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**eAuction Rules**

**RM6174 Multifunctional Devices (MFDs), Print and Digital Workflow Software Services and Managed Print Service Provision - Lot 1**

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| **eAuction Rules Summary**  Bidders should note that the following details may be altered by the Authority with prior notification | | | | |
| eAuction Type | Reverse English Price Only |  | Minimum Bid Decrement | The minimum Bid decrement is **TBC** |
| Entry Pricing | Opening Bid | Bidding Type | Total “Basket” Price (line item prices entered) |
| Extension Rule | Remaining bid time returns to 5 minutes if any bid is placed in the last 5 minutes [refer to paragraph 6] | Login Time | 20 minutes before scheduled eAuction Start time |
| Minimum Duration | 30 minutes | Award Decision | Lowest Price |
| Date of eAuction: | **Wednesday 14 July 2021** |  | eAuction Start Time: | **10:00am** |
|  | **Potential rollover  Thursday 15th July 2021** |  |  |  |

**URL for Crown Commercial Service eSourcing Suite:**

**https://crowncommercialservice.bravosolution.co.uk/**

**GLOSSARY**

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| **“Authority”** | [means the Minister for the Cabinet Office (“**Cabinet Office**”) represented by Crown Commercial Service which is a trading fund of the Cabinet Office whose offices are located at 9th Floor, The Capital, Old Hall Street, Liverpool, L3 9PP]; |
| **“eAuction”/ “eAuction tool”** | means the procurement tool used by the Authority, using web-based software which allows Potential Providers to compete electronically online and in real time by submitting their prices for the provision of the goods and/or services required by the Authority as more fully described in these eAuction rules; |
| **“Bidder”** | shall have the meaning given to it in paragraph 1.1 and the plural shall include the singular vice versa and ‘Bidder’ shall also mean ‘**Potential Provider’ –** the latter which is defined in the Invitation to Tender; |
| **“e-Sourcing Suite”** | means the online tender management and administration system used by the Authority to facilitate its procurement exercises as found at:**https://crowncommercialservice.bravosolution.co.uk/** |
| **“Framework Lot”** | means a discrete sub-division of the goods and/or services as referred to in the Invitation To Tender (described therein as a “Lot”); |
| **“Invitation to Tender”** | means the invitation to tender and attachments issued to potential providers by the Authority in respect of the RM6174 Multifunctional Devices (MFDs), Print and Digital Workflow Software Services and Managed Print Service Provision procurement; |
| **“Lot”** | for the purpose of these eAuction Rules alone, shall mean an item of the goods and/or services or set of items of the goods and/or services required by the Authority as set out in  Framework RM6174 Multifunctional Devices (MFDs), Print and Digital Workflow Software Services and Managed Print Service Provision – Lot 1 for which Bidders shall submit prices under the eAuction; |
| **“Opening Bid”** | shall have the meaning given to it in paragraph 4 and is referred to as a “preliminary bid” on the Authority’s eAuction tool; |
| **“Quality Evaluation”** | means the quality evaluation of a Tender undertaken prior to the eAuction as defined in the Invitation to Tender. |
| **“Quality Score”** | means the outcome of the Quality Evaluation expressed in the form of a numerical score as defined in the Invitation to Tender. |
| **“Tender”** | means a potential provider’s formal offer to provide the goods and/or the services required by the Authority in response to the Invitation to Tender; |

**RULES**

**1.**     **Participation in the eAuction**

1.1. The Authority shall invite to participate in the eAuction, those suppliers who have submitted admissible Tenders (the **“Bidders”**). For the avoidance of doubt, an admissible Tender is a Tender that has been submitted by a supplier, who has not been excluded pursuant to any of the mandatory grounds for exclusion under the Public Contracts Regulations 2015 and who meets the selection criteria, and whose Tender is in conformity with the technical specifications without being irregular, unacceptable or unsuitable.

**2.** **eAuction Type**

2.1. The Authority will use a ‘Reverse English Price Only eAuction’ to determine which Bidder(s) with whom a framework agreement will be concluded. The Reverse English Price Only eAuction requires Bidders to compete to offer the lowest price to supply the goods and/or services that are being procured by the Authority.

During and throughout the eAuction Bidders will have visibility of their rank in the eAuction, their respective bidsand the leading bid.

**3.**     **Award Decision**

3.1.  The Bidder whose final price is the lowest and is ranked first at the end of the eAuction will be awarded a Framework Agreement.

3.2.   Bidders should ensure that their closing bids reflect their best and final offer. If exceptional circumstances should arise and it is not feasible or possible for a successful Bidder to be awarded a Framework Agreement the Authority may award the Framework Agreement to the Bidder ranked second and so forth thereafter.

**4.** **Opening Bids**

4.1.  Bidders are required to submit initial prices as part of their Tender in accordance with the instructions provided within the Invitation to Tender (the “**Opening Bid**”).

In the event that two or more Bidders submit the Opening Bids of equal value and have the same quality score, those Bidders will be ranked equally at the start of the eAuction.

The prices submitted as part of your Pricing Matrix (Total Basket Price (A+B)) will be used to formulate your opening bid within the eAuction.

All Bidders will be required to submit their final Pricing Matrix following the close of the eAuction, this will reflect the Total Basket Price (A+B) at the end of the eAuction. Bidders will be advised by the eAuction Team as to the deadline to submit.

**5.** **Preparation for the eAuction**

5.1.   The Authority shall, in advance of the date of the eAuction, provide Bidders with guidance on how to use the eAuction tool.

5.2.  Bidders are strongly recommended to attend the Bidder Training which will include a demonstration of the eAuction tool via webinar. Bidders will receive an invitation via the webinar system in advance of the demonstration.

5.3.    Following the demonstration, referred to in paragraph 5.2 above, Bidders will be invited to a practice eAuction in order to familiarise themselves with the eAuction tool and to practice placing bids.

5.4.  It is important that Bidders prepare for the bidding before the eAuction commences. The eAuction will be conducted within a limited time and therefore pricing decisions will need to be made quickly in a real-time, dynamic environment. For this reason, it is important that Bidders:

(a) become familiar with the software by participating in the webinar demonstration and practice eAuction;

(b) mobilise participation from the right people within their respective organisations who can make bidding decisions on the spot during the live eAuction; and

(c)   develop a price negotiation strategy and calculate a ‘walk-away’ price that the Bidder can commit to before the eAuction commences.

5.5. The Authority will invite Bidders to log-on to the eSourcing Suite by 18:00 on the day before the date of the eAuction in order to view their Opening Bids. Please note that Bidders will not be able to place bids in the eAuction until the event opens.

5.6. Bidders must log on to the eSourcing Suite tool at least 20 minutes before the eAuction is due to start to ensure that their respective connections are fully working and that they are able to participate.

**6.** **The Live eAuction**

6.1.     The duration of the eAuction will initially be 30 minutes.  The Authority reserves the right to extend or reduce this initial time before or during the eAuction.

6.2.   Subject to paragraph 6.7, if a bid is received at any time within the last five minutes of the eAuction, the remaining time will automatically reset to five minutes. Each subsequent bid will trigger a further time extension, resetting the time to five minutes remaining. Please note that where the goods and/or services to be procured are divided into Lots, a time extension for one Lot will be applied to all Lots synchronously. The Authority reserves the right to extend/reduce this time before or during the eAuction.

6.3.   The eAuction will end when the clock has counted down to zero and states ‘Ended’.

6.4.   The Authority advises Bidders to place their bids well in advance of the last remaining minutes of the eAuction in order to avoid the risk of not being able to place their bid prior to the eAuction closure. The Authority cannot be held responsible for the latency of a Bidder’s connection and the time it takes to transmit information from the Bidder’s system to the Authority’s system across the internet. Only bids registered in the Authority’s system (eSourcing Suite) before the eAuction closes will be accepted as valid bids.

6.5.  The eAuction may be suspended at any time at the sole discretion of the Authority. Should this happen, the Bidder will receive notification via instant messaging or by phone. Bidders should please ensure that the correct telephone numbers for their designated contacts are recorded in the eSourcing Suite so that the Authority can contact them during the eAuction if required. This may be different from the normal contact number set out in a Bidder’s Tender.

6.6.  It is recommended that those persons in a Bidder’s organisation whose participation is required in the eAuction block out *a minimum* of two hours in their diaries from the start of the eAuction in case the eAuction is extended.   Bidders should however note that the eAuction may last longer than two hours.

6.7.   Should the eAuction still be running at 16:30 hours the Authority reserves the right to pause the event overnight and resume the morning of the next working day. In the event of this happening Bidders will be notified of timings via an eSourcing Suite message.

6.8.   Following the close of the eAuction there will be no further opportunities for bidding either on the eSourcing Suite or via any other method.  All bid adjustments must be completed during the currency of the eAuction.

6.9    Should any Bidder experience any technical difficulties during the eAuction, they must report the problem to the Authority immediately. In the first instance contact with the Authority should be via the e-Sourcing Suite messaging facility, but if network connectivity is lost then Bidders should please call: **0739 584 5659.**

6.10  The Authority may, at its sole discretion, suspend the eAuction and resume it from the point at which it was suspended or in very rare cases, terminate the eAuction.  Where the Authority terminates the eAuction, it will cancel all previous bids and restart the eAuction. The Authority may suspend or terminate the eAuction at any time acting reasonably, for any reason, including but not limited to technical difficulties and will notify of this all Bidders accordingly. The Authority will advise Bidders when the eAuction will resume or be restarted.

6.11 Where the goods and/or service to be procured are divided into Lots, suspension and resumption activities are applied synchronously to all Lots.

6.12   Where problems in respect of the eAuction are reported by Bidders in the last two minutes of the eAuction, the Authority cannot guarantee that such problems will be resolved prior to eAuction closure.  It is therefore highly recommended that Bidders place their bids well in advance of the eAuction closing time.

6.13 Following the closure of the live eAuction CCS requires all Bidders to submit a revised version of their Pricing Matrix, this shall reflect their Total Basket Price (A + B)’ at the conclusion of the eAuction.

**7.  Placing bids**

7.1.  All bids must be placed using the eAuction tool and the Authority will not consider bids made using any other means.

7.2.  It is the Bidder’s responsibility to ensure that they have understood the guidance provided by the Authority on the use of eAuctions (including how to place a bid), these eAuction Rules and all other documentation relating to the procurement in respect of the eAuction.

7.3.     All bids must comply with the requirements set out in the Invitation to Tender.

**8.** **Binding nature of bids**

8.1.    All bidsplaced are binding on the Bidder. The eAuction tool requires Bidders to confirm their bid. By confirming their bid each Bidder will be deemed to have made a formal offer to supply the stated goods and/or services at the price submitted in the bid.  It is the Bidder’s responsibility to ensure that it is familiar with its own bidding strategy prior to the eAuction in order to avoid submitting incorrect bids during the eAuction. Once a Bidder has confirmed a bid, the Authority will not accept any increase in price in respect of that bid.

8.2.   If a Bidder makes an error it should notify the Authority immediately via an eSourcing Suite message and the Authority may, having the sole and absolute discretion to do so, allow the Bidder to adjust that bid. The Authority may be unable to allow for the adjustment of bids submitted during the final two minutes of the eAuction and reserves the right to not allow for the adjustment of such bids submitted during the final two minutes of the eAuction.   As such, where Bidders submit erroneous bids during the final two minutes of the eAuction, they may be bound by such erroneous bids.

**9.** **Tied bids**

9.1.  In the event that a supplier submits a bid that ties with another bid, the eAuction tool will rank the supplier who placed the bid first in the lead and the supplier who placed the bid later will be in the next ranked position.

**10.**  **Minimum decrement**

10.1.  A minimum bid decrement amount will be stipulated.  This means that a Bidder **must** reduce their bid by at least this amount in order to successfully place a valid bid in the eAuction tool.

**The minimum bid decrement for this eAuction will be confirmed.**

10.3.  The Authority reserves the right to change the minimum bid decrement before or during the eAuction by notifying Bidders of the change.

**11.**  **Currency**

11.1.  All bids must be displayed in GBP (£ sterling).

**12.**  **Messaging**

12.1.  Bidders may be sent messages at various times throughout the eAuction via the eSourcing Suite and/or contacted by telephone. All messages will be sent to the Bidder’s designated contact using the contact details for each Bidder that have been recorded in the eSourcing suite. It is important that Bidders respond promptly as necessary.