



Crown  
Commercial  
Service

Invitation to tender

Attachment 1 – About the framework

RM3837 – Construction Products,  
Consumables and Materials

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## Welcome

We invite you to bid in this competition for Construction Products, Consumables and Materials. Our invitation to tender pack comes in two main parts:

**Attachment 1 - About the framework** (this document) – what the opportunity is, who can bid, the timelines for this competition and how to ask questions.

Plus:

- the competition rules and obligations and rights between us and you
- how the framework contract works - what a framework is and what's in a framework contract

**Attachment 2 – How to bid** – guidance on how to submit your bid, the selection and award stages, how we will assess your bid, what is the process at intention to award and the framework contract award stage.

Register on our eSourcing suite if you are not already registered. You must use our eSourcing suite to make your bid.

Please read attachment 3 Bidder guidance for help about our eSourcing suite and how to submit a compliant bid.

There are a number of additional attachments, annexes and appendices in the ITT pack.

These attachments are:

Attachment	Lot(s)	Instructions	Question/envelope
<b>Attachment 2a</b> Selection questionnaire	1 to 9	you must complete the questions detailed in this questionnaire online in the eSourcing Suite	Qualification envelope
<b>Attachment 3</b> Bidder Guidance	1 to 9	this is for information only, please read to ensure you are using the eSourcing Suite correctly, remember to allow plenty of time to complete, upload and submit your bid	N/A
<b>Attachment 4</b> Information and declaration workbook	1 to 9	if you are relying upon any other organisation, including consortia members and/or key subcontractors members, to meet the selection, you must get each of the organisations to populate this attachment. You must then attach each of the populated attachments to the relevant selection	Qualification envelope

		<p>questions in the eSourcing Suite (qualification envelope).</p> <p>Consortia members</p> <p>The file / zip file must be named [1.10.4_yourorganisationname]</p> <p>Key subcontractors</p> <p>The file / zip file must be named [1.12.3_insertyourcompany name]</p> <p>Guarantor</p> <p>The file / zip file must be named [1.21.2_insertyourcompany name]</p>	<p>Consortia</p> <p>Question 1.10.4</p> <p>Key subcontractors</p> <p>Question 1.12.3</p> <p>Guarantor</p> <p>Question 1.21.2</p>
<b>Attachment 5</b> Financial assessment template	1 to 9	<p>you do not need to populate or submit this template as part of your bid, it is for information only. Please see attachment 2 – How to bid 8.2 Compliance Check and Part 5 Financial Risk in the eSourcing Suite (qualification envelope).</p>	Not applicable
<b>Attachment 6</b> Consortia details	1 to 9	<p>you should complete this spreadsheet if you are bidding as the lead member of a consortium and attach to selection question 1.10.3 in the eSourcing Suite (qualification envelope).</p> <p>Please name the file [consortia_insertyourcompanyname]</p>	<p>Qualification envelope</p> <p>Question 1.10.3</p>
<b>Attachment 7</b> Key subcontractor details	1 to 9	<p>you should complete this spreadsheet if you intend to use Key Subcontractors in your bid and attach to selection question 1.12.1 in the eSourcing Suite (qualification envelope).</p> <p>Please name the file [sub_insertyourcompanyname]</p>	<p>Qualification envelope</p> <p>Question 1.12.1</p>
<b>Attachment 8</b> Framework agreement lots 1 to 9	1 to 9	<p>Read this carefully with attachment 8a</p> <p>Please note Schedule 2 Part A – Goods and Services details the specifications for lots 1 to 8 and lot 9 are</p>	

<b>Attachment 8a</b> Call off terms lots 1 to 9	1 to 9	Read this carefully with attachment 8	
<b>Attachment 9</b> Customer reference information	1 to 9	you should complete this attachment with the required customer reference information for the lots you are bidding for and attach to selection question 1.32.2 in the eSourcing Suite (qualification envelope).  Please name the file [Ref_insertyourcompanyname]	Qualification envelope  Question 1.32.2
<b>Attachment 10</b> Framework population template	1 to 9	you should complete this attachment attach to selection question 1.30.1 in the eSourcing Suite (qualification envelope).  Please name the file [FAF_insertyourcompany name]	Technical envelope Question 1.30.1
<b>Annex 1</b> NUTS codes supplier branches	1 to 8	you must complete the spreadsheet for the lots you are bidding for and attach to award question Q1 in the eSourcing Suite (technical envelope).  Please name the file [Annex 1_insertyourcompanyname]	Technical envelope Question Q1
<b>Annex 2 to 5</b>	Not used		
<b>Annex 6</b> Pricing matrix	1 to 9	you must complete the spreadsheet for the lots you are bidding for and upload to question PQ1 in the eSourcing Suite (commercial envelope).  Please name the file [price_insertyourcompanyname]	Commercial envelope  Question PQ1
<b>Annex 7</b> Goods Category Coverage	1 to 8	you must complete the spreadsheet for the lots (1 to 8) you are bidding for and attach to award question Q2 in the eSourcing Suite (technical envelope).  Please name the file [Annex7_insertyourcompanyname]	Technical envelope Question Q2

You are also required to submit as part of your bid by uploading to the eSourcing suite the following:

Template	Lot(s)	Instructions	Question/envelope
Final form Framework Agreement Page 41 Framework signature page	1 to 9	Upload to question 1.30.3 your completed Final Form Framework Agreement signature page  See section 2 What a framework is paragraphs 2.2 to 2.5  Please name the file [Sig_insertyourcompanyname]	Qualification envelope  Question 1.30.3
No template provided	1	upload to question PQL1 your full price catalogue which covers the Goods Categories in Annex 7 (prior to any discounts being applied) in excel format.  Please name your attachment "[L1Cat_insertyourcompanyname]"	Commercial envelope  PQL1 - Lot 1 Price catalogue
No template provided	2	upload to question PQL2 your full price catalogue which covers the Goods Categories in Annex 7 (prior to any discounts being applied) in excel format.  Please name your attachment "[L2Cat_insertyourcompanyname]"	Commercial envelope  PQL2 - Lot 2 Price catalogue
No template provided	3	upload to question PQL3 your full price catalogue which covers the Goods Categories in Annex 7 (prior to any discounts being applied) in excel format.  Please name your attachment "[L3Cat_insertyourcompanyname]"	Commercial envelope  PQL3 - Lot 3 Price catalogue
No template provided	4	upload to question PQL4 your full price catalogue which covers the Goods Categories in Annex 7 (prior to any discounts being applied) in excel format.  Please name your attachment "[L4Cat_insertyourcompanyname]"	Commercial envelope  PQL4 - Lot 4 Price catalogue

No template provided	5	upload to question PQL5 your full price catalogue which covers the Goods Categories in Annex 7 (prior to any discounts being applied) in excel format.  Please name your attachment "[L5Cat_insertyourcompanyname]"	Commercial envelope  PQL5 - Lot 5 Price catalogue
No template provided	6	upload to question PQL6 your full price catalogue which covers the Goods Categories in Annex 7 (prior to any discounts being applied) in excel format.  Please name your attachment "[L6Cat_insertyourcompanyname]"	Commercial envelope  PQL6 - Lot 6 Price catalogue
No template provided	7	upload to question PQL7 your full price catalogue which covers the Goods Categories in Annex 7 (prior to any discounts being applied) in excel format.  Please name your attachment "[L7Cat_insertyourcompanyname]"	Commercial envelope  PQL7 - Lot 7 Price catalogue
No template provided	8	upload to question PQL8 your full price catalogue which covers the Goods Categories in Annex 7 (prior to any discounts being applied) in excel format.  Please name your attachment "[L8Cat_insertyourcompanyname]"	Commercial envelope  PQL8 - Lot 8 Price catalogue

## Guidance:

Make sure you read all the guidance, information and instructions that we provide – they are there to help you to make your best bid.

We hope everything is clear – if it is not, we explain in paragraph 4 of this document when and how you can ask questions.

Please read attachment 3 Supplier Guidance for help with using our e-Sourcing suite and instructions on how to submit a compliant bid.

All communications from and to us will be via the e-Sourcing suite. You must ensure that your registration on the system is up to date and active at all times. You must also ensure that you login to the e-Sourcing suite and check for any messages at regular intervals throughout the competition.

Remember to allow plenty of time to complete and submit your bid before the deadline.

## What 'we', 'you' and 'buyer' means

When we use "CCS", "we", "us" or "our" we mean Crown Commercial Service (the Authority);

When we use "you" or "your" we mean your organisation, or the organisation you represent, in this competition also referred to as bidder.

When we use "buyer" we mean the Contracting Authority's listed in paragraph VI.3 of the OJEU Notice who are authorised to conduct call-offs through the framework agreement.

We are the central purchasing body that procures common goods and services for buyers including central government departments and the wider public sector.

The Public Contracts Regulations 2015 regulate how we procure. This means that we and you have to follow processes that are fair, transparent and equitable for all bidders.

## 1. Who can bid

- 1.1 We are running this competition using the open procedure. This means that anyone can submit a bid in response to the published contract notice.
- 1.2 The contract notice can be found on tenders electronic daily (TED) and our website <https://ccs-agreements.cabinetoffice.gov.uk/procurement-pipeline>.
- 1.3 You can submit a bid as a single legal entity. Alternatively, you can take one or both of the following options:
  - work with other legal entities to form a consortium. If you do, we ask the consortium to choose a lead member who will submit the bid on behalf of the consortium.
  - bid with named sub-contractors to deliver parts of the requirements. This applies whether you are bidding as a single legal entity or as a consortium.
- 1.4 We recognise that plans in relation to sub-contracting or a consortium may be subject to change up to contract award. You must tell us about any changes to the proposed sub-contracting or to the consortium as soon as you know. If you do not, you may be excluded from this competition.

## 2. What a framework is

- 2.1 A framework is an agreement with one or more suppliers to set out terms and conditions for buyers making specific purchases (call offs) awarded during the life of the framework.



- 2.2 The framework agreement and call-off agreement terms and conditions are non-negotiable, whether during this procurement or post award. You may seek clarification of any points are not clear or if there are any apparent errors in relation to the terms throughout the clarification period refer to paragraph 6 'when and how to ask questions'. If, we accept that they are not clear or there is an error, then we will make the appropriate changes and issue any changes at the same time as the Deadline for our responses to clarification questions as set out in Section 4 below. This version shall be known as the Final Form Framework Terms and shall be available for download the day after the Deadline for our responses to clarification questions.
- 2.3 You should return a signed copy of the Final Form Framework Terms signature page at the same time as submitting your bid, prior to the Bid Submission Deadline. You should do this by uploading a pdf copy of the signature page in the same way as would upload your bid. By uploading a pdf copy of the signature page, you irrevocably and unconditionally authorise us to take the action specified in paragraph 2.4 or paragraph 2.5 below, as applicable, without any further confirmation or instruction from you and without prior recourse to you.
- 2.4 If you are a successful bidder, we will sign the Final Form Framework Terms and issue to you a complete copy of the framework agreement via the eSourcing Suite, complete with the information you have submitted in your bid, specifically:
- framework population template – attachment 10
  - details of consortia members – attachment 4
  - details of key subcontractors – attachment 4
  - pricing - annex 6
  - catalogue prices
- The completed framework agreement will be managed by you and us.
- 2.5 If you are not a successful bidder the Final Form Framework Terms which you signed (under paragraph 2.3) will not be signed by us and we will delete that document. No legally binding contract between you and us will come into effect.
- 2.6 Buyers can then use the framework to make specific call offs. Each call off agreement will be signed and managed by you and the buyer.
- 2.7 There may be multiple call off agreements under one framework agreement. However we cannot guarantee that you will receive any business through this framework.
- 2.8 We will collect the management information and the management charge; see framework agreement clause 19: Management charge and schedule 9: Management Information
- 3. How the framework is structured**
- 3.1 This competition is for multi- supplier framework
- 3.2 The framework will be established for 18 months.

- 3.3 The estimated value of the call off contracts that may be placed under this framework is set out in the OJEU contract notice.

3.4 This framework will have 9 lots:

Lot number	Lot name
Lot 1	Building Materials and Associated Services “One Stop” Shop
Lot 2	Plumbing and Heating
Lot 3	Electrical
Lot 4	Timber and Joinery
Lot 5	Workshop, Industrial and Electrical Tools
Lot 6	Paints and Solvents
Lot 7	Flooring and Tiling
Lot 8	Small Tools and Plant Hire Services
Lot 9	Personal Protective Equipment (PPE)

3.5 You can submit a bid for any individual or combination of lots.

3.6 The maximum possible score capable of being achieved by a bidder for all lots is 100. This is a combination of the scores achieved for the quality evaluation and the price evaluation respectively’

Lot	Quality evaluation	Price evaluation	Maximum score
Lot 1	30	70	100
Lot 2	30	70	100
Lot 3	30	70	100
Lot 4	30	70	100
Lot 5	30	70	100
Lot 6	30	70	100
Lot 7	30	70	100
Lot 8	30	70	100
Lot 9	30	70	100

3.7 The number of suppliers that will be awarded a framework contract for each lot is:

Lot 1	A bidder will be awarded a place on lot 1 if they achieve or exceed the minimum final score of 55
Lot 2	A bidder will be awarded a place on lot 2 if they achieve or exceed the minimum final score of 55
Lot 3	A bidder will be awarded a place on lot 3 if they achieve or exceed the minimum final score of 55
Lot 4	A bidder will be awarded a place on lot 4 if they achieve or exceed the minimum final score of 55
Lot 5	A bidder will be awarded a place on lot 5 if they achieve or exceed the minimum final score of 55
Lot 6	A bidder will be awarded a place on lot 6 if they achieve or exceed the minimum final score of 55
Lot 7	A bidder will be awarded a place on lot 7 if they achieve or exceed the minimum final score of 55
Lot 8	A bidder will be awarded a place on lot 8 if they achieve or exceed the minimum final score of 55
Lot 9	A bidder will be awarded a place on lot 9 if they achieve or exceed the minimum final score of 55

## 4. Timelines for the competition

- 4.1 These are our intended timelines. We will try to achieve these but, for a range of reasons, dates can change as the competition progresses. We will tell you if and when timelines change:

Start Date (this is the date we submitted the Contract Notice to be published)	28 <sup>th</sup> February 2019
Clarification Questions Deadline	17:00 11/03/2019
Deadline for our responses to clarification questions	13/03/2019
Bid Submission Deadline	17:00 21/03/2019
Issue of intention to award notices to successful and unsuccessful bidders	08/04/2019
End of mandatory Standstill Period	midnight at the end of 17/04/2019
Framework start date	20/04/2019

## 5. When and how to ask questions

- 5.1 We hope everything is clear to you after you have read all the ITT pack and its attachments.
- 5.2 If you have any questions you need to ask them as soon as possible after the Start Date. This is because we have set a deadline for submitting questions – the Clarifications Questions Deadline. This will give you the chance to check that you understand everything before you submit your bid.
- 5.3 You need to send your questions through the eSourcing Suite. This is the only way we can communicate with bidders. Try to ensure your question is specific and clear. Do not include your identity in the question. This is because we publish all the questions and our responses, to all bidders.
- 5.4 If you feel that a particular question should not be published, you must tell us why when you ask the question. We will decide whether or not to publish the question and response.
- 5.5 Remember that you can ask us questions about the framework agreement and call off contract but please do not attempt to ‘negotiate’ the terms. All framework awards will be made under identical terms.

## **6. TUPE**

- 6.1 We do not consider that the Transfer of Undertakings (Protection of Employment) Regulations 2006 (“TUPE”) to be an issue in respect of this procurement at framework level, as the services are not provided at this level.
- 6.2 It is your responsibility to take your own advice and consider whether TUPE is likely to apply and to act accordingly. You are encouraged to carry out your own due diligence exercise.

## **Competition rules**

We run our competitions so that they are fair and transparent for all bidders. This section - competition rules sets out the conditions of participation for this competition. It needs to be read together with the ITT pack

### **7. What you can expect from us**

- 7.1 We will not share any information from your bid with third parties, apart from other central government bodies (and their related bodies), which you have identified as being confidential or commercially sensitive. However, we may share this information but only in line with the Regulations, the Freedom of Information Act 2000 (FOIA) or any other law as applicable.

### **8. What we expect from you**

- 8.1 You must comply with these competition rules and the instructions in this bid pack and any other instructions given by us. You must also ensure members of your consortium, group companies, key sub-contractors or advisers comply.
- 8.2 Your bid must remain valid for 120 days after the Bid Submission Deadline.
- 8.3 You must submit your bid in English and through the eSourcing Suite only.

#### **Involvement in multiple bids**

- 8.4 If you are connected with another bid for the same lot, we may make further enquiries. For example, where:
- you submit a bid in your own name and as a key sub-contractor and/or a member of a consortium connected with a separate bid; or
  - you submit a bid in your own name which is similar to a separate bid from another bidder within your group of companies.
- 8.5 This is so we can be sure that your involvement does not cause:
- potential or actual conflicts of interest;
  - supplier capacity problems; or
  - restrictions or distortions in competition.
- 8.6 We may require you to amend or withdraw all or part of your bid if, in our reasonable opinion, any of the above issues have arisen or may arise.

## **Collusive Behaviour**

8.7 You must not and make sure that your directors, employees, subcontractors, key subcontractors, advisors, companies within your group or members of your consortia do not:

- fix or adjust any part of your bid by agreement or arrangement with any other person, except where, getting quotes necessary for your bid or to get any necessary security;
- communicate with any person other than the us the value, price or rates set out in your bid or information which would enable the precise or approximate value, price or rates to be calculated by any other person except where such communication is undertaken with persons who are also participants in your bid submission, namely those listed in questions 1.10.3 and 1.12.1 of the selection questionnaire, where disclosure to such person is made in confidence in order to obtain quotes necessary for your bid or to get any necessary security;
- enter into any agreement or arrangement with any other bidder, so that bidder does not submit a bid;
- share, permit or disclose to another person, access to any information relating to your bid submission (or another bid submission to which you are party); or
- offer or agree to pay or give any sum or sums of money, inducement or valuable consideration directly or indirectly to any other person for doing or having done or causing or having caused to be done in relation to its bid submission

8.8 If you do breach paragraph 8.7, we may (without prejudice to any other criminal or civil remedies available to it) disqualify you from further participation in this competition.

8.9 We may require you to put in place any procedures or undertake any such action(s) that we in our sole discretion considers necessary to prevent or stop any collusive behaviour.

## **Contracting Arrangements**

8.10 Only you or, as applicable, your key sub-contractors (as set out in your bid) or consortium members can provide goods and/or services through the framework agreement.

## **Contracting Arrangements for Consortia**

8.11 We may require a consortium to form a specific legal entity when signing a framework agreement. We may also require a member to sign a framework guarantee on behalf of the legal entity.

8.12 Otherwise, each member will sign the framework agreement.

## **Bidder conduct and conflicts of interest**

8.13 You must not attempt to influence the contract award process. For example, you must not directly or indirectly at any time:

- collude with other others over the content and submission of bids. However, you may work in good faith with a proposed partner, supplier, consortium member or provider of finance.
- directly or indirectly canvass any Minister, officer, public sector employee, member or agent our staff or advisors in relation to this competition.
- attempt to obtain information from any of our staff or advisors about another bidder or bid.

8.14 You must ensure that no conflicts of interest exist between you and us. If you do not tell us about a known conflict, we may exclude you from the competition. We may also exclude you if a conflict cannot be dealt with in any other way.

## **Confidentiality and Freedom of Information**

8.15 You must keep the contents of this bid pack confidential unless it is already in the public domain; you must keep the fact you have received it confidential. This obligation shall not apply insofar as:

- enabling you to submit a bid; or
- compliance with a legal obligation.

## **Publicity**

8.16 You must not publicise the goods and/or services or the award of any contract unless we have given express written consent. For example, you are not allowed to make statements to the media regarding any bid or its contents.

## **9. Our rights**

9.1 We reserve the right to:

- waive or change the requirements of this bid pack from time to time without notice.
- verify information, seek clarification or require evidence or further information in respect of your bid.
- exclude you if:
  - you submit a non-compliant bid
  - your bid contains false or misleading information
  - you fail to tell us of any change in the contracting arrangements between tender submission and award. Or, if you do tell us, allowing the change in the contracting arrangements would result in a breach of procurement law
  - for any other reason set out elsewhere in this bid pack
  - for any reason set out in the Public Contract Regulations 2015



- withdraw this bid pack at any time, or re-invite bids on the same or alternative basis.
- choose not to award any contract or lot as a result of the competition.
- choose to award different lots at different times.
- make any changes to the timetable, structure or content of the competition.

## 10. General

### **Bid costs**

10.1 We will not pay your bid costs for any reason e.g. if we terminate or amend the competition.

### **Warnings and disclaimers**

10.2 We will not be liable:

- where parts of the bid pack are not accurate, adequate or complete; or
- for any written or verbal communications.

10.3 You carry out your own due diligence and rely on your own enquiries.

10.4 This bid pack is not a commitment by us to enter into a contract.

### **Intellectual Property Rights**

10.5 The bid pack remains our property. You must use the bid pack only for this competition.

10.6 You allow us to copy, amend and reproduce your bid so we can:

- run the competition;
- comply with law and guidance;
- carry out our business.

10.7 Our advisors, sub-contractors and other government bodies can use your bid for the same purposes.