

Selling to Defra: Guide for Suppliers



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Selling to Defra: Guide for Suppliers

This guide is published by the Department for Environment, Food and Rural Affairs (Defra) to help:

- Companies do business with us for the first time; and
- Understand our policies and practice better if they are existing suppliers, which should help them in maintaining good working relations with us.

We buy a wide range of goods and services each year and are keen to work in partnership with our suppliers to improve our sustainability and achieve value for money.

1. Guide's purpose

The guide's purpose is to:

- Explain the role of Defra's Purchasing and Supply Division
- List some of the ranges of goods and services we purchase
- Provide contacts for further information
- Outline the typical procurement cycle
- Explain what to expect from us and what we expect from suppliers in return
- Give information on the Government's and Defra's policies and strategies on collaborative procurement, sustainable procurement, diversity and equality, prompt payment and employment of consultants.

2. Defra's business

Defra was formed in 2001 from the amalgamation of the former Ministry of Agriculture, Fisheries and Food (MAFF), the Animal Welfare section of the Home Office, and the following parts of the former Department of the Environment, Transport and the Regions: Environmental Protection Group, Drinking Water Inspectorate and Wildlife and Countryside Directorate.

Defra's climate change mitigation policy responsibilities were transferred to the [Department for Energy and Climate Change](#) (DECC) following its establishment in October 2008. Defra retained related policy portfolios such as waste, water, climate change adaptation and air pollution.

Defra's purpose is "to secure a healthy environment in which we and future generations can prosper" - [PSA Delivery Agreement 28](#).¹ We lead for government on the natural environment and are a key partner of DECC on climate change.

¹ **Public service agreements** (PSAs) detail the aims and objectives of [UK government](#) departments for a three-year period. Such agreements also "describe how targets will be achieved and how performance against these targets will be measured". The agreement may consist of a departmental aim, a set of objectives and targets, and details of who is responsible for delivery.

Defra's three priorities are to:

- Secure a healthy natural environment for us all and deal with environmental risks
- Promote a sustainable, low-carbon and resource-efficient economy
- Ensure a thriving farming sector and a sustainable, healthy and secure food supply

These priorities are spelt out in more detail in our [strategic objectives](#). The Department expects its suppliers and their supply chains to help deliver these objectives.

3. How our purchasing is organised

Defra's "Purchasing and Contracts Division (PCD)" is responsible for the Department's procurement of goods and services. It also supports its agencies² and with them and other organisations within the Defra network is developing a hub to facilitate collaborative procurement.

Defra's web site contains an [organisational chart](#) showing the Department's network.

Main responsibilities

- Undertaking procurement projects and letting national call-off contracts
- Developing Departmental procurement policy
- Providing support and advice to managers and procurement staff.

Value for money

The specific responsibilities of public sector organisations are set out in the HM Treasury's document [Managing Public Money](#). This lists the following general principles:

- Achieving 'Value for Money' through competition – i.e. securing the best mix of quality and effectiveness for the least cost over the whole life of the contract.

Chapter 4.2.3 of [Managing Public Money](#) advises that achieving value for money:

"may not always mean choosing the immediately cheapest option since, for instance, it may be more cost effective to buy a more reliable service or a better quality asset with lower maintenance costs and a longer operating life."

- Procuring sustainably – i.e. buying goods and services in a way that delivers 'Value for Money' on a whole life basis. That is, in terms of generating benefits not only to Defra, but also to society and the economy whilst minimising damage to the environment.

² Defra's executive agencies: [Centre for Environment, Fisheries and Aquaculture Science \(CEFAS\)](#); [Natural England](#); [Rural Payments Agency \(RPA\)](#); [Food and Environment Research Agency \(FERA\)](#); [Pesticide Safety Directorate \(PSD\)](#); [Veterinary Laboratories Agency \(VLA\)](#); [Veterinary Medicine Directorate \(VMD\)](#)

- Complying with the legal framework governing public procurement³ and other international agreements.
- Managing commercial risk appropriately, including the legal framework, insurance requirements, fraud, corruption, conflicts of interest, payment to suppliers.
- Delivering Government objectives and commitments on sustainable procurement – see the web page on *Sustainability requirements on Government departments*.
- Meeting or exceeding the minimum '[Buy Sustainable: Quick Wins Standards](#)' which are mandatory for all central government departments. The aspiration is to meet at least the "**best practice**" specifications and, if feasible, **class leader**⁴ where cost benefit analysis shows this achieves value for money taking into account whole life costs.

Whole Life Costing

Whole-life costing is an analysis of the full cost to a contracting authority of meeting a requirement. It can be divided into three broad categories: (1) acquisition costs; (2) operating costs; and (3) disposal costs.

Whole life costs are considered at various stages of the procurement process – at the initial stage of identifying a need and developing a business case, when producing specifications, and when awarding a contract to achieve value for money. Even when a more environmentally sound option is not the option that has the lowest whole-life cost contracting authorities may still specify it if it is in line with their overall objectives and meets the tests of need, affordability and cost-effectiveness.

- Working collaboratively across the [Defra network](#) and [central Government](#)
- Ensuring all relationships with suppliers and customers are in accordance with the Government's ethical, social and sustainable standards that require suppliers to be treated fairly and in a transparent manner⁵.

4. What we purchase?

Defra purchases a wide range of services. These include:

- Estate and facilities management services
- Corporate services (including financial, human resources, management consultancy)
- Marketing, communications and print services
- Information and Communications Technology
- Stationery and consumables
- Business travel (including car hire, hotels, air and rail travel)⁶

³ Sustainable Procurement, The Legal framework http://www.ogc.gov.uk/key_cross-cutting_government_policies_the_policy_and_legal_framework.asp

⁴ Class Leader currently exists only for ICT products(July 2009)

⁵ OGC has published "[Guidance on Fair Trade and Public Procurement](#)"

- Legal services
- Training and development
- Events⁷
- Consultancy
- Research and development

Estate and facilities management services

Our facilities are managed under Defra's Sustainable Built Environment Workplace Support contract, which has the scope to provide more of our goods and services. Interserve (Facilities Management) Ltd (a division of [Interserve Plc](#)) won the contract in late 2008 and took over as service provider on 1 April 2009.

Sustainable Built Environment Workplace Support (SBEWS) is a new type of facilities management contract which provides services to all of the buildings on the Defra Estate. This includes the sites occupied by the executive Agencies and Non-Departmental Public Bodies (NDPBs) such as Natural England. Previously the Estate was managed by a number of different contractors. *More information about the contract is given in Appendix A.*

5. How we select suppliers

Choosing the most suitable supplier is one of the more important decisions of any contract and key to the achievement of value for money.

⁶ The Department of Transport web site provides advice on "[How to reduce costs and carbon emissions from business related transport](#)". Defra has set up its own business travel unit.

⁷ Defra has published a [Sustainable events guide](#) to help governmental organisations plan successful and sustainable events.

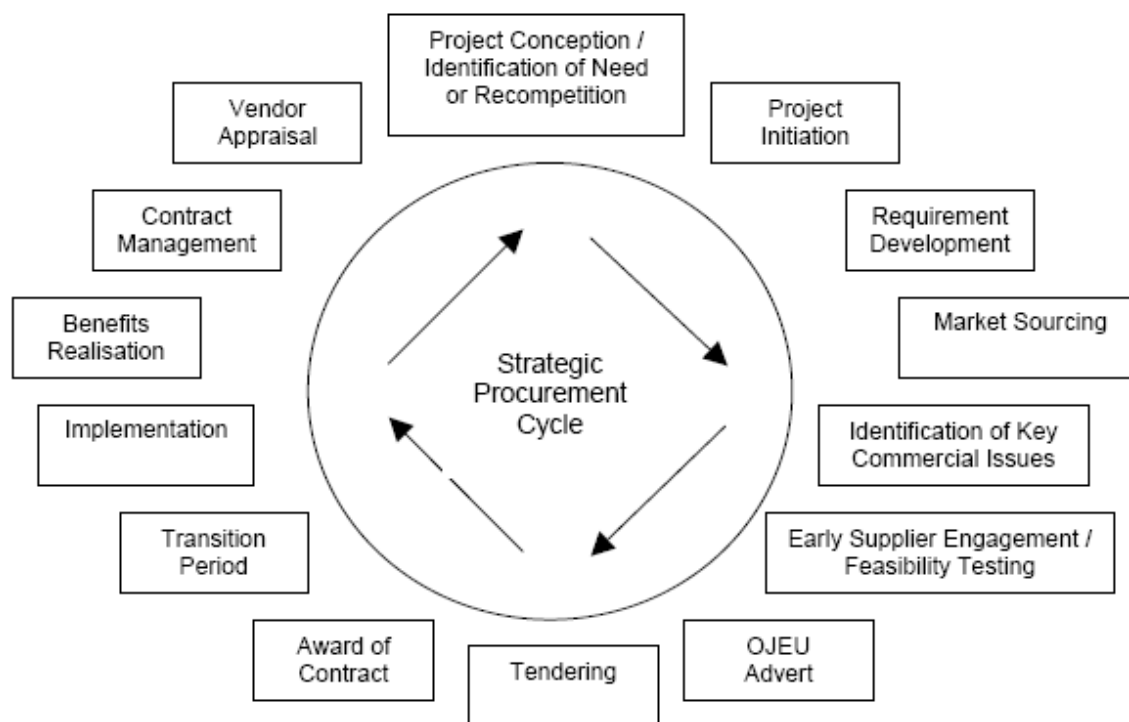


Diagram showing the strategic procurement cycle

The diagram shows procurement as a cyclical activity that informs and supports an organisation. The process leading to the appointment of suppliers comprises three main stages⁸:

- 1) Pre-tender, where we identify potential suppliers⁹;
- 2) Invitation, where we ask for quotation or issue tender documents; and
- 3) Evaluation and award, where we go through the selection process and award the contract.

Some procurement activities such as establishing *framework agreements*¹⁰ may be subject to [OGC's Gateway Process](#). The process involves independent practitioners using a series of interviews and documentation reviews to examine procurements at key decision points in their lifecycle to provide assurance that they can progress successfully to the next stage.

⁸ [Directive 2004/18/EC](#) of the European Parliament and of the Council of 31 March 2004 sets out the procedures for the award of public works contracts, public supply contracts and public service contracts.

⁹ OGC's Pre-Qualification Questionnaire template - http://www.ogc.gov.uk/documents/core_questionnaire.pdf

¹⁰ Buyers are not obliged to order anything under the terms of a framework agreement. It is a general name for agreements with providers that set out terms and conditions under which specific purchases (call-offs) can be made throughout the duration of the agreement. A contract is only formed when an order is placed for a specific requirement. The procurement to establish a framework agreement is subject to the EU procurement rules. More information is given in the publication: [OGC Guidance on Framework Agreements in the Procurement Regulations on OGC's web site](#).

Pre-tender

How do we find suppliers?

We use a wide range of sources to identify potential suppliers. For example:

- Reputation
- Visits
- Suppliers' catalogues
- Trade information
- Yellow Pages
- Representatives and sales staff
- Trade exhibitions
- Advertising in local, national or trade press
- Internet.

For contracts that exceed the EC value threshold we will also seek interest by publicising them in the Supplement to the Official Journal of the European Community (OJEU).¹¹ They are advertised under in the [Tenders Electronic Daily \(TED\)](#). In some cases we also issue Prior Information Notices (PINs) which describe contracts that will be formally advertised in the near future.

Further details about EC tenders, including the current monetary thresholds for tendering, are available on the web site of the [Office of Government Commerce](#).

Each sourcing exercise results in a list of suppliers who are invited to quote or tender.

Invitation

We mainly use two approaches: (1) written quotations and (2) invitations to tender. In selecting a method, the main criterion is the likely value of a contract.

Quotations

When inviting written quotations we will send out a specification and a copy of the appropriate Defra standard conditions of contract. For complex requirements, developing the specification will be an interactive process.

Tendering¹²

¹¹ OJEU notice template:

http://www.ogc.gov.uk/supplier_selection_and_award_ojeu_statement_of_requirement.asp

¹² Public sector procurement is governed by the Public Contracts Regulations 2006 that implement the EU procurement Directives (Directive 2004/18/EC). These apply to the majority of procurements with a total value over a specified threshold. They also require that contracts are awarded in accordance with certain standard procedural rules (e.g. on timescales for the contracting process, information that potential suppliers should provide; and the basis on which bids may be assessed). Procurements which are below threshold are not covered by these regulations, but are still subject to EU Treaty principles on equal treatment such as non-

Tendering is a more formal process than obtaining a quotation. We try to provide Invitation to Tender packages with sufficient information to enable suppliers to respond to the bid. They include instructions to tenderers, a specification including questionnaire(s), standard and/or special terms and conditions of contract, and a return label.

Appendix B gives details of the different tendering procedures.

We allow sufficient time for the return of tender proposals with a minimum period of 40 days for restricted procedure and 52 days for open procedure for tenders advertised in accordance with the requirements of the EC Procurement Directives¹³ – often referred to as the EC Procurement Rules.

In return we need the following information from prospective suppliers:

- Acknowledgment that the invitation has been received;
- A clearly written proposal that meets the requirement, provides references, specifies deliverables, and gives the basis of costs or fees;
- Disclosure of any conflict of interest, which may influence the proposed contract.

Responding to tenders: a short checklist for suppliers

- Check the advertisement carefully to see when and where you should return your bid.
- Make a note of the time, date, address (including the building name or number).
- Check any requirements about the format of your response. For example, does the advertisement state that you should use an unmarked envelope?
- Provide all the information required.
- Sign and date documents as required.
- Don't try to qualify your bid by adding extra items or information, and don't submit alternative bids, unless specifically requested to be innovative.
- If we come back and ask for more information, make sure you provide it by the deadline.

“Selection” criteria

Contracting authorities may require suppliers to satisfy minimum levels of economic and financial standing and /or technical or professional ability. This is often known as selection criteria and assessed by means of a pre-qualification questionnaire.

discrimination, mutual recognition, proportionality and transparency. OGC's web site gives details of current [EU Procurement thresholds](#).

¹³ These are the consolidated public procurement directive 2004/18/EC and revised utilities directive 2004/17/EC have been implemented by the Public Contracts Regulations 2006 (SI 2006 No 5) <http://www.opsi.gov.uk/si/si2006/20060005.htm> and the Utilities Contracts Regulations 2006 (SI 2006 No 6) <http://www.opsi.gov.uk/si/si2006/20060006.htm>. More advice in OGC's Action Note 01/06 - <http://www.ogc.gov.uk/documents/ProcurementPolicyPublicContractsRegulations.pdf>

Rejection

In certain circumstances, a contracting authority shall reject a supplier if it has actual knowledge that the economic operator or its directors or any other person who has powers of representation, decision or control of the economic operator has been convicted of certain offences, e.g. corruption, bribery or found guilty of grave professional misconduct

Award criteria

The procurement process is to identify the tender or tenders which provide the best overall value for money for the particular purchase. For this reason our evaluation criterion for the award of a contract will generally be the “most economically advantageous tender” (MEAT).

A contracting authority shall use criteria linked to the subject matter of the contract to determine that an offer is the most economically advantageous including quality, price, technical merit, aesthetic and functional characteristics, environmental characteristics, running costs, cost effectiveness, after sales service, technical assistance, delivery date and delivery period and period of completion.

Our tender evaluation is strictly controlled and conducted objectively and without bias towards any particular suppliers to ensure the integrity of the competitive process.

Accordingly the evaluation of tenders is undertaken by an evaluation panel, comprising a minimum of three members, to ensure a fair and objective decision is reached. Each member of the evaluation panel independently assesses each supplier submission based on the scoring criteria set out in the evaluation pack.

Award

Evaluation and subsequent discussions with suppliers will generally identify a winning tender. Occasionally evaluation will not separate tenders and in these circumstances shortlisted bidders may be asked to provide samples or demonstrate their products or services. It may also be necessary for a visit to be arranged to the shortlisted suppliers' premises. We will also follow up any references that may have been requested.

Once a decision has been reached following evaluation of written quotations or tenders, the successful and unsuccessful supplier(s) will be informed in writing. Within the boundaries of commercial confidentiality we will provide, on request, feedback to successful and unsuccessful tenderers.

Terms and Conditions

Generally, Defra seeks to conduct business using its standard terms and conditions of contract. There are different sets of standard terms and conditions in use, covering various categories of goods, general services and consultancy services. The relevant set is always included in the Invitation to Tender (ITT) package. Copies are also available upon request from Defra.

Appendix C provides some hints for suppliers.

6. Defra supplier relationships

Defra aims to maintain an open and collaborative relationship with existing and potential suppliers. To do this we seek to practice the highest standards of honesty, integrity, impartiality and objectivity and to be fair, efficient and courteous.

In return we expect suppliers to:

- Observe similar standards of integrity, professionalism, cooperation, courtesy, competence and efficiency;
- Apply high ethical standards in their dealings with us;
- Provide goods and services that conform to our requirements;
- Deliver the right quality, the right quantity, at the right time, to the right place and to the agreed price.

Appendix D lists some of the qualities we look for in potential suppliers

e-Procurement

Defra is conducting more of its business through e-business tools, which will eventually require suppliers to have Internet access.¹⁴ The benefits of eProcurement¹⁵ include:

- Efficiency improvements (the way people work)
- Improved commercial relationships with suppliers
- Reduce costs for suppliers dealing with us
- Better access to our market for goods and services.

Payment Policy

The Government has issued a [prompt payment code](#), which we have adopted and require our purchasing and accounting staff to comply with. We are committed to pay suppliers in accordance with the terms of their contracts with us, based on the code.

It is necessary that your invoice provides the details required for us to match it to the original order or contract if we are to meet this contractual obligation. In particular, it is essential that the supplier quotes:

- Costs
- Delivery charges
- VAT

¹⁴ Help in getting suppliers Internet-ready is available via the "UK Business Link, which is primarily funded by the Department for Business and Regulatory reform. Web site:

<http://www.businesslink.gov.uk/bdotg/action/layer?r.s=tl&topicId=1073861197>

¹⁵ More information on eProcurement is given on OGC's web site -

http://www.ogc.gov.uk/guidance_eprocurement_guidance.asp. OGC have produced "[A guide to eProcurement for the public sector](#)".

- The Purchase Order¹⁶ or Contract reference provided by us at the time the order or Contract is placed.

If some of this information is missing, it can delay our payment to you.

Defra's complaints policy

We aim to deal with complaints sensitively, fairly and in confidence. If your complaint is justified, we will apologise, try to put the matter right and take steps to ensure it does not happen again.

We will try to reply to your complaint within three working days. If we can't send you a full reply within that time, we will acknowledge receipt of your letter and aim to send a full reply within 10 working days.

Complaints should be sent to:

David Rabey
Director of Purchasing & Supply
Email: David.Rabey-Official@defra.gsi.gov.uk

7. Who to approach in Defra

If you would like to be given the opportunity to supply Defra, or if you require further information on any aspect of our purchasing policy or procedures, then you should:

- 1) Firstly, look on our Selling to Defra web site
- 2) Secondly, contact: pcdcontractmgr@defra.gsi.gov.uk

What can I expect?

We will aim to deal with your enquiry in a fair and constructive manner, but we can offer no guarantees that your initial approach will result in your company being selected to supply us.

We do not maintain an "approved list" of suppliers but do maintain a list of potential suppliers for the future. If we anticipate a future need we will add your company's details to this list.

8. Collaborative Procurement

Defra supports the Government's [collaborative procurement strategy](#) designed to ensure that public sector organisations maximise value for money for the taxpayer through a variety of approaches, including:

- Championing and facilitating collaboration across the major areas of third party spend;

¹⁶ Defra must register each new supplier on its system before it can set up a purchase order. The supplier is asked to complete what's known as an AP/201 form for this purpose and return it to Defra's Purchasing and Contracts Division (PCD) for checking and processing by the person responsible for the order. The supplier is then given a purchase order number.

- Making the procurement process more efficient through the use of frameworks and e-procurement tools;¹⁷
- Improving spend data to assist better decision making, and engaging with Government's strategic suppliers to foster greater innovation and value within the supply chain;
- Reducing the negative environmental impact of goods and services purchased; and
- Working with suppliers to improve their sustainability performance generally.

Innovation

Defra supports innovation in Government procurement and contracting and welcomes ideas from suppliers that may offer benefits to the Department and its agencies. Contact: Defra.SustainableProcurement@defra.gsi.gov.uk

9. Sustainable procurement

Defra is committed to sustainably meeting its needs for goods, services, works and utilities. That is, in a way that achieves value for money on a whole life basis in terms of generating benefits not only to the organisation, but also to society and the economy, whilst minimising damage to the environment. This is in support of the Government's [sustainable development strategy](#).

Green products¹⁸

Green products are often available at the same purchase price as standard products, or at a marginally higher price. Energy efficient IT products, for example are generally no more expensive to buy than the less efficient alternatives. Products are likely to be more expensive than the standard alternative where the technology is new, as the price will often include a premium for research and development and design and for many new products economies of scale may remain to be achieved. Yet the real cost of a product for the buyer is not just its initial price. It is the cost over its *life-cycle*, i.e. the costs of purchasing, operating and maintaining, and disposing of the product.

The key priority areas are:

- Specifying [Buy Sustainable: Quick Wins](#);
- Confronting the greatest threat of climate change;
- Working towards achieving more with less;
- Protecting the natural resources on which we depend;

¹⁷ The [OGC Contracts Database](#) provides an online tool to help buyers find existing and upcoming public sector contracts for the goods and services that they want to procure.

¹⁸ OGC guidance on [whole life or life cycle costing](#)

- Creating places where people want to live and work, now and in the future;
- Improving wellbeing;
- Changing behaviour to encourage greater sustainability.

Office of Government Commerce's Centre of Expertise in Sustainable Procurement (CESP)¹⁹

The sustainable procurement strategy is overseen by [OGC's Centre of Expertise in Sustainable Procurement \(CESP\)](#), established in 2008 to centrally coordinate and manage Government departments' delivery of:

- [Sustainable Operations on the Government Estate \(SOGE\) targets](#); and
- [Sustainable Procurement Action Plan \(SPAP\)](#) commitments and to provide them with the necessary guidance and support.

There is a [delivery plan](#) in place for the achievement of SOGE and SPAP targets.

More information is on [Defra's Sustainable Development web site](#).

Role of suppliers

The Office for National Statistics estimates that over 50% of the environmental impact of public procurement arises from its supply chain. The role of our suppliers is therefore crucial in helping us to achieve our objectives and targets on sustainable procurement.

That is why we want to work with our suppliers to consider the environment, social and economic consequences of design, use of non-renewable materials, manufacture and production methods, logistics, service delivery, use, operation, maintenance, reuse, recycling options, disposal, and their capabilities to address these consequences throughout the supply chain.

Sustainable procurement policy

Defra's sustainable procurement policy is available on the policy page of the "Selling sustainably to Defra" web site.

The Department will:

- Research and follow guidance on sustainable procurement
- Include sustainability conditions or criteria in specifications and tender documents where relevant
- Evaluate specifications and tenders with appropriate weight given to sustainability considerations
- Encourage suppliers and contractors to support objectives to improve our sustainable performance by taking their own action.

¹⁹ [OGC's Centre of Expertise in Sustainable Procurement \(CESP\)](#)

Where sustainability conditions are specified, evaluation will normally take into account:

- Regulatory compliance
- Environmental impacts and performance measures
- Existing environmental management procedures
- Commitment to management and process improvement.

OGC advice

OGC provides advice on [sustainable procurement](#), including the publications:

- [Buy green and make a difference – how to address environmental issues in public procurement](#)
Publication to help procurers, internal clients, decision makers, suppliers and others involved in public procurement to help safeguard the environment.
- [Buy and make a difference – how to address social issues in public procurement](#)
Publication drawing on real-life examples to show public procurers how they can help address social concerns both in what they buy and in the way they should expect suppliers to cater for social needs.

10. Diversity and equality

Improving diversity and tackling inequality are at the very heart of Defra's work. Our Ministers, Permanent Secretary and Management Board are committed to creating an environment where everyone feels valued and where our workforce achieves their full potential in an inclusive culture where discrimination, harassment, bullying and prejudice are not tolerated.

We recognise that all employees have a responsibility to treat each other fairly and with respect and, as a good employer, we want to ensure that they have the opportunity to benefit from employment, training and development appropriate to their abilities and regardless of sex, colour, race, religion, ethnic or national origin, disability, age, marital status, working pattern, political persuasion, sexual orientation or gender reassignment.

That's why we have a [Diversity Action Plan](#) in place to help us break down the visible and invisible barriers that stand in the way of delivering high quality services and enabling our workforce to achieve their potential.

The action plan supports delivery of [Promoting Equality, Valuing Diversity – a strategy for the Civil Service](#) which was published in July 2008 to give every civil servant the same opportunities, whatever his or her background. It also embraces the existing commitments in Defra's Diversity strategy and Equality schemes. More information is provided on the [Diversity page](#) of Defra's web site.

In our approach to contracting with suppliers for the provision of goods and services we look to build business relationships with those who support and apply similar principles within their own businesses.

11. Small, medium and social enterprises

The Government is facilitating a more level playing field for small and medium sized enterprises (SMEs) and social enterprises to supply the public sector.²⁰

Defra is committed to this policy²¹ and, where appropriate, is seeking to work in partnership with existing first tier suppliers to open up their supply chains to such businesses where this is commercially viable and mutually advantageous. This is in recognition of the benefits that smaller suppliers and social enterprises can provide.

The Department for Business, Innovation and Skills' [Business Links web site](#) explains the opportunities for supplying the public sector including where to find out about contracts, the procurement process, procurement regulations for public sector contracts, the role of e-procurement and resolving public sector tendering problems. It includes the guide: [Tendering for Government Contracts - a Guide for Small Businesses](#).

12. Consultancy projects

Defra lets a wide variety of consultancy projects each year. With such expenditure the Department is keen to achieve value for money and to ensure that consultants and staff work together effectively, sharing knowledge and best practice in accordance with the Government's Consultancy Value Programme²².

Selection Process

The selection process for a consultancy contract involves the same three main stages as other purchases, namely: (1) pre-tender, (2) invitation and (3) evaluation and award, depending on its value. The initial decision to employ consultants will follow the approval of a carefully thought-out project brief. Following this decision we will follow the selection procedure outlined in Section 4 above.

Project Delivery

Once appointment has been confirmed the project stage will commence and be followed by a post implementation review. During the project stage we will:

²⁰ OGC guidance includes the publication "[Smaller Supplier... Better Value?](#)" designed to help buyers achieve efficiency in public procurement while improving the diversity of their supplier base by removing barriers to small businesses. Another is "[Aggregation - is bigger always better?](#)", which identifies the possible advantages and disadvantages associated with aggregation and discusses the key issues informing the decision-making process, including the need to avoid raising barriers to entry for new suppliers and SMEs that can distort the market.

²¹ Defra launched its Third Sector Strategy in November 2008 – <http://www.defra.gov.uk/corporate/about/how/third-sector/index.htm>. More information about social enterprises is given in the guide '[More for your money: a guide to procuring from social Enterprise](#)' produced by the Social Enterprise Coalition in collaboration with the society of Procurement Officers. The publication is available on the [Coalition's web site](#).

²² The Consultancy Value Programme was launched by OGC in collaboration with Government departments to ensure that better value for money is achieved from consultancy within government - http://www.ogc.gov.uk/documents/CVP_overview_factsheet.pdf

- Appoint a senior member of staff with knowledge of the area concerned as project manager for the duration of the project, unless overriding reasons make this undesirable or impossible;
- Have early discussions to promote understanding of the requirement and brief consultants on expected problems and concerns;
- Introduce consultants to the organisation and provide access to the people they need to see;
- Where appropriate, provide access to suitable accommodation facilities;
- Enable consultants travelling on official business to use our negotiated travel contracts;
- Ensure access to relevant systems, documentation and information;
- Set up steering arrangements when needed;
- Review progress at agreed stages by comparing quality of inputs and tasks performed against agreed standards;
- Confirm that consultants have been discharged of responsibility before final payment.

We will expect:

- All information obtained by the contractor during a project which is not already in the public domain to be treated as confidential, unless specific permission to the contrary is agreed;
- A high professional standard of work at all times in accordance with industry standards and, where specified, the provision of the same consultant(s) through all stages of the project;
- Effective communication with the project manager;
- Consultants to be responsive and objective;
- Adoption of Defra's' personnel policies, security policies and Health and Safety Regulations;
- Practical and cost effective recommendations, resulting from interim, emerging and final reports, supported, if required, by presentation;
- Subject to agreement, an appropriate action plan to implement the results to include timing, sequencing, and anticipated cost of implementation;
- Remedial work to be carried out at no extra cost to the Department if the contractual obligations are not fully discharged.

13. Defra organisation and structure

Information about the organisation and structure of Defra can be found at the website - [Who are we?](#)

Defra's Sustainable Built Environment Workplace Support (SBEWS) contract

The contract awarded to by Interserve (Facilities Management) Ltd is designed to:

- Allow ongoing investment in the Estate to improve sustainability and environmental performance
- Raise overall service levels
- Allow flexibility to add in more services or buildings.

The services are provided through a Sustainable Workplace Management Service Centre covering

- Reception
- Space planning
- Porterage
- Cable management
- Energy procurement
- Cleaning
- Fleet management
- Signage
- Meetings and conferences
- Mailroom
- Moves
- Security
- Reprographics
- Waste management
- Pest control
- Remediation and site management
- Grounds maintenance
- Building engineering services
- Building fabric maintenance

There may be opportunities for suppliers to provide services as subcontractors to Interserve. Web site: <http://www.interserve.com/plc/contact+us/default.htm>

Types of tendering procedure

There are four types of tendering procedure:

1. **Open:** Under this procedure, all interested candidates who respond to an OJEU advertisement must be invited to tender.
2. **Restricted:** Under the restricted procedure, interested candidates are invited to respond to an OJEU advertisement by submitting an expression of interest in which they reply against defined criteria relating to their organisation's technical capability and financial standing. Shortlisted candidates are then invited to tender.
3. **Competitive Dialogue:** Under this procedure, all interested parties may express an interest in tendering for the contract but only those meeting the contracting authority's selection criteria will actually be invited to do so. During the "dialogue" phase, tenderers are able to discuss all aspects of the contract individually with the contracting authority. Once the dialogue has generated solutions to the agreed requirements, final tenders are invited based on each tenderer's individual solution. The best tender can then be selected. This procedure can only be used in the limited circumstances described in the Public Contracts Regulations 2006.²³
4. **Negotiated:** A negotiated tender is similar to the restricted tender procedure in that it uses a pre-qualification stage. A negotiated tender procedure, however, allows the contracting authority to negotiate the terms of the contract within strict guidelines prior to awarding the contract. For contracts advertised within the EU this process is only used in exceptional circumstances, for example when a supplier is the sole source of the good or service required, in cases of extreme urgency, or when the precise specification can only be determined by negotiation.

The type of tendering procedure will influence the type of information suppliers need to provide, and the length and complexity of the tendering process. More information is available on the OGC's web site – [Policy and Standards Framework](#).

Framework agreements

Defra sets up framework agreements with suppliers and also uses framework agreements set up by other public sector bodies such as [Buying Solutions](#).

Framework agreements may normally be established for up to four years and allow buyers to 'call off' goods by placing orders during that period. Buyers are not obliged to order anything. A contract is only formed when an order is placed for a specific requirement. If buyers want something that isn't covered by the agreement then they have to hold a separate competition for that particular requirement.

²³ OGC have produced [guidance on the competitive dialogue procedure](#)

Hints for suppliers

- Contracts above the EU threshold (about £90,000)²⁴ are advertised in the Official Journal of the European Union (OJEU). See: www.ted.europa.eu.
- Contracts below the threshold are advertised in www.supply2.gov.uk
- Defra does not encourage cold calling or welcome unsolicited mail shots.
- All documentation should be read carefully and bids are kept relevant to what is required.
- Responses should not be bulked out with irrelevant glossy brochures and sales literature.
- The precise format of the original questionnaire should be followed using the same headings and number sequence.
- Documents should be completed and returned by the time and date stipulated and where a signature is required it should be given.
- All the information requested should be provided. If you cannot provide some of the information, for whatever reason, ask for advice. Failure to supply requested information may mean that your bid is not evaluated.
- Where relevant, cross-reference answers and appendices in your response to the questions in the invitation to tender (ITT) and Competitive Written Quotation (CWQ). This will make it easier to evaluate.
- More information should be sought if you are unsure about something, particularly if you are responding to an invitation to submit a CWQ or tender. Appropriate contact details will be given in the instructions provided with the documentation.
- Bids submitted should be complete with no hidden costs.
- The package containing your tender should not name your company – remember to turn off any logo stamps on your franking machine! If delivering by courier you should ensure they do not affix a label to the package that names your company.
- Learn from your mistakes! If you were unsuccessful ask why. Defra provides a debriefing after each tender exercise, on request.

²⁴ The Office of Government Commerce's web site provides details of current EU thresholds that vary over time. For more information, go to www.ogc.gov.uk/index.asp?docid=397

Supplier qualities – summary of Defra’s requirements

Evidence is required that suppliers are environmentally and socially responsible. For example, they:

- Comply with appropriate environmental regulations
- Use energy and water efficiently
- Use low emission vehicles
- Dispose of waste responsibly
- Provide a safe, appropriate working environment for your staff
- Treat their suppliers fairly.

We will where relevant to the subject of the contract and necessary to meet legal requirements seek some or all of the following information:

- Evidence of financial viability, commercial capability and reliability to fulfil contracts – like audited accounts, bank statements or a deed of guarantee
- Evidence of administrative capacity (order processing, invoicing)
- Evidence of staff capability (e.g. customer liaison, complaint handling)
Desirable (particularly complaint handling)
- Information that your product is of good quality and meets the required specification
- Information about your track record
- References
- Evidence that your business complies with all relevant legislation and guidance
- Written policies and procedures on health and safety, equal opportunities, quality, ethics and the environment
- Employers and public liability insurance certificates