

Top Tips

Tendering with the Council

January 2016

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- Where to find help, information, advice & guidance



Programme



Welcome, Background & Objectives

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Objectives

- To be more confident about tendering with the Council
- Increase understanding of tendering processes and procedures



Difference between Grants & Contracts

Grant

An arrangement will be a grant where:

- The Council gives a donation to an organisation without receiving a benefit in return.
- The organisation is not obliged to provide the service. The organisation can decide not to provide the services, and its only obligation will be to repay the funds it has been given.

Contract

An arrangement will be a contract where:

- The Council is buying a service, i.e. the Council will receive a benefit in exchange for payments made to an organisation. The benefit can be a service provided directly to the Council, or sometimes to a third party (e.g. recipients of social care services).
- The organisation is obliged to provide the service in question, it cannot decide to not provide the service and repay any funds received to the Council. If the organisation fails to provide the service, the Council will be able to make a claim against the organisation for any losses the Council suffers as result of this failure.



Introductions

1. Who are you (name, organisation & role)?
2. Have you had any experience of tendering with the Council or others?
3. What do you aim to get out of today?



Overview of Bristol City Council, Commissioning & Procurement Processes

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What is a Tender?

What do you think it is?

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What is a Tender?

- Is similar to a job application.
- It is a **process** to apply for a contract with another organisation within a finite timescale.
- It is competitive and the number of winners is detailed in the accompanying documentation.
- Council tenders are governed by legislation.
- The rules and how to apply are the same for everyone.



Bristol City Council

- Bristol is a thriving city 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.
- Bristol City Council spends over £360 Million a year on supplies, services & works.
- As Bristol City Council is a public body it is subject to the Public Contracts Regulations 2015, all procurements must comply with this legislation as well as the Council's own Procurement Regulations.



BCC Thresholds for Social Health & Education Services

Up to £15,000	15k - £172,513	£172,514 - £625,049	£625,050+*
<p>One quote/offer from suitable provider</p> <p>ABW</p>	<p>Seek a minimum of 3 quotes</p> <p>E-Procurement</p> <p>Contracts Finder (Award Notice uploaded +£25k)</p> <p>Discretion around advertising as deemed appropriate can be locally</p>	<p>Must include SAQ/PQQ</p> <p>'Consider' & record Social Value</p> <p>Contracts Finder</p> <p>E-Procurement</p> <p>Advertising as deemed appropriate can be locally but may extend to trade journals, websites</p>	<p>OJEU Contract Notice</p> <p>Contract Award Notice</p> <p>Must include SAQ/PQQ</p> <p>'Consider' & record Social Value</p> <p>Contracts Finder</p> <p>E-Procurement</p> <p>Would consider advertising nationally, as well as locally, trade journals</p>

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Light Touch Regime

Mandatory Requirements for procurements > £625,050

- **Aggregation Rules apply**
- **Use of electronic documents**
- **OJEU advertising – Prior Information / Contract Notice & Contract Award Notice**
- **Contracts Finder**
- **Transparency and equal treatment**
- **Adhere to detail provided at CN/PIN**
- **Reasonable & proportionate timescales**
- **Use of Crown Commercial Services Minimum Standards**
- **Social Value Act – also > £172,514**



Light Touch Regime

Award Criteria can include:

- Quality of service, continuity, accessibility, affordability availability & comprehensiveness of the service;
- The specific needs of different categories of users including disadvantages and vulnerable groups;
- The involvement and empowerment of users
- Innovation



Timescales – Under Main Public Contracts Regulations

TIMESCALES FOR PROCUREMENT REGULATIONS 2015						
	Selection Stage ⁽¹⁾	Tender Stage	If Electronic Accepted ⁽²⁾	Tendering Following PIN ⁽³⁾	Tender by Arrangement ⁽⁴⁾	Urgency ⁽⁵⁾
Open Procedure	N/A	35 Days	30 Days	15 Days	N/A	15 Days
Restricted Procedure	30 Days	30 Days	25 Days	10 Days	At least 10 Days	15 / 10 Days
Competitive Procedure with Negotiation	30 Days	30 Days	25 Days	10 Days	At least 10 Days	15 / 10 Days
Competitive Dialogue	30 Days	N/A	N/A	N/A	N/A	N/A
Innovation Partnership	30 Days	N/A	N/A	N/A	N/A	N/A



The Council's Commissioning Framework



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Market Consultation and Development



Pre-procurement Market Consultation & analysis of the market & impact

Formal Consultation

Provider Events – Specific to tender & e-procurement training

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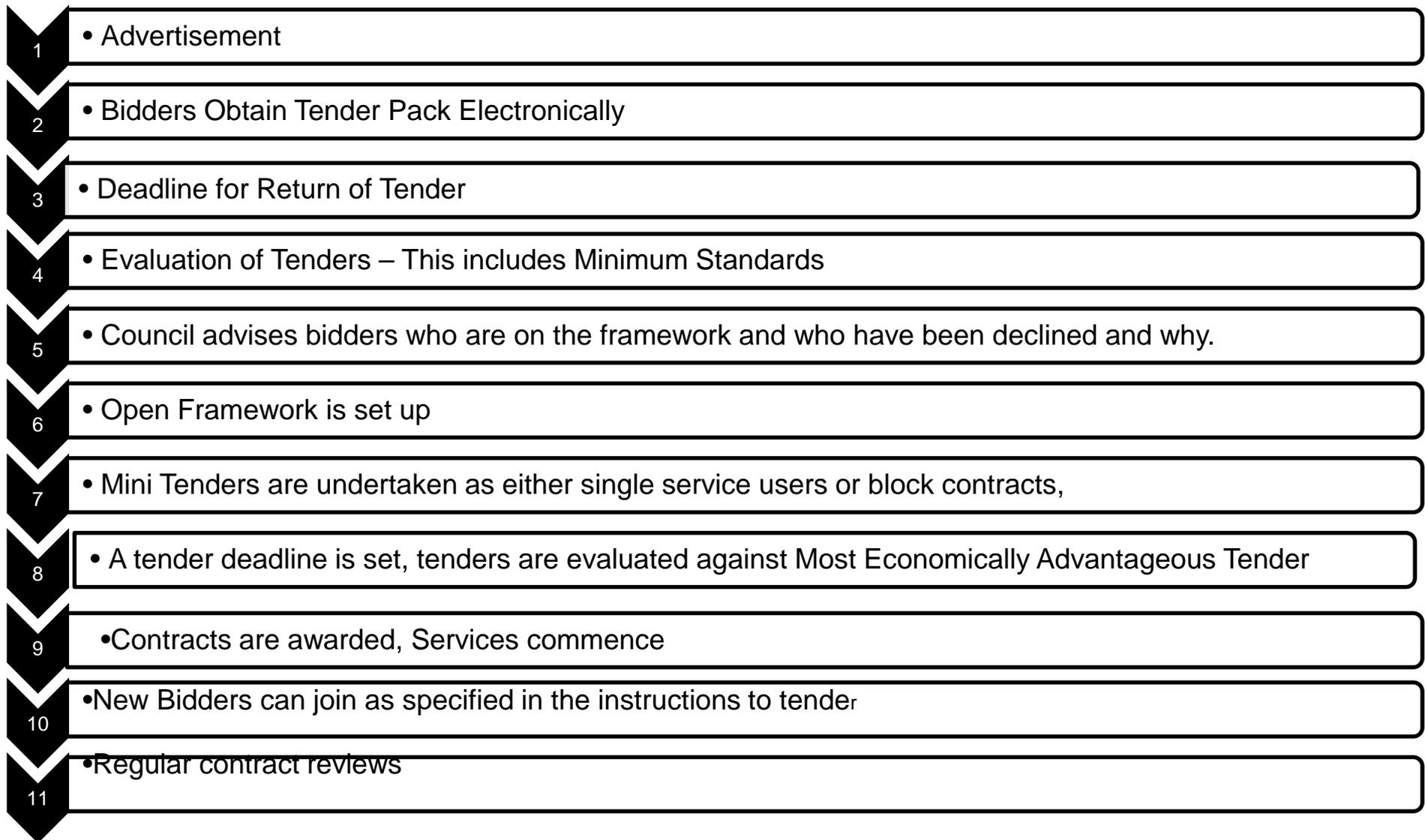


Procedures & Types of Contract

- Many routes available to the Council including the open, restricted & competitive dialogue procedure;
- Most common route to market is the open procedure.
- The advert & instructions to tender will detail the approach/route & the type of contract, these include:
 - One to one contract,
 - Closed Framework
 - Dynamic Purchasing System (Open & electronic framework)



The Tender Process – Open > £589,148 under LTR for an open framework



Suitability Assessment – Greater than £164K

Bristol City Council uses the Crown Commercial Services minimum standards. This covers:

- Information about your organisation
- The bidding model being used
- Grounds for mandatory exclusion on convictions of offences such as bribery, corruption, fraud etc.
- Grounds for discretionary exclusion – e.g. bankruptcy, grave misconduct, conflicts of interest
- Financial Status
- Technical & professional ability
- Insurances – £10 million Employees – £5 Million Public liability
- Equalities, Environmental Management, Health & Safety

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/413108/427_9-15_GN_PQQ_Lord_Young_Guidance.pdf



E-Procurement System

The Council uses an e-procurement tool for all contracts over £15,000.

The E-Procurement System is used to electronically manage commissioning and procurement processes as a project.

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

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Finding Opportunities

Register...

ProContract

<https://procontract.due-north.com/Login>

it's **local** Business Directory

<p://www.itslocalbristol.co.uk/bristol/desktop/index.html>

Follow us on Twitter

[@supply_bristol](#) or from our [SupplyBristol](#) blog

Contracts Finder

<https://www.contractsfinder.service.gov.uk/Search/Results?Keyword=food&LocationType=AllLocations>

Official Journal of the European Union (OJEU)

<http://ted.europa.eu/TED/main/HomePage.do>

...you'll receive alerts about new opportunities for engagement and tender

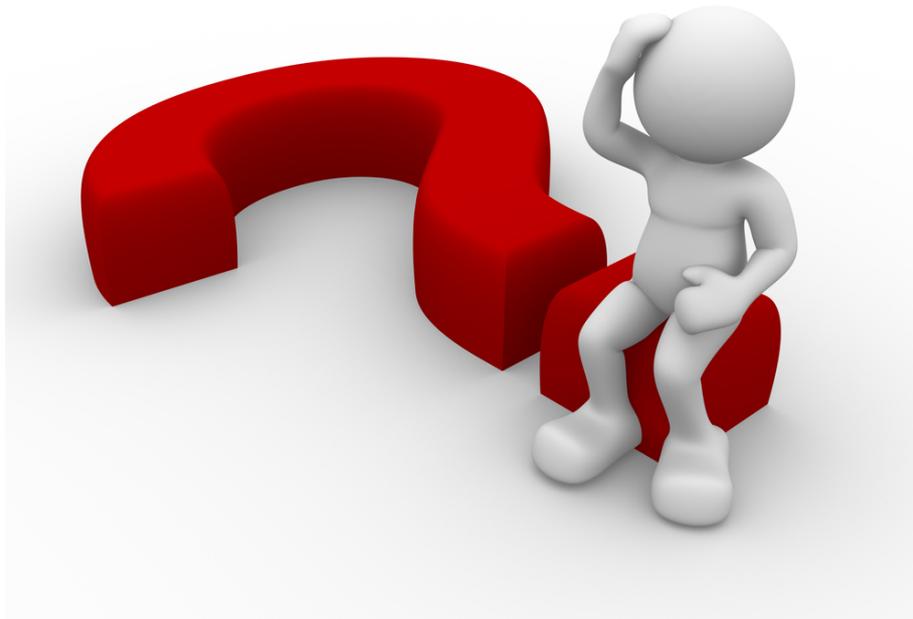
Where to look

Local and National News Papers

Trade Journals

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Top Tips BCC's perspective

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Tips for Tendering – Pre Advert

- Find out key contacts - Procurement & Commissioning
- Get involved in market analysis & feedback on strategies
- Don't miss the opportunity – sign up early to the e-procurement system, Tenders Electronic Daily & Contracts Finder for alerts
- Familiarise yourself with the e-procurement tools
- Make sure it is the right person who is signed up
- Attend market development days & any system sessions available
- Ask for & read any feedback given to you through previous tenders
- Ask for feedback sessions if you are not clear



Form Consortia Early

- Types of Consortium – Lead Partner, Joint & Several Liability, Sub-contracting, Special purchase vehicle
- Forming consortium
 - Consider forming a consortium early on, start having conversations.
 - Potential consortium members **must** take their own legal advice
 - Council will need to see the agreement to check that consortium has considered relevant risks
 - Expect a consortium to be formed at Tender Stage (or at the start of an open process)



Tips for Tendering – Pre Advert Planning your Bid

Plan – make time, allocate resource, get prepared.

- Who is going to be co-ordinating & writing the bid?
- Take forward actions from the market development event.
- Understand your current costs & room for efficiencies.
- Are your policies relevant & up to date?
 - Safeguarding;
 - Information Security;
 - Business Continuity;
 - Equalities.
- Minimum standards – what do you need?
- Know your service offering and how to articulate it.



Safeguarding – Lessons Learnt

Previous Safeguarding submissions on other tenders have been lacking in these areas:-

- Lack of evidence that demonstrates an understanding of safeguarding policy and procedures
- Lack of evidence that demonstrates an understanding of whistleblowing policy and procedures
- Lack of information on Mental Capacity Act 2005 or its use in practice
- Information on Bristol City Council's safeguarding policies can be at the link below

<http://www.bristol.gov.uk/page/adult-care-and-health/report-suspected-abuse-safeguarding-adults-risk>



Equalities – Lessons Learnt

- Previous Equalities submissions on other tenders have been lacking in:
 - Reference to the Equality Act:
 - service users, protected characteristics
 - little information on the profile of staff and service users
 - no evidence of working with, understanding and / or meeting the needs of different equalities groups
 - incorporating good equalities practice into recruitment and advertising procedures
- Information on equalities can be found at the links below:
 - Guidance for service providers about their duties under the Equality Act 2010
 - Guidance for employers



Business Continuity – Lessons Learnt

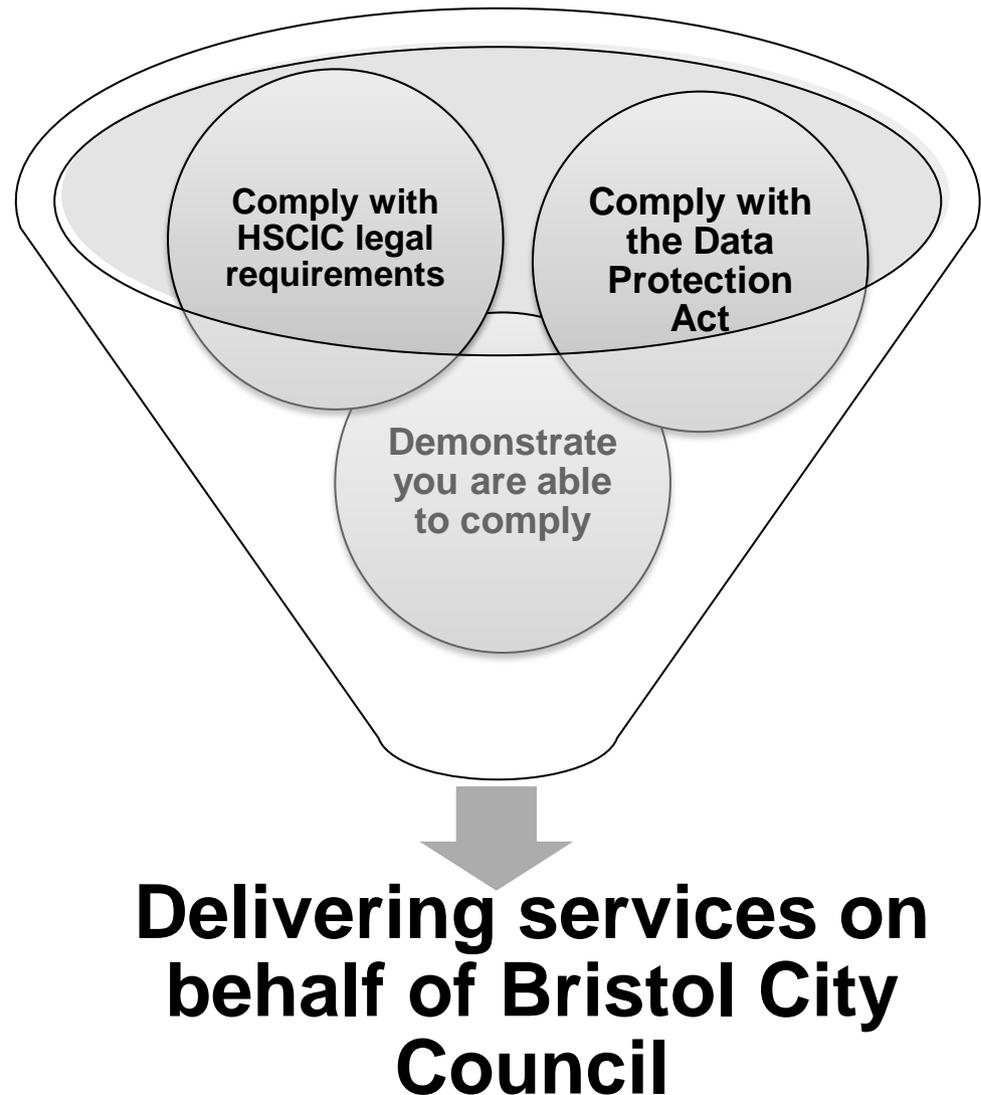
Previous business continuity submissions have been lacking in these areas:-

- Lack of detail in the business continuity plan of actions for operational staff at unit level
- Lack of information regarding care of clients or families
- Lack of detail regarding the responses to particular threats
- Did not identify critical activities or priorities for staff
- Information on business continuity can be found at the links below:
 - <http://www.bitc.org.uk/programmes/business-emergency-resilience-group-berg/prepare>
 - [137994/Business_Continuity_Management_Toolkit.pdf](http://www.bitc.org.uk/programmes/business-emergency-resilience-group-berg/prepare/137994/Business_Continuity_Management_Toolkit.pdf)
 - <https://www.gov.uk/guidance/resilience-in-society-infrastructure-communities-and-businesses#business-continuity>



Information Security

If you process personal data in order to deliver services you must:



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Information Security

- Have you ever been investigated by the Information Commissioners Office?
- Have you put improvements in place?
- Do you have a data protection registration number?

<https://ico.org.uk/>

- Do you have appropriate collection, storage, retention & disposal policies for personal information?
- Do you train your staff?
- How do you manage your IT security? (ISO270001)
- The ICO have the power to fine up to £500k per breach of the Data Protection Act and has already fined organisations over £20 Million and undertaken 21 criminal prosecutions



Tips for Tendering – Advert Released

- All documents available electronically.
- Read through the instructions to tender and ensure that you are clear of what is expected of you and when
- Put your Plan into action:
 - Agree
 - Resource
 - Approach – understand priority areas
 - Interpretation of instructions
 - Share key information
 - Agree timetable and review points (*Remember to factor in leave and BAU*)



Tips for Tendering - Post Advert

- Read through the Specification & the Terms and Conditions.
- Base your bid on the Specification & Terms and Conditions, don't provide a generic answer, make your answer specific to the contract, answer the question fully.
- Only include publicity material in your submission if you have specifically been asked to.
- If something is not clear, send a dialogue to the Council through the e-procurement system.
- Observe the deadlines for clarifications, don't wait until the last minute.
- Don't qualify your bid (place conditions upon your bid). These can not be accepted.



Tips for Tendering – Post Advert

Sell Yourself and Your strengths

- Use your responses to demonstrate understanding, knowledge, experience and ability to deliver
- Acknowledge any challenges, show these are understood and state how these would be addressed
- Clearly explain your methodology, innovative solutions & added value
- Describe the quality of the service that will be delivered, specialisms
- Cost effectiveness
- Responsiveness, Relationships & Flexibility
- Flexibility



Top Tips for Tendering – Post Advert

- Observe any word counts that are imposed, otherwise this could mean that this information is not taken into account
- Don't rely on previous knowledge or contracts held by the Council
- Evaluators can only evaluate what is in front of them, using the scoring matrix detailed in the tender
- Provide all of the information requested. If you cannot provide some of the information, for whatever reason, ask for advice, this can be done through the e-procurement portal
- Ensure that all the sub-criteria/guidance points are covered within the answer, this is what you will get scored on
- Dig out the previous feedback & build it in



Quality

The quality of your response may be judged and scored on a number of factors and by a number of different people, this may include:

- Your ability and proposed methods to satisfy the requirements of the contract
- Supporting Evidence
- Your experience & skills
- Potential additional value



Quality & Price

To win the contract, your tender will need to demonstrate the best balance of quality and price – not just the lowest price!

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Quality & Price

- The Council awards contracts based on MEAT (Most Economically Advantageous Tender) – this includes Quality & Price
- % weighting on Quality & Price
- Quality may include:
 - Service Delivery
 - Implementation
 - Meeting the outcomes of Service Users
 - Safeguarding
 - Information Security
 - Involvement & empowerment of service users
 - Equalities
 - Social Value – Policy and Toolkit



Price / Costing

- Whole life costing
- Use any templates and follow the instructions provided
- Clearly show a breakdown
- Show economies of scale and efficiency savings
- Include all costs, don't leave anything out



Top Tips – Before you press Send!

- Collate, proof read your bid (ask a peer)
- Does your bid:
 - Address the requirement;
 - Describe your proposed solution and how your organisation will deliver it;
 - Provide evidence?
- Score yourself against the criteria and evaluation model provided
- Finalise, sign off and submit tender
- Don't leave it until the last minute



Dos and Don'ts for bid writers

Do	Don't
Take time to read and understand the instructions to tenderers. Pay particular attention to submission deadline and instructions for uploading and/or completing your submission	Provide additional documents, attachments and/or refer to websites/provide links that haven't been requested
Make sure you understand the question, evaluation criteria (and any sub-criteria) and weighting	Exceed word counts
Make sure your answer is relevant to the question and covers all of the criteria	Copy and paste from previous bids!
Be concise, use bullets where appropriate	Assume the evaluation panel know your organisation
Complete all sections and fields	Repeat answers or refer to 'see above'
Emphasise outcomes not outputs	Generalise – be specific
Ask if you're not sure	Use jargon and abbreviations



Top Tips

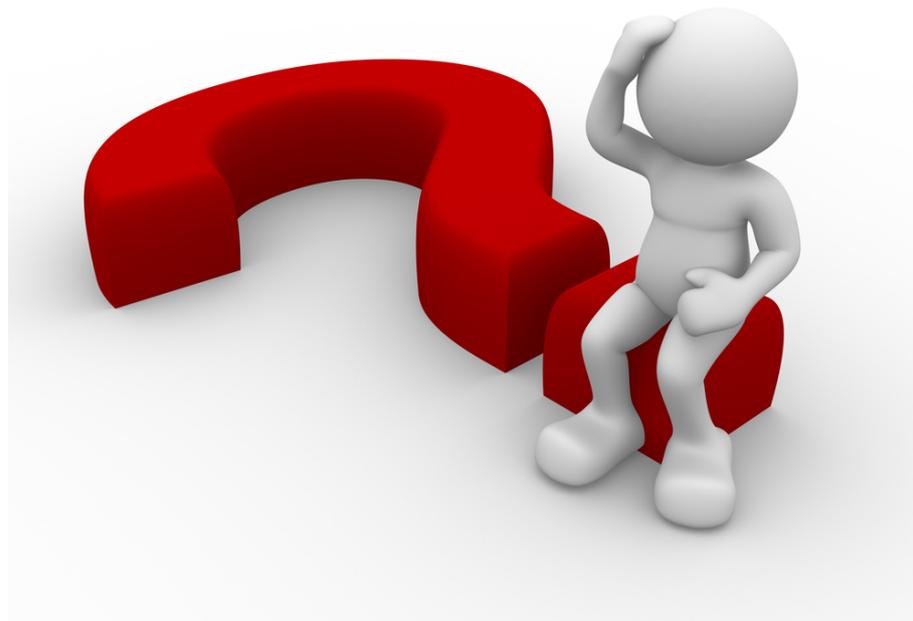
Always ask for feedback once contract awarded & in Contract Management Meetings

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Questions & Re-cap



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What will you take from today?

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Where to find help, information, advice & guidance

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Help & Support

- VOSUR - supports, develops and represents Bristol's voluntary and community sector <http://www.voscur.org/home>
- Federation of Small Businesses <http://www.fsb.org.uk/about>
- Pre-qualification/ Suitability assessment
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/413108/4279-15_GN_PQQ_Lord_Young_Guidance.pdf
- Selling to Council guide <https://www.bristol.gov.uk/tenders-contract/procurement-rules-regulations>
<https://www.bristol.gov.uk/documents/20182/239382/Selling+to+the+Council/eb20700c-7371-4193-99d5-ed95f265cc9d>
- Partnerships, Procurement & Commissioning Service
<https://www.bristol.gov.uk/tenders-contract/procurement-rules-regulations>

Email: corporate.procurement@bristol.gov.uk

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Feedback

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