



**shared  
procurement  
service**

Crawley, Horsham, Mid Sussex, Mole Valley Councils

# Shared Procurement Service

## How we procure



## A Guide for Suppliers

January 2022

## Introduction

The Shared Procurement Service manages the procurement requirements of four local authorities based in the South East of England:



Procurement is the process that all councils use to acquire goods, works and services. As a local authority, we are subject to regulations at national and local levels which we need to adhere to as we are spending public money.

We work with a variety of organisations including small to medium-sized enterprises (SME), large organisations, micro businesses, other public bodies, charities and third sector organisations.

There are many benefits of working with local councils as we strive to be fair, non-discriminatory, professional and prompt to pay. In addition, we are long established and in the case of the Shared Procurement Service we have a track record of procuring a broad range of services and supplies from operators to manage our leisure centres, construction contractors to deliver a range of high value projects to a range of FM, repairs and maintenance, and professional services contracts.

This guide has been produced by the Shared Procurement Service to assist suppliers' when tendering for our contracts. This guide covers:

- The types of services and goods that we buy;
- The rules and regulations that we must legally follow;
- Our procurement thresholds and routes to market
- Where to find our tendering opportunities; and
- The Tendering Process; what to expect, and minimum requirements

## Which public services are we responsible for?

The Shared Procurement Service is made up of four district and borough authorities and has responsibility for the following areas of expenditure:

- Leisure and Culture
- Housing
- Car Parks
- Regeneration
- Economic Development
- Planning and Building regulations
- Communications
- HR Services
- Corporate and Community Facilities management
- Waste Collection and Recycling

- Environmental Health Protection
- Pest Control
- Public toilets
- Electoral services
- Cemeteries
- Information Technology
- Corporate Landlord
- Accommodation for Homelessness

Generally, we are not responsible for the following as they are covered by County Councils and Unitary authorities:

- Highways Maintenance
- Waste Disposal
- Education
- Libraries
- Adult Social Care and Health
- Public Transport

## The Rules and Regulations we follow

### Public Contract Regulations 2015

All councils are required to follow detailed procedures and legal timescales for all procurements above certain financial thresholds and these can be found in the [Public Contract Regulations 2015](#). The current thresholds can be found at: <https://www.gov.uk/government/publications/procurement-policy-note-0921-thresholds-and-inclusion-of-vat>

### Internal Procurement Rules – Procurement Code

These are council internal rules and procedures for procurement and reflect the requirements of the Public Contract Regulations 2015 and form part of councils' constitutions. They can be found on the councils' websites. Their purpose is to:

- Provide an auditable framework to councils for their procurement activities;
- Help councils to obtain value for money so that they in turn can provide value for money services to the public;
- Incorporate best practice, and
- Ensure councils comply with law governing the spending of public money

### Transparency Code and Freedom of Information Act (FOI)

The FOI Act came into force on 2005. The act establishes a right of access to all recorded information held by a public authority, subject to some exemptions. The Local Transparency Code 2015 requires that each council, on a quarterly basis, publishes on its website details of contracts awarded with a value of £5000 or more.

This means that the name of a supplier will be published together with a brief description of the contract, the contract start and end dates and the value of the contract. It does not mean that the commercial details of the contract will be published.

Should we receive a Freedom of Information request it is expected that any of our suppliers will co-operate with the Council in their obligations to disclose information under the FOI Act.

When submitting a tender for a contract all suppliers are required to declare any parts of the bid that are confidential and commercially sensitive that should not be disclosed under the Act, as an example this may include the pricing information submitted or any innovative ways of working.

## Social Value Act

Under this Act, councils have the obligation to consider social value in procurement decisions to ensure that services, goods or work contracts not only provide value for money but also added benefits to improve the economic, social and environmental well-being of the area. More information on the Social Value Act can be found here:

<https://www.gov.uk/government/publications/social-value-act-information-and-resources/social-value-act-information-and-resources>

## Data Protection Act (DPA) 2018 and General Data Protection Regulation (GDPR)

The Data Protection Act 2018 and General Data Protection Regulation are pieces of legislation that govern all public and private organisations that process personal data.

As a supplier you need to understand how data protection legislation impacts on your goods and services you provide. You can read more on the Information Commissioner's Office guide here: <https://ico.org.uk/for-organisations/guide-to-data-protection/>

## Our Procurement Thresholds and Routes to Market

Below is an extract from our Council's Procurement Code showing the different procurement routes available.

The contract value is the total value of the contract and calculated over its entire life, this value will include any service or maintenance costs related to the contract, but does not include VAT.

Procurement Process	Goods/Services	Works
<b>Evidence of value for money, competitive quotations</b>	Low value below £20k	Low value below £20k
<b>Three written quotes</b> Include at least one local supplier Can use SE Shared Service Portal if desired	£20k – £50k	£20k – £100k
<b>Local Tender Process</b> To be advertised on SE Shared Services Portal (and Contracts Finder)	£50k – £213,477* threshold	£100k – £5,336,937* threshold
<b>Above Threshold Tender</b> To be advertised on SE Shared Services Portal (and Contract Finder) through an open or restricted tender process	Above £213,477*	Above £5,336,937*

\* **PLEASE NOTE:** Thresholds are **INCLUSIVE OF VAT**. Previous thresholds were **EXCLUSIVE OF VAT**.

## Procurement Routes

The following are some of the common procurement routes used:

a) **Value for money**

An internal exercise is carried out to search for the service or product in the market that provides value for money, this can be cost or quality related. These procurements are normally undertaken directly by the department making the purchase

b) **Request for Quotation (RFQ) (£20-50k)**

A quotation pack is sent to a minimum of three selected suppliers, ideally one of which should be local. Those suppliers put in a quotation for a specific service or product requested, usually with a value between £20k - £50k (although it may also be for a value below £20k).

c) **Local Tender Process (£50k+)**

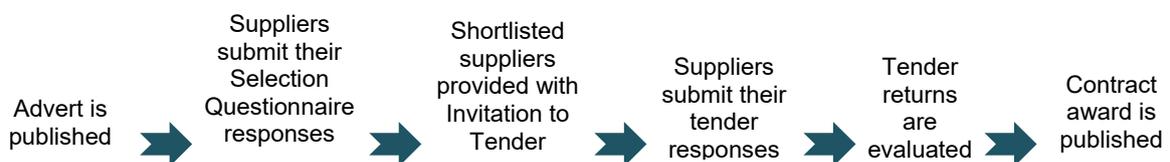
An advert is published on Contracts Finder and any supplier interested can tender for this opportunity. Full tender and contract documents are issued and any supplier who meets the minimum requirements can submit a tender and participate in the process.

d) **Above Threshold Tender – Open or Restricted**

**Open** – An advert is published on Contracts Finder and Find a Tender Service, any supplier interested can tender for this opportunity. Full contract documents are issued and any supplier who meets the minimum requirements can submit a tender and participate in the process.



**Restricted** – This a two-stage process used in above threshold tenders where there is likely to be a large competitive market. An initial assessment takes place in the form of a Selection Questionnaire before suppliers can submit their full bid. In this procedure, any supplier can express interest but only those shortlisted after the Standard Selection Questionnaire (SQ) will be invited to participate in the full tender.



e) **Framework Agreement**

A framework agreement is usually established with more than one supplier for the supply of a range of goods, works or services. Councils can access Framework Agreements tendered by other government organisations and agencies at the local or national level. Public Sector Buying Organisations that often procure Framework Agreements that are accessible to Councils include the Crown Commercial Service (CCS), ESPO, YPO, NEPO, Scape, HCA and Kent Commercial Services, however there are numerous others we can access.

If the councils choose to access a Framework Agreement, the tender will not be open for all suppliers to bid, only those that are on the Framework Agreement. Frameworks

are often used for purchases of IT software and hardware, telephony and mobile phones, stationery, office equipment, furniture, etc.

f) **Dynamic Purchasing System (DPS)**

This is similar to a framework with multiple suppliers, however it is continuously open for suppliers to apply who meet certain criteria set by the council/s. If a specific contract opportunity arises, the council will arrange a mini-competition between those suppliers.

The council/s currently have two DPS opportunities available:

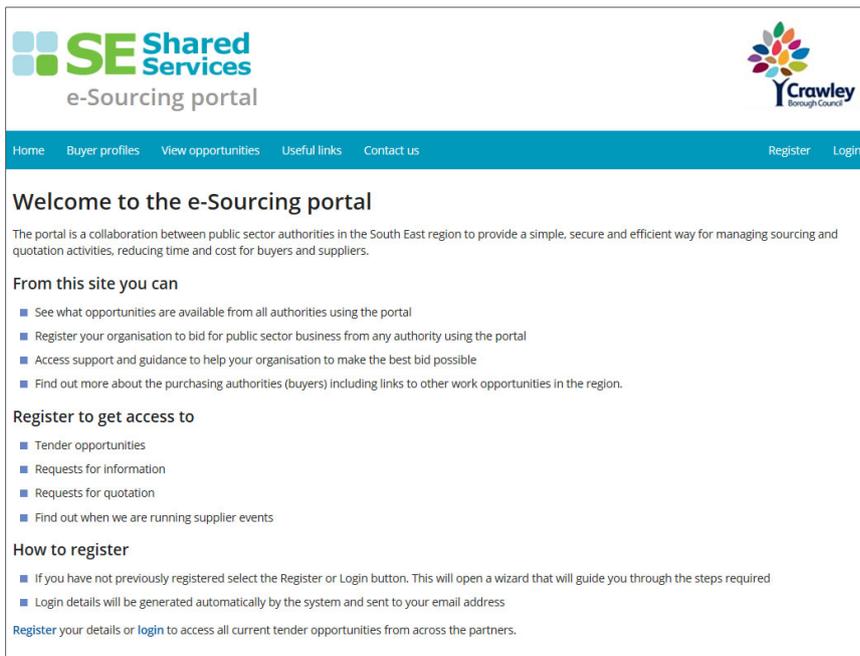
- **Print DPS** – this covers the provision of specialist print and design services. The opportunity can be found by following this link:  
<https://in-tendhost.co.uk/sesharedservices/asp/ProjectManage/27924>
- **Temp Agency Staff DPS** – this covers the provision of a broad range of temporary agency workers. The opportunity can be found by following this link:  
<https://in-tendhost.co.uk/sesharedservices/asp/ProjectManage/32025>

There are other types of routes that can be used in the public sector such as competitive dialogue, competitive procedure with negotiation, etc. To find more about those procurement routes check: <https://www.local.gov.uk/national-procurement-strategy/pcr-toolkit-2015/what-improvements-can-we-make-way-we-buy/procurement>

## Where we advertise our opportunities

### The South East Shared Services e-Sourcing Portal

Crawley, Horsham, Mid Sussex and Mole Valley councils advertise tenders on the South East Shared Services e-Sourcing Portal (SESSP). The web address to access the portal is: <https://www.sesharedservices.org.uk/esourcing>



The screenshot shows the homepage of the SE Shared Services e-Sourcing portal. At the top left is the logo for SE Shared Services e-Sourcing portal, and at the top right is the logo for Crawley Borough Council. Below the logos is a navigation bar with links for Home, Buyer profiles, View opportunities, Useful links, Contact us, Register, and Login. The main content area features a heading 'Welcome to the e-Sourcing portal' followed by a brief description of the portal's purpose. Below this, there are three sections: 'From this site you can' with four bullet points, 'Register to get access to' with four bullet points, and 'How to register' with two bullet points. At the bottom, there is a link to 'Register your details or login to access all current tender opportunities from across the partners.'

Registration is free and will enable you to view and participate in opportunities from a number of councils across the South East region; including East Sussex County Council, Brighton & Hove City Council, West Sussex County Council as well as the majority of District and Borough Councils in the same areas.

By registering on the portal, you will be able to access all our tender opportunities and associated documents. The portal is easy to use, efficient and secure, and saves you time and administration costs.

When you have registered on the portal you can assign business classifications. These are used to categorise opportunities. Select the classifications that best match the type of goods or services you can provide. You will then receive an automatic notification when an opportunity is published relating to your chosen business classifications. These can be updated at any time.

Information on how to register is provided on the portal, including several support pages. If you require technical help with your registration please email [support@in-tend.co.uk](mailto:support@in-tend.co.uk) or telephone 0845 557 8079.

### **Contracts Finder**

You can search for information about contract opportunities in Contracts Finder <https://www.gov.uk/contracts-finder>.

### **Find a Tender**

Contains all the public sector tenders above the procurement threshold. <https://www.gov.uk/find-tender>

## **E-tendering**

Tender exercises managed by the Shared Procurement Service are published and managed using the South East Shared Services Portal as described above. All documentation is available via this portal free of charge to registered suppliers. Tender documents will not be emailed to suppliers. All tender returns and project correspondence are via the portal, all clarifications are circulated simultaneously through the portal to all organisations.

For low value quotations under £50k these may either be carried out using the portal or via email directly with suppliers. If the Council accesses a framework agreement no advertised is required.

## **Contracts Register**

If you would like to find out if a contract is already in place you should visit each individual council's website for the latest publication of our contract registers.

[Crawley website](#); [Horsham website](#), [Mid Sussex website](#) and [Mole Valley website](#)

The Shared Procurement Service: [procurement@horsham.gov.uk](mailto:procurement@horsham.gov.uk) Tel: 01403 215299

# The Tender Process – What to Expect

When the Council issues an Invitation to Tender the document set include a range of documentation for suppliers to review and submit, this can include:

## Information for Bidders

This document contains the information on how the tender exercise will be run including:

- A brief overview of the requirements;
- Information about the procurement process and the procurement timetable including key dates;
- Instructions explaining how to submit bids and requests for clarification and how to complete and submit a valid tender;
- Details of the evaluation process used to identify the most economically advantageous tender.

## Specification

This document contains details of the services and performance requirements that the Contractor will be required to supply and adhere to throughout the contract period.

## Quality Questions

These assess the capability and capacity of your organisation to deliver the contract requirements as well as your organisation's commitment and alignment to our policies and standards. Responses to quality questions will need to be submitted by the bidder as part of the tender process and these will be evaluated.

## Supplier Self-Declaration

This is a form providing basic information about the bidders' organisation. It also asks for confirmation that you meet certain minimum requirement/s and that evidence is available for some or all of these areas: Professional & Business standing, Economic and Financial standing, Insurance, Health & Safety, Safeguarding and Preventing Radicalisation, Modern Slavery, Social Value. It also contains a list of mandatory and discretionary exclusion grounds where an organisation must declare if they meet any of the criteria, these are evaluated as either pass or fail, more information is detailed below.

## Pricing Schedule

This is normally an Excel spreadsheet which the bidder must populate with a detailed breakdown of all the costs associated with delivering the contract, exclusive of Value Added Tax. Depending on the type of contract, this can be a complex spreadsheet. This is used to evaluate the price element of the bid.

## Contract terms and conditions

The formal contract terms and conditions on which the successful organisation will be expected to abide by with the contracting authority. Bidders will be expected to have reviewed and confirm acceptance of the contract terms and conditions as part of the tender process. Negotiation post tender is not permitted.

## The Selection Questionnaire (in restricted tenders)

If the Council undertakes a Restricted Tender it uses the [Crown Commercial Services Standard Selection Questionnaire \(SQ\)](#). The SQ is a three-part document designed to allow tendering authorities to establish a shortlist of skilled experienced companies to invite to submit a tender.

The document contains a list of mandatory and discretionary exclusion grounds where an organisation must declare if they meet any of the criteria, these are evaluated as either pass or fail. Mandatory exclusion criteria include activities on corruption, fraud, terrorism offences, money laundering, child labour and human trafficking. Discretionary criteria can include breaches of environmental obligations, social obligations, labour law obligations, bankruptcy and grave professional misconduct.

If an organisation has met any of the mandatory exclusion grounds it will be rejected and removed from the procurement exercise, if they meet any of the discretionary grounds there is the opportunity to declare what corrective measures have been implemented to prevent further breaches (self-cleansing) and the authority will make an assessment on whether to include the organisation further.

Further information on exclusion grounds may be found here:

<https://www.gov.uk/government/publications/procurement-policy-note-816-standard-selection-questionnaire-sq-template>

## Minimum Criteria

Before a contract is awarded suppliers will be required to submit evidence demonstrating compliance with the council/s' policies and current legislation, for all or some the following areas. The criteria we set is applicable to the particular contract involved and therefore will vary depending on the value or nature of the contract.

### Financial Assessment

We might ask for a full set of audited accounts with Profit and Loss statement, the Balance Sheet and notes for at least the last two available years. The accounts should also include the auditor's report and the directors' report if applicable. The evidence should demonstrate that the successful organisation has the financial capacity to fulfil the contract. This is proportionate to the contract. In most cases we will require, at minimum, a financial turnover of twice the annual value of the contract, though other criteria may apply.

### Insurance

This will include public liability, employers' liability and where appropriate professional indemnity or product liability insurance. The levels of insurance required are proportionate to the contract but generally a supplier should normally have a minimum of £5,000,000 of public liability cover.

### Health and Safety

This will require the supplier to evidence compliance with all relevant Health and Safety Legislation including:

- commitment to the health and safety of its employees, client and others
- up to date health and safety policies and procedures
- adequate risk assessment procedures

- adequate system of monitoring and reporting accidents, incidents and ill health
- access to competent health and safety advice when relevant

### **Safeguarding and Preventing Radicalisation**

Where there is a possibility of the contractors being in contact with vulnerable persons then bidders will be asked to confirm that they have a Safeguarding policy fully implemented across the organisation. A copy of this will be required from the preferred bidder before the contract can be awarded. For specific contracts, there may be a 'prevent duty' under the Counter-Terrorism and Security Act which is transferred to contractors. In these circumstances, a contractor will be required to have a policy in place to demonstrate the ability to report any potential for radicalisation,

### **Equalities and Diversity**

Compliance with the Equality Act 2010. In appropriate cases, tenderers will be asked whether they have been subject of any investigation or finding by a court or tribunal concerning a breach of any requirement of the act. Contractors will also be asked if they have a policy on Equalities and Diversity.

### **Social Value and Sustainability**

Commitment to supporting the local economy, creating employment and economic sustainability, promoting environmental sustainability, promotion of equality, diversity, social inclusion, fair and ethical trading practices and supporting local outreach initiatives.

Suppliers may be asked about action taken by the reduce wastage, limit energy consumption and procure materials from sustainable sources, sustainable disposal, increase the proportion of materials re-used and recycled, reduction of car use and fuel consumption, reduction of water use, protection of natural resources, reduction of air and water pollution, prevention of land contamination, reduction of noise and light pollution, etc.

Depending on the value of the contract, Crawley Borough Council require suppliers to sign up to the Council's Social Value Charter, and Horsham District Council require supplier to sign up to the Council's Sustainable Procurement Charter, or at a minimum, commit in a best endeavours approach to its principles. The Charter sets out how the Council aims to accomplish the above.

### **Modern Slavery**

This will require bidders to demonstrate that they have processes in place to tackle modern day slavery and human trafficking. Suppliers may be asked to demonstrate what policies and practices they have in place; applicable organisations will be required to provide a copy of their published Modern Slavery Statement.

### **Permit to Work (PTW) – Works Contracts Only**

These are generally required for contractors working on council sites where activities could present significant risks to staff, the public, property or systems. The PTW is used to manage day-to-day work on or in the property and to ensure one contractors' activity will not affect another.

## **The Tender Evaluation**

The Council has a robust evaluation process that it uses to ensure a fair and transparent process. Returned tenders are evaluated against a set of criteria, as specified and published in the tender documentation. Evaluation will focus on examining how the tender proposals

will deliver the service (quality) and the cost of the service (price). The balance between quality and price will depend on the particular requirements and will be disclosed in the tender documentation.

An evaluation of quality is typically undertaken using the responses provided to the quality questions. Typical areas that will be assessed, depending on the service, may include:

- Previous experience
- Service delivery
- Resourcing and capacity
- Quality and Performance Management
- Mobilisation and risk management
- Social Value

Price is traditionally assessed using whole life costing of the goods or service being procured, not just the outright purchase cost and this may include ongoing maintenance or disposal costs. Bidders are normally asked for a total cost to supply the goods, services or works across the whole life of the contract. For services where volumes are difficult to determine or are variable the cost may be evaluated on an estimated service level with indicative volumes to provide a total contract cost. The tender with the lowest submitted cost achieves the highest score for price and all other tenders are assessed against it.

The tender evaluated as having the highest combined score for both quality and price will be determined to be the preferred bidder.

The Council needs to undertake all necessary approvals before awarding the contract to a preferred bidder, depending on the value of the contract this can sometimes go to a formal Cabinet meeting to get approval. This process can take quite some time so there is often a delay between returning tenders and being notified of the outcome. The timetable for this is contained within the Information for Bidders document.

## Tips for a good tender submission

1. Read the information provided in the bidder instructions carefully as this will explain how and when you should send your response.
2. Review entire tender documentation, ensuring you understand and meet all the requirements. If you are unsure of something ask a question via the SE Portal. All questions will be responded to via the portal. Your organisation will be notified of the response through a Clarification for all suppliers.
3. Return the tender by the closing date and time specified. Late tenders will not be considered, so plan to have enough time to upload the documents to the system.
4. Make sure you supply ALL the information requested.
5. Answer the question succinctly, honestly and clearly, using plain English. Do not include any part of your submission in other appendices or attachments unless you are specifically instructed to do so.
6. Stick to specifics and use facts, figures and measurable evidence, where you have it, to support your response. If your organisation is setting targets, make them clear. Don't be too general or aspirational.

7. Don't provide information that hasn't been asked for example by attaching any policies or other literature such as photos, graphics, logos, charts, graphs, etc. in your response that we have not asked for explicitly. These may not be considered and may not be the best use of any word or page count requirements for a tender submission.
8. After the tender submission, remember to respond to any requests for further information in full and by the specified date.

## Common reasons for non-acceptance or rejection of tenders

- Tenders not received by the closing date for the receipt of tenders;
- Uncompetitive – failure to submit the most cost effective, best value offer;
- Missing prices – not quoting a price for the specified product (and the alternative submitted is not the equivalent);
- Incomplete or errors – not supplying all of the requested information;

## Further information and guidance

Cabinet Office – Procurement:

<https://www.gov.uk/government/organisations/cabinet-office/about/procurement>

Crown Commercial Services

<https://www.crowncommercial.gov.uk/>

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### Shared Procurement Service

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