

Online Consultation Procurement Process

October 2021

Reasons for Procuring

- Current contract expires 31/12/2021
- New short term interim contract is being put in place for a further 9 months until 30/09/2022
- According to public sector procurement legislation any non-healthcare spend over £189,330 must be competitively tendered
- Breaking the spend into smaller contracts to get around this is not permissible



Procurement Process

- NHS Digital have set up a framework agreement for online and video consultation solutions (DFOCVC) – This is effectively a shortlist of pre-qualified suppliers
- We are required by NHSD to utilise this framework
- The framework offers 3 procurement routes based on the level of spend
- For any of these three routes, you will need to have a list of requirements/specification
- These requirements will need to be weighted. Specific overarching cost/quality weightings apply to each of the 3 procurement routes.

Procurement Process

- Call off contracts may be a maximum of 3 years in length
- Each supplier has a Catalogue Solution Listing document, which includes details of their solution, service and pricing
- Discounts are available for larger procurements
- Suppliers can offer bespoke and improved pricing for off catalogue procurements



Route 1 – Direct Award

- Available for awards up to £40,000 (total contract length excluding VAT)
- Can take as little as 5 days
- No discount – Catalogue price is the price paid

Steps

- 1) Draft a specification / list of criteria - Be sure to consider your local environment and any special requirements, for example, local integration requirements that must be met.
- 2) Agree weightings. Price must represent a minimum of 50%. You may evaluate on price alone (i.e. select the cheapest solution that meets your requirements)
- 3) You will also need to define a scoring system for your Non-Price Elements, in which the highest score represents the best quality.
- 4) Assess the solutions available on the buying catalogue against your specification, using information available on the catalogue only
- 5) Select the supplier that best meets your needs. If you can't based on the information available, you must undertake an off-catalogue procurement
- 6) If only one supplier meets your requirements, you must record your justification, noting that you cannot skew your requirements towards a preferred supplier.
- 7) Complete and sign the call off contract template to finalise the agreement with the preferred supplier
- 8) Publish a Contract award notice for awards over £10k via UK Contracts Finder



Route 2 – Further Competition On-Catalogue

- For awards between £40,000 and £250,000 (total contract length excluding VAT).
- Relatively short timescales. Exact timescales will be dependant on resource available to assess/evaluate the catalogue information
- No discount – Catalogue price is the price paid
- You may still evaluate based on price only, where your organisation's standing financial instructions allow.
- For awards based on a mix of price and quality criteria, the process is effectively the same as direct award, but different weighting ranges apply:-
 - Price :- 30 – 90%
 - Non-price elements:- 10 – 70%

Steps

- 1) Draft a specification / list of criteria
- 2) Agree weightings and define your scoring system
- 3) Assess the solutions available on the buying catalogue against your specification, using information available on the catalogue only
- 4) Select the supplier that best meets your needs. If you can't based on the information available, you must undertake an off-catalogue procurement
- 5) If only one supplier meets your requirements, you must record your justification, noting that you cannot skew your requirements towards a preferred supplier.
- 6) Complete and sign the call off contract template to finalise the agreement with the preferred supplier
- 7) Publish a Contract award notice for awards over £10k via UK Contracts Finder

Route 3 – Further Competition - Off Catalogue

- Available for awards over £250,000 (excluding VAT)
- Shortlisted suppliers Invited to Tender (ITT), as part of a “mini-competition” – This will involve issuing an ITT pack which must include, as a minimum:-
 - ITT Instructions
 - Specification
 - Weighting and scoring criteria
 - Price template
 - Bidder questionnaire document
- Buyers able to define additional requirements in tender documentation that are not listed on the online catalogue
- There would be the opportunity to conduct supplier presentations as part of the evaluation process.
- Suppliers able to offer discounts in competitive tendering which can drive savings
- End to end process will take 8 -16 weeks from publication of the Invitation to Tender, depending on complexity and resource

Further Competition - Off Catalogue (contd.)

Steps

1. Draft your ITT pack
2. Shortlist using the framework shortlisting tool (if available and approved)
3. Publish the ITT pack to all framework suppliers/all shortlisted suppliers
4. Allow 4 weeks for suppliers to respond
5. Respond to any supplier clarification questions
6. Compliance check the bids received once the deadline has closed
7. Evaluate the bids against the published scoring criteria (commercial evaluation should be undertaken separately to ensure that scores are not skewed)
8. Select your winning bidder and issue an intention to award letter
9. It is best practice to issue unsuccessful letters including feedback to all other bidders and allow a 10 day standstill period before progressing with award and contract
10. Complete and sign the call off contract template to finalise the agreement with the preferred supplier
11. Publish a Contract award notice for awards over £10k via UK Contracts Finder

