

Cheshire West & Chester Council

# Doing business with the Council

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Cheshire West  
and Chester

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## **Cheshire West and Chester Council - background and introduction**

Cheshire West and Chester Council came into existence on 1 April 2009 as a result of the local government reorganisation within Cheshire.

Cheshire West and Chester is bordered by Wirral to the North, Cheshire East to the East, Staffordshire and Shropshire to the South and Flintshire and Wrexham to the West.

Cheshire West and Chester contains the following towns/city:

- Chester
- Ellesmere Port
- Neston
- Winsford
- Northwich
- Frodsham/Helsby

Cheshire West and Chester at a glance:

- Cheshire West and Chester is the fourth largest unitary authority in the North West of England
- Cheshire West and Chester covers an area of 918km<sup>2</sup> (355 mile<sup>2</sup>)
- Cheshire West and Chester has a population of 327,300
- Cheshire West and Chester has 72 councillors representing 24 wards.

The Council is a major consumer of supplies and services, with annual trade expenditure in excess of £270m. It has significant purchasing power teamed with a responsibility to the taxpayer to ensure value for money

For supplies and services that we do not provide in house the marketplace is approached through quotation or tender exercises, either by ourselves or through an organisation authorised to act on our behalf. The Council often participates in collaborative purchasing arrangements either through professional buying organisations (PBOs) or by partnering with other organisations with similar requirements. The Council currently work with the Merseyside Procurement Partnership (MPP) and use organisations such as Yorkshire Purchasing Organisation, London Housing Consortium, and the Crown Commercial Service.

The Council's approach to business is one of partnership; we are constantly seeking to improve processes to develop relationships with suppliers. Dialogue is critical and the Council looks to hold events where suppliers can meet with the buyers to discuss issues and obtain information.

Cheshire West and Chester Council is committed to supporting local businesses and organisations and ensure they are given the opportunity to be involved where appropriate. By offering your services to the Council you have the opportunity to increase your turnover and profitability and to be part of a vibrant local economy,

which will be beneficial to both you and the community the Council serves. Our desire is to provide all sections of the community with the best possible service, achieving value for money at all times in respect of quality, guarantees, product benefits and service back-up.

This guidance will provide you with the information and support you need to enable you to maximise your prospects of securing business.

## What the Council buys

The Council has over 15,000 suppliers; listed below are some of the typical purchases that the Council makes.

- Children’s services
- Adult social care
- Public health services
- Waste collection services
- Construction services
- Professional services
- Print and publicity materials
- Vehicles e.g. minibuses, cars, fuel
- Office stationery, equipment and consumables (including ICT)
- Agency staff

## Identifying a grant or procurement of services?

The following illustrates the differences between a grant and procurement to help you to decide which you are looking for:

<b>Grant</b>	<b>Procurement</b>
Commitment by grant recipient to ring fence funding for a particular purpose but no legally binding commitment from grant recipient to provide a service. (Note: funding usually provided upfront by the council.)	Legally binding commitment on service provider to provide specified services to the Council. (Note: contract price usually paid in arrears by the Council).
Grant to be refunded if not used for specified purpose with a given period of time.	If services not provided as agreed, council can claim for price already paid and for any additional loss suffered by the council as set out in the services contract. The contract is usually for a required period or term.
Funding criteria setting out how the money may be spent focussing on a series of wishes or desires, but no detailed specification or performance commitments or deliverables (i.e.	Contract containing full and clear specification of services to be provided and deliverables, together with requirements relating to how services are to be provided.

recipient does not have to spend the money, but if they do, it can be spent for specified purpose only, otherwise it has to be returned).	
Likely to involve a single payment, (but usually less than 100% of the total eligible costs of the project).	Likely to involve several payments over a period of several months or years, for the total costs of services/supplies received.
Grant recipients will not make a profit from the grant which will all be dedicated to producing benefits of one sort or another.	Service providers are likely to expect to make a profit from the payments made to them.
Grant recipients are likely to benefit fairly directly as a result of the facility that is grant aided. For example, a parish council might apply to improve its village hall and this would mostly benefit people in that particular village.	Apart from profits earned, the benefits produced by the activity are not enjoyed by the organisation producing them. For example, care services benefit elderly people, not the companies that we pay to provide them.
Appropriate to invite bids for grant funding (e.g. for publicised grant schemes with criteria). Usually involves an awards process and documented with a grant agreement.	Must be competed in accordance with the council's Contract Procedure Rules (which cover compliance with all relevant EU legislation) and usually follows a procurement process (invitation to quote or tender) and is documented with a formal contract

## Advertising

To meet the Council's constitution and EU Procurement Directives, we are required to advertise open quotations and tenders on The Chest at [www.The-Chest.org.uk](http://www.The-Chest.org.uk) and contracts for supplies and services greater than £181,302,176 (€221,000), and works greater than £4,551,413 (€5,548,000), in the Official Journal of European Communities (OJEU).

**Note:** these thresholds are effective from 1 January 2018 and are reviewed every two years

All open requests for quote and invitation to tender's greater than £25,000 in value are advertised on the Contracts Finder website at [www.gov.uk/contracts-finder](http://www.gov.uk/contracts-finder).

## Tendering procedures

The value of a contract (this is the total value of the life of the contract, not the annual spend level), determines the procedures that Council Officers follow. The current Council thresholds are as follows:

Estimated contract value	Action required by Council Officers
Below £25,000 (supplies/services).	A minimum of one quotation.
£25,000 to £100,000 (supplies/services).	A minimum of three quotations sought via The Chest using either an open or closed Request For Quote (RFQ).
£100,000 to £181,302 (supplies/services).	Tender via The Chest.
Above £181,302 (supplies/services)	OJEU tender via The Chest.
Below £100,000 (works).	A minimum of one quotation.
£100,000 to £1,000,000 (works).	A minimum of three quotations sought via The Chest using either an open or closed RFQ.
£1,000,000 to £4,551,413.	Tender via The Chest.
Above £4,551,413.	OJEU tender The Chest.

## Types of tender

The Council uses several types of tender process - open, restricted, and competitive dialogue being the most common.

Under an open tender procedure all suppliers who express their interest can download a copy of the tender documentation.

The restricted procedure can best be described as a two-stage approach in which the Council invites interested suppliers to undergo a pre-qualification assessment before inviting to tender the suppliers assessed as best being capable of fulfilling the contract

The competitive dialogue process is used for complex, high value projects such as waste services.

## How to apply

### First steps

Register your company on The Chest. You will be notified by e-mail of any new opportunities that match the details that you entered on registration (these can be amended at any time). Alternatively, you can view all current opportunities with all North West Local Authorities on The Chest.

By registering your interest you can download the tender documents. These will include:

- selection questionnaire (SQ)
- instructions to the tenderer (this document details important information relating to the tender and must be read carefully and complied with e.g. key

dates and times, method of tender return, evaluation criteria to be used and details of where tender queries should be directed).

- specification
- contract terms and conditions (this document gives details of the terms under which the Council will do business).

### **Completing the selection questionnaire (SQ)**

If you are asked to complete an SQ, you will need to provide details of your financial/economic standing, technical capability, insurance, quality assurance, equality and diversity health & safety, and environmental management. We will usually also ask for the detailed experience you have in providing the supplies/services/works being tendered for. The SQ usually restricts the numbers for inclusion on a shortlist of suppliers being invited to tender.

To ensure your application is considered, you should:

- provide all the information requested
- make sure that you answer all questions fully and accurately
- return the information by the closing date specified, electronically via The Chest.

Sometimes the information the Council receives from suppliers is unclear or in need of further clarification. If you have any queries or need to seek clarification on the information being asked for in the SQ, please contact the Council using the message facility via The Chest. Once again you should provide any additional information sought by the closing date.

### **Completing the tender documentation**

The tender documents the Council sends out to suppliers contain details of the requirements. The documents, particularly the specification, should be read carefully and all information completed fully and accurately. If you do not understand any part of the procurement documents you should contact the Council using the message facility via The Chest and request further information. This must be done before the date specified in the tender documents.

### **Equal opportunities and diversity policy**

The Council is an equal opportunities employer and is committed to promoting equality of opportunity for all people irrespective of sex, age, race, sexuality or disability.

The Council is keen to ensure that its suppliers not only abide by the law but are working to best practice in this area.

All suppliers, as part of the tender process, may be required to provide evidence that they have equal opportunities policies in place and are committed to them.

## **Environmental and sustainability policies**

The Government's definition of 'value for money' in the context of procurement is 'the optimum combination of whole-life cost and quality (or fitness for purpose) to meet the user's requirement, taking into account a balanced consideration of social, equality, ethical, environmental and economic factors. Procurement therefore has a far broader meaning than that of purchasing, buying or commissioning. It is about securing services and products that best meet the needs of users and the local community in its widest sense. Cheshire West and Chester Council therefore take sustainability as well as cost and quality into account when choosing suppliers.

Promoting local employment, local subcontractors and local suppliers significantly reduces the mileage associated with deliveries of materials and journeys to work associated with significant projects.

We, as a council:

- purchase supplies and services that reflect best practice specifications or standards for environmental and social sustainability
- consider the whole-life cost of products to include purchase, running costs, product life cycle and disposal costs - energy efficient products for example often have an increased capital cost that is more than offset over time by the reduced operational costs
- consider the total environment impact approach e.g. transportation and CO2 emissions - ensure that the procurement process takes into account the need to minimise emissions and reducing negative impacts of transportation
- specify supplies, products, and materials that cause minimum damage to the environment, including the impact of their manufacture, distribution, use, and disposal whilst ensuring compliance with EU procurement legislation, this includes products, where possible, which are more energy efficient or have recycled content
- produce specifications which reflect the importance of sustainable options and introducing valid and meaningful evaluation criteria which are measurable
- ensure that supplies, works and services are manufactured, delivered, used and disposed of in an environmentally and socially responsible manner
- consider the environmental performance of all major key suppliers and contractors and encouraging them to conduct their operations in an environmentally sensitive manner
- continually review our purchasing of supplies and services through our contract specifications, with the intention of decreasing our environmental impact and increasing our positive impacts on the local economy.



## **Health and safety**

The Council is committed to ensuring the health, safety and welfare of its employees and that of all others affected by its activities. Contracts to supply supplies or services will only be awarded to contractors who can satisfy the Council requirements in terms of resources required and their health and safety competence. Successful contractors/suppliers will be expected to demonstrate compliance with current health and safety legislation including:

- a commitment to the health and safety of its employees, client and others
- up to date health and safety policies and procedures
- adequate risk assessment procedures
- an adequate system of monitoring and reporting accidents, incidents and ill health
- access to competent health and safety advice
- contracts are monitored to ensure compliance with contract standards and health and safety requirements.

## **What to consider when compiling your tender**

### **Can you deliver the requirements of the contract effectively for the duration of the contract period?**

If you cannot meet the service required for the whole term of the contract period then you might need to reconsider submitting a tender. Declining a tender invitation will not count against you as each tenders are treated on their own merit.

### **What makes your organisation stand out from others?**

Can you offer something that is innovative, adds value or is unique? Your submission could be one or a large number of tender responses, so anything that will make your submission stand out will help - providing it meets the requirements of the specification.

## **Tendering do's and don'ts**

### **Do's**

- Read the evaluation questions carefully and answer them accurately and precisely.
- Seek clarification of any queries - contact the Council via The Chest as soon as possible (this will not jeopardise your application or put you at a disadvantage).
- Tailor your tender submission to the requirements of the Council service, set out in the specification and evaluation criteria.

- Provide all of the information required. If you cannot provide some of the information, for whatever reason, ask for advice, or as a minimum give a reason for not providing the information in your tender submission.
- Avoid copying and pasting generic answers to make it easier to evaluate.
- When submitting prices, ensure these are in accordance with the specific requirements of the tender documents.
- Be clear on your pricing model and state any assumptions you have made when pricing.
- Proof read and sense check tender submissions - to ensure it is clearly written, relevant and easily understood.
- Ensure that the document has been signed in all relevant places.
- Return the tender by the closing date and time specified. Respond promptly to any requests for further information.

### **Don'ts**

- Presume that the Council has any prior knowledge of your organisation - the Council can only evaluate the information contained within your tender submission.
- Include or attach additional information (particularly publicity or promotional materials) unless you have specifically been asked to do so – these will not be considered.
- Exceed the words count stated in the tender documents - additional information may not be considered.
- Leave uploading your tender submission to the last minute - late tenders may not be considered.
- Upload scanned documents unless you have confirmed that they are in a format that the Council can open and read.
- Change the format or the order of the documents.

### **Evaluation of tenders and award criteria**

All local authorities are bound by the same regulations which state that tenders must always list the evaluation criteria and the relative weightings in relation to the contract (including if an interview process will be involved) and will also give an indication as to how much of the score is given to issues connected to quality and how much to price. The Council is required by statute to ensure value for money and in doing so recognises that there are a number of factors to be considered when evaluating bids.

For each contract the criteria used and its relative value may differ and will be weighed accordingly. Every tender will have a tailored set of award criteria. These may include: price, quality, aesthetic and technical considerations, service and technical support, whole life costs, environmental and social implications, etc.

It is important to note that all tenders are treated fairly and transparently, and that tender submissions cannot be scored against criteria that are not listed in the tender documentation.

## **Conditions of contract**

In addition to the specification, all tenders will include conditions of contract which will apply to any resulting contract. The Council has a number of standard conditions that it applies to all contracts. Some of these conditions relate to the standards the Council sets for itself and any of its suppliers e.g. equality of opportunity and health and safety. Others reflect financial considerations such as Insurance cover and default clauses etc. In addition there will be clauses that are contract specific and relate to such things as performance and delivery.

## **Contract award**

Once the contract has been awarded both successful and unsuccessful tenderers will be notified.

In OJEU procurements a mandatory 'standstill' period is in place, in which a notice is sent to all unsuccessful tenderers stating the intention to award a contract to the successful bidder, and setting out the reasons why their tender was unsuccessful, as well as the information set out below:

- the criteria for the award of the contract
- the reasons for the decision, including the characteristics and relative advantages of the successful tender
- the score (if any) obtained by the Tenderer to whom the notice is addressed and that of the successful bidder
- any reason why the unsuccessful Tenderer did not meet the technical specifications
- the name of the successful bidder; and
- a precise statement setting out the date on which the standstill period ends or before which the contract will not be let.

At the end of the standstill period, if no challenge has been made, the successful bidder is awarded the contract.

Notifications for the award of contracts over EU Procurement thresholds are published in the Official Journal of European Union (OJEU).

## **Promoting apprenticeships and skills through procurement**

Cheshire West and Chester Council are committed to developing apprenticeship and training opportunities throughout our supply chain. Where appropriate to an opportunity, the Council seeks to promote apprenticeships and training within the relevant sections of the tender document.

## **Performance monitoring**

Relevant contracts will be monitored to ensure that they provide works, supplies and services to the standards of quality and performance agreed.

The contract that you have may include conditions relating to your contribution to this process by providing reports, permitting access to site and attending review meetings.

## **How we place orders with our suppliers**

Before a supplier provides Cheshire West and Chester Council with any supplies and/or services an official purchase order (PO) must be received. This PO is a commitment by the Council to spend the value with a supplier; the PO number must be quoted on all invoices presented to the Council, if no PO no is quoted the invoice will be returned unpaid.

The addresses for the both the delivery of the supplies/services and the receipt of invoices are clearly shown on the purchase order.

## **How we pay our suppliers**

The standard payment terms for Cheshire West and Chester Council are 30 days from receipt of a correct invoice. To ensure that payment is dealt with efficiently and to avoid delays we ask for the following:

- the invoice must quote a valid purchase order (PO) number
- submit the invoice to the address quoted on the order
- ensure that it adds up correctly, particularly the VAT amount
- include as much information as possible about what the payment is for
- only include requests for payment of supplied supplies, services or works.

The Council makes payment by BACS in order to ensure that the payment is credited directly into the contractors/suppliers bank account.

Any invoice that does not quote a valid PO number will be returned, unpaid to the supplier.

## **Feedback**

We would encourage you to request feedback even if you are successful in bidding for work. Similarly, we welcome feedback on this guide, on the bidding process or on your experience of working for the Council.

Please contact us at the email address below.

- Email: [centralprocurement@cheshirewestandchester.gov.uk](mailto:centralprocurement@cheshirewestandchester.gov.uk)