications and pricing schedules are not included as they are project specific.

To find out which terms and conditions apply when bidding for a particular contract, please contact the person named in the contract notice and tender documentation.

USEFUL CONTACTS

General procurement enquiries

If you have a general procurement enquiry or cannot find the area you are interested in, please contact the Procurement Helpline on **0114 259 4707**.

Other enquiries

If you would like to contact a policy team directly to enquire about potential contract opportunities or have a general enquiry not covered by any of the above, please contact the Public Communications Unit on **0870 000 2288** or by fax on **01928 794248**.

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/