

Framework Schedule 7 (Call-Off Award Procedure)

Part 1: Order Procedure

1. Definitions

- 1.1 In this Schedule, the following words shall have the following meanings and they shall supplement Joint Schedule 1 (*Definitions*):

"Award Without Competition "	the award of a Call-Off Contract without holding a Competitive Selection Process;
"Competitive Selection Process"	a Single Stage Competitive Selection Process, a Two Stage Competitive Selection Process or a Multi Stage Competitive Selection Process;
"Conditions of Participation"	the conditions of participation (if any) that are specified by the Buyer pursuant to Section 46 of the Procurement Act 2023 in respect of a Competitive Selection Process;
"Electronic Auction"	a part of a Competitive Selection Process that involves the use of electronic means for the presentation by Framework Suppliers of either new prices, or new values for quantifiable non-price elements of the relevant tender related to the relevant award criteria, or both, resulting in a ranking or re-ranking of tenders;
"Multi Stage Competitive Selection Process"	the multi stage competitive selection process for award of a Call-Off Contract set out in Paragraph 9 of this Schedule;
"Open Framework"	an open framework within the meaning of Section 49 of the Procurement Act 2023;
"Single Stage Competitive Selection Process"	the single stage competitive selection process for award of a Call-Off Contract set out in Paragraph 7 of this Schedule;
"Supplier Tender Data"	those parts of (and/or information contained within) the Framework Tender Response that CCS determines (acting reasonably, but in its sole discretion) a Buyer would reasonably require access to in order to complete the assessment referred to in Paragraph 6.1.2. Such information may include, without limitation, information about the Supplier's solution for provision of the relevant Deliverables, pricing information, service

	descriptions/commitments and catalogue content; and
"Two Stage Competitive Selection Process"	the two stage competitive selection process for award of a Call-Off Contract set out in Paragraph 8 of this Schedule.

2. How a Call-Off Contract is awarded

- 2.1 If a potential Buyer decides to source Deliverables through the Framework then it will award its Deliverables in accordance with this Schedule and the requirements of the Procurement Act 2023 and any Regulations made under it.
- 2.2 If the potential Buyer can determine that:
 - 2.2.1 the objective mechanism for supplier selection set out in Annex A (*Award Without Competition: Objective mechanism for supplier selection*) permits the Buyer to make an Award Without Competition to a particular Framework Supplier;
 - 2.2.2 its Deliverables can be met by the relevant Framework Supplier's catalogues and description of the Deliverables as set out in Framework Schedule 1 (*Specification*) and the Supplier Tender Data; and
 - 2.2.3 the core terms of the proposed Call-Off Contract are laid down in the Framework Contract,then the Buyer may award a Call-Off Contract in accordance with the Award Without Competition procedure set out in Paragraph 6 below.
- 2.3 In circumstances where only one Framework Supplier is party to the Framework (or, where applicable, the relevant lot of the Framework), then the Buyer may award a Call-Off Contract in accordance with the Award Without Competition procedure set out in Paragraph 6, with the exception that Paragraph 6.1.2 shall not apply.
- 2.4 Except where the Buyer is entitled to award a Call-Off Contract in accordance with the Award Without Competition procedure pursuant to Paragraph 2.2 or 2.3, the Buyer must award any Call-Off Contract in accordance with one of the Competitive Selection Processes set out in Paragraph 7, Paragraph 8 and Paragraph 9 below.
- 2.5 Where the Framework is part of a scheme of frameworks under an Open Framework:
 - 2.5.1 unless the Framework is the final framework in the scheme of an Open Framework, any process for the award of a Call-Off Contract under this Schedule that is ongoing at the point of expiry of the Framework can continue, and the Buyer can award the Call-Off Contract under the Framework, despite the expiry of the Framework; and
 - 2.5.2 if the Framework is the final framework in the scheme of an Open Framework, any process for the award of a Call-Off Contract under this Schedule must be completed, and the Call-Off Contract

must be entered into with the Supplier, before the expiry of the Framework.

[Category Guidance: This Schedule is drafted on the basis that one or more standard Competitive Selection Processes will be adopted. The previous Further Competition Procedure is now called a “Single Stage Competitive Selection Process”, and a new “Two Stage Competitive Selection Process” and a new “Multi Stage Competitive Selection Process” have also been included. You should consider which one or more of these Competitive Selection Processes should be included in your agreement, taking into account the nature/complexity of the Deliverables that are to be provided and the likely risk appetites of Buyers under the framework.]

3. No requirement to award

- 3.1 Notwithstanding the fact that the Buyer has followed a Call-Off Procedure for the award of a Call-Off Contract as set out in this Schedule, the Supplier acknowledges and agrees that the Buyer shall be entitled at all times to decline to make an award for its Deliverables and that nothing in the Framework Contract shall oblige the Buyer to award any Call-Off Contract.

4. Who is responsible for the award

- 4.1 The Supplier acknowledges that the Buyer is independently responsible for the conduct of its award of Call-Off Contracts under the Framework Contract and that CCS is not responsible or accountable for and shall have no liability whatsoever, except where it is the Buyer, in relation to:
 - 4.1.1 the conduct of the Buyer in relation to the formulation of its required Deliverables and/or the process to award any Call-Off Contract under this Schedule;
 - 4.1.2 the conduct of the Buyer in relation to any Call-Off Contract; and/or
 - 4.1.3 the performance or non-performance of any Call-Off Contract(s) between the Supplier and Buyer entered into pursuant to the Framework Contract.

5. Awarding and creating a Call-Off Contract

- 5.1 Subject to the terms of this Schedule, a Buyer may award a Call-Off Contract with the Supplier by sending (including electronically) a signed order form substantially in the form (as may be amended or refined by the Buyer in accordance with the relevant terms of this Schedule) of the Order Form Template set out in Framework Schedule 6 (*Order Form Template and Call-Off Schedules*).
- 5.2 The Parties agree that any document or communication (including any document or communication in the apparent form of a Call-Off Contract) which is not as described in this Paragraph 5 shall not constitute a Call-Off Contract under the Framework.
- 5.3 On receipt of an order form as described in Paragraph 5.1 from a Buyer the Supplier shall accept the Call-Off Contract by promptly signing and

returning (including by electronic means) a copy of the order form to the Buyer concerned.

- 5.4 On receipt of the countersigned Order Form from the Supplier, the Buyer shall send (including by electronic means) a written notice of receipt to the Supplier within two (2) Working Days and the Call-Off Contract shall be formed with effect from the Call-Off Start Date stated in the Order Form.

6 How an Award Without Competition works

- 6.1 Subject to Paragraph 2.2 and 2.3 above, if the Buyer is awarding a Call-Off Contract under the Framework without holding a Competitive Selection Process the Buyer shall:
- 6.1.1 develop a clear Statement of Requirements;
 - 6.1.2 apply the Award Without Competition criteria (as set out in Annex A (*Award Without Competition: Objective mechanism for supplier selection*)) to the Framework Suppliers' catalogues and description of the Deliverables as set out in Framework Schedule 1 (*Specification*) and the Supplier Tender Data for all Framework Suppliers capable of meeting the Statement of Requirements in order to establish which Framework Supplier provides the solution that (a) satisfies the Buyer's requirements, and (b) best satisfies the Award Without Competition criteria as set out in Annex A (*Award Without Competition: Objective mechanism for supplier selection*);
 - 6.1.3 determine if the Framework Supplier is an excluded supplier or excludable supplier (including by reference to an associated person) as set out in Section 57 of the Procurement Act 2023; and only proceed with the award if the Supplier is not an excluded supplier; and
 - 6.1.4 on the basis set out above, award the Call-Off Contract to the successful Framework Supplier in accordance with Paragraph 5 above.

7. How a Single Stage Competitive Selection Process works

What the Buyer has to do

- 7.1 The Buyer awarding a Call-Off Contract under the Framework through a Single Stage Competitive Selection Process shall:
- 7.1.1 develop a Statement of Requirements setting out its requirements for the Deliverables;
 - 7.1.2 identify (i) (where applicable) the relevant lot of the Framework that applies to the required Deliverables and (ii) all of the Framework Suppliers that are eligible to be awarded a Call-Off Contract in respect of the required Deliverables (which, where applicable, will only be the Framework Suppliers appointed under the identified lot). All of the Framework Suppliers identified pursuant to this Paragraph 7.1.2 must be invited to submit a tender pursuant to Paragraph 7.1.4;

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- 7.1.3 amend or refine the Deliverables to reflect its requirements by using the Order Form only to the extent permitted by and in accordance with the requirements of the Procurement Act 2023 and any regulations made under it;
- 7.1.4 invite tenders by conducting a Single Stage Competitive Selection Process for its Deliverables in accordance with the Procurement Act 2023 and any Regulations made under it and in particular:
 - (a) if an Electronic Auction is to be held, the Buyer shall notify the Framework Suppliers identified in accordance with Paragraph 7.1.2 and shall conduct the Single Stage Competitive Selection Process in accordance with the procedures set out in Paragraph 7; or
 - (b) if an Electronic Auction is not used, the Buyer shall:
 - (i) if Conditions of Participation are used, include any Conditions of Participation, set in accordance with Section 46 of the Procurement Act 2023, in its invitation to Framework Suppliers;
 - (ii) invite the Framework Suppliers identified in accordance with Paragraph 7.1.2 to submit a tender in writing for each proposed Call-Off Contract to be awarded by giving written notice by email to the relevant Framework Supplier representative of each Framework Supplier;
 - (iii) set a time limit for the receipt by it of the tenders which takes into account factors such as the complexity of the subject matter of the proposed Call-Off Contract and the time needed to submit tenders; and
 - (iv) keep each tender confidential until the time limit set out for the return of tenders has expired;
- 7.1.5 following receipt of tenders:
 - 7.1.5.1 determine if any identified Framework Supplier is an excluded supplier or excludable supplier (including by reference to an associated person) as set out in Section 57 of the Procurement Act 2023; and
 - 7.1.5.2 exclude from participating further any excluded Framework Suppliers, and determine if it will exclude from participating further any excludable Framework Suppliers in accordance with the Procurement Act 2023;
- 7.1.6 if Conditions of Participation are used, assess which Framework Suppliers satisfy the Conditions of Participation set, and exclude any Framework Suppliers who do not satisfy one or more of those Conditions of Participation;
- 7.1.7 apply the Single Stage Competitive Selection Process Award Criteria (set out in Annex B) to the remaining Framework

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Suppliers' compliant tenders submitted through the Single Stage Competitive Selection Process as the basis of its decision to award a Call-Off Contract for its Deliverables;

- 7.1.8 on the basis set out above, award its Call-Off Contract to the successful Framework Supplier in accordance with Paragraph 5. The Call-Off Contract shall:
- (a) state the Deliverables;
 - (b) state the tender submitted by the successful Framework Supplier;
 - (c) state the charges payable for the Deliverables in accordance with the tender submitted by the successful Framework Supplier; and
 - (d) incorporate the terms of the Order Form and Contract (as may be amended or refined by the Buyer in accordance with Paragraph 7.1.3 above) applicable to the Deliverables; and
- 7.1.9 provide unsuccessful Framework Suppliers with written feedback in relation to the reasons why their tenders were unsuccessful.

What the Supplier has to do

- 7.2 The Supplier shall in writing, by the time and date specified by the Buyer following an invitation to tender pursuant to Paragraph 7.1.4 above, provide the Buyer with either:
- 7.2.1 a statement to the effect that it does not wish to tender in relation to the Deliverables; or
 - 7.2.2 the full details of its tender made in respect of the relevant Statement of Requirements. In the event that the Supplier submits such a tender, it should include, as a minimum:
 - (a) an email response subject line to comprise unique reference number and Supplier name, so as to clearly identify the Supplier;
 - (b) a brief summary, in the email (followed by a confirmation letter), stating that the Supplier is bidding for the Statement of Requirements;
 - (c) a proposal covering the Deliverables;
 - (d) CVs of key staff – as a minimum any lead consultant, with others, as considered appropriate along with required staff levels (if necessary); and
 - (e) confirmation of discounts applicable to the Deliverables, as referenced in Framework Schedule 3 (*Framework Prices*) (if applicable).
- 7.3 The Supplier shall ensure that any prices submitted in relation to a Single Stage Competitive Selection Process held pursuant to this Paragraph 7 shall be based on the charging structure and take into account any

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discount to which the Buyer may be entitled as set out in Framework Schedule 3 (*Framework Prices*).

7.4 The Supplier agrees that:

- 7.4.1 its failure to respond by the time and date specified by the Buyer following an invitation to tender pursuant to Paragraph 7.1.4 above will be treated as a statement to the effect that it does not wish to tender in relation to the Deliverables;
- 7.4.2 all tenders submitted by the Supplier in relation to a Single Stage Competitive Selection Process held pursuant to this Paragraph 7 shall remain open for acceptance by the Buyer for ninety (90) Working Days (or such other period specified in the invitation to tender issued by the Buyer in accordance with the Call-Off Procedure); and
- 7.4.3 all tenders submitted by the Supplier are made and will be made in good faith and that the Supplier has not fixed or adjusted and will not fix or adjust the price of the tender by or in accordance with any agreement or arrangement with any other person. The Supplier certifies that it has not and undertakes that it will not:
 - (a) communicate to any person other than the person inviting these tenders the amount or approximate amount of the tender, except where the disclosure, in confidence, of the approximate amount of the tender was necessary to obtain quotations required for the preparation of the tender; and
 - (b) enter into any arrangement or agreement with any other person that he or the other person(s) shall refrain from submitting a tender or as to the amount of any tenders to be submitted.

8. How a Two Stage Competitive Selection Process works

What the Buyer has to do – First Stage

- 8.1 The Buyer awarding a Call-Off Contract under the Framework through a Two Stage Competitive Selection Process shall:
 - 8.1.1 develop a Statement of Requirements setting out its requirements for the Deliverables;
 - 8.1.2 identify (i) (where applicable) the relevant lot of the Framework that applies to the required Deliverables and (ii) all of the Framework Suppliers that are eligible to be awarded a Call-Off Contract in respect of the required Deliverables (which, where applicable, will only be the Framework Suppliers appointed under the identified lot). All of the Framework Suppliers identified pursuant to this Paragraph 8.1.2 must be invited to participate in the Competitive Selection Process pursuant to Paragraph 8.1.4;
 - 8.1.3 amend or refine the Deliverables to reflect its requirements by using the Order Form only to the extent permitted by and in

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accordance with the requirements of the Procurement Act 2023 and any Regulations made under it;

- 8.1.4 invite the Framework Suppliers identified in accordance with Paragraph 8.1.2 to submit a request to participate in accordance with the Procurement Act 2023 and any Regulations made under it and in particular:

- 8.1.4.1 invite the Framework Suppliers identified in accordance with Paragraph 8.1.2 to submit a request to participate for each proposed Call-Off Contract to be awarded by giving written notice by email to the relevant Framework Supplier representative of each Framework Supplier;

- 8.1.4.2 set a time limit for the receipt by it of requests to participate which takes into account factors such as the complexity of the subject matter of the proposed Call-Off Contract and the time needed to submit requests to participate; and

- 8.1.4.3 include in its request to participate document any Conditions of Participation set in accordance with Section 46 of the Procurement Act 2023 which the Framework Suppliers must meet in order to proceed to the next stage of the Two Stage Competitive Selection Process;

- 8.1.5 following receipt of requests to participate:

- 8.1.5.1 determine if any identified Framework Supplier is an excluded supplier or excludable supplier (including by reference to an associated person) as set out in Section 57 of the Procurement Act 2023; and

- 8.1.5.2 exclude from participating further any excluded Framework Suppliers, and determine if it will exclude from participating further any excludable Framework Suppliers in accordance with the Procurement Act 2023 and any Regulations made under it;

- 8.1.6 assess which Framework Suppliers satisfy the Conditions of Participation set by applying the process described in its invitation to participate document to select the Framework Suppliers invited to submit tenders, and exclude any Framework Suppliers who do not satisfy one or more of those Conditions of Participation; and

- 8.1.7 provide unsuccessful Framework Suppliers with written feedback in relation to the reasons why their requests to participate were unsuccessful.

What the Supplier has to do – First Stage

- 8.2 The Supplier shall in writing, by the time and date specified by the Buyer following an invitation to participate pursuant to Paragraph 8.1.4 above, provide the Buyer with either:

- 8.2.1 a statement to the effect that it does not wish to participate in relation to the Deliverables; or

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- 8.2.2 its full response to the Buyer's invitation to participate. In the event that the Supplier submits such a request, it should include, as a minimum:
- (a) an email response subject line to comprise unique reference number and Supplier name, so as to clearly identify the Supplier;
 - (b) a brief summary, in the email (followed by a confirmation letter), stating that the Supplier is requesting to participate for the Statement of Requirements; and
 - (c) a proposal covering the Supplier's satisfaction of the Conditions of Participation set.

What the Buyer has to do – Second Stage

8.3 Following the Buyer's assessment of those Suppliers who remain capable of supplying the Deliverable following the first stage of the Two Stage Competitive Selection Process as set out in Paragraphs 8.1 and 8.2, the Buyer awarding a Call-Off Contract under the Framework through a Two Stage Competitive Selection Process shall:

- 8.3.1 invite tenders from the remaining Framework Suppliers and in particular:
- (a) if an Electronic Auction is to be held, the Buyer shall notify the remaining Framework Suppliers and shall conduct the Two Stage Competitive Selection Process in accordance with the procedures set out in this Paragraph 8.3; or
 - (b) if an Electronic Auction is not used, the Buyer shall:
 - (i) invite the remaining Framework Suppliers to submit a tender in writing for each proposed Call-Off Contract to be awarded by giving written notice by email to the relevant Framework Supplier representative of each Framework Supplier;
 - (ii) set a time limit for the receipt by it of the tenders which takes into account factors such as the complexity of the subject matter of the proposed Call-Off Contract and the time needed to submit tenders; and
 - (iii) keep each tender confidential until the time limit set out for the return of tenders has expired;
- 8.3.2 apply the Two Stage Competitive Selection Process Award Criteria (set out in Annex C) to the remaining Framework Suppliers' compliant tenders submitted through the Two Stage Competitive Selection Process as the basis of its decision to award a Call-Off Contract for its Deliverables;

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- 8.3.3 on the basis set out above, award its Call-Off Contract to the successful Framework Supplier in accordance with Paragraph 5. The Call-Off Contract shall:
- (a) state the Deliverables;
 - (b) state the tender submitted by the successful Framework Supplier;
 - (c) state the charges payable for the Deliverables in accordance with the tender submitted by the successful Framework Supplier; and
 - (d) incorporate the terms of the Order Form and Contract (as may be amended or refined by the Buyer in accordance with Paragraph 8.1.3 above) applicable to the Deliverables; and
- 8.3.4 provide unsuccessful Framework Suppliers with written feedback in relation to the reasons why their tenders were unsuccessful.

What the Supplier has to do – Second Stage

- 8.4 The Supplier shall in writing, by the time and date specified by the Buyer following an invitation to tender pursuant to Paragraph 8.3.1 above, provide the Buyer with either:
- 8.4.1 a statement to the effect that it does not wish to tender in relation to the Deliverables; or
 - 8.4.2 the full details of its tender made in respect of the relevant Statement of Requirements. In the event that the Supplier submits such a tender, it should include, as a minimum:
 - (a) an email response subject line to comprise unique reference number and Supplier name, so as to clearly identify the Supplier;
 - (b) a brief summary, in the email (followed by a confirmation letter), stating that the Supplier is bidding for the Statement of Requirements;
 - (c) a proposal covering the Deliverables;
 - (d) CVs of key staff – as a minimum any lead consultant, with others, as considered appropriate along with required staff levels (if necessary); and
 - (e) confirmation of discounts applicable to the Deliverables, as referenced in Framework Schedule 3 (*Framework Prices*) (if applicable).
- 8.5 The Supplier shall ensure that any prices submitted in relation to a Two Stage Competitive Selection Process held pursuant to this Paragraph 8 shall be based on the charging structure and take into account any discount to which the Buyer may be entitled as set out in Framework Schedule 3 (*Framework Prices*).
- 8.6 The Supplier agrees that:

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- 8.6.1 its failure to respond by the time and date specified by the Buyer following a request to participate pursuant to Paragraph 8.1.4 above or an invitation to tender pursuant to Paragraph 8.3.1 above will be treated as a statement to the effect that it does not wish to participate or tender in relation to the Deliverables;
- 8.6.2 all tenders submitted by the Supplier in relation to a Two Stage Competitive Selection Process held pursuant to this Paragraph 8 shall remain open for acceptance by the Buyer for ninety (90) Working Days (or such other period specified in the invitation to tender issued by the Buyer in accordance with the Call-Off Procedure); and
- 8.6.3 all tenders submitted by the Supplier are made and will be made in good faith and that the Supplier has not fixed or adjusted and will not fix or adjust the price of the tender by or in accordance with any agreement or arrangement with any other person. The Supplier certifies that it has not and undertakes that it will not:
 - (a) communicate to any person other than the person inviting these tenders the amount or approximate amount of the tender, except where the disclosure, in confidence, of the approximate amount of the tender was necessary to obtain quotations required for the preparation of the tender; and
 - (b) enter into any arrangement or agreement with any other person that he or the other person(s) shall refrain from submitting a tender or as to the amount of any tenders to be submitted.

9. How a Multi Stage Competitive Selection Process works

[Buyer Guidance: CCS have adopted a modular approach in paragraph 9 of this Schedule to enable Buyers to build their own Multi Stage Competitive Selection Process to suit the needs of their procurement. In accordance with the terms of this Paragraph 9, the detail of the Multi Stage Competitive Process that the Buyer wishes to adopt will need to be set out in the Buyer's tender pack relating to any proposed Call-Off Contract, which must reflect the applicable terms of this Paragraph 9. Buyers may adopt one or more of the modular stages that are marked as optional in this Paragraph, which optional modular stages may be adopted in such sequence/order as the Buyer determines to be appropriate for its Multi Stage Competitive Selection Process. The Buyer must always adopt the stages that are identified as mandatory in this Paragraph 9.]

The Buyer's Procedure for Running a Multi Stage Competitive Selection Process

- 9.1 The Buyer awarding a Call-Off Contract under the Framework through a Multi Stage Competitive Selection Process shall:
 - 9.1.1 undertake the mandatory modular stages (as set out in Paragraph 9.3 and 9.10) and may choose to undertake one or more of the optional modular stages set out below;

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- 9.1.2 determine the sequencing of each modular stage for their Multi Stage Competitive Selection Process;
 - 9.1.3 set out in their tender pack to Framework Suppliers the detail of each stage, including the purpose of each stage and the part that stage will play in the award decision, if any. If a modular stage is being used to reduce the number of Framework Suppliers that progress to a subsequent stage in the Multi Stage Competitive Selection Process, then how that stage will be used to select the Framework Suppliers that progress to the next stage must be expressly stated in the tender pack (including the assessment method and criteria to be used to evaluate price and quality at any modular stage(s)), which must be based on the Multi Stage Competitive Selection Process Award Criteria (Annex D), together with a timetable for the procedure);
 - 9.1.4 run their Multi Stage Competitive Selection Process in compliance with the Procurement Act 2023 and any regulation made under it, the procedure set out in this Schedule and the information set out in their tender pack; and
 - 9.1.5 only proceed with a Multi Stage Competitive Selection Process if they are satisfied that the Multi Stage Competitive Selection Process designed for awarding their Call-Off Contract is compliant with the Procurement Act 2023 and any regulations made under it, having considered and determined that their chosen procedure is a proportionate means of assessing tenders having regard to the nature, complexity and cost of the Call-Off Contract and having had regard to the Procurement Objectives set out at Section 12 of the Procurement Act 2023 and any regulations made under it.
- 9.2 The Buyer shall notify unsuccessful Framework Suppliers and provide unsuccessful Framework Suppliers with written feedback.

Module 1 - Initial Mandatory Stages of a Multi Stage Competitive Selection Process

- 9.3 The Buyer shall:
- 9.3.1 develop a Statement of Requirements setting out its requirements for the Deliverables;
 - 9.3.2 identify (i) (where applicable) the relevant lot of the Framework that applies to the required Deliverables and (ii) all of the Framework Suppliers that are eligible to be awarded a Call-Off Contract in respect of the required Deliverables (which, where applicable, will only be the Frameworks Suppliers appointed under the identified lot). All of the Framework Suppliers identified pursuant to this Paragraph 9.3.2 must be sent a tender pack pursuant to Paragraph 9.3.4;
 - 9.3.3 amend or refine the Deliverables to reflect its requirements by using the Order Form only to the extent permitted by and in

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accordance with the requirements of the Procurement Act 2023 and any regulations made under it;

- 9.3.4 send out its tender pack by giving written notice by email to the relevant Framework Supplier representative of each Framework Supplier identified in accordance with Paragraph 9.3.2; and
- 9.3.5 following receipt of requests to participate or requests to tender, whichever is earlier depending on the Multi Stage Competitive Selection Process designed, determine if any identified Framework Supplier is an excluded supplier or excludable supplier (including by reference to an associated person) as set out in Section 57 of the Procurement Act 2023 and exclude from participating further any excluded Framework Suppliers, and determine if it will exclude from participating further any excludable Framework Suppliers in accordance with the Procurement Act 2023 and any Regulations made under it.

Module 2 - Conditions of Participation Assessment (Optional)

[Buyer Guidance: This is an optional modular stage using Conditions of Participation to shortlist Framework Suppliers that progress to the next stage.]

9.4 If a Buyer chooses to undertake a Conditions of Participation stage:-

9.4.1. The Buyer shall:

- (a) include in its tender pack any Conditions of Participation set in accordance with Section 46 of the Procurement Act 2023, which the Framework Suppliers must meet in order to proceed to the next stage; and
- (b) undertake an assessment of the Framework Suppliers' responses by applying the process described in its tender pack to select the Framework Suppliers invited to participate in the next stage of the Multi Stage Competitive Selection Process.

9.4.2 The Buyer may exclude any Framework Supplier that does not satisfy a Condition of Participation from participating in, or progressing as part of, the Multi Stage Competitive Selection Process, or the Buyer may allow the Framework Supplier to continue in the process while the Framework Supplier seeks to meet the Conditions of Participation before the Call-Off Contract is awarded.

9.4.3 A Framework Supplier must satisfy the Conditions of Participation in order to be awarded a Call-Off Contract.

Module 3 - Tendering Stage (Optional)

[Buyer Guidance: This is an optional modular stage where the Buyer wishes to have a tendering stage prior to the mandatory final tendering stage. This stage can be duplicated in the event that the Buyer decides to design a process with multiple tendering stages.]

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9.5 If a Buyer chooses to undertake an additional tendering stage:-

9.5.1 The Buyer shall:

- (a) invite the Framework Suppliers remaining in the competition to submit a tender in writing for each proposed Call-Off Contract to be awarded;
- (b) set a time limit for the receipt by it of the tenders which takes into account factors such as the complexity of the subject matter of the proposed Call-Off Contract and the time needed to submit tenders; and
- (c) keep each tender confidential until the time limit set out for the return of tenders has expired.

9.5.2 The Supplier shall in writing, by the time and date specified by the Buyer following an invitation to tender pursuant to Paragraph 9.5.1 above, provide the Buyer with either:

- (a) a statement to the effect that it does not wish to tender in relation to the Deliverables; or
- (b) the full details of its tender made in respect of the relevant Statement of Requirements.

9.5.3 The Supplier shall ensure that any prices submitted in relation to a Multi Stage Competitive Selection Process held pursuant to this Paragraph 9 shall be based on the charging structure and take into account any discount to which the Buyer may be entitled as set out in Framework Schedule 3 (*Framework Prices*).

9.5.4 The Supplier agrees that:

- (a) its failure to respond by the time and date specified by the Buyer following an invitation to tender pursuant to Paragraph 9.5.1 above will be treated as a statement to the effect that it does not wish to tender in relation to the Deliverables;
- (b) all tenders submitted by the Supplier are made and will be made in good faith and that the Supplier has not fixed or adjusted and will not fix or adjust the price of the tender by or in accordance with any agreement or arrangement with any other person. The Supplier certifies that it has not and undertakes that it will not:
 - (i) communicate to any person other than the person inviting these tenders the amount or approximate amount of the tender, except where the disclosure, in confidence, of the approximate amount of the tender was necessary to obtain quotations required for the preparation of the tender; and
 - (ii) enter into any arrangement or agreement with any other person that he or the other person(s) shall

refrain from submitting a tender or as to the amount of any tenders to be submitted.

- 9.5.5 The Buyer shall follow their procedure for undertaking the tendering stage as set out in their tender pack (for example Buyers may choose to use a tendering stage to reduce the number of Framework Suppliers that go through to the next stage or Buyers may use a tendering stage as an opportunity to provide feedback to Framework Suppliers to enable them to produce higher quality tenders in a subsequent or final tendering round).

Module 4 - Presentation/Demonstration Stage (Optional)

[Buyer Guidance: This is an optional modular stage that could be used, for example, to test Framework Supplier solutions and proposals (e.g., tech solutions.)]

- 9.6 If the Buyer chooses to undertake a presentation/demonstration stage:-

- 9.6.1 The Buyer shall:

- (a) follow their procedure for the presentation/demonstration stage, as set out in the tender pack;
- (b) specify in their tender pack, as a minimum:
 - (i) which topics the Framework Suppliers will be asked to present on/demonstrate;
 - (ii) the purpose of the presentations/demonstrations; and
 - (iii) whether certain Framework Supplier personnel are required to be present and whether these will be the same personnel who will be involved in the delivery of the Deliverables.

- 9.6.2 The Supplier shall attend the presentation/demonstration meeting in accordance with the requirements set out in the tender pack.

Module 5 – Site Visit Stage (Optional)

[Buyer Guidance: This is an optional modular stage that could be used, for example, to (i) enable Framework Supplier(s) to visit the Buyer's site(s) to clarify requirements, or (ii) enable the Buyer to visit Framework Supplier(s) site(s) to confirm capability]

- 9.7 If the Buyer chooses to incorporate a site visit stage:-

- 9.7.1 The Buyer shall:

- (a) follow their procedure for the site visit stage, as set out in the tender pack; and
- (b) specify in their tender pack, as a minimum:
 - (i) whether the site visit is at the Buyer or Framework Supplier's premises;
 - (ii) the purpose of the site visit,

- (iii) when the agendas for site visit meetings will be released; and
- (iv) how to get the best out of the site visit from both the Buyer's and the Framework Suppliers' perspective.

9.7.2 The Supplier shall attend the site visit in accordance with the requirements set out in the tender pack.

Module 6 – Dialogue Stage (Optional)

[Buyer Guidance: This is an optional modular stage that could be used to test understanding of both parties and be used to clarify requirements and proposals.]

9.8 If the Buyer chooses to undertake a dialogue stage:-

9.8.1 The Buyer shall:

- (a) follow their procedure for the dialogue stage, as set out in the tender pack; and
- (b) specify in their tender pack, as a minimum:
 - (i) the topics to be discussed and why these cannot be covered via written correspondence;
 - (ii) whether the Statement of Requirements may be updated as a result of the dialogue stage, and if so, the process for the Buyer re-issuing the Statement of Requirements to all participating Framework Suppliers;
 - (iii) when the agendas for the dialogue meetings will be released; and
 - (iv) how to get the best out of the dialogue meetings from both the Buyer's and the Framework Suppliers' perspective.

9.8.2 The Supplier shall attend any dialogue meetings in accordance with the requirements set out in the tender pack.

Module 7 – Negotiation Stage (Optional)

[Guidance: This is an optional modular stage that could be used with a view to improving the content of tenders.]

9.9 If the Buyer chooses to undertake a negotiation stage:-

9.9.1 The Buyer shall:

- (a) follow their procedure for the negotiation stage, as set out in the tender pack; and
- (b) specify in their tender pack, as a minimum:
 - (i) the topics to be discussed and why these cannot be covered via written correspondence;

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- (ii) when the agendas for the negotiation meetings will be released; and
- (iii) how to get the best out of the negotiation meetings from both the Buyer's and the Framework Suppliers' perspective.

9.9.2 The Supplier shall attend any negotiation meetings in accordance with the requirements set out in the tender pack.

Module 8 - Final Mandatory Tendering Stage

9.10 The Buyer shall undertake the final mandatory tendering stage for all Call-Off Contracts awarded following the Multi Stage Competitive Selection Process as follows:-

9.10.1 The Buyer shall invite tenders from the remaining Framework Suppliers and in particular:

- (a) if an Electronic Auction is to be held, the Buyer shall notify the remaining Framework Suppliers and shall conduct the final tendering stage in accordance with the procedure set out in this Paragraph 9.10; or
- (b) if an Electronic Auction is not used, the Buyer shall:
 - (i) invite the remaining Framework Suppliers to submit a tender in writing for each proposed Call-Off Contract to be awarded by giving written notice by email to the relevant Framework Supplier representatives of each remaining Framework Supplier;
 - (ii) set a time limit for the receipt by it of the tenders which takes into account factors such as the complexity of the subject matter of the proposed Call-Off Contract and the time needed to submit tenders; and
 - (iii) keep each tender confidential until the time limit set out for the return of tenders has expired.

9.10.2 The Supplier shall in writing, by the time and date specified by the Buyer following an invitation to tender pursuant to Paragraph 9.10.1 above, provide the Buyer with either:

- (a) a statement to the effect that it does not wish to tender in relation to the Deliverables; or
- (b) the full details of its tender made in respect of the relevant Statement of Requirements. In the event that the Supplier submits such a tender, it should include, as a minimum:
 - (i) an email response subject line to comprise unique reference number and Supplier name, so as to clearly identify the Supplier;

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- (ii) a brief summary, in the email (followed by a confirmation letter), stating that the Supplier is bidding for the Statement of Requirements;
- (iii) a proposal covering the Deliverables;
- (iv) CVs of key staff – as a minimum any lead consultant, with others, as considered appropriate along with required staff levels (if necessary); and
- (v) confirmation of discounts applicable to the Deliverables, as referenced in Framework Schedule 3 (*Framework Prices*) (if applicable).

9.10.3 The Supplier shall ensure that any prices submitted in relation to a Multi Stage Competitive Selection Process held pursuant to this Paragraph 9 shall be based on the charging structure and take into account any discount to which the Buyer may be entitled as set out in Framework Schedule 3 (*Framework Prices*).

9.10.4 The Supplier agrees that:

- (a) its failure to respond by the time and date specified by the Buyer following an invitation to tender pursuant to Paragraph 9.10.1 above will be treated as a statement to the effect that it does not wish to tender in relation to the Deliverables;
- (b) all tenders submitted by the Supplier in relation to a Multi Stage Competitive Selection Process held pursuant to this Paragraph 9.10 shall remain open for acceptance by the Buyer for ninety (90) Working Days (or such other period specified in the tender pack issued by the Buyer in accordance with the Call-Off Procedure); and
- (c) all tenders submitted by the Supplier are made and will be made in good faith and that the Supplier has not fixed or adjusted and will not fix or adjust the price of the tender by or in accordance with any agreement or arrangement with any other person. The Supplier certifies that it has not and undertakes that it will not:
 - (i) communicate to any person other than the person inviting these tenders the amount or approximate amount of the tender, except where the disclosure, in confidence, of the approximate amount of the tender was necessary to obtain quotations required for the preparation of the tender; and
 - (ii) enter into any arrangement or agreement with any other person that he or the other person(s) shall refrain from submitting a tender or as to the amount of any tenders to be submitted.

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- 9.10.5 The Buyer shall apply the Multi Stage Competitive Selection Process Award Criteria (set out at Annex D) to the Suppliers' compliant final tenders submitted through the Multi Stage Competitive Selection Process as the basis of its decision to award a Call-Off Contract for its Deliverables.
- 9.10.6 The Buyer shall, on the basis set out above, award its Call-Off Contract to the successful Supplier in accordance with Paragraph 5. The Call-Off Contract shall:
- (a) state the Deliverables;
 - (b) state the tender submitted by the successful Framework Supplier;
 - (c) state the charges payable for the Deliverables in accordance with the tender submitted by the successful Framework Supplier; and
 - (d) incorporate the terms of the Order Form and Contract (as may be amended or refined by the Buyer in accordance with Paragraph 9.3.2 above) applicable to the Deliverables.
- 9.10.7 The Buyer shall provide unsuccessful Framework Suppliers with written feedback in relation to the reasons why their tenders were unsuccessful.

10. How Electronic Auctions work

[Category Guidance: Include this Paragraph if the Buyer has the option of using an Electronic Auction at Call-Off.]

- 10.1 The Buyer shall be entitled to include an Electronic Auction in the relevant Competitive Selection Process in accordance with the rules laid down by the Buyer and the Procurement Act 2023 and any Regulations made under it.
- 10.2 Where Buyer wishes to undertake an Electronic Auction then before undertaking it, the Buyer will make an initial full evaluation of all tenders received in response to its Statement of Requirements. The Buyer will then invite to the Electronic Auction only those tenders that are admissible in accordance with the Procurement Act 2023 and any regulations made under it. The invitation shall be accompanied by the outcome of the full initial evaluation of the relevant tenders.
- 10.3 The Buyer will inform the Framework Suppliers of the specification for the Electronic Auction which shall include:
- 10.3.1 the information to be provided at the Electronic Auction, which must be expressed in figures or percentages of the specified quantifiable features;
 - 10.3.2 the mathematical formula to be used to determine automatic ranking of tenders on the basis of new prices and/or new values submitted;

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- 10.3.3 any limits on the values which may be submitted;
- 10.3.4 a description of any information which will be made available to Suppliers in the course of the Electronic Auction, and when it will be made available to them;
- 10.3.5 the conditions under which Framework Suppliers will be able to bid and, in particular, the minimum differences which will, where appropriate, be required when bidding;
- 10.3.6 relevant information concerning the electronic equipment used and the arrangements and technical specification for connection;
- 10.3.7 subject to Paragraph 10.4, the date and time of the start of the Electronic Auction; and
- 10.3.8 details of when and how the Electronic Auction will close.
- 10.4 The Electronic Auction may not start sooner than two (2) Working Days after the date on which the specification for the Electronic Auction has been issued.
- 10.5 Throughout each phase of the Electronic Auction the Buyer will communicate to all Framework Suppliers sufficient information to enable them to ascertain their relative ranking.
- 10.6 The Supplier acknowledges and agrees that:
 - 10.6.1 the Buyer and its officers, servants, agents, group companies, assignees and customers (including CCS) do not guarantee that its access to the Electronic Auction will be uninterrupted or error-free;
 - 10.6.2 its access to the Electronic Auction may occasionally be restricted to allow for repairs or maintenance; and
 - 10.6.3 it will comply with all such rules that may be imposed by the Buyer in relation to the operation of the Electronic Auction.
- 10.7 The Buyer will close the Electronic Auction on the basis of:
 - 10.7.1 a date and time fixed in advance;
 - 10.7.2 when no new prices or values meeting the minimum differences required pursuant to Paragraph 10.3 have been received within the prescribed elapsed time period; or
 - 10.7.3 when all the phases have been completed.

11. Awarding and creating an Exempt Call-Off Contract

- 11.1 Paragraph 2 above shall not apply to an Exempt Buyer.
- 11.2 If a potential Exempt Buyer decides to source Deliverables through this Framework Contract, it will award an Exempt Call-Off Contract for Deliverables in accordance with the relevant Call-Off Procedure in this Schedule chosen by the potential Exempt Buyer as modified by this Paragraph 11 and in accordance with any legal requirements applicable to that potential Exempt Buyer.

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- 11.3 A potential Exempt Buyer may award an Exempt Call-Off Contract under this Framework Contract by way of an Award Without Competition in accordance with Paragraph 6 above as modified by Paragraph 11.4 below or through a Competitive Selection Process in accordance with Paragraph 7, 8 or 9 as modified by Paragraph 11.5 below.
- 11.4 Notwithstanding the procedure set out in Paragraph 6 above, if the potential Exempt Buyer can determine that:
- 11.4.1 its Deliverables can be met by a Framework Supplier's catalogues and description of the Deliverables as set out in Framework Schedule 1 (*Specification*) and the Supplier Tender Data; and
 - 11.4.2 the Supplier will accept any required Exempt Procurement Amendments,
- then the Exempt Buyer may award an Exempt Call-Off Contract to that Supplier in accordance with Paragraph 5 above.
- 11.5 If the potential Exempt Buyer requires the Supplier to develop proposals or a solution in respect of Deliverables, then the potential Exempt Buyer may at its discretion use a Competitive Selection Process set out in Paragraph 7, 8 or 9 above as modified by this Paragraph 11.5. In that case, references to "the Procurement Act 2023 and any regulations made under it" in Paragraphs 7, 8 and 9 above shall be read as references to "any legal requirements applicable to that potential Exempt Buyer", and the Exempt Buyer shall be permitted to modify the Competitive Selection Process in accordance with any legal requirements applicable to the Exempt Buyer.
- 11.6 Paragraphs 11.1 to 11.5 above are without prejudice to an Exempt Buyer's ability to make such further modifications to the Call-Off Procedure as it considers necessary and in accordance with any legal requirements applicable to that potential Exempt Buyer.

Part 2: Award Criteria

12. This Part 2 lays out the objective mechanism for supplier selection for Award Without Competition (Annex A), for Single Stage Competitive Selection Process (Annex B), for Two Stage Competitive Selection Process (Annex C) and for Multi Stage Competitive Selection Process (Annex D) in accordance with the Call-Off Procedure.
13. A Call-Off Contract may be awarded on the basis of the solution that (a) satisfies the Buyer's requirements, and (b) best satisfies the award criteria (as set out in this Part 2) relevant to the Call-Off Procedure being used.

Annex A: Award Without Competition: Objective mechanism for supplier selection

The following objective mechanism for supplier selection shall apply to the award of a Call-Off Contract using an Award Without Competition procedure.

[Category Guidance: Table below to be populated to set out the award criteria and range of weightings that are to be applied under an Award Without Competition procedure. Please note that only award criteria that have been applied by CCS at the Framework level when evaluating Framework Tenders can be included in this table.]

[Buyer Guidance: Buyers must apply the award criteria set out in the table below and cannot apply any new award criteria. Please note that Buyers will be responsible for setting the weightings for the award criteria (within the relevant weighting ranges that are specified in the table).]

Criteria	Relative weighting percentage
[Price (life cycle costs, cost effectiveness & price; price and running costs)]	[]
[Technical merit; coverage, network capacity and performance as specified in relevant service levels]	[]
[Help desk, account management function and assurance of supply of a range of devices and good value accessories]	[]
[Environmental characteristics]	[]
[Quality (including delivery time, sales service, good value, accessories, service fitness for purpose)]	[]

Annex B: Single Stage Competitive Selection Process Award Criteria

The following criteria and weightings shall apply to the evaluation of tenders received through the Single Stage Competitive Selection Process:

[Category Guidance: Table below to be populated to set out the award criteria and range of weightings that are to be applied under a Single Stage Competitive Award Process. Please note that only award criteria that have been applied by CCS at the Framework level when evaluating Framework Tenders can be included in this table, albeit the award criteria can be refined in accordance with Section 46(8) of the Procurement Act 2023.]

[Buyer Guidance: Buyers must apply the award criteria set out in the table below and cannot apply any new award criteria. Please note that Buyers will be responsible for setting the weightings for the award criteria (within the relevant weighting ranges that are specified in the table).]

Criteria	Relative weighting percentage
<p>[Category Guidance: assessment must be based on one or more of the award criteria used to assess tenders when the framework was awarded, although the award criteria used may be refined (for example, additional sub-criteria may be included or the criteria explained further).]</p>	<p>[Category Guidance: where weighting is not possible for objective reasons, list the criteria in decreasing order of importance, amend the column heading to read 'Rank order of importance where 1 = most important, 2 = second most important etc.'. The figure 1 must be in the top row, running down to the least important in the bottom row.]</p>
<p>[Quality]</p> <p>[Which consists of the following criteria:</p> <p><input type="checkbox"/> [Added Value / Innovation]</p> <p><input type="checkbox"/> [Social Value]</p> <p><input type="checkbox"/> [Approach To Delivery Of The Services]</p> <p><input type="checkbox"/> [Implementation]</p>	<p>[]</p>

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[Use Of Supply Chain / Partners]	
[Cost effectiveness]	[]
[Technical merit]	[]
[Technical assistance]	[]
[After sales service]	[]
[Price]	[]
[Aesthetic and functional characteristics]	[]
[Running costs]	[]
[Environmental characteristics]	[]
[Delivery date and delivery period]	[]
[Period of completion]	[]

Annex C: Two Stage Competitive Selection Process Award Criteria

The following criteria and weightings shall apply to the evaluation of tenders received through the Two Stage Competitive Selection Process:

[Category Guidance: Table below to be populated to set out the award criteria and range of weightings that are to be applied under a Two Stage Competitive Award Process. Please note that only award criteria that have been applied by CCS at the Framework level when evaluating Framework Tenders can be included in this table, albeit the award criteria can be refined in accordance with Section 46(8) of the Procurement Act 2023.]

[Buyer Guidance: Buyers must apply the award criteria set out in the table below and cannot apply any new award criteria. Please note that Buyers will be responsible for setting the weightings for the award criteria (within the relevant weighting ranges that are specified in the table).]

Criteria	Relative weighting percentage
<p>[Category Guidance: assessment must be based on one or more of the award criteria used to assess tenders when the framework was awarded, although the award criteria used may be refined (for example, additional sub-criteria may be included or the criteria explained further).]</p>	<p>[Category Guidance: where weighting is not possible for objective reasons, list the criteria in decreasing order of importance, amend the column heading to read 'Rank order of importance where 1 = most important, 2 = second most important etc.'. The figure 1 must be in the top row, running down to the least important in the bottom row.]</p>
<p>[Quality]</p> <p>[Which consists of the following criteria:</p> <p><input type="checkbox"/> [Added Value / Innovation]</p> <p><input type="checkbox"/> [Social Value]</p> <p><input type="checkbox"/> [Approach To Delivery Of The Services]</p> <p><input type="checkbox"/> [Implementation]</p>	<p>[]</p>

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[Use Of Supply Chain / Partners]	
[Cost effectiveness]	[]
[Technical merit]	[]
[Technical assistance]	[]
[After sales service]	[]
[Price]	[]
[Aesthetic and functional characteristics]	[]
[Running costs]	[]
[Environmental characteristics]	[]
[Delivery date and delivery period]	[]
[Period of completion]	[]

Annex D: Multi Stage Competitive Selection Process Award Criteria

The following criteria and weightings shall apply to the evaluation of tenders received through the Multi Stage Competitive Selection Process:

[Category Guidance: Table below to be populated to set out the award criteria and range of weightings that are to be applied under a Multi Stage Competitive Award Process. Please note that only award criteria that have been applied by CCS at the Framework level when evaluating Framework Tenders can be included in this table, albeit the award criteria can be refined in accordance with Section 46(8) of the Procurement Act 2023.]

[Buyer Guidance: Buyers must apply the award criteria set out in the table below and cannot apply any new award criteria. Please note that Buyers will be responsible for setting the weightings for the award criteria (within the relevant weighting ranges that are specified in the table).]

Criteria	Relative weighting percentage
<p>[Category Guidance: assessment must be based on one or more of the award criteria used to assess tenders when the framework was awarded, although the award criteria used may be refined (for example, additional sub-criteria may be included or the criteria explained further).]</p>	<p>[Category Guidance: where weighting is not possible for objective reasons, list the criteria in decreasing order of importance, amend the column heading to read 'Rank order of importance where 1 = most important, 2 = second most important etc.'. The figure 1 must be in the top row, running down to the least important in the bottom row.]</p>
<p>[Quality]</p> <p>[Which consists of the following criteria:</p> <p><input type="checkbox"/> [Added Value / Innovation]</p> <p><input type="checkbox"/> [Social Value]</p> <p><input type="checkbox"/> [Approach To Delivery Of The Services]</p> <p><input type="checkbox"/> [Implementation]</p>	<p>[]</p>

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[Use Of Supply Chain / Partners]	
[Cost effectiveness]	[]
[Technical merit]	[]
[Technical assistance]	[]
[After sales service]	[]
[Price]	[]
[Aesthetic and functional characteristics]	[]
[Running costs]	[]
[Environmental characteristics]	[]
[Delivery date and delivery period]	[]
[Period of completion]	[]

