Dover District Council

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# Introduction

Dover District Council spends more than £30 million a year on goods, services, and works and therefore how it conducts its procurement activity is fundamental to delivering successful projects, service improvement and ensuring any expenditure represents value for money for the residents of Dover.

The Council is committed to its Procurement Strategy that establishes how the Council will conduct its procurement activity in an ethical, efficient, economic, and effective procurement manner reflecting both national and local policies/priorities by:

* meeting the Council’s operational requirements
* delivering value for money
* supporting the Council’s Corporate Plan and other adopted Council Strategies & Plans
* aligning with the National Procurement Strategy (NPS) for Local Government in England 2022

Alongside the above, we want to make it easier to do business with Dover District Council, encourage new suppliers, invigorate existing providers and continue to create competition where suppliers feel they are competing in a fair and transparent environment. We hope this guide gives you an insight into doing business with the Council and that you will find the information useful.

# Procurement Regulations and Rules

# Like other public sector organisations and local authorities, Dover District Council must comply with UK Procurement Regulations, in addition to its own Contract Standing Orders.

# The Public Contracts Regulations 2015 (and the Concession Contracts Regulations 2016) apply to procurement processes for contracts valued above certain thresholds (‘PCR thresholds’). These regulations set out specific procedures that all public sector organisations must follow when inviting bids and awarding contracts.

The Councils Contract Standing Ordersgovern how the Council buys goods, services and works providing a structure within which procurement decisions are made and implemented.

# These can be viewed at: -

# Public Contract Regulations 2015 <https://www.legislation.gov.uk/uksi/2015/102/contents/made>

# Dover District Council Contract Standing Orders [Contract Standing Orders (dover.gov.uk)](https://www.dover.gov.uk/Business/Doing-Business-with-DDC/Contract-Standing-Orders.pdf)

# Procurement Thresholds & Processes

# The Council’s Contract Standing Orders determine how any procurement exercise will be carried out. The complexity of the procurement process followed will vary dependent on the value and risk of the requirement.

# To determine the appropriate process to be followed, the total value of the works, supplies or services over the life of the contract is used. The table below summaries the procurement thresholds and processes within the Council.

# Total Value Type of Contract Procedure Used

# 0 to £15,000 Works, Supplies & Services At least one written quote in

#  advance

# £15,000 to £100,000 Works, Supplies & Services At least three written quotes

# obtained by Procurement in advance

# £100,000 to \* \*\*£179,087 Supplies & Services At least three written tenders

#  obtained by Procurement in

#  advance

# £179,087\* \*\* plus Supplies & Services PCR2015 Rules apply

# £100,000 to £4,477,174\* \*\* Works At least three written tenders

#  obtained by Procurement in

#  advance

# £4,477,174\* \*\* plus Works PCR2015 Rules apply

# \* Whilst the new PCR2015 thresholds now include VAT (due to the UK’s obligations under the WTO), thresholds above are shown excluding VAT for ease and alignment with the Councils sub thresholds

# \*\* or relevant threshold in force at the time under the PCR2015 Rules

**How & Where We Advertise**

When seeking bids above PCR thresholds, we will typically openly advertise the opportunity (unless using an existing arrangement such as a framework agreement). Such requirements will be advertised via the following websites: -

* **Find a Tender Service** [www.gov.uk/find-tender](http://www.gov.uk/find-tender) this is a central government website where you can find all our advertised contracts with a net value above the £177,898 (in line with the public sector procurement thresholds)
* **Contracts Finder** [www.gov.uk/contracts-finder](http://www.gov.uk/contracts-finder) this is also a central Government website where you can find all of our advertised contract opportunities. You can search for contract opportunities and also create alerts, so you are notified when relevant opportunities are advertised.

In addition, such opportunities will be advertised via: -

* **The Council’s Website** [www.dover.gov.uk/Business/Doing-Business-with-DDC/Tender-Opportunities.aspx](http://www.dover.gov.uk/Business/Doing-Business-with-DDC/Tender-Opportunities.aspx)
* **The Council’s Business Portal** [www.kentbusinessportal.org.uk](http://www.kentbusinessportal.org.uk)

Where the Council advertises opportunities below the PCR thresholds – they will be advertised via the Council’s website, Contracts Finder and via the Kent Business Portal.

**Kent Business Portal & Contract Register**

Registration is free via the portal and suppliers only need to register once to receive alerts about any contracting opportunities within the Council and other neighboring local authorities and emergency services (in their categories of interest).

The sending and receiving of our quotation and/or tender documentation, clarification questions and all other communication is completed electronically via the system. Suppliers register, login, download the documents, complete them electronically, then upload and submit them using the system - no more postage or courier charges or concerns if documents have been received.

Suppliers’ benefits include: -

• Ability to receive and submit quotation and tenders electronically for free

• A fair and transparent quotation/tender process

• Savings in time, money and resources

• A simplified and speedy process

• An audit trail of the contract activity

We suggest that any suppliers interested in doing business with the Council take the time to register as this is our preferred method of advertising and managing all quotation/tenders.

The Council's Contracts Register is also hosted on the Portal (as are those of other participating authorities). Here suppliers can access details of the Council’s live contracts to view start/end dates, estimated values, and current suppliers etc.

# Procurement Documents

## Tender documents can often look confusing and may seem very lengthy. However, all the information requested and provided is used as part of the evaluation process or is needed for statutory purposes.

## The Council uses standard Quotation/Tender documents where possible; however understandably these often need to be tailored according to the value or complexity of the project or purchase. Most quotation/tender packs will however contain the following documents: -

## Invitation to Quote/Tender Instruction Document – This document provides: -

## Guidance on completing the Tender Response Document including submission of responses

## Timetable for the procurement process and the key stages

## Evaluation criteria - the Council’s criteria for evaluating the suppliers’ bids, including the relevant weightings and percentages allocated to the different elements of the bid e.g., quality/price will always be included.

## Specification or Brief - Before undertaking a quotation/tendering exercise a Specification or Brief will be prepared by the Council. These provide a description of what the Council wants to buy and what the supplier is expected to quote/tender against (and provide). They will include any performance targets or criteria for acceptance of the services, supplies or works (where applicable).

## Invitation to Quote/Tender Response Document – This document is to be completed by any bidding supplier and will usually include any mandatory commercial/technical information such as:

## Company details - including registration information and information about parent companies, partners, and associates.

## Grounds for Exclusion (Mandatory & Discretionary) – Self certification questions included to identify suitability of bidders.

## Technical/Quality Questions/Statements – Weighted questions may be asked to enable you to describe, demonstrate and evidence how you would fulfill the Council’s requirements.

## Financial information\* – You are normally asked to provide details from your last two- or three-years accounts to enable the Council to ensure your company has the financial standing to fulfil the contract.

## Insurance Liability Cover – you will be required to evidence (or confirm you are willing to obtain) the necessary insurance cover, including public liability, employer’s liability, and where appropriate professional indemnity. The value of the cover required will be stated in the documentation

## Contract Terms and Conditions - The conditions specify the terms that will govern the contract between the Council and your company if you are successful in your tender.

## Form of Quotation/Tender - This document confirms that you are offering to supply the Council goods, services or works in accordance with the quotation/tender documentation.

## \**The Council recognises that some potential suppliers such as SMEs may have been recently formed and as such are unable to provide these accounts. Where this is the case other information may be requested that is considered sufficient for the Council to assess.*

## Procurement Process

## Registering Interest - The first step in the tendering process involves any suppliers interested in a potential tender registering their interest on the advertisement found on the Kent Business Portal [www.kentbusinessportal.org.uk](http://www.kentbusinessportal.org.uk) .

## Standard Selection Questionnaire (where applicable) - The Standard Selection Questionnaire (SSQ) is used to collect information to help decide which suppliers should be selected to participate in a tender exercise. This stage only applies if the value of the tender is above PCR thresholds.

## Invitation to Quote/Tender (ITQ/ITT) - The Council invites suppliers to put in an offer (quotation/tender) either in response to an advert, those suppliers shortlisted where a SSQ has been used (as above) or where directly invited.

## Submitting Quotes/Tenders – All quotation/tender returns are submitted via the Kent Business Portal. Suppliers are required to have completed all the necessary documentation before submitting their response and need to allow enough time to upload and submit documents to avoid missing the return deadline.

## Evaluation - The Council evaluates the quotes/tenders against pre-agreed criteria (quality/cost) that will have been published as part of the ITQ/ITT documentation.

## Notification of Successful/Unsuccessful Bids - Successful and unsuccessful suppliers will be notified accordingly via the Kent Business Portal. Following intention to award, standstill periods may be imposed for some contracts prior to award.

## Standstill Period (where applicable) - Where the tender process has been undertaken in accordance with PCRs, the Standstill Period shall apply and an Intention to Award notification will be sent to each Tenderer. The Council will observe a Standstill Period of not less than ten calendar days following notification of intention to award, to comply with PCRs. The Contract will not be entered before this period has ended.

## Awarding & Starting the Contract - Successful suppliers will be awarded the contract and will be contacted to discuss the implementation, delivery, and contract management processes (where applicable).

## Delivering the Contract - Suppliers will liaise with the respective service area and Authorised Officer to ensure successful delivery of the contract in line with Specification or Brief. Regular contract management meetings should be held and ongoing monitoring of key performance indicators (KPI) or service level agreements (SLA) to ensure specification and targets are being met (where applicable).

## Payment - Unless otherwise stated in any bespoke or special terms and conditions of the contract, payment is due 30 days from receipt of a valid invoice (Invoice must be sent to Accounts Payable) following satisfactory delivery of the goods, works or services.

##

## Tendering Tips

## Read our advertisements carefully - If the quotation/tender documents are not available for immediate download there may be an overview of the Council’s requirement for you to consider as to whether your company could carry out the contract.

## Contact the Council - There will usually be contact details available. If necessary, contact the member of the procurement team or service area responsible to talk through the requirements, this will save you valuable time and effort tendering for a contract that you cannot realistically complete.

## Read Everything Within the Quotation/Tender Package - make sure you understand what is required and raise any questions or clarifications you have as soon as possible and before the clarification deadline stated.

## Follow the Instructions - Ensure that you follow all the instructions as advised in the Instruction Document, if in doubt, ask for advice.

## Tailor Your Submission - Ensure that you tailor your submission to the actual tender (and the Council) – generic submissions or submissions made up purely of your company's promotional literature will not score well.

## Evaluation Criteria - Ensure you understand the Council’s evaluation criteria stated in the quotation/tender documents – weightings and percentages etc. The higher the weighting, the more important it is to the Council.

**Time to Complete** - Set aside enough time to compile your quotation/ tender submission. All returns must be submitted via the Kent Business Portal by the deadline, quotation/tender returns will not be accepted via email.

**Review & Submission** - You may want to get someone who hasn’t written the response to be a ‘critical friend’ and comment on whether you have answered the question fully. Always ensure you submit your return in the format requested and make sure your submission and all requested attachments are completely uploaded before the quotation/tender closing time.

**Seek Feedback** – the Council will look to provide constructive feedback that will inform you how to improve any future submissions.

## Social Value

The Public Services (Social Value) Act 2012 places a statutory duty on authorities to consider in their procurement processes:

* how the services we procure might improve the economic, social, and environmental well-being of the relevant area, and
* how, in conducting the process of procurement, it might act with a view to securing that improvement

In doing this, the Act aims to give the Council the freedom to determine what kind of additional social or environmental value best serves the needs of the district as well as giving suppliers the opportunity to innovate.

Social value outcomes will be:

* considered at the pre procurement stage of a tender
* relevant and proportional to the contract in question
* equally accessible for all suppliers.

Whilst social value criteria cannot be used to discriminate based on the location of a supplier, it can be used to identify local (district) public benefits that can be delivered through the contract such as the examples below (this is not an exhaustive list):

* Recruitment - apprenticeships, trainee placements etc.
* Funding contributions to local (district) activities or charitable donations
* Educational initiatives e.g., School visits
* Supporting community or environmental initiatives that may be going on in the district.

Suppliers may therefore be asked, as part of their bid, to suggest peripheral social value benefits to the Council that will be delivered as a result of being awarded part or all of the contract being procured.

## Transparency Code

## The Local Government Transparency Code enables the public to hold the Council to account for the services it provides. To do this people need information about what decisions the Council is taking and how we are spending public money.

## To comply with the Code (and the transparency obligations imposed upon the Council), we will publish relevant information about our procurement processes and any contract(s) resulting from them including the contract values and the identities of the respective suppliers/providers, on the Council website.

## APPENDIX A

## Procurement Glossary

Below is some terminology that is often used within the procurement process that may make understanding the quotation/tendering process easier.

**Acceptance letter**

Letter that creates an immediate binding contractual relationship between the Council and the successful tenderer prior to entering a formal contract.

**Authorised Officer**

An officer of the Council who has been nominated by the Council to manage a contract or contracts with a contractor, supplier or service provider.

**Best Value**

Arrangements to secure continuous improvement in the exercise of an Authority’s functions, having regard to a combination of economy, efficiency and effectiveness as required by the Local Government Act 1999; the relationship between worth and cost.

**Call off Contract**

A contract made following a formal tendering process with one or more contractors, suppliers or service providers for a defined range of works, goods or services covering terms and conditions (including price) which users ‘call off’ to meet their requirements. See also ‘framework agreement.

**Clarification**

Clarification is where the tendering officers send a message via the Kent Business Portal to all suppliers registered against a tender to clarify a specific point.

**Contract**

A binding agreement made between two or more parties, which is intended to be enforceable at law.

**Contract Award**

Contract award is the process of officially informing a bidder that they have been selected as the supplier for a particular contract.

**Contract Award Notice**

Notice of an award of a contract published via the Governments Find a Tender Service and/or Contracts Finder.

**Contracts Finder**

Contracts Finder, first launched in 2011, is an online government portal which allows suppliers to search for information about contracts worth over £10,000 (excluding VAT).

**Contract Value**

The total monetary value of a contract over its full duration (not annual value).

**E-Tendering**

E-Tendering is the electronic equivalent of the traditional tendering process which typically begins with the contract advertisement all the way to the contract award notice.

**Evaluation**

Evaluation is the process where quotations/tenders are assessed against the evaluation criteria detailed in an ITQ/ ITT document.

**Find a Tender**

Find a Tender is an online portal which can be used to search for high-value public contract opportunities which exceed PCR thresholds.

**Framework Agreement**

An arrangement under which a contracting authority establishes with a provider of goods, works or services, the terms under which contracts subsequently can be entered into, or ‘called-off’ (within the limits of the agreement) when particular needs arise. See also ‘call-off contract

**Invitation to Quote (ITQ)**

ITQ is a document that is sent to suppliers to invite them to quote for a potential contract they are interested in. The Council refers to ITQ’s where the procurement is below £100K.

**Invitation to Tender (ITT)**

ITT is a document that is sent to suppliers to invite them to tender for a potential contract they are interested in. The Council refers to ITT’s where the procurement is above £100K.

**Key Performance Indicators (KPI)**

KPI is a measurable value that demonstrates how effectively a company is achieving key business objectives. Official Journal of the European Union

**Most Economically Advantageous Tender (MEAT)**

The tender will bring the greatest benefit to the Council having taken a number of factors into consideration, including quality and cost.

**(OJEU) The Official Journal of the European Union**

(OJEU) is an online portal for public sector contracts which exceed European thresholds used prior to Brexit.

**Open Tender**

One of the procedures for procurement under the PCR’s, under which all eligible applicants are invited to tender in a one-stage procurement process.

**Parent Company Guarantee**

A parent company guarantee binds the guarantor (the ‘parent company’) to fulfil and complete a subsidiary company’s obligations and liabilities in the event of failure by that subsidiary to fulfil and complete its obligations and liabilities under a contract.

**Performance Bonds**

Bonds or guarantees given to clients by specialist insurers, on behalf of contractors and at their expense, binding the insurers to compensate clients (up to the amount of the bond obtained) in the event of a default.

**Public Contract Regulations (PCR’s)**

# Regulations that apply to procurement processes for contracts valued above certain thresholds (‘PCR thresholds’). These regulations set out specific procedures that all public sector organisations must follow when inviting bids and awarding contracts.

**Procurement**

The process of buying goods or services from 3rd party organisations and supports organisations to operate in a profitable and ethical manner.

**Restricted Procedure**

One of the procedures for procurement under the PCR’s, under which shortlisted eligible applicants who meet the Councils criteria are invited to tender in a two-stage procurement process.

**Specification**

A description of requirements and standards to which the goods, works or services should conform. Also known as a statement of needs, a statement of requirement, an operational requirement, or a brief. Its purpose is to present prospective suppliers with a clear, accurate and full description of the Council’s needs, to enable them to propose a solution to meet them.

**Standard Selection Questionnaire (SSQ)**

The SSQ is used to collect information on suppliers to help decide which ones should be selected to participate in the Councils tender process. These would usually be used in a ‘Restricted Procedure’ above the PCR thresholds.

**Standstill Period**

Where tenders are more than the PCR threshold, the Council must notify all suppliers of its intention to award the contract (following evaluation and prior to completing the contract). This notification will incorporate the mandatory 10-day standstill period (also referred to as the Alcatel standstill).

**Service Level Agreements (SLA)**

An SLA is a commitment between the Council and the supplier. Aspects of the service such as: quality, availability and responsibilities are agreed between the Council and the supplier.

**Social Value**

Social Value is a process whereby organisations meet their needs for goods, services, works and utilities in a way that achieves value for money on a whole life basis and is beneficial to the organisation, society, and the economy, whilst minimising damage to the environment.

**Sub-Contracting**

The process where a contractor assigns part of the contract to another contractor(s).

**TUPE Regulations**

The Transfer of Undertakings (Protection of Employment) Regulations 2006 (as amended from time to time) implementing the Acquired Rights Directive on the acquired rights of workers.

**Value for Money**

The provision of the right goods and services from the right source, of the right quality, at the right time, delivered to the right place and at the right price (judged on whole-life costs and not simply initial costs).