The Authority's Specification

1. **Strategic Procurement Service**

    1.1. Ability to provide a country-wide service, using technology and appropriate methods of communication with the Authority client base to deliver the service efficiently.

    1.2. Conduct evaluations or other project meetings online or in person, as required at any of the Authority's premises as listed in Annex A3 (ITT, Part A).

    1.3. Provide procurement service in compliance with the Authority's scheme of delegation, standing financial instructions, standing orders, procurement policy (and other associated policies where necessary), DH and cabinet office policy and UK / EU procurement regulations

    1.4. Appoint one procurement lead for each project at the start of the procurement as a single point of contact.

    1.5. Promote adherence to the Authority's guidance and Policy, encourage forward planning and the use of the Authority's e-tendering system by the Authority's staff for Requests for quotations (RFQ) and capturing contract data and contract management.

2. **The Authority's national team**

    2.1. Work with the Authority national procurement and contracts team to identify savings opportunities through analysis of procurement spend, contracts and off contract spend.

    2.2. Inform and seek approval for all procurement projects through the Authority's national procurement team.

    2.3. Provide detailed quarterly reports to the Authority national procurement and contract team on:
    2.3.1. Projects statuses
    2.3.2. Savings realised
    2.3.3. Any known service issues
    2.3.4. Identified risks
    2.3.5. Contracts awarded
    2.3.6. Any other reports as requested (e.g. by Department of Health)

    NOTE: Information request template to be provided by the Authority.

    2.4. Provide brief weekly email updates to the Authority on: .
    2.4.1. Status of current projects (including chosen procurement route)
    2.4.2. Planned projects
    2.4.3. Issues identified

    NOTE: information to be emailed to HEE.procurementcontracts@nhs.net

    2.5. Appoint dedicated account manager/client relationship manager as single point of contact for the Authority's Procurement and contracts team.

    2.6. Any requests for new projects to be accepted from the Procurement and Contracts Team only. New requests in the first instance should be directed to the Procurement and contracts Team.

    2.7. All Authority project specific tender documentation and other procurement documentation should be made available on request for the Procurement and Contracts team.

3. **The Authority client (All the Authority's staff, including the Regional Offices and the wider Authority)**

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3.1. Advise Client on most suitable procurement route to satisfy the need identified during initial scoping (e.g. the use of government framework contracts).

3.2. Provide advice on and encourage the inclusion of SME's.

3.3. Provide support on initial market engagement to provide better understanding of the feasibility of the requirements and the capacity of the market to deliver.

3.4. Guide the Client on the assessment of the market as per Client needs

3.5. Advise the Client on the procurement processes available considering best value for the Authority and compliance with Government guidance.

3.6. Help to identify the Client requirements and develop a specification

3.7. Advise on best procurement strategy

3.8. Assist on the request of information required for the tender documentation

3.9. Identify procurement process and tools to allow market participation and ensure best value for money

3.10. Define risks and benefits on the Client's preferred route

3.11. Assist the Client to determine the need to initiate a procurement process depending on the characteristics of the market and legal requirements to procure

3.12. Assist the Client in the recording of the decision making process following procurement advice

3.13. Provide project governance plans and guidance for each procurement exercise

3.14. Support to establish Work streams and project steering group if required

3.15. Advise on conflicts of interest, whether actual or perceived, by assisting with the assessment of project group member/ stakeholder interests

3.16. Advice on steps to be taken to manage such conflicts and mitigate risks

3.17. Help to identify relevant (NHS) terms and conditions for the specific project

3.18. Assist with the drafting of the tender documentation

3.19. Support in relation to structure and content of specification

Note: Procurement Provider support is to be provided from a compliance and procurement perspective. Procurement Provider will not be required to provide clinical advice or other technical input which remains the responsibility of the Authority Client.

3.20. Provide support to the Authority client in all phases of the procurement project:

　　3.20.1. Pre Procurement market engagement/bidder events

　　3.20.2. Expressions of Interest

　　3.20.3. Pre-qualification of bidders including defining associated evaluation methodology using standard government documentation

3.21. Assist with the preparation of tender documentation including defining associated evaluation methodology:

　　3.21.1. Commercial evaluation of responses (at PQQ and ITT)

　　3.21.2. Management of bidder Clarification Question (CQ) processes (at PQQ and ITT)

　　3.21.3. Award process (including standstill/Alcatel periods where appropriate)

　　3.21.4. Assist on the preparation of debriefs for unsuccessful providers

　　3.21.5. Prepare draft all contract documentation as per specifications, including the Authority's Client requirements clarified during tender evaluation process, or handover all appropriate documentation to Contracting Lead for Contract drafting and finalisation

　　3.21.6. All contract documents to be prepared using the NHS standard Terms and Conditions.

3.22. Prepare and post associated OJEU & contracts finder procurement notices

3.23. Facilitate evaluation and moderation of proposals at all stages of procurement

3.24. Provide sourcing methods, costings and other commercial or technical advise

3.25. Co-ordination and arrangement of all contacting the Authority Client and assist with clarification processes

3.26. Prepare ratification reports to contain decision making process on the selection for approval by the Client

3.27. Draft communication to successful bidders and start Standstill period if relevant

3.28. Provide all tender documentation to be included in the contract

3.29. Provide advice to contracts manager on essential requirements where requested

3.30. Risk assessment of terms and conditions provided by Bidders (in specific circumstances - otherwise NHS terms and conditions must be used)

3.31. Advise on the warranty and termination clauses in contracts

3.32. Review penalty clauses and possibility of financial claw back

3.33. Provide procurement advice to the Client on compliant procurement process, in writing when necessary

3.34. Provide a risk register that highlight the advice given and the consequences of following a different process/route

3.35. Ensure regular communications with nominated Client Leads on current procurement issues

3.36. Escalate any issues that may occur in any procurement processes to the relevant senior manager

3.37. Check existence of Frameworks to be utilised to ensure best value and compliance with Government Policy.

3.38. Check existing contracts within the Authority to determine whether they can be utilised, to aggregate requirements.

3.39. Liaise with the Authority's Client to seek necessary approvals as per the Client's Financial Policies (e.g. tender waivers / Business cases)

3.40. Prepare contract award documentation

3.41. Issue award documentation trough e-tendering portal

3.42. Advise on Freedom of information request and obligations (where these relate to procurement activity undertaken for the Authority's Client)

3.43. Advise on the need for Credit Check reports or other financial status checks relevant to the nature or risk of the contract

3.44. Contract drafting and negotiation of terms and conditions

3.45. Provide procurement project initiation document and complete as per scope meeting as appropriate to the nature of the procurement activity to be undertaken

3.46. Chair scoping meetings with client as required

3.47. Work in co-operation with the Authority's client and provide information to ensure new contracts let are recorded on the Authority's contracts register on the ProContract system.

3.48. Advise on the process of extending existing contracts or contract variations

3.49. Highlight risk of extending contract without specific provisions in the tender

3.50. Inform the Authority's Procurement and contracts team about complaints and challenges in relation to procurements and work in cooperation with the Authority's client to resolve any issues.

3.51. Ensure that project timescales are estimated and agreed with the client prior to project initiation, and that project milestones are met within given deadlines. Client should be prompted to ensure timescales are met as required.

4. Operational Procurement service

The successful supplier will provide the following operational procurement service which will be conducted through the Authority's finance ERP system Oracle R12 provided by NHS Shared Business Services:

4.1. Manage workflow of purchase requisition originating from the Authority's client and convert to purchase orders complying with the Authority's SFI's and procurement policy.

4.2. Review non-catalogue requests with a view to add to the catalogue or to a Smart form

4.3. Check purchase requisitions compliance to the Authority's procurement policy and standing financial instructions, such as mandatory contracts and compliance to spend controls

4.4. Provide reports as and when requested by the Client in relation to the operational service.

4.5. All other notifications routed via the Service Provider Buying Team will need the assistance of the Client to resolve specific queries. E.g. increasing quantities to Purchase Orders or closing PO when necessary.

4.6. Respond to requisitions by need by date or as per urgency (to be determined in the note to buyer)

4.7. Provide feedback to the Client on the absence of documentation

4.8. Inform the Client on documentation to be provided (e.g. tender documentation, contract documents, etc.)

4.9. Attend and participate in forums and meetings as required.

4.10. Review regularly with the Authority and NHS Shared Business Services, the Service offering and making recommendations for any improvement

4.11. Close orders and re-open orders as required

The successful supplier will have:

4.12. Knowledge of iProc P2P system to offer support to the Client

4.13. Ability to Perform as per KPI's (see 8 below for detail of KPIs)

5. Legal Aspects

5.1. Advise the Client on the legal requirements to procure

5.2. Advise Client on risk associated with the service and the procurement route selected

5.3. Advice on the risks associated with competition, transparency, equal treatment, quality and efficiency of the services to be procured

5.4. Provide legal training in workshops, one to one sessions or other methods as and when required by the Client

5.5. Legal analysis of competition issues or as a consequence of potential collusive bids by the providers.

5.6. Competition risk Analysis on partnership agreements, federations or other agreement to be made by the Client

5.7. Support the Client on the challenges that may arise during and after the procurement process and provide support on alternative dispute resolution

5.8. Defend potential challenges by liaising with Monitor, the Cabinet Office's mystery shopper or other public organisations in case of investigations against the Client

5.9. Legal updates will be provided to the Client and the Procurement and Contracts Team on relevant procurement issues or challenges

5.10. Provide support and advice via appropriate communication methods as requested by the Client.

5.11. Refer queries in relation to any complex legal issues to the Procurement and Contracts team.

5.12. Produce Regulation 84 Reports (where applicable) as required by PCR 2015 and make available on request.

6. Procurement System

The successful supplier will use / implement an e-procurement system for the administration of the Authority's projects which will have the following functionality:

6.1. Ensure full compliance to the Authority's standing financial instructions and the Authority's procurement policy, DH and cabinet office policy and UK/EU procurement rules and has a full audit trail capability

6.2. Advertise the Authority's opportunities on contracts finder

6.3. Advertise PIN, OJEU notice and contract award notice on behalf of the Authority's client

6.4. Manage clarification questions as part of the tender process.

6.5. Full verification of access control i.e. only those panel evaluators are allowed to open the bid proposal once the competition has closed

6.6. Full access control to the entire procurement exercise should the Authority decide to delay, extend or change the procurement tender pack information this also includes additional activities such as "clarification" and full audit capacity and capability when/who/how tender information/documents were accessed (date timestamps, etc.) to provide evidence for compliance purposes should there be a legal challenge – output of documents/downloads must be appropriate to be presented to the Authority's legal advisers as and when necessary.

6.7. Archive a procurement exercise when it has been "closed" and intuitive/easy retrieval of historic details for new procurement exercise on request as per legislative requirements.

6.8. Accept late submissions if applicable

6.9. Manage a wide range of procurement types:
Frameworks, Open competition, Restricted tenders, Competitive dialogue, eRFQ, expressions of Interest

6.10. Provide supplier registration link with opportunities and allow automatic supplier registration free of charge.

6.11. Ensure that supplier notifications are dealt with in a proactive way and that tender documentation is received

6.12. Handle professional/commercial documentation standards such as Microsoft Office products (Word, Excel, MS Project, etc), Adobe Acrobat, etc

The successful supplier will have:

6.13. Knowledge and experience of managing procurements on Pro-contract e-tendering system (used by the Authority).

6.14. Willingness / potential to adapt Pro-Contract system and have a shared platform with the Authority.

7.   Training and guidance

The successful supplier will have the ability to provide procurement training/guidance on:

7.1. Procurement and contracts training in the form of workshops, one to one sessions or other methods as and when required by the Client

7.2. Project specific requirements for the Authority's staff involved in the specific procurement projects (e.g. tender evaluators etc.)

The successful provider will have the ability to:

7.3. Produce and provide training material, guidance notes, process maps, aligned with the Authority's documents (Procurement Policy, Procurement manual) as and when required by the procurement and contracts team.

8.   Key Performance indicators

The successful supplier will comply with the following key performance indicators:

8.1. Work- Plan and Project Delivery Ensure all projects on the work-plan are delivered in accordance with individual/tailored procurement time-lines and in accordance with UK/EU

Legislation & procurement regulations. Project report detailing project title, the Authority's client lead, value, procurement process, timeline and anticipated savings/benefits   to be provided to the Authority's national procurement team on a monthly basis

8.2. Legal Compliance: Ensure all procurement processes are 100% legally compliant, and that information is made available to the Authority within 5 working days.

8.3. Audit Compliance: Provide contracts / procurement information when requested by the Authority's internal / external auditors. 100% of information requests should be met within 24 hours if requested for audit purposes.

8.4. Electronic Requisitions: All requisitions raised and submitted electronically through ORACLE iProc. KPI 5 Requisitions Processing: All requisitions to be actioned to a Purchase Order (PO) within 3 working days

8.5. Client Satisfaction: Ensure all stakeholders are satisfied with the procurement service. Customer satisfaction to achieve target of 90% via completion of client feedback form at the conclusion of procurement project.

8.6. Promptness in dealing with client enquiries. Respond to all client enquiries within 48 hours of the request.

8.7. Percentage of contracts awarded to SME's is no less than 33% of total number of contract awarded per year to be achieved by 2020 (or earlier).

8.8. Percentage of fully MCIPS qualified staff or working towards CIPS qualification is no less than 80%

8.9. Provide detailed quarterly reports to the Authority's national procurement and contract team (as detailed under 1.4. in section 1), no later than the last working day of each quarter.

8.10. Provide brief weekly email updates to the dedicated contact at the Authority (as detailed on 1.5. under section 1). At least one report per week should be provided, no later than by 4pm on Thursday.
NOTE: information to be emailed to HEE.procurementcontracts@nhs.net

9. Authority's premises and locations

The successful supplier will provide Services at the following Authority premises and locations:

9.1. See Annex A3 – list of the Authority's sites and locations. (Note, bidders will provide the service to the Authority's client using the most appropriate means of business to business communication which may mean attendance at any of the listed sites for support to the Authority's client).

10. Equipment

The Authority will provide equipment for use by the Supplier in accordance with the following:

10.1. Access to Oracle R12 via current contract with NHS Shared Business Services for the provision of financial services. Oracle should be utilised fully for raising Purchase orders

11. Staff

Supplier Staff who will be treated as key staff are:

11.1. Procurement Director
11.2. Head of Procurement
11.3. Procurement Manager
11.4. Buyer (or equivalent levels)

12. Review Meetings

The successful supplier will attend contract review meetings as the follows:

12.1. The supplier of services will meet with the Authority's nominated personnel on a quarterly basis at a location agreed between the 2 parties.

    12.1.1. Review meetings will consist of:

        12.1.1.1. Update on project plans

        12.1.1.2. Performance against KPI's

        12.1.1.3. Identified service issues

        12.1.1.4. Suggestions for service improvement

13. Authority provided resources, equipment, consumables and other items

The Authority will provide the following resources, equipment and consumables

13.1. Contract manager – who will be the central point of contact for service delivery and performance monitoring including dispute resolution and escalation.

13.2. The Authority's Client procurement project lead – as agreed between supplier and the Authority's project team

13.3. Access to Oracle R12

14. Electronic Trading System

The Supplier and the Authority will use the following Electronic Trading System:

14.1. Oracle R 12

15. Supply to the Authority of information, data and other records and documents

The Supplier will provide information, data and other records and documents to the Authority on request as follows:

15.1. Project initiation documentation

15.2. Business case documentation including specific approvals relating to spend control categories

15.3. Documentation and correspondence relating to pre-market engagement

15.4. Tender documentation

15.5. Evaluation information and data

15.6. Contract documentation

15.7. Section 84 reports as required by the Public Contracts Regulations 2015, for every above threshold contract or framework agreement awarded. Report should be available on request for the Authority, The European Commission and Cabinet Office at any time.

15.8. Any communication or correspondence relating to procurement projects that evidence an audit trail of decisions

16. Information security management

The successful supplier will implement and maintain an information security management plan including:

16.1. Evidence of following best practice and the International Standard for Security Management (ISO27001) and government-related security guidance such as the Cabinets information Security Policy framework and or adherence to meeting compliance within the IG toolkit.

16.2. Evidence that their solution conforms to the Data Protection Act and any associated legislation and administration guidance.

17. Cyber essentials scheme

The successful supplier will comply with the Government's Cyber Essentials Scheme as follows:

17.1. Have a cyber security policy in place within their organisation: The supplier has / is willing to implement of the controls to mitigate cyber-attacks under the following, selected categories:

The successful supplier has / is willing to implement of the controls to mitigate cyber-attacks under the following, selected categories:

17.2. Boundary firewalls and internet gateways: One or more firewalls (or equivalent network device) should be installed on the boundary of the organisation's internal network

17.3. Secure configuration: Computers and network devices (including wireless access points) should be securely configured.

17.4. Access control: User accounts, particularly those with special access privileges (e.g. administrative accounts) should be assigned only to authorised individuals, managed effectively and provide the minimum level of access to applications, computers and networks.

17.5. Malware protection: Computers that are exposed to the internet should be protected against malware infection through the use of malware protection software.

17.6. Patch management: Software running on computers and network devices should be kept up-to-date and have the latest security patches installed.