

Common Sense Procurement & Delivery

This summary was prepared by members of the Procurement and Delivery panel to act as a simple guide and checklist for those engaged in the procurement of services. It is gathered from members experience and the outputs from events run by the panel.

The panel would welcome comments on the contents and any other key points that members feel should be added or amended.

The panel would welcome the input of members to the work of the panel – please send comments and interest to technical@ciht.org.uk

General:

Don't start from scratch - Use the current industry guidelines such as HMEP guidelines especially on procurement and contracting for both maintenance and construction projects.

Client:

- Have clarity in the political objectives for the contract and required outcomes
- Define and confirm the strategic and operational outcomes required over the life of the contract.
- Identify and establish an efficient, transparent and planned procurement process in accordance with legislative and organisational (e.g.: standing orders) requirements
- Identify and establish the client team and decision making process needs for the service/project
- Implement internal and external stakeholder engagement
- Publish clear and realistic assessment and evaluation criteria
- Ensure EU compliance/UK compliance (public contracts regulations 'policy' now law)
- Use clear, consistent and transparent evaluation processes – simple to understand; procurement process to use.

Delivery Strategy

Consider:

- What is the industry capable of delivering?
- What is the client capable of managing?
- What do council tax payers want?
- Define the scope and services (timeframe for delivery)
- Identifying the required solution, delivery stages and outcomes required to ensure these are achieved over the life of the contract together with
- Targets / indicators to prove outcome delivery (performance requirements and enablers including continuous improvement and innovation)
- Soft market testing to assess delivery options including HTMA, CECA
- The appropriate level and capability of competition by potential providers
- Stakeholder engagement
- Clear risk allocation between client and provider – link to market engagement.
- 2-way communication with potential providers

Procurement and Delivery Process

- Establish procurement and tender processes and make this available to all
- Select the style and type of procurement process based on:

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- level of risk
- availability of suppliers / providers
- number of interfaces
- key quality delivery issues
- Select any Quality / Price ratio or thresholds based on the above
- Define procurement stages that both provide a level playing field and clear differentiation between strategic and operational enablers:
 - Ensure the right capability and objectives of potential partners to be selected
 - Define the right operational solutions and benefits
 - Validate what is said by potential providers to determine it is achievable and realistic
- Decide on the evaluation processes – make it simple to understand.
- Set out a clear realistic timetable and stick to it!
- Establish internal and external communication processes including 2-way dialogue requirements
- Use tried and tested PQQs and tender documents wherever possible (including HMEP)
- Check information contained at <https://www.gov.uk/guidance/transposing-eu-procurement-directives>

- Avoid making bespoke adjustments and adding in “Z” clauses into contracts – same recommendation as HM Treasury in 2011 on changes – as this offsets risk cost.
- Market testing / engagement – to test allocation, deliverability, payment model
- Assess client and provider costs of tendering
- Review to minimise tender costs whilst maximising tender benefits
- Review client organisation and resources
- Decide on the contract form based on risks to be managed
- Identify the appropriate contract form and conditions of engagement – tailoring to suit risks and required outcomes
- Decide on the contract term
- Define the specification required to deliver required outcomes
- Establish the style of PQQ process – detailed or simpler – need to be mindful of new regulations 107 on use of qualitative selection. <https://www.gov.uk/guidance/transposing-eu-procurement-directives>

- Project manage OJEU process
- Retain funding commitment
- Produce, maintain and monitor risk registers
- Client needs to be receptive to feedback from those engaged in the procurement, both client team and potential providers
- Consider incentivisation and the sharing of the benefits
- Publish the outcome of the procurement process and offer feedback to all
- Review the procurement and delivery process after an appropriate period and include lessons learnt in future processes