



Regional Collaboration Procedure

Scope

This initiative is designed to make contracts available for use across the region on an “opt in basis”. This process is designed to directly create savings across the region by saving Councils’ and Public Organisations carrying out unnecessary tendering exercises when contracts already exist within the region that will meet their operational requirements. Additional savings may also be possible through increased economies of scale due to councils participating in larger collaborative contracts.

Procedure

The procedure to be adopted should be as follows;

(A) Tendering and Awarding a Contract

1. Design your contract to be tendered (or pre-qualified) in the normal way, this process is not intended as a detailed and cumbersome process engaging a wide range of stakeholders (unless it is a specific regional initiative bringing a range of authorities together).
2. Insert the Regional Collaboration Page into your tender document for supplier information; you can adjust this page to suit your own authority’s style or tender pages if you wish.
3. If your authority already has an agreed procedure to allow your contracts to be open to other Councils’ or public organisations within the region, you can use your own details in place of this document, provided it achieves the same result or outcome.
4. When completing your OJEU advert please ensure you consider the following issues:

4.1 When advertising tenders in the EU, it is important to articulate all of your intentions for the future contract or framework as early as possible.

For example, what could be the maximum possible spend if others use the contract? Who do you wish to make the future contract or framework available to? Do you wish to review pricing structures at some point if volumes have significantly increased from other authorities using the contract? Do you wish to make specifications or schedules potentially variable if other authorities are joining in? How do you wish to tender this arrangement i.e. contract, framework agreement etc.

4.2 Section II 1.1 Title attributed to the contract by the contracting authority:

Please ensure the correct Nomenclature of Territorial Units for Statistics Code (NUTS code) is used here. UK = National Contract UKG = West Midlands Contract. Potential suppliers search for LA work is much easier if the correct NUTS codes are used. See list below

4.3 Section II 1.2 The type of contract and location of delivery. E.g. Services or Supplies and geography.

Please state in the first instance the area in which the work will be carried out eg Staffordshire and then any West Midlands authority covered by your RIEP, or any other authorities you wish to cover. If you plan on making the contract nationally available please state: The contract or framework will be available for use throughout the whole of the United Kingdom.

4.4 Section II 1.4 Information on a Framework Agreement

Examples of wording you can use:

- Framework with several operators
 - Duration of framework = Max is 4 years for any Framework Agreement (48 Months)
 - Estimated total value of purchases for the entire duration of the framework agreement
 - Estimated Value excluding VAT – Figure should allow for future growth be indicative of existing usage plus reasonable value of potential future uptake. This can be a range figure of say between £4,000,000 – £6,000,000
- 5 If tenders are returned and suppliers have expressed that they do not wish for this contract to be open and available to other authorities, the valid reasons for non collaboration should be documented for information i.e.
- (a) A small local supplier who does not have capacity to deliver any wider than the scope of the specific Councils' contract.
 - (b) Making the contract open to other Councils' would have a significant adverse effect on the tendered pricing due to unknown requirements.

(B) Utilising an Existing Contract

1. Wherever possible, basic contract information will be posted on the WMRIEP Website for information (contract reference, title, duration, contracting authority and email address) this will provide a central point for regional information via the Procurement Hub.
2. If you have an interest in utilising a contract on the Website, you would contact the authority or Consortia (ESPO,YPO) direct in order to obtain contract details for potential use. If you made a decision to utilise this contract, this would be done in agreement with the contracting authority.
3. Users of this contract would observe and maintain supplier and authority confidentiality of the contract details and would not be able to re-negotiate the contract or use the prices to negotiate separate or better terms with other suppliers.
4. The examination and use of the contract would be on a viability basis, if it does not meet your requirements or cannot be modified easily (i.e. adding a small

number of additional items to the schedule of requirements etc) then you would need to consider either;

- (a) Making alternative arrangements (i.e. carrying out your own tendering activity or reviewing other supply options).
- (b) Adjusting your own requirements to meet a specific contract available (i.e. different specification accepted by changing internal requirements).

Contracts may only be modified if the Administering or Lead Authority, were comfortable to make adjustments for mutual benefit and it would not conflict with EU Directives.

(C) Nomenclatures (NUTS Codes)

For information, nomenclatures are included for reference purposes. You may need to clarify the position with your legal services section as application requirement may vary slightly.

It is important to ensure the codes inserted into your OJEU advert reflect the geographical span of contract delivery eg UKG – West Midlands.

Residual Services will only require nomenclatures if using the OJEU procedure by choice, or, inserting the collaboration page into the tender (or pre-qualification documents)

Code	Country	Level 1	Level 2	Level 3
UK	UNITED KINGDOM			
UKC		NORTH EAST		
UKD		NORTH WEST		
UKE		YORKSHIRE AND THE HUMBER		
UKF		EAST MIDLANDS		
UKG		WEST MIDLANDS		
UKG1			Herefordshire, Worcestershire and Warwickshire	
UKG11				Herefordshire, County of
UKG12				Worcestershire
UKG13				Warwickshire
UKG2			Shropshire and Staffordshire	
UKG21				Telford and Wrekin
UKG22				Shropshire CC
UKG23				Stoke-on-Trent
UKG24				Staffordshire CC
UKG3			West Midlands	
UKG31				Birmingham
UKG32				Solihull

UKG33				Coventry
UKG34				Dudley and Sandwell
UKG35				Walsall and Wolverhampton
UKH		EAST OF ENGLAND		
UKI		LONDON		
UKJ		SOUTH EAST		
UKK		SOUTH WEST		
UKL		WALES		
UKM		SCOTLAND		
UKN		NORTHERN IRELAND		

Regional Collaboration Page

(For insertion into your tender / Pre-qualification documents)

As part of the Governments' National Procurement Strategy and the West Midlands Centre of Excellence Regional Procurement Hub, collaborative working and supporting other authorities now forms part of this Councils' procurement remit.

Therefore, this contract may be made available to other Councils' and Public Bodies within this or other regions, for information, the West Midlands Councils are listed as follows;

District and Borough Councils'

Bromsgrove District Council	Tamworth Borough Council
Cannock Chase District Council	Wyre Forrest District Council
Lichfield District Council	Wychavon District Council
Malvern Hills District Council	Worcester City District Council
Nuneaton and Bedworth Borough Council	Warwick District Council
Newcastle under Lyme Borough Council	North Warwickshire District Council
Redditch Borough Council	East Staffordshire Borough Council
Rugby District Council	South Staffordshire District Council
Staffordshire Moorlands District Council	Stratford Upon Avon District Council
Stafford District Council	

Metropolitan Borough and City Councils'

Telford and Wrekin Borough Council	Solihull Metropolitan Borough Council
Dudley Metropolitan Borough Council	Birmingham City Council
Walsall Metropolitan Borough Council	Coventry City Council
Sandwell Metropolitan Borough Council	Wolverhampton City Council

County and Unitary Councils'

Staffordshire County Council	Worcestershire County Council
Shropshire Unitary Council	Herefordshire Unitary Council
Warwickshire County Council	Stoke on Trent Council

This contract would also be made available to any public bodies affiliated with these Councils.

You would also need to indicate within your pricing structure whether making this contract available to other Councils would have an impact upon tendered contract pricing.

If you would not wish for this contract (if you were successful) to be made open to any of the authorities listed, or public bodies associated with those authorities can you please indicate reasons.

<u>I am willing for this contract to be open to other Councils' and Public Bodies</u>	
Name;	Designation;
Supplier;	Date;