How to undertake a mini competition under a Framework Agreement.

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The University has access from purchasing consortia, GPS and other contracting bodies to “Framework Agreements”. This means that the University needs to undertake a further mini competition to call off from the agreement.

What is a mini competition?

A mini competition is a process you need to carry out to place a call-off contract under a framework agreement where the best value supplier has not been specified. It allows you to further refine your requirement whilst retaining the benefits offered under the collaborative agreement.

The Benefits

Speed

this method is faster and less onerous than a full tender process, no need for a standstill period. By providing an EU compliant platform, there is no need to advertise the requirement.

Savings

Additional cost savings possible at the mini tender stage, where pricing is not fixed (or is fixed at a maximum level).

Collaborative Purchasing

Your mini competition will still achieve the benefits of collaborative purchasing

Multiple Sourcing

Multiple opportunities for source of supply provide increased choice and competition for the University

Refining the requirements

Your exact requirement can be further refined over and above the basic contract terms

Best Value

You can simply focus on achieving best value for money from your requirements

Terms and Conditions

The terms and conditions of the agreement will have already been established so call offs can just be made in reference to the agreement and its conditions.

Compliance to EU Regulations

By following these guidelines, and any specifics detailed in the commodity Buyers Guide, you will ensure you are adhering to EU Procurement Legislation.
EU Directives

When awarding call offs, the full procedural steps of the EU Directives do not need to be applied. However the EU treaty based principals, including equal treatment, transparency and non discrimination still apply.

Frameworks do not in themselves create any contractual obligations, whereas a call off does.


The new Directive applies to all frameworks and any subsequent mini competitions under the framework.

Key changes include the requirement that bidders must be notified of the outcome of the mini competition, and that the call off contract resulting from the mini competition may, if subject to a legal challenge, result in a financial penalty, curtailment of the contract, or an ineffectiveness order. For call offs above the EU threshold, and for which the new directives applies, you could choose to run a voluntary standstill period which would limit the remedies available if challenged to damages only.

Under no circumstances must a mini competition be run under a framework agreement in order to create your own framework agreement from which you could run mini competitions for call offs. However, you may decide to conduct a mini competition to select a single supplier to service all your requirements over a defined period.

Mini Competition Process

Prepare your Invitation to Quote

Issue the ITQ

Evaluate responses and select supplier

Award

Preparing your ITQ

Although you cannot change the basic terms or specification set out in the framework agreement mini competitions do allow you to refine the basic terms of the framework prior to making a call off

Areas you can refine include

Delivery timescales

Invoice or payment arrangements

Associated services such as installation, maintenance and training

Quantity

Functional specification
Under no circumstances in a mini competition should the specifier refer to brand names or brand specific descriptions, try where possible to give output specifications or briefs where you are looking for innovative solutions from suppliers.

**Issuing the ITQ**

Issue the ITQ to all suppliers on the agreement unless it is clear that a supplier cannot meet your requirements.

Sometimes the framework may be divided into categories or lots, each covering different supplies or services. In this case you only need to consult suppliers in the lots which cover the goods or services required.

Set a reasonable time frame for suppliers to respond

Maintain confidentiality at all times.

**Evaluate responses and select your Supplier**

The evaluation will be against the criteria set in the original framework although you are allowed to change the weightings of the criteria. Try to be objective at all times in your evaluation.

**Award**

Once the evaluation stage is completed, the call off contract can be awarded. All bidders should be notified of the outcome of the mini competition. Remember, you don’t need to apply the standstill period to a mini competition, but you may still need to debrief participants afterwards if requested. Where a debriefing is requested, it should be completed within 15 days of the written request.