



# Selling to Powys County Council

A Guide for Suppliers, Contractors  
and the Voluntary Sector

*Open and enterprising*



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# About Powys County Council

Powys County Council is a unitary authority serving a population of about 132,160 covering an area of 519,700 hectares, almost a quarter of Wales. It employs over 6,500 staff and has its headquarters in Llandrindod Wells, as well as several other offices across the County.

Whether you call it procurement, commissioning, purchasing, contracting, tendering or buying we spend approximately £153 million a year on obtaining a vast range of supplies, works and services from the external market. Approximately 27% of spend is with over 1000 different Powys based suppliers.

## About this Guide

This guide has been put together to help local businesses wanting to sell their services and supplies to the Council, it outlines:






- Where the businesses can find the details of opportunities to supply the Council
- The rules that Powys County Council must follow
- How to tender for the Council's business
- What is expected of you when undertaking work for us



## How is procurement organised?

Powys County Council has a Commercial Services Team which is responsible for developing the Council's procurement strategy, policy, good practice and procedures to secure best value-for-money. It is also responsible for sourcing and managing framework contracts which are used commonly across the Council for the majority of supplies.

There are many different forms in which contracts let by the Council can take, below is a brief outline of some of those forms:

-  **Purchase Orders:**  
Essentially one-off contracts. These contracts meet specific needs/individual requirements and tend to be below procurement activity thresholds.
-  **Framework Agreements:**  
A tender process with the aim to establish an agreement where terms and conditions are put in place with the successful provider(s) for services, supplies or works. When a requirement is identified it can be sourced via the framework through a call-off mechanism.
-  **Dynamic Purchasing Systems:**  
A Dynamic Purchasing System (DPS) is a completely electronic system used to purchase goods, works or services. Unlike a framework, suppliers can apply to join at any time. It is an 'open market' solution designed to provide buyers with access to a pool of pre-qualified suppliers.
-  **Tendering for a Contract:**  
These are tenders accepted from a contractor, to carry out repetitive tasks for a defined period of time. Work is then issued to the successful contractor(s) as and when it is available. These are usually for planned and reactive works.
-  **Consortiums:**  
Different procurement authorities can join together to form a Consortium to create tenders as a group. This can provide better value for money as larger quantities can be purchased. This also applies to bidding providers, they can join together to form a Consortium to provide a better value for money tender bid and cover a wider area of works and services.

Powys County Council, as a public body, also has access to contracts arranged by the National Procurement Service (NPS), Value Wales (VW) and Crown Commercial Services (CCS).

## What Rules & Regulations must be followed?

As a public body, there are regulations which the Council has to follow when procuring supplies, works and services. It is important for businesses wishing to work with the Council to be fully aware of the rules and regulations, which govern the way we operate.

The following table summarises the rules basic level thresholds that must be followed. The value of the requirement, whether estimated or exact, will determine the way in which it is purchased:

Value of supply for the life of the contract	Process	Advertising
<b>Up to £5,000</b>	<b>Display value for money</b>	
£5,000 - £50,000	A minimum of 3 quotations will be invited.	Adverts and the format of such are optional.
£50,000 - £181,302	Tenderers will be invited.	However the Commercial Services Team can conduct 3 quotation requests through Sell2Wales which formalises the process for ease of evaluation as well as for auditing purposes.
For Supply and Services Above £181,302	EU Directive Tender process	Contract notices are mandatory to call for competition and signpost organisations to where the tender is being electronically hosted.
For Works Above £4,551,413	EU Directive Tender process	Adverts will be placed in Official Journal of the European Union (OJEU), and any other appropriate media to ensure competition and sufficient coverage, including the Sell2Wales website ( <a href="http://www.sell2wales.co.uk">www.sell2wales.co.uk</a> )
For Social Services Above £615,278	EU Directive Tender process	Adverts will be placed in Official Journal of the European Union (OJEU), and any other appropriate media to ensure competition and sufficient coverage, including the Sell2Wales website ( <a href="http://www.sell2wales.co.uk">www.sell2wales.co.uk</a> )
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# What are EU Procurement Directives?

The Council have a legal requirement to comply with the EU Procurement Directives, which govern the way in which public sector procurement is conducted for contracts over certain specified thresholds. The directives and regulations require the Council to follow detailed procedures for all procurements above these financial thresholds. The overriding principle of E.U. regulations (and, indeed, of the Council's internal rules) is equality of treatment and transparency of process.

## The thresholds for 2016 are:

► **Services : £181,302**    ► **Supplies : £181,302**    ► **Works : £4,551,413**

**Note: the thresholds are reviewed every 2 years. The next review is due in January 2020**

If the value of the goods/service/works is above the threshold for quotation, Under the EU Procurement Directives, Powys County Council can conduct its procurement using one of four processes:

### Open

Invitation to tender is open to all organisations to express an interest and request tender documents. This is by far the most common process.

### Restricted

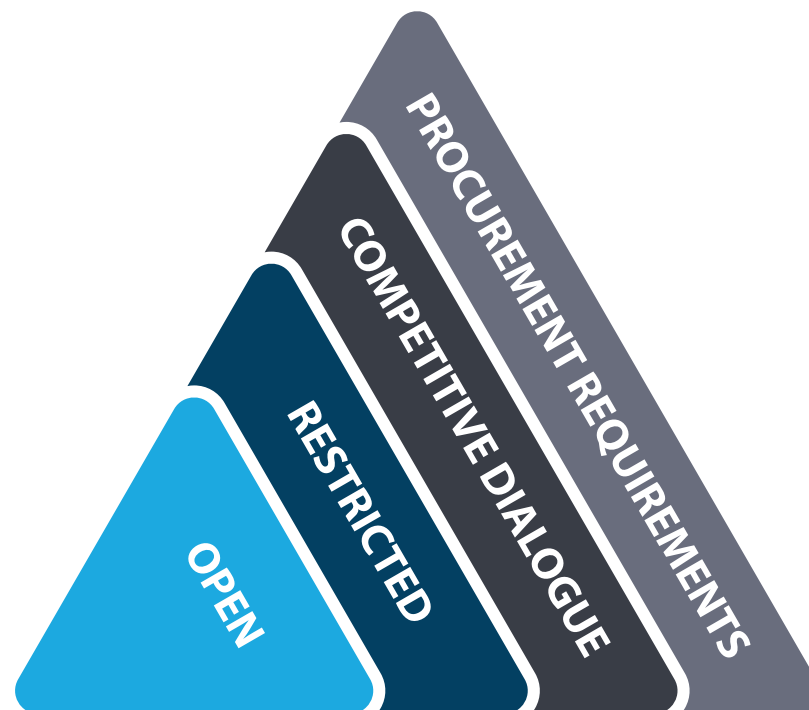
A two-stage process. Organisations expressing an interest undergo an initial pre-qualification assessment. Only the most suitable applicants are invited to tender.

### Competitive Dialogue

If the tender is very complex or an overall pricing structure cannot be created, it may be necessary to discuss the tender bid with suppliers during the tender process. All such discussions are conducted on the basis of transparency and fairness to all parties to ensure an unbiased tender process and response.

### Procurement requirements

Where procurements exceed the thresholds, and therefore come within the scope of EU Procurement directives, the Council must follow these basic requirements.



## How do I find out about opportunities?



### Sell2Wales

Potential suppliers should check Sell2Wales, [www.sell2wales.co.uk](http://www.sell2wales.co.uk), for advertisements of contracts and tenders on a regular basis.

Sell2Wales is the National Procurement website for Wales which contains all advertised contract opportunities valued both above and below EU threshold with links to Official Journals of European Union (OJEU) contracts above threshold value. Contractors/suppliers are able to register to Sell2Wales in order to receive automatic notifications of opportunities within their selected business criteria.



### TED

Above threshold contracts can also be view through TED (Tenders Electronic Daily) <http://ted.europa.eu/TED/main/HomePage.do> which publishes all above threshold procurement opportunities from across the EU.

### eTenderingWales

Is the Councils e-Tendering portal, this portal will be used to for the submission of many tenders the Council runs. Contractors/suppliers are able to register on the site through the below link.

The Council encourages contractor/suppliers to register on both Sell2Wales and **eTenderingWales**. Both systems are completely free of charge and all for automatic alerts to enable business to keep up to date of all opportunities as well as being able to access the necessary tender documentation.

N.B it is very important to only register against the categories which are relevant to the goods/services/ works you supply to ensure you only receive notification and details about contracts relevant to your business.

The Council has also prepared a forward work plan which lists upcoming procurements, this is available through the website (<http://www.powys.gov.uk/>)





## Notify Suppliers

Depending on the value of the contract this will be done:

- Directly through eTenderingWales or Sell2Wales by invite
- By placing an advert notification through Sell2Wales/TED which any supplier can see giving details and documents for submission.

## Selection of suitable and qualified supplier

The Council has a duty to ensure contractors/suppliers are suitable and qualified to deliver the goods/services/works. This can be done through a Pre-Qualification Questions before the tender, or a selection questions as part of the tender process or through self-certification.

## Submission of Quotation or Tender response and Evaluation

Depending on the value of the contract will depend on if it is a quote of Tender.

**Quotations** are quick more straight forward process and will be usually require submission to Sell2Wales or eTenderingWales. Documentation will usually include some or all of the following document;

- Instructions to quote,
- Specification of requirement,
- Method statements
- Evaluation criteria.

**Tender** are more in depth processes and take more time to complete and are for higher value contracts. As mentioned above there are different ways for identifying tender opportunities. The tenders documents needed to be submitted will be available through the eTenderingWales portal and will include document such as;

- Instruction to Tender,
- Specification Requirements,
- Method Statement,
- Evaluation Criteria and Scoring methodology,
- Pricing schedule,
- Contract Terms and Conditions.

\*all tenders and quotes can be submitted in English or Welsh in accordance with the Welsh Language act 2011 section 44.

# Procurement Process

## Evaluation

Tenders will be evaluated by the Most Economically Advantageous (MEAT) or Price only.

MEATS will give weighting against the price submission and the quality submission scores of the tender, eg 40% price 60% quality.

Evaluation of the most economically advantageous tender can incorporate a number of factors including but not limited to:

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

## Contract awarded

Tender evaluation are always carried out in a comprehensive, equitable, auditable and transparent manner, ensuring fairness to all suppliers whilst following the evaluation criteria and method as set out in the Tender.

Contracts will be awarded to the Tender whose overall score is the highest under the terms and conditions set down in the Tender documentation.

# What are the Council's expectations of suppliers and contractors?

The Council needs to ensure that it offers value-for-money procurement. We therefore expect a certain level of performance from contractors/suppliers, demonstrated but not limited to the following:

## Value for money

This can be demonstrated through best price, best administration costs, best costs related to quality or any added value. Suppliers should consider the total, whole life costs of supply when putting together their tenders.

## Quality

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

## Adherence to the Councils policies and protocols

We are committed to delivering our services, with consideration for a number of issues including sustainability, the Council's Welsh Language scheme, equalities, health and safety, and look for suppliers/contractors who are committed to helping us achieve our aims in these respects.

## Integrity

Honesty is expected in all dealings between the Council and its contractors in addition to other relevant parties. In particular it is a criminal offence to give or offer any gift, inducement or reward to an employee of a public body. It is the Councils policy not to accept inducements, gifts or hospitality. Tenderers 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.

## Communication

Suppliers are expected to maintain good communications with the Council throughout the contract and will be expected to attend regular contract review meetings.

## Timescales

Tenders must be returned by the date given as any tenders received after the deadline may not be considered. This is because all tender documents must be opened at the same time in order to ensure a fair process.

### Can I get some feedback?

If your tender is unsuccessful you can request feedback. Within the limits of confidentiality, we can provide tenderers with feedback on which aspects of their bid were strongest and which were weakest, along with advice on improving and developing for the future.

Under the EU directives you are legally entitled to request this feedback from us. Being unsuccessful in one contract does not mean you will be unsuccessful in the future. You should use the feedback to help you improve for upcoming opportunities.

### 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 and contractors working for the Council are regularly monitored to assess their compliance with predefined performance criteria. The contract conditions are strictly applied, and explanations sought if a contractor fails to perform to the levels required.

### Is the Council using e-Procurement?

The Council is committed to developing e-procurement as a major tool in delivering its procurement strategy. From tendering for contracts to placing orders, the application of e-procurement can achieve efficiency savings for both the council and their suppliers. Paper transactions will, in time, be replaced by e-procurement, providing a streamlined process and reduced transaction costs.

We are actively developing e-procurement through the use of purchase cards which are used like traditional credit cards to purchase ad-hoc supplies, and the development of an on-line ordering system.



## How do Council pay suppliers?

Payment terms should be set down in the Contract Terms and Conditions. Payment via invoice will be within 30 days via Bacs transfer, other options for payment are through Purchase Card payments.

The Council operates a strict 'No Purchase Order, No Pay' policy, where any invoice submitted without a purchase order will be returned to the supplier without payment.

## 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 notice and tendering details.

General information on the tendering process and procurement at the Council can be obtained from Commercial Services Team, Powys County Council, County Hall, Llandrindod Wells, LD1 5LG, or by e-mail: **[commercialservices@powys.gov.uk](mailto:commercialservices@powys.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 contractors. Please contact us by e-mailing **[commercialservices@powys.gov.uk](mailto:commercialservices@powys.gov.uk)**