

COUNTDOWN

TO THE NEW PROCUREMENT ACT 2023

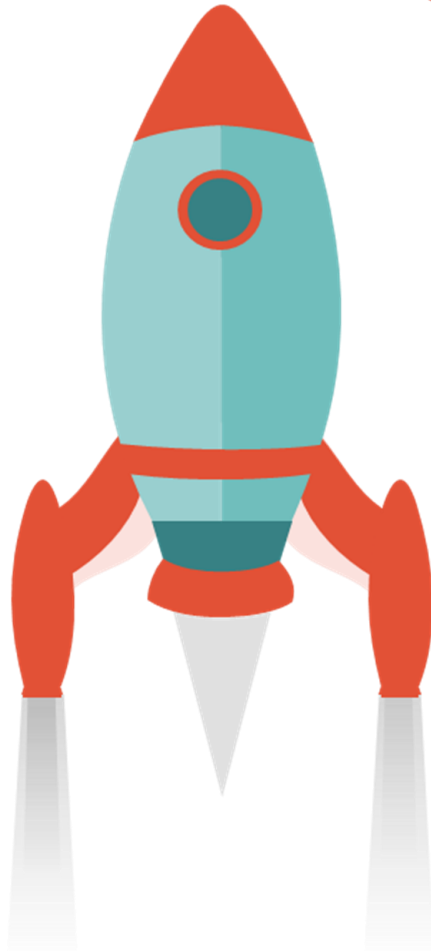
Lunchtime Byte #2

Supplier Assessment, Call – Off &
Direct Award



Quick session over lunchtime (25 mins)

- Quick trip through 3 top areas to be aware of in relation to Performance under the Procurement Act
- Go to CHIC CHAT and download the fuller guides to the Procurement Act 2023, jargon buster, flowcharts and other insights
- If you really want to, read the Procurement Act 2023
- Watch the Cabinet Office's Knowledge Drops
- Any tricky questions put them in the Q&A – 5 mins today but will arrange Deep Dive session on specific areas on request



02

Supplier Assessment, call-off & Direct Award

Tender questions, competition and understanding of the term “Direct Award”

Call Offs Under Frameworks



The establishment of a Framework must include

Conditions of Participation

Competitive Selection Process

Core Terms

Objective Mechanism for supplier selection

The establishment of Framework is the establishment of a public contract therefore the following is permitted:

Call-off Award Mechanism	Allowed
Without Further Competition	✓
Through Further Competition	✓

Objective
Mechanism for
supplier selection

A contract can be awarded under a framework without further competition where;

- a. only one supplier is party to the framework, or
- b. if the framework sets out:
 - i. the core terms of the public contract, and
 - ii. an objective mechanism for supplier selection.

Section 12 Covered procurement: Objectives

When conducting Call-off of any type the Authority has the duty to consider:

Delivering	Maximising	Sharing	Acting
delivering value for money;	maximising public benefit;	sharing information for the purpose of allowing suppliers and others to understand the authority's procurement policies and decisions;	acting, and being seen to act, with integrity

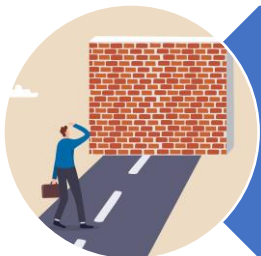
Section 12 Covered procurement: Objectives



Treat suppliers the same unless a difference between the suppliers justifies different treatment



Ensure not to put a supplier at an unfair advantage or disadvantage



Have regard to and where possible remove barriers to SME's

Section 12 Covered procurement: Objectives



Call Offs Under Dynamic Markets

Used during the establishment of a Dynamic Market



Conditions of Membership

Competitive Flexible must be used

Qualification Systems

The establishment of Dynamic Market is **not** an establishment of a public contract therefore only the following is permitted:

Call-off Award Mechanism	
Without Further Competition	X
Further Competition	✓



Contract Award
Notice

Contract Details
Notice
COI

No requirement to publish notices for contracts under threshold

Call-off Notices Under Dynamic Markets



Tender Notice
COI

Assessment
Summary

Contract Award
Notice

Contract Details
Notice
COI



Contracts Over
£5m must be
published

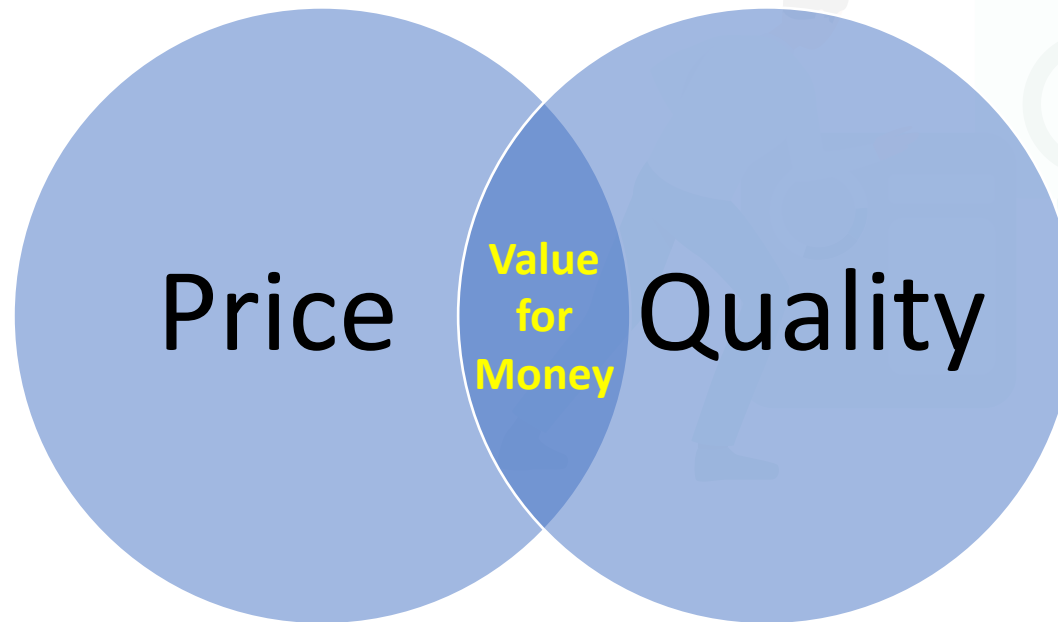
Standstill
Period not
Required

Key Performance Indicators

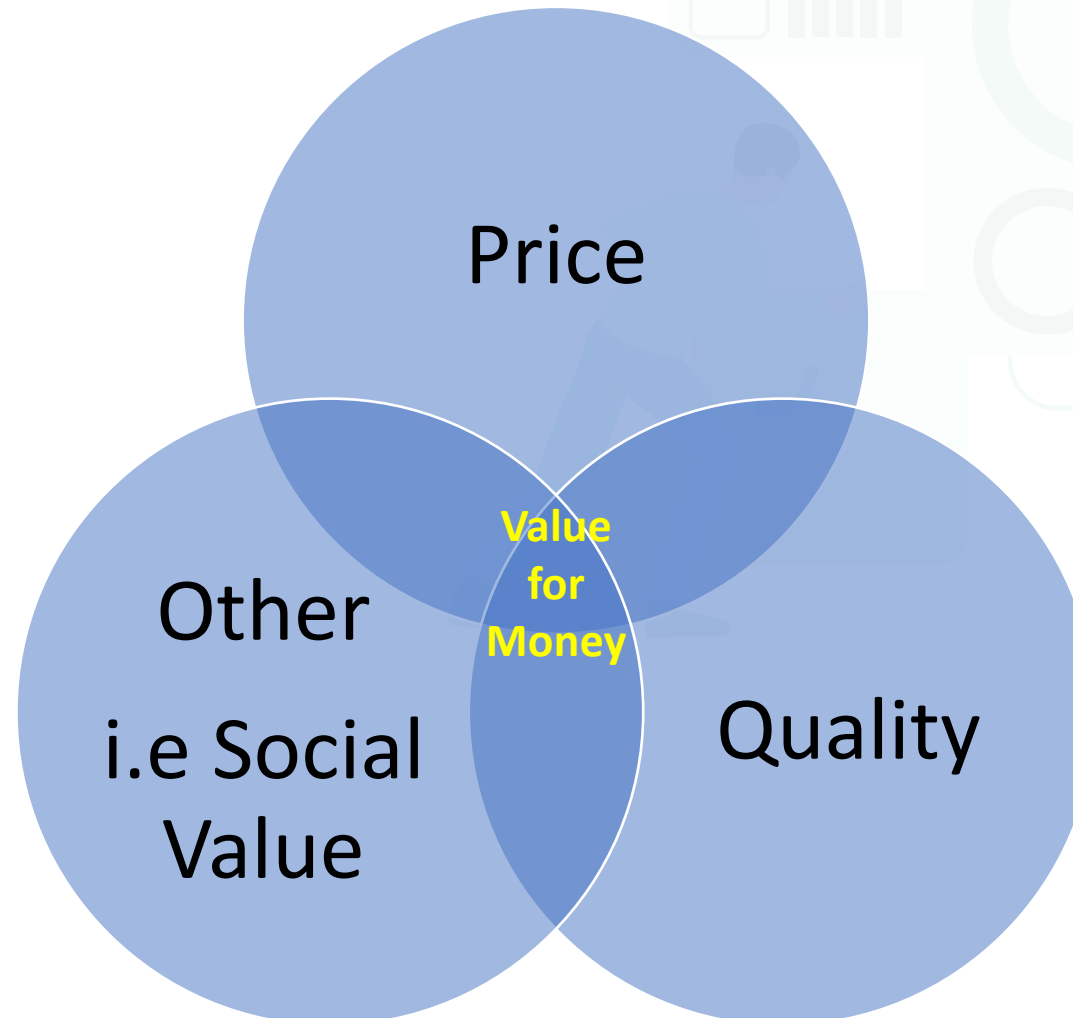
KPI Dashboard Showing Data Quality



Most Economically Advantageous Tender (MEAT)



Most Advantageous Tender (MAT)



Call-Off Terms

When calling off, whether through call off competition the document must adhere to the information flowed down by the Framework or Dynamic Market, including the following:

- a description of goods, services or works to be provided which must broadly align with the framework or DM scope;
- the price payable, or should follow the mechanism for determining the price payable as flowed down.

Section 54 Time Limits for Call-off;

Minimum Tender Periods

Frameworks

Dynamic
Markets

10 Working Days



Section 54 Time Limits for Call-off;

- a) the nature and complexity of the contract being awarded.
- b) the need for site visits, physical inspections and other practical steps;
- c) the need for sub-contracting;
- d) the nature and complexity of any modification of the tender notice or any associated tender documents;
- e) the importance of avoiding unnecessary delay.



Removing Barriers

Specifications & Award Criteria



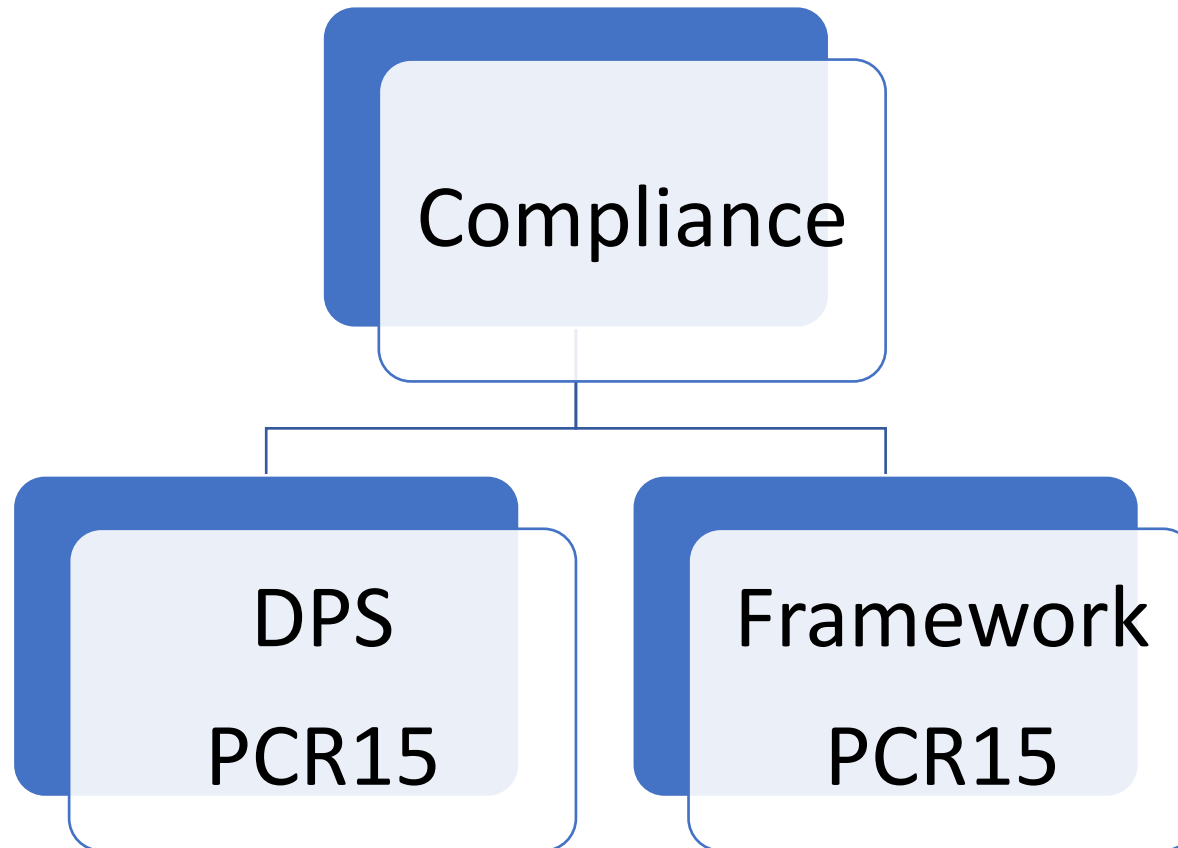
Abnormally Low Bids

No longer **‘obliged’** to investigate

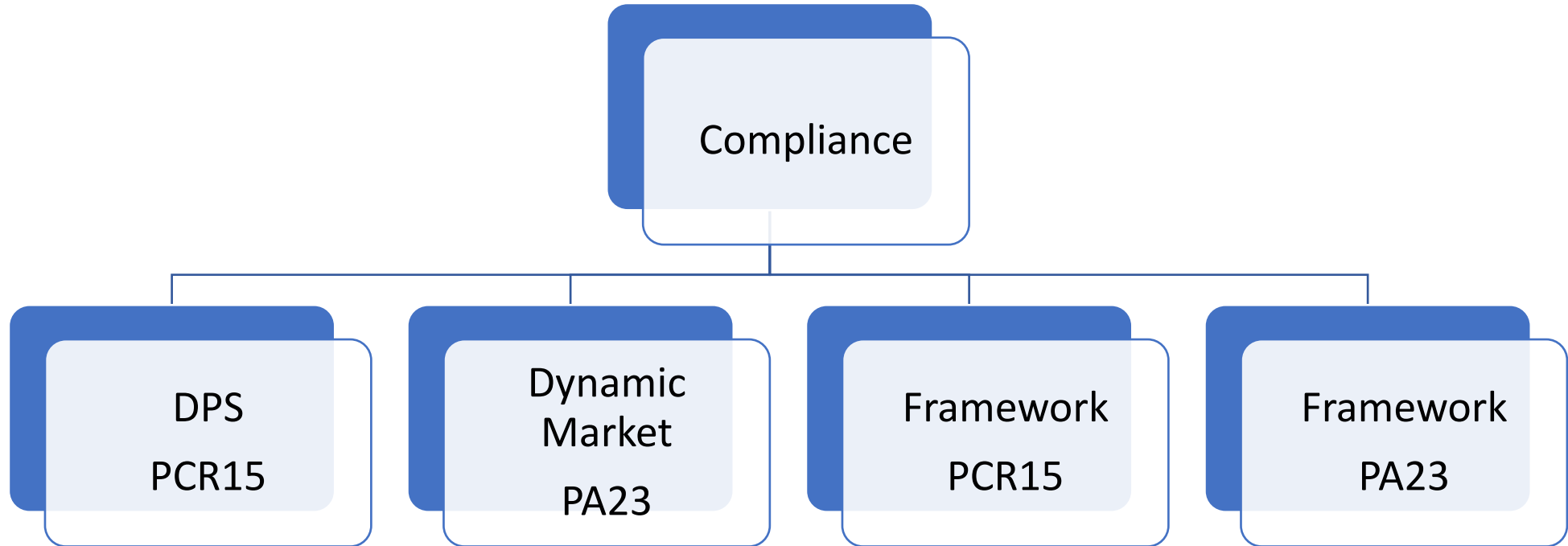
Please see PAN 02-23 **Abnormally Low Tenders** by  Procurement Operations Team for more advice and guidance.



More Complex Management?



More Complex Call off Management?

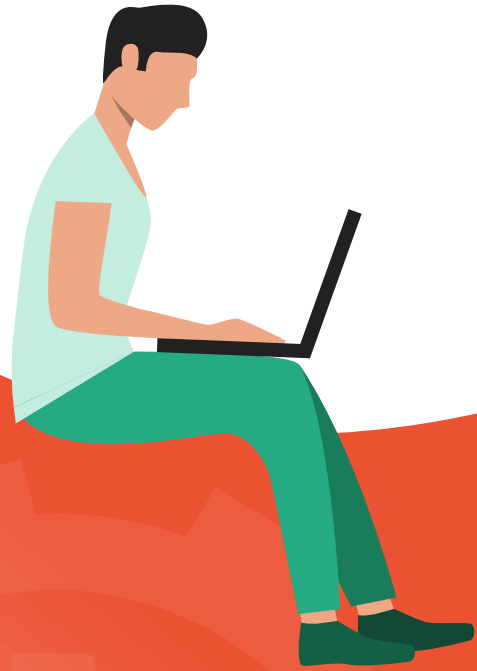


Next Session on
Monday 12th September @ 12:00
Noon
is

01

Notices & Contract Management

Actions to support transparency – Notices and management of supplier's performance at framework level and at call off level



Any
Questions?