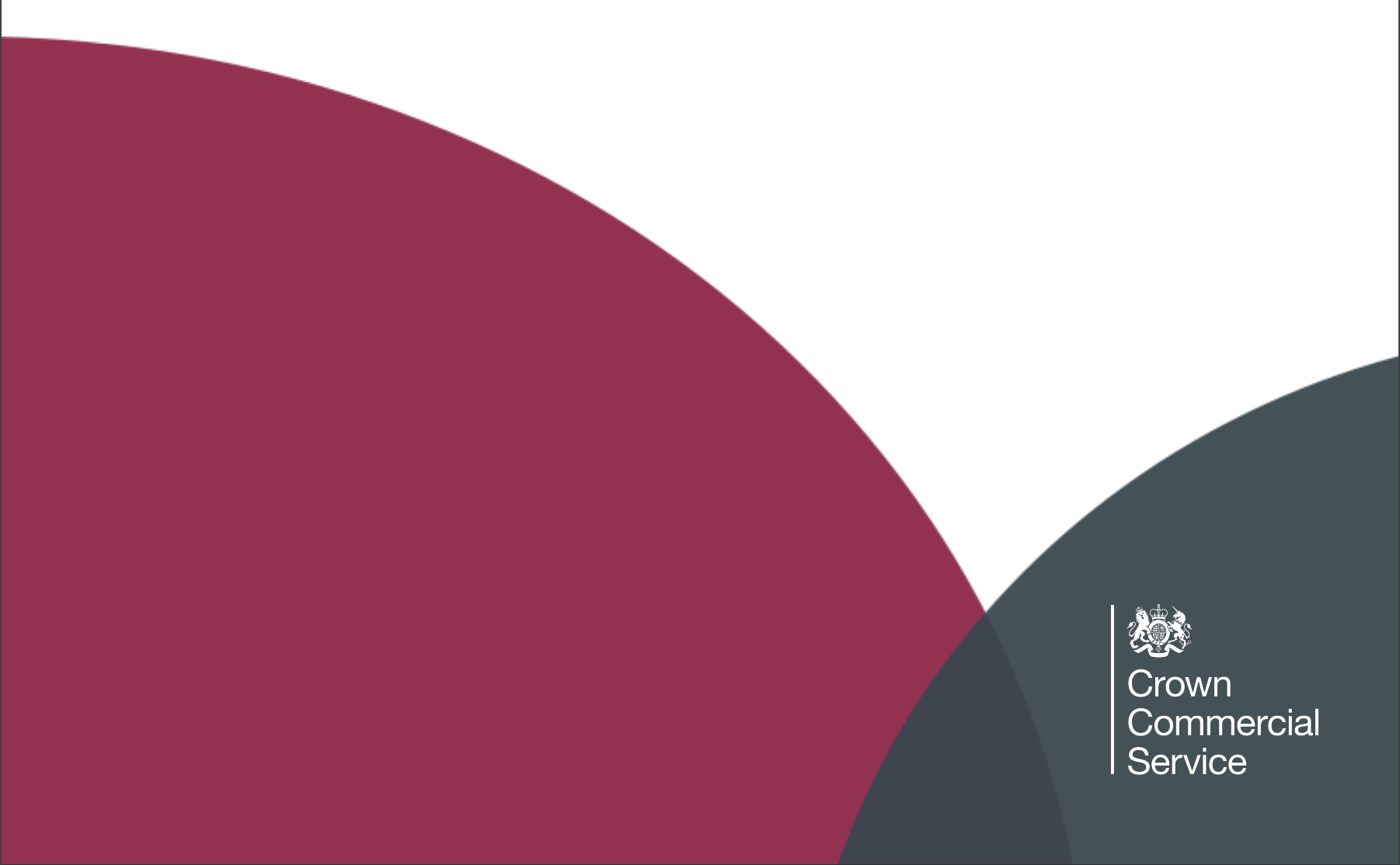
RM6313

Demand Management and Renewables DPS

Buyer Guide

# Key information

| **Category** | **Description** |
| --- | --- |
| **Agreement ID** | RM6313 |
| **Agreement name** | Demand Management and Renewables DPS |
| **Agreement duration** | 4 years |
| **Start date** | 28 November 2022 |
| **End date** | 23 February 2029 |
| **Maximum contract length** | Buyers may enter into a contract for a period of their determining- |
| **Scope of the agreement** | Buyers can access decarbonisation and energy efficiency products and services through a range of stages from design through to installation and maintenance that support public sectors carbon net zero targets. |
| **Buying options** | Further competition only |
| **Can be used by** | Any Central Government or Wider Public Sector organisation. Please see our full [customer list](https://www.contractsfinder.service.gov.uk/Notice/Attachment/931c10b9-dd75-41aa-97c5-0058fded3689) for more details. |
| **Contract notice** | [FTS Notice](https://www.find-tender.service.gov.uk/Notice/027009-2022?origin=SearchResults&p=1) |
| **Contact details** | [info@crowncommercial.gov.uk](mailto:info@crowncommercial.gov.uk) |
| **Glossary** | [Procurement terms glossary](https://www.crowncommercial.gov.uk/glossary) |

# What is a DPS?

A Dynamic Purchasing System (DPS) is an electronic tool that is used to purchase goods and services that are commonly used by the buyer and easy to find on the market. It’s similar to a framework but has the functionality to add new suppliers at any time and is 100% electronic. The DPS’s CCS currently offers can be found [here](https://www.crowncommercial.gov.uk/agreements/search?q=DPS).

## DPS suppliers

Suppliers can apply to join the DPS at any point during the agreement time frame. You can access the current list of suppliers by using the DPS Marketplace. Go to the section 'Register on the DPS Marketplace’ for more information on how to access this platform.

## DPS pricing

Pricing will be determined through further competition.

The exact pricing mechanism and structure will be determined by the buyer at the order stage depending on the level of works or services required.

# How to buy

This list shows a step by step process of how to buy from this agreement.

| Step | Instruction |
| --- | --- |
| **Number One** | Access agreement  Register on the DPS Marketplace  Check your sourcing tool |
| **Number Two** | Engage with suppliers  Conduct pre-market engagement |
| **Number Three** | Create specification and assessment criteria  Define your requirements  Design an evaluation approach |
| **Number Four** | Create your supplier shortlist  Use filters to shortlist suppliers  Consider doing a capability assessment |
| **Number Five** | Run a competition  Invite suppliers to bid  Review proposals and evaluate suppliers  Request evidence from suppliers  Notify your supplier |
| **Number Six** | Complete your order contract  Put together and sign your contract  Publish your decision |

## 

## 1. Access agreement

To use this agreement, you need to register on the Dynamic Purchasing System Marketplace (DPS Marketplace).

Before using this agreement you should ensure that you have applied for, and received, the necessary budget approval and agreed your procurement strategy with your internal teams.

Buyers from the Central Government (including arm’s length bodies) also need to follow the Cabinet Office Spending Controls when buying common goods and services. Please check [spend controls guidance](https://www.gov.uk/government/collections/cabinet-office-controls) to check whether your tender requires pre-approval. You should also ensure that you follow the guidelines provided in [The Sourcing Playbook](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/987353/The_Sourcing_Playbook.pdf) published by the Cabinet Office.

You should also start thinking about what your requirements are, so you can obtain valuable insight from suppliers during market engagement. See section ‘Create specification and assessment criteria’ for more information on what you should be considering when drafting your requirements.

When utilising the DMR DPS, buyers should consider referring to the themes and guidance within the Cabinet Office Net Zero Estate Playbook to support the transition to Net Zero 2050 and the overall public sector decarbonisation targets.

Further details can be found on the Cabinet Office [Net Zero Estate Playbook](https://www.gov.uk/government/publications/net-zero-estate-playbook) site

To access the agreement, please complete the RM6313 DPS Customer User Agreement that can be found on the [DMR DPS webpage](https://www.crowncommercial.gov.uk/agreements/RM6313) detailing the nature of your procurement and send to [info@crowncommercial.gov.uk](mailto:info@crowncommercial.gov.uk) before proceeding with the DPS registration process below.

### Register on the DPS Marketplace

To access the DPS marketplace, follow these five steps. You can also find a walkthrough of this process on this [‘How to use the DPS system’ video.](https://www.youtube.com/watch?v=bD01XW-MoMg)

1. Go to the [Supplier Registration page](https://supplierregistration.cabinetoffice.gov.uk/dps). You can register as a buyer on this page.
2. Scroll down to find the DPS you are interested in, in this case Demand Management and Renewables
3. There are several links under the introduction to your chosen DPS. Click on the link labelled ‘Access as a buyer’.
4. After signing in, read the Buyer Access Agreement. Click on the button labelled ‘Confirm’ to accept this agreement. This will lead you to the DPS home page.

### Check your sourcing tool

To communicate with suppliers and run the buying process, you will need to use either email, or a sourcing tool. This can be your organisation’s sourcing tool, or CCS’s eSourcing tool. To use the CCS tool, you need to complete the [eSourcing registration form](https://www.crowncommercial.gov.uk/esourcing-register). You can find more information about this tool in the [eSourcing buyer guide](https://www.gov.uk/government/publications/esourcing-suite-guidance-for-customers).

You should check whether the value of your purchase is over the threshold indicated on [Public Contracts Regulations 2015 transparency requirements](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1042490/transparency-requirements-publishing-on-contracts-finder-v0.1.pdf). If it does, you will need to publish the contract information on Find a Tender (FTS). You should also check whether you need to publish these notices on [Contracts Finder](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1042490/transparency-requirements-publishing-on-contracts-finder-v0.1.pdf), [Public Contracts Scotland](https://www.publiccontractsscotland.gov.uk/), [Sell2Wales](https://www.sell2wales.gov.wales/) and [eTendersNI](https://etendersni.gov.uk/epps/home.do).

Some sourcing tools communicate directly to FTS. Check whether your current sourcing tool is on the [list of eSenders](https://www.gov.uk/guidance/public-sector-procurement). If it is not on the list, you are recommended to contact the provider of your tool for an update, and to [register on FTS](https://supplierregistration.cabinetoffice.gov.uk/organisation/register?spentityid=https%253A%252F%252Fwww.find-tender.service.gov.uk%252Fapi%252Fsaml%252Fmetadata).

## 2. Engage with suppliers

Pre-market engagement allows you to informally gather information to help shape your needs. Through this engagement, you can find out about new products and understand if there are any market developments that could influence requirements.

### Conduct pre-market engagement

There are different ways to conduct pre-market engagement. CCS recommends that you publish a Prior Information Notice (PIN) on Find a Tender. This is useful especially if you are interested in finding out about suppliers not currently registered on the DPS. You should include clear instructions for interested suppliers on how to join the DPS.

You can also engage with suppliers currently on the DPS by emailing them to ask for information, or issuing a formal Request for Information (RFI). You can issue your RFI through your own procurement platform or using the CCS eSourcing tool. Remember that you should keep a record of all market engagement activities you engage in.

You can issue your RFI/EOI through email, your own procurement platform or using the CCS eSourcing tool. Remember that you should keep a record of all market engagement activities you engage in.

It is advised that if any material changes are made by the buyer to the requirements within the EOI/RFI document post publication, then the process should be re-run with the new changes included.

You can amend and update the template EOI document available on our website. Alternatively, you can create your own. Suppliers will look for the following information in order to properly gauge their interest in your opportunity:

● Organisation

● Scope of services – include as much information as you can

● Location(s) – You can include site maps or descriptions of properties

● Contract start date

● Contract length

● Any possible extensions

● Annual contract cost & total contract cost – you can use a range as this will only be indicative at this stage

● Procurement timelines – when will you be publishing your tender and how long will it run for?

## 3. Create specification and assessment criteria

A specification is also known as a ‘statement of requirements’. This is a description of the goods and services the supplier will provide during the contract. To evaluate how different suppliers will deliver against your specification, you will need to develop assessment criteria. Assessment criteria are usually divided into quality and price.

### Define your requirements

Defining your requirements or ‘specification’ communicates to your suppliers what you need, ensuring a successful purchase. You can use the template ‘Attachment 3 - Statement of Requirements’ as a starting point. You can see CCS’ guide on ‘[How to write a specification](https://www.crowncommercial.gov.uk/news/how-to-write-a-specification-procurement-essentials)’ for general advice.

The DPS specification has been created to be purposely broad, so you are able to refine your requirements to meet your exact needs here.

### Design an evaluation approach

Once you have defined your requirements, you have to decide how you will evaluate suppliers against these. To do this, you have to assess the quality and price of each of their offers.

Below are some examples of potential criteria within ‘price’ and ‘quality’, and the weightings you can give to each of these categories.

#### 

#### Quality criteria

To evaluate quality you can consider:

* approach to delivery of the services/methodology, including the strategies, expertise, methods, materials, and procedures in the proposal
* technical merit, including the competence, skills, and experience of the management, professional, and technical personnel proposed for the project
* ways of working, including the proposed management systems and methods, project management tools, softwares, touchpoints, etc.
* social value (according to [PPN 06/20](https://www.gov.uk/government/publications/procurement-policy-note-0620-taking-account-of-social-value-in-the-award-of-central-government-contracts) it should account for a minimum of 10% of award criteria in central government tenders)

#### Price criteria

To evaluate price you can consider:

* time and materials, including all costs over the duration of the contract including fixed capital costs, variable tender costs and special adjustments during the contract period, and maintenance and operating costs

#### Weightings

| **Evaluation Criteria** | **Weighting** |
| --- | --- |
| Quality | Between 10% and 90% (minimum of 10% in relation to social value) |
| Price | Price Between 10% and 90% |

## 4. Create your supplier shortlist

Once you have registered on the DPS Marketplace, engaged with suppliers, defined your requirements, and designed your evaluation approach, you can then create a supplier shortlist. See below instructions on how to do this.

To create a supplier shortlist, follow the seven steps below:

1. Go to the DPS Marketplace home screen. There is a grey box on the right of the screen. Under this box, click on the button ‘Create a new category’
2. Select the filters that best fit your requirements. Refer to Buyer Guide annex 1: matrix of filters for a breakdown of the industry areas.
3. Once you have selected your filters, scroll to the bottom of the page and click on the button labelled ‘Filter’ - this will then just show the suppliers who can potentially meet your requirement. To note, the more filters you choose, the fewer suppliers will appear.
4. When you are happy with your supplier shortlist, scroll to the bottom of the page and click on the button labelled ‘Save category’.
5. Type a name for your shortlist and click on ‘Save category’. This will take you back to the home screen.
6. On the home screen, click on ‘Export’ to download your shortlist. This exports a spreadsheet of supplier names and contact details. Use this supplier shortlist when you come to invite suppliers to bid. Remember that this list is valid for only 2 working days, from the date of its creation, because new suppliers may apply to join at any point.
7. Once you have created your supplier shortlist you can run your competition. You also have the option to conduct a capability assessment of the shortlisted suppliers. This will allow you to further filter suppliers before running the competition.

### Consider doing a capability assessment

A capability assessment is a list of yes or no questions you can send to all suppliers from a buyers filtered list to check that they meet your requirements. CCS recommends 5 working days for capability assessments. Suppliers must be able to answer yes to all the questions to become shortlisted to progress to the main stage of the tender. Remember that doing a capability assessment is optional.

Capability assessments relating to certain industry areas are available on request to the DMR Team

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## 5. Run a competition

Once you have your supplier shortlist, you can run a competition to choose your selected supplier.

### Creating the bid pack

Before you invite your suppliers to bid, prepare all the documents you need which consists of the following:

● Attachment 1 - About the Procurement

● Attachment 2 - How to Bid

● Attachment 3 - Statement of Requirements

● Attachment 4 - Pricing Schedule

● Attachment 5 - Terms and Conditions/Order Form

These templates are not mandatory and buyers can use their own procurement templates for their procurement.

Attachments 1 to 3 are all available from our website. Attachment 4 is your own pricing matrix (see guidance in Attachment 1 & 2) and Attachment 5 consists of ‘RM6313 DPS schedule 6: order form template and call-off schedules v2.0’ and all of the relevant schedules or industry terms.

### Attachment 1 - About the Procurement

This document sets out the basic top level information about your procurement. It includes information such as contract length and extensions, timelines, information on the clarification question process and where/how suppliers submit their bid.

Attachment 2 - How to Bid

In this document you will find the placeholders for your evaluation criteria. It includes:

● qualification questions: pass/fail compliance questions to allow bidders to progress onto the technical award questions. These ensure bidders have read and understood the requirements of the bid pack, that they will sign up to the T&C’s and that they declare any conflicts of interest.

● technical questions: also known as the award questions, use this section to test how each bidder will meet the requirements of your statement of requirement or specification (as per section 3).

● commercial (pricing) - buyers create their own pricing matrix and instructions for bidders to complete it. As there is no pricing at DPS level, this can be in any format that is suitable for your procurement. Any specific pricing instructions should be included in this document or as a separate attachment to give bidders full visibility of the requirement.

Attachment 2 also describes how you will evaluate and sum all of the scores together throughout to arrive at a final score for each bidder, and ultimately award your contract.

### Attachment 3 - Statement of Requirements

As defined in section 3, this is the document where you insert your required goods and services, detailing exactly what you would like to be delivered by the winning bidder. You can also include annexes at the end of the document, or as a separate attachment in your bid pack, for any wider items you would like to be included i.e. an existing policy or procedure, site maps etc. If you add any additional elements to the bid pack, just update section 1.1 of Attachment 1 - About the Procurement.

### Attachment 4 - Pricing Schedule

This is a buyer created document and therefore is not listed on our website. This is where you will insert your price matrix for the bidders to price your requirement. You are able to create and develop this in line with your requirements and it is recommended that it is made in an Excel spreadsheet. A price matrix should be accompanied by pricing instructions which you can insert as an additional tab. If there are specific instructions on the pricing or what you would like to see, list them in this schedule or include as an additional one to ensure bidders have all the information they need to price accurately. Accompanying information such as whether to include VAT and standard working hours etc, are included in section 7 of Attachment 2 - How to Bid.

There is no pricing at DPS level so you are able to choose any pricing approach that is suitable for your procurement.

### Attachment 5 - Terms and Conditions/Order Form

### Order Form

This document is called ‘RM6313 DPS schedule 6: order form template and call-off schedules v2.0’.

The order form is the main contract and is what both parties will sign during contract award. It is a good starting point to work on your procurement as you can work through section by section, completing the accompanying documents. This document is also where you are able to insert any special clauses or schedules, but you should seek your own legal advice before doing so.

It should be obvious which sections do not need completing until the contract award stage i.e. supplier name.

When completing the Order Form, don’t forget to think about any of the items listed in the ‘Things to Consider’ section below (where applicable). You can also include items as special clauses or special schedules, or can even add it into your statement of requirement.

Terms & Conditions (T&C’s)

Terms and conditions sit behind the contract and provide added layers of protection to buyers when they enter into a contract with a Supplier.

There are various options to choose from:

● Public Sector Contract (PSC)

● NEC (Industry Terms)

● JCT (Industry Terms)

### Public Sector Contract (PSC)

This is the default CCS terms and condition package and consists of a suite of DPS Joint & DPS Order Schedules and Core Terms. These schedules are built specifically to provide added protections for public sector buyers.

You will find in section A of the order form, the complete list of these schedules.

Any schedules highlighted in yellow are optional, meaning once you have read and understood them in conjunction with your own legal advice, it is your choice whether to include them or not.

Any schedules not highlighted are mandatory and need to be included. The Core Terms is a set of underlying terms and conditions that bind together all of the schedules and should not be amended.

In each of the DPS Joint & DPS Order Schedules, you will find that they will require input from the buyer. This varies depending on the schedule, with some not needing any changes at all, with others requiring more in depth work. This will all be dependent on your procurement.

It is vital that you read and understand every schedule you include, even if it does not require any amendments, to ensure it meets your requirements.

### Industry Terms (NEC/JCT)

The DPS includes the option to use various Industry Terms instead of the Public Sector Contract as per section B & C of the Order Form. Follow the instructions in section B or C of the Order Form to do this. You will need to take your own legal advice to ensure everything you need is included here. It will also involve purchasing, downloading and completing the industry terms contracts from the NEC/JCT websites.

The following NEC contracts have a CCS Order form available to use, to be read alongside the “e-view” NEC contract. The order forms are available on the DMR DPS webpage along with the “NEC3 -4 access instructions.”

* NEC 3 Professional Services Contract
* NEC 3 Professional Services Short Contract
* NEC 4 Professional Services Contract
* NEC 4 Professional Services Short Contract

This involves considerable work, and is accompanied by various boilerplate amendments (Z Clauses) to tie in the NEC/JCT contracts with public sector requirements

Things to Consider

Whether these items are placed in your Order Form, Statement of Requirement, individual Schedules or a combination of them, the below areas need to be considered as part of your procurement. Given the complexity of some of these items, they will need to be communicated to potential bidders at the tender stage so it’s best to start thinking about these areas as early as possible in the process:

● Indexation - how and when it will be applied

● Inclusive repair threshold and billable works processes

● TUPE – In conjunction with DPS Order Schedule 2 – Staff Transfer

● Are any Collateral Warranties, Performance Bonds or Guarantees required?

● KPIs and KPI Credits – In conjunction with DPS Order Schedule 14 – Service Levels

If you are running a procurement for the installation of solar photovoltaic panels, heat pumps and or battery energy storage systems, CCS would recommend that you request the Supplier to provide evidence of their [Microgeneration Certification Scheme (MCS)](https://mcscertified.com/) accreditation. This means that the awarded Supplier should install the asset to the industry-expected level of quality.

During the creation of your procurement, you should ensure that you build in effective measures to help you manage the performance of your contract once awarded. Creating clear and robust KPIs at the tender stage can drastically reduce the resource needed to manage the contract and ensures you achieve a high quality service delivery. Building in suitable penalties for poor performance, holds suppliers to account and will help in the overall delivery of the Contract. Remember to factor in the time and resource available for contract management when creating your procurement strategy.

### General Housekeeping

Make sure you update all of the headers, footers and title pages of the documents to match your procurement. Include your CUA reference, which is given when you first contacted CCS and will usually begin with ‘DMRDPS-XXXXX’.

You are able to insert your own title page at the start of each document if you prefer, and can include items such as your own procurement reference and organisation logo.

Document names should remain consistent as they are referred to throughout the bid pack, so please ensure any references are updated if you change these.

### Invite suppliers to bid

Before you invite your suppliers to bid, prepare all the documents you need, including:

* Invitation to Tender (ITT): a formal procurement document which invites suppliers to bid for the contract. This document should include a timetable, instructions for suppliers on submitting a bid or asking clarification questions, your specification or statement of requirements, and your assessment or award criteria.
* Draft contract: a draft version of the ‘Order Form’. See section on Complete your contract for more information on how to do this.

Once you have prepared these documents, invite suppliers to bid. You can do this by sending them an email, or through your chosen eSourcing platform. This can be the procurement platform used by your organisation, or CCS’s [eSourcing tool](https://www.crowncommercial.gov.uk/esourcing-register).

Once you have invited suppliers, you should leave sufficient time for them to respond to your further competition. Ten working days is generally considered the minimum timescale for a supplier to respond to an ITT. You should also indicate when and how suppliers can ask clarification questions. Answers to these questions must be shared to all suppliers invited to tender.

When using CCS agreements, you are not required to follow UK procurement policies regarding the publishing of contract opportunities. However, it is still good practice to do so. This is especially the case when using a DPS, as it can lead to new suppliers joining the DPS.

For more information on publication obligations depending on contract value, see the [Public Contracts Regulations 2015 transparency requirements](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1042490/transparency-requirements-publishing-on-contracts-finder-v0.1.pdf)

### Review proposals and evaluate suppliers

After the deadline for submissions has passed, you can evaluate supplier responses. To do this, you have to score supplier responses against your assessment criteria. CCS recommends that you use three people to evaluate proposals. You should maintain a full document trail of the results and final award decision.

### Request evidence from suppliers

Before you award the contract to the winning supplier, you should conduct compliance checks. As part of this, you can ask the winning supplier for the evidence they submitted in order to join the DPS. This could include customer references, contact examples, or insurance certificates. To carry out a compliance check, follow these steps:

1. Go to the DPS system homepage and find the supplier shortlist you used. Click on ‘View suppliers’.
2. Find the winning supplier and click on ‘View evidence’. If the supplier hasn’t yet uploaded evidence, click on ‘Request evidence’.
3. The supplier will then be sent a notification to grant you access to see the evidence within the DPS system. It is recommended to allow 2 days for non-complex projects, and more time for complex projects.

### Notify your supplier

You should be able to identify a successful supplier from scoring suppliers at the evaluation stage. Once you have identified a successful supplier, you should notify them through your sourcing platform or by email. Though you don’t have to notify and provide feedback to other participating suppliers, CCS considers it best practice to do so.

For high value contracts, a standstill period of 10 days is recommended. This gives unsuccessful suppliers an opportunity to consider feedback, request information, or call for a review of the award decision. Once this has passed, you can begin your contract with the winning supplier.

## 6. Complete your order contract

When buying through CCS agreements, you have to put together and sign a contract with the supplier, this is called the ‘order contract’. CCS uses a specific contract structure called the [Public Sector Contract](https://www.gov.uk/government/collections/the-public-sector-contract).

The Order Contract is a document that governs the purchase and delivery of the services. It is formed of the Order Form (signed by both parties) plus any applicable Schedules. See below instructions on how to put together and sign your contract.

### Put together and sign your contract

Follow the steps below to guide you through the process of putting together and signing your contract:

1. Download the order form. This document is the basis of your contract. Note that this document changes from one agreement to another, so make sure you check you are using the correct one.
2. Fill in the sections where input is required from the buyer selecting Part A, B or C options.
3. You should be aware that there are certain terms and conditions that were agreed on by CCS and the suppliers when the agreement was created. These are found in the core terms, and the DPS schedules. If using the CCS Public Sector contract terms (Part A), these can only be changed through the introduction of ‘special terms’.
4. If using the Part A Public Sector Contract, as well as the Core Terms and DPS Schedules, there are other terms and conditions that might be relevant to your contract. These are the joint schedules and order schedules. Some of these schedules are mandatory and others are optional. Optional schedules will be highlighted in yellow and in square brackets on the Order Form. You will have to delete those which you don’t want to include in your contract.
5. Check whether you need to fill in any information on the schedules you have selected. This will be indicated in each of the schedules.
6. When you have selected your schedules, you have to decide whether you want to add any ‘special terms’. These are terms and conditions you want to include, but are not covered by available schedules.
7. Publish your draft contract together with your Invitation to Tender (ITT) to the filtered suppliers using your own or the CCS eSourcing platform.

Once you have chosen your supplier, you need to finish and sign the contract. Once you have made any changes, send the contract to your supplier. Your supplier should be the first to sign the contract. After this, you can sign the final contract.

### Publish your decision

Once you have awarded and signed your contract you should follow transparency requirements. To do this, check the [Public Contracts Regulations 2015 transparency requirements](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1042490/transparency-requirements-publishing-on-contracts-finder-v0.1.pdf), and publish the award on Contracts Finder if required. According to these regulations, you are required to publish:

* the full company name of the winning contractor
* the date on which the contract was entered into, known as the award date
* the total value of the contract in pounds sterling
* an indication of whether the contractor is an SME or a VCSE

If you have already published the opportunity on Contracts Finder, you should update it to include the award decision. For sub-central contracting authorities, information must be published on Contracts Finder within 90 calendar days of the contract award date. For central government authorities, information must be published on Contracts Finder within 30 calendar days of the contract award date.

You can also choose to update contract award notices in groups on a quarterly basis. This means you can send a single notice, setting out the volumes you have procured under each framework or DPS. This notice should be sent to Contracts Finder within 30 calendar days of the end of each quarter.

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