



Selling to the Council

A Guide for Suppliers and Potential Providers

(updated January 2016)



Contents

| | |
|--|----|
| About Bristol City Council | 1 |
| About this Guide..... | 1 |
| How is procurement organised?..... | 1 |
| What Rules & Regulations must be followed? | 3 |
| EU Procurement Directives, Light Touch Regime rules apply..... | 3 |
| What are EU Procurement Directives? | 4 |
| Light Touch Regime for Health, Social, Education and certain other service contracts | 5 |
| Procurement Process: Pre-Qualification or Suitability Assessment Questionnaire | 6 |
| How do I find out about opportunities? | 6 |
| How do I apply for contracts? | 6 |
| What information do I need to provide?..... | 6 |
| Pre-qualification (or suitability assessment) questionnaire | 7 |
| Procurement Process: Tender Stage | 10 |
| What if I am invited to tender? | 10 |
| What are the Council's expectations of suppliers?..... | 11 |
| How is the contract awarded? | 12 |
| How else might I be evaluated? | 12 |
| Can I get some feedback? | 15 |
| How are contracts monitored? | 15 |
| The E-Procurement System | 16 |
| Market Development..... | 16 |
| Where can I get further information?..... | 16 |

Selling to the Council

A Guide for Suppliers and Contractors



About Bristol City Council

Bristol is a thriving city in the South West of England with a population of over 437,500. Bristol City Council is a unitary authority with an elected Mayor and is the seventh largest English City outside London. It is a rapidly growing city, with a young and diverse population, a successful economy and a commitment to protecting the environment. Click [here](#) to view The Mayoral Vision for Bristol.

Bristol City Council provides a wide range of services, from schools, libraries and leisure centres to housing and refuse collection. Whether you call it commissioning, procurement, purchasing, contracting, tendering or buying we spend over £360 million a year on obtaining a vast range of supplies, services and works from the external market.

About this Guide

Naturally many organisations will want to sell their services and supplies to the Council, so we have put together this Selling to the Council Guide to assist suppliers and potential providers who wish to do so, by:

- Outlining the rules that the Council must follow
- Explaining where to find details of opportunities to supply the Council
- Explaining how to tender for the Council's business
- Explaining what is expected of you when undertaking work for us

How is procurement organised?

This authority has a Partnerships, Procurement & Commissioning Service (PPCS) responsible for developing the Council's commissioning and procurement strategy, policy, good practice and procedures to drive best value for money. It is also responsible for Corporate Purchasing Arrangements for the majority of supplies¹ which are used commonly across the Council.

PPCS also works closely with individual departments who have specific requirements. These departments are:

- Strategic Commissioning (People Directorate)
- Housing Delivery
- City Development
- Corporate Services

¹ Contracts for the purchase, lease, rental or hire purchase of goods and for any installation of those goods, e.g. office stationery, security equipment, vehicles.

Selling to the Council

A Guide for Suppliers and Contractors



This document is intended to provide guidance about the practicalities of the procurement stages and not deal with commissioning in detail. For more information on commissioning, please refer to the [Enabling Commissioning](#) pages on the Bristol City Council website.

Contracts let by the Council can take a number of forms, including:

Corporate Purchasing Arrangements: A contract where terms and conditions are agreed with the supplier for certain supplies, services or works which affect the whole Council, e.g. office supplies, printing, etc.

One-off Contracts: These contracts meet specific needs/individual requirements.

Approved Lists: Some departments maintain approved lists of organisations that are considered able to carry out the work to the necessary standards and will be invited to tender for specific work or services. The approved lists are used to draw up shortlists of organisations to be invited to tender for specific contracts as and when they arise. Being accepted on an approved list does not guarantee the award of contracts.

Approved Lists are only used below the EU threshold, and in the main, are for building contracts.

When applying for **approved lists** contractors will go through the pre-qualification, suitability assessment shortlist stage as described below. The details of shortlisted providers will be held by the Council, until specific contracts come up, when a selection of contractors will be invited to tender.

Concessions: An arrangement whereby the Council grants the contractor the right to operate a contract, within stipulated parameters and to benefit from the profit made from the operation.

Framework Agreements: used to procure batches of similar works, supplies or services which the Council expects to need over a period of time, but where it has no certainty as to what sort of quantity or details it may require.

Dynamic Purchasing Systems (DPS)

A dynamic purchasing system is similar to a framework agreement with the exception that potential suppliers can apply to join at any time during the lifetime of the DPS. The DPS is set up with a specific set of requirements which can then be broken down in to individual categories.

Selling to the Council

A Guide for Suppliers and Contractors



What Rules & Regulations must be followed?

As a local authority there are regulations which the Council has to follow when procuring supplies, services and works. It is important that if you wish to contract with Bristol City Council you are fully aware of the rules and regulations which govern the way we operate.

The following table summarises the rules that must be followed, depending on the value of the purchase or contract:

| Value | Process | Advertising |
|---|--|---|
| Up to 15,000 | A single written quotation can be requested | |
| £15,000 to EU threshold | These will be processed through the e-procurement system ² ; at least three quotations are required. This is much less onerous than a full tender process | Advertising is discretionary subject to the type of procurement. Adverts may be placed in Contracts Finder, national and/or local press and trade journals |
| Above £164,176 Supplies & Services (this figure is what is known as the 'EU threshold', for goods and services). See Works threshold below. | EU Procurement Directives apply (See the section 'What are EU Procurement Directives?') | Adverts will be placed in Official Journal of the European Union (OJEU), Contracts Finder and any other appropriate media, e.g. relevant trade journals, and the e-procurement system. |
| Services within the scope of the Light Touch Regime Rules³ | | |
| Up to £589,148 threshold | EU Procurement Directives, Light Touch Regime rules apply. | OJEU advertising is not required ⁴ . Adverts will be placed on Contracts Finder and any other appropriate media, e.g. relevant trade journals, and the e-procurement system. |
| Above £589,148 threshold | EU Procurement Directives, Light Touch Regime rules apply | Adverts will be placed in Official Journal of the European Union (OJEU), and any other appropriate media, e.g. relevant trade journals, and the e-procurement system. |

² See further information below - The E-Procurement System

³ See further guidance below - Light Touch Regime below

⁴ Unless there are concrete indications of cross-border interest

Selling to the Council

A Guide for Suppliers and Contractors



What are EU Procurement Directives?

The EU Procurement Directives are the over-arching framework which dictate the way public bodies have to carry out their procurement activities for contracts over the relevant thresholds for local authorities (see table below). We have a legal requirement to comply with these Directives.

The thresholds wef January 2016 are:

| Services | Supplies | Works |
|----------|----------|-------------|
| £164,176 | £164,176 | £4,104,,394 |
| €209,000 | €209,000 | €5,225,000 |

Note: these thresholds are net of VAT.

Under the EU Procurement Directives, Bristol City Council can conduct their procurement using one of five processes:

Open – any organisation can respond to the OJEU advert and submit a tender.

Restricted – this is usually a two stage process. A pre-qualification, suitability assessment (selection process) is applied to those responding to an advert. Following evaluation of this stage (the first stage), only the most suitable applicants are invited to tender (second stage).

Competitive Dialogue – used only for very complex procurements where discussion with potential suppliers is critical to the tendering process. This process is used when one or more solution needs to be developed in order to meet the requirements of the tender.

Negotiated (Competitive Procedure) – used only in exceptional and limited circumstances. Following a selection and tender process the Council can negotiate with suitable tenderers.

Innovation Partnership – this is a new procedure introduced under the EU Procurement Directives that could be used under only very specific circumstances. Following a selection process a negotiated approach is used to invite suppliers to submit ideas to develop innovative supplies, services or works aimed at meeting a need for which there is no suitable existing 'product' on the market.

Minimum mandatory OJEU time limits apply to these procedures. These do vary slightly depending on the method of publication and procurement process used.

Selling to the Council

A Guide for Suppliers and Contractors



Where our procurements exceed the EU thresholds (see above), we must follow some basic requirements:

- Decide which of the processes is the most appropriate;
- Publish a Prior Information or Contract Notice (PIN/CN) in the Official Journal of the European Union (OJEU) to give all EU suppliers an equal opportunity to tender;
- Invite tenders according to the process being used taking account of the minimum timescales imposed;
- Select a suitable contractor using the criteria published in the Prior Information/Contract Notice;
- Publish details of any new contracts awarded on OJEU and Contracts Finder websites and;
- Follow a mandatory ten day standstill process for OJEU contracts (this is also referred to as the 'Alcatel period'). This is a period of time between notifying the successful applicant that we want to award the contract to them and notifying the unsuccessful applicants; and the actual award of contract.

EU Treaty principles of transparency and equal treatment apply to all procurement exercises.

Light Touch Regime for Health, Social, Education and certain other service contracts

The new Light Touch Regime (LTR) is a specific set of rules for certain service contracts that tend to be of lower interest to cross-border competition, meaning service providers in other European Countries. The services these rules apply to are detailed in the Public Contracts Regulations (2015).

Selling to the Council

A Guide for Suppliers and Contractors



Procurement Process: Pre-Qualification or Suitability Assessment Questionnaire

This can form part of a one stage process or as two separate stages of a process.

How do I find out about opportunities?

Potential suppliers should check [Contracts Finder](#), local and national newspapers and trade journals regularly for advertisements of opportunities. If you are registered on the e-procurement system we use and Contracts Finder you should receive automatic alerts when relevant opportunities are available.

Details of forthcoming contracts are advertised through the [e-procurement system - ProContract](#). All processes to let contracts over £15,000 are undertaken through this system. Accordingly, all relevant tender documentation is available to download from here. Paper copies are not provided.

Contracts over EU thresholds are also advertised in the Official Journal of the European Union (OJEU). Potential suppliers should review the official EU website (<http://ted.europa.eu/TED/main/HomePage.do>) regularly to obtain details of potential forthcoming opportunities.

How do I apply for contracts?

The prior information/contract notice or advertisement will advise suppliers and potential providers of the process to be followed for that particular contract. Potential suppliers will need to register on the e-procurement system (see link above) and complete a pre-qualification, suitability assessment, sometimes referred to as a Pre-Qualification Questionnaire or PQQ, which will be used to assess their suitability to supply the Council and their ability to satisfy the standards required to tender for a contract. It is essential that you supply all of the information requested and respond by the due date.

What information do I need to provide?

For above EU threshold contracts, the most common process is the restricted, or two-stage, process. The first stage is for pre-qualification or suitability assessment as described below, and the second stage for successful shortlisted applicants is the invitation to tender stage.

Selling to the Council

A Guide for Suppliers and Contractors



Pre-qualification (or suitability assessment) questionnaire

In this stage you will be asked to provide details about your organisation to verify that it can be identified as a legitimate trading organisation, that it has acceptable levels of economic and financial standing, and that it promotes good practice in areas of equal opportunities, protecting the environment and health and safety. You will also be asked to demonstrate that your organisation has the experience and technical capability to deliver the contract.

Financial Information – you will be asked for certain financial information as we need to be sure that your organisation can meet the requirement for the life of the contract.

Experience and Technical Ability - we will ask for information to assess whether an organisation has the relevant experience and technical ability to carry out the categories of work, and to provide the type and quality of service required. You will be asked to provide details of similar contracts held by your organisation, over recent years, and to provide the details of a named contact. The Council will usually contact the named individual to confirm the details provided.

Insurances - you are also asked to provide assurances regarding insurance cover to be in place before the contract commences. These levels are set as deemed appropriate in relation to the contract available.

Equal Opportunities - Bristol City Council is committed to eliminating inequalities in all functions, including procurement. The Council strives to ensure that their services are equally accessible and appropriate to the differing needs of all community sectors, regardless of race, colour, nationality, ethnic origin, gender, marital status, disability, age or sexuality.

This section will ask about your organisation's compliance with equality legislation.

Environmental Management - Bristol City Council is committed to protecting the local environment and taking responsibility for minimising the wider sustainability effects of its procurement decisions. The Council expects its contractors and suppliers to meet a similar level of commitment.

This section will ask about your organisation's compliance with environmental legislation.

Health and Safety - Bristol City Council is committed to providing a safe and healthy environment for its employees, service users and those affected by its operations. Suppliers play a key role in achieving this.

Selling to the Council

A Guide for Suppliers and Contractors



This section will ask about your organisation's compliance with health and safety legislation.

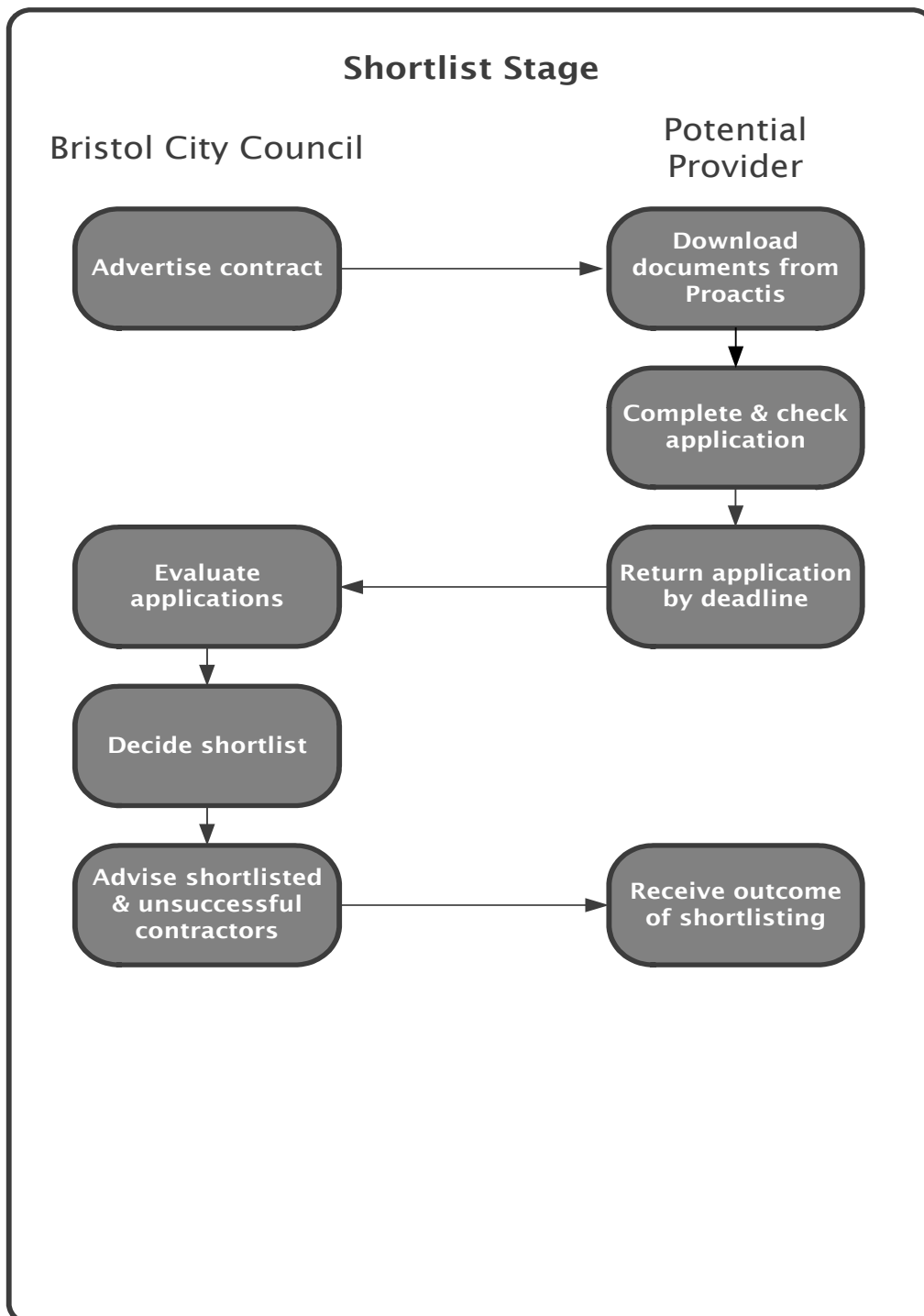
It is essential that dates and times stipulated as deadlines for the submission of documents, at any stage of a process, are adhered to. The e-procurement system will not allow you to submit any documentation after the deadline. This is to ensure a fair process.

Once the deadline for receipt of pre-qualification or suitability assessment questionnaires has passed, all submissions will be evaluated. This evaluation will be done against the evaluation criteria which will have been provided by the Council with the original questionnaire.

The shortlist stage is summarised in the flow chart on the following page.

Selling to the Council

A Guide for Suppliers and Contractors



Selling to the Council

A Guide for Suppliers and Contractors



Procurement Process: Tender Stage

What if I am invited to tender?

Applicants who have been shortlisted after evaluation of the pre-qualification, suitability assessment questionnaire will be invited to download a set of tender documents, which will consist of all or some of the following:

Invitation to tender – this advises when and where tenders should be submitted.

Instructions to tenderers – provides guidance for completing tender documentation.

Specification – sets out what needs to be achieved and includes policies, procedures and guidelines that need to be followed. Applicants are expected to tender on the basis of this specification, which will include performance targets or criteria to be met in delivering the supplies, services or works.

Pricing Schedule – the document where you enter all your prices.

Terms & Conditions – defines how Bristol City Council will let the contract, the rules suppliers must comply with and the relationship between the Council and the selected contractor.

Tender evaluation criteria – advises how the tender submission will be evaluated and the contract awarded.

Any additional supporting information – such as Bristol City Council policies that applicants are expected to follow.

Tenders must be returned by the date given. Again, the system will not allow you to submit tenders after the deadline. This is because all tender documents must be opened at the same time in order to ensure a fair process.

The e-procurement system we use is web-based, we advise all applicants not to leave uploading their submission until just before the deadline to allow for any technical difficulties you may experience and need to resolve.

Selling to the Council

A Guide for Suppliers and Contractors



What are the Council's expectations of suppliers?

Bristol City Council needs to ensure that we offer value for money to Bristol's taxpayers. We therefore expect excellent performance from suppliers, demonstrated through:

Appropriate total cost - Suppliers should consider the total, whole life costs of supply when putting together their tender.

Quality - suppliers are expected to provide supplies, services and works to an appropriate standard of quality, to meet the needs set out in the specification.

Adherence to Council policies and protocols - we are committed to delivering our services with consideration for a number of issues including sustainability, equalities, health and safety, and look for suppliers who are committed to helping us achieve our aims in these respects.

Integrity - honesty is expected in all dealings between the Council and its suppliers in addition to other relevant parties. In particular it is a criminal offence to give or offer any gift, inducement or reward to a local government official. It is Bristol City Council's policy not to accept inducements, gifts or hospitality. Applicants should note that they risk being excluded from the procurement process for failing to observe this requirement.

Innovation - suppliers are encouraged to be innovative and suggest new ideas to add value, continuously striving to improve their performance and/or the social, economic and/or environmental benefits they can offer to the City.

Communication - suppliers are expected to maintain good communications with the Council throughout the contract.

Selling to the Council

A Guide for Suppliers and Contractors



How is the contract awarded?

Tender evaluation is carried out in a comprehensive, equitable, auditable and transparent manner. To ensure fairness the evaluation criteria and methodology will be available with the tender documents when they are issued.

The Council must be sure that in selecting a supplier it is getting value for money and the services will be delivered effectively. Evaluation is therefore based on two key criteria – how the tender proposes to deliver the contract (quality) and the cost of the contract (price). The Council are looking for the best balance of quality and price, not just the lowest price. In most cases additional criteria will also be used in evaluating tenderers. Applicants will be advised what quality/price percentage breakdown will be used in the evaluation as this varies from contract to contract.

Contracts are awarded to the supplier who is considered to offer value for money, having regard to price, quality and best value – often referred to as “most economically advantageous tender” (MEAT), and to be best able to meet the Council’s specification. Evaluation of the most economically advantageous tender can incorporate a number of factors including:

- Financial viability of the tender
- Quality issues
- Technical merit
- After sales service
- Delivery date
- Technical back-up
- Experience
- Competence
- Policy issues such as equalities & sustainability

The criteria to be used will be listed in the tender documents, in order of importance. The weightings of the criteria will also be given.

How else might I be evaluated?

The tender documents may include Method Statements and/or Case Studies, which are used to determine how contractors would manage the service or deal with particular issues. In responding to method statements and case studies applicants are expected to illustrate what methods and procedures they propose to use in undertaking the work, showing initiative and innovation in delivering the service.

Selling to the Council

A Guide for Suppliers and Contractors



At any time during the tender process you might be invited to give a presentation or attend an interview as part of your submission. The Council may also conduct site visits to see first-hand how applicants organise their work.

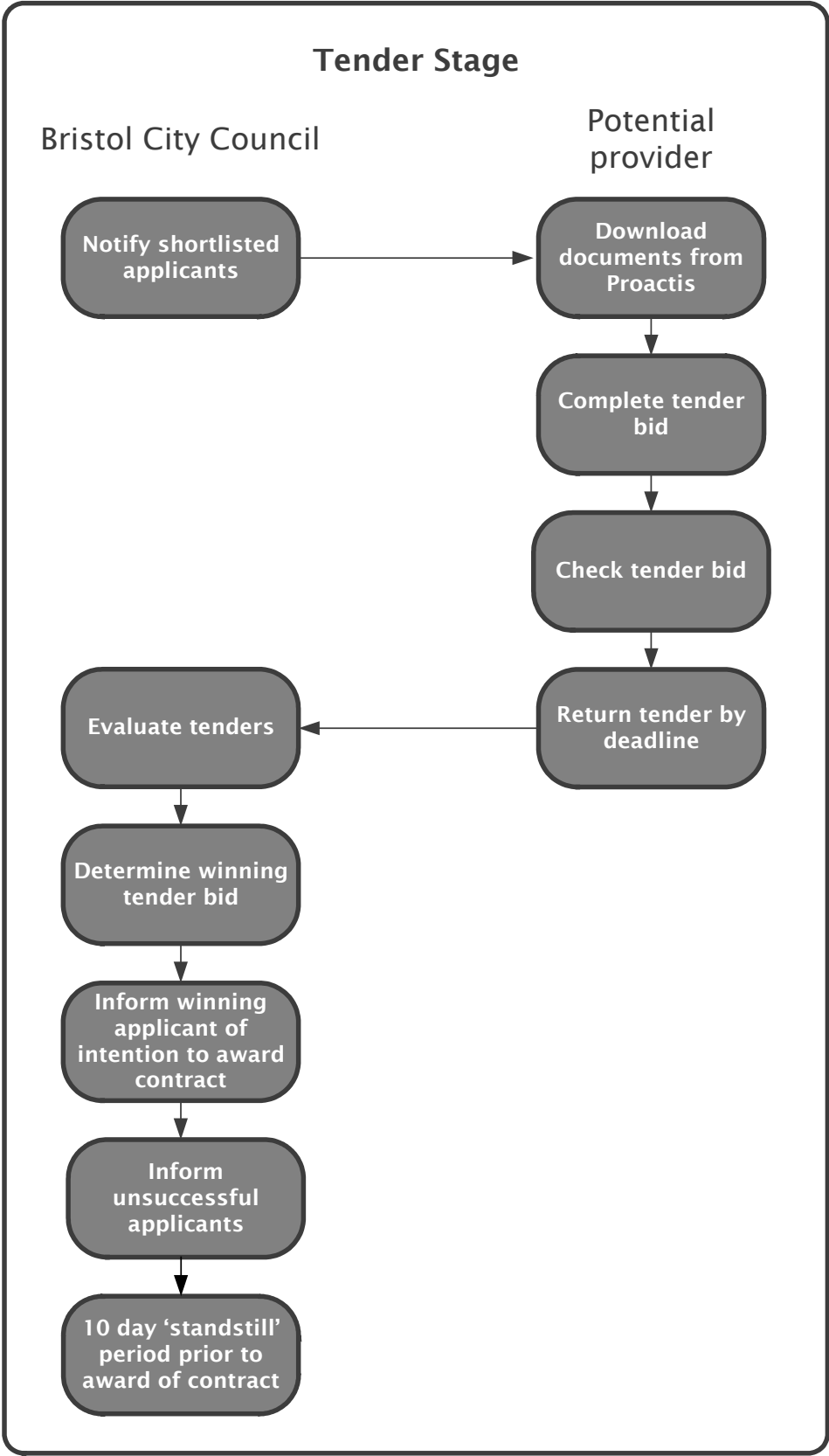
In some instances, it might look like similar questions are being asked at both pre-qualification, suitability assessment questionnaire and tender stage. Be aware that questions at pre-qualification, suitability assessment stage relate to the organisation as it stands at the time of completing the questionnaire and compliance with legislation; those asked at tender stage relate to how the organisation will be able to deliver the contract should they be successful.

The mandatory ten-day standstill period must be observed for EU contracts before a contract is signed.

The tender stage is summarised in the flow chart on the following page.

Selling to the Council

A Guide for Suppliers and Contractors



Selling to the Council

A Guide for Suppliers and Contractors



Can I get some feedback?

Under the EU directives you are legally entitled to written feedback from us and if your tender is unsuccessful you will be given feedback automatically. However, if you would like further explanation as to why you were unsuccessful you can ask for more detailed feedback from the contracting department. Within the limits of confidentiality, we can provide applicants with feedback on which aspects of their submission were strongest and which were weakest, along with advice on improving and developing for the future.

Being unsuccessful in one tender application does not mean your organisation will be unsuccessful in future. You should use the feedback provided to help improve any future tender submissions.

How are contracts monitored?

You will be expected to provide the service in accordance with the requirements set out in the contract documentation and your proposals to carry out the contract.

In order to ensure that we are continually providing value for money services to our community, suppliers working for the Council are regularly monitored to assess their compliance with pre-defined performance criteria. The contract conditions are strictly applied, and explanations sought if a contractor fails to perform to the levels required.

Selling to the Council

A Guide for Suppliers and Contractors



The E-Procurement System

Bristol uses e-procurement for all contracts over £15,000. The system we use is known as ProContract and is available at <https://procontract.due-north.com/Login>

This allows suppliers to register to access past, current and future contract information, and submit tenders electronically. They can also keep their profile updated, including the supplies, services and works they offer, and supporting documentation such as brochures and price lists. We recommend that all organisations registered on the e-procurement system regularly update their details, particularly if key people leave the organisation.

Market Development

For the majority of contracts which are above the EU threshold we aim to hold market development sessions with suppliers and potential providers. At these sessions we introduce the contract, which process we intend to follow and relevant timescales. A key element of the sessions is to get the attendees' feedback on the proposed contract, etc. We strongly feel that the supplier markets are the experts in what they deliver and feedback from the market is crucial to a successful contract for both the Council and the suppliers.

For further information on these sessions, please contact procurement.support@bristol.gov.uk

Where can I get further information?

If you are seeking information regarding a specific contract please use the contact details provided in the advert, contract or prior information notice and tendering details.

General information on the tendering process and procurement at Bristol City Council can be obtained from the Partnerships, Procurement & Commissioning Service, 6th Floor, B Bond, Seaton Road, Bristol, BS1 6EE, or by e-mail: corporate.procurement@bristol.gov.uk

Should you have any comments or feedback on this guide we would be happy to hear from you as we are always looking to develop the advice, guidance and support we offer to potential suppliers. Please contact us by e-mailing corporate.procurement@bristol.gov.uk.