

SELLING TO THE DEPARTMENT FOR CULTURE, MEDIA AND SPORT



The Department for Culture, Media and Sport (DCMS) is a very small, policy-orientated Department and, because of its size, it does not, as a rule, keep supplier lists or rosters for services, except for design and web-based services. If a requirement arises, the Department would avail itself of the relevant Office of Government Commerce (OGC)/OGCbuying.solutions Framework Agreements.

If DCMS has a requirement which is below the EU threshold and is not covered by other frameworks, then it will be advertised on the Department's own website at www.culture.gov.uk, in *Contrax Weekly* or by tender using e-procurement solutions provided by BiP Solutions Ltd (Delta).

DCMS has already outsourced the majority of its central support services, including its information technology requirements. Purchases of goods and other services are limited to the relatively small needs of the core department. Contracts and purchasing are organised centrally within the Department.

Anyone wishing to supply to the Department should write in the first instance to:

**Procurement Team
Department for Culture, Media and Sport
Human & Business Resources Division
2-4 Cockspur Street
London SW1Y 5DH**

EXECUTIVE AGENCY/ NON-DEPARTMENTAL PUBLIC BODIES

These bodies have their own budgets and do their own procurement. The role of DCMS is to monitor and advise as required, and to identify areas where joint contracting may produce better value for money.

MAIN AREAS OF CONTRACTING

The DCMS's direct spend – approximately £38 million a year – is broadly broken down as follows:

Cost Type	£million
Salary related	18
Accommodation	7
IT	5.5
Support services	1.5
Legal	1.8
Training and travel	1.8
Publicity, conferences, etc	0.6
Other	1.9

CLIENT CONTRACTOR RELATIONSHIP

In all dealings with DCMS, officials will seek to preserve the highest standards of integrity, objectivity, fairness, efficiency and professionalism. In turn, the Department expects contractors to adhere to these same standards. Ethics in procurement require high standards of conduct which ensure that the probity of officials and the propriety of their actions is above question.

This means that:

- All dealings with officials should be fair and even-handed;
- All of DCMS's contracts contain provisions relating to corrupt gifts.

To become a potential supplier/consultant, visit the DCMS Procurement Portal at <http://dcms.g2b.info>

CONTRACT STRATEGY

DCMS is a very small department with a limited budget. Wherever possible and cost-effective, DCMS makes use of central framework arrangements set up by other government departments. Where the requirement cannot be met effectively by a centralised agreement and the value exceeds £5000, the procurement team will agree a direct contract.

Contracts under £5000 are let locally by that part of the Department which has identified the goods/services required. If the likely cost exceeds £5000, the process goes to a full, formal closed tender exercise. If the estimated cost seems likely to be close to or exceed the EU/World Trade Organization thresholds, DCMS applies the relevant Public Procurement Regulations.

While individual tendering procedures will be tailored to the specific needs of the contract, there are some general principles that the Department seeks to apply:

- Specifications will focus on the required output and not input;
- All tenderers will have the same chance and be invited on a level playing field;
- Tenders will be clear and easy to understand;
- Over-specification will be avoided;
- Enough tenderers will be invited to ensure a reasonable competition while avoiding inviting companies just to make up numbers.

ENVIRONMENTAL GUIDANCE FOR PROCUREMENT

Sustainable procurement

DCMS is committed to adopting good environmental practice. While best value for money is always ensured, procurement can play a vital role in assisting green policy objectives.

Some of the ways in which the Department incorporates environmental factors into purchasing decisions are:

- Wherever possible, when specifying goods, ensuring that less environmentally damaging products are referred to – for example, when ordering furniture any woods used should be from sustainably grown sources;
- Calculating the whole-life cost of specifying an environmentally friendly product.

Under EU Procurement Directives, tenderers will not be excluded from bidding on non-economic grounds. Bidders can be excluded if they fail to meet specific green procurement requirements, but not because of other general environmental considerations.

EVALUATION OF TENDERS

Suppliers tendering for a contract with DCMS will be successful if their bid is the one that offers the Department the best value for money. Suppliers will be informed of the broad evaluation criteria used for assessing bids as part of the tender documentation. All bidders are assessed against the same criteria.

DCMS awards a contract as soon as possible after the assessment process has been completed. This might involve suppliers attending an interview, where bids can be presented in more detail.

UNSUCCESSFUL TENDERS

Within the limits of some commercial confidentiality, the Department will always offer unsuccessful tenderers the reasons why their bid failed. Such debriefing can be 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.

PROCUREMENT POLICY

DCMS is fully committed to government policy on procurement as set out in various documents from HM Treasury and the OGC.

This has two basic objectives:

- To achieve continuing improvement in value for money based on whole-life cost and quality;
- To enhance the competitiveness of suppliers through the development of procurement systems and practices.

The Department is also committed to developing the use of e-procurement as a way of improving efficiency. As an initial step, it has introduced the Government Procurement Card into a limited area for lower-value purchases. The Department is extending this to cover travel services.

PROMPT PAYMENT

DCMS clearly recognises the importance of cash flow to all businesses, especially small ones.



All standard Terms and Conditions of contracts for goods and services contain provision for DCMS to pay a correctly submitted invoice within 30 days of receipt for contracted work that has been correctly performed. An identical provision exists so that any subcontractors are similarly treated by the main contractor.

The Department has introduced strict monitoring of these targets.

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

EU PUBLIC PROCUREMENT REGULATIONS

As with other government departments and many other public bodies, DCMS is obliged to follow the relevant EU Public Procurement Regulations.

These are:

- The Public Works Contracts Regulations 1991 (SI 1991 No 2680)
- The Public Services Contracts Regulations 1993 (SI 1993 No 3228)
- The Public Supply Contracts Regulations 1995 (SI 1995 No 201)
- The Public Contracts (Works, Services and Supply) (Amendment) Regulations 2000 (SI 2000 No 2009)

These Regulations set a threshold for contracts above which certain procedures must be applied to the tendering and award of contract.

For DCMS, these thresholds are presently set at:

- Supplies: £99,695
- Services: £99,695
- Works: £3,834,411

The Regulations set out rules relating to advertising the requirement by way of a Notice in the Official Journal of the European Union (OJEU), including:

- the manner in which tenders may be sought
- minimum timescales for tendering
- the criteria which may and may not be applied to the selection of tenderers
- the contractor and technical specifications that may be applied.



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/