



- 1) There were several requests for clarification of OJEU processes and how the procurement was intended to work. This included the actual tendering process and the terminologies.
 - a. How does the process work?
 - i. Qualifications Procurement is covered by the new OJEU Light touch procedures. This allows the processes to be designed to fit the requirements whilst maintaining transparency and is currently required for contract values of £589,000 or above. Note this figure was set for 2016 and derived from €750,000 the Euro exchange rate for December 2015
 - ii. CCS will run the procurement via its eSourcing system. Suppliers place bids by answering the Tender document questions, for inclusion on the Framework Agreement. This requires a bid for each Lot the supplier would like to be on.
 - iii. Each bid will be evaluated and scored against pre declared criteria. These criteria will cover both Quality and Price but with a heavy emphasis on Quality.
 - b. What are the Lots?
 - i. Lots enable the Framework to be categorised into different types of qualifications
 - ii. The number of Lots is not finalised yet.
 - iii. So far we are proposing to have 3 Lots
 1. Core Curriculum
 2. Neutral Vendor
 3. Bespoke and vocational Course via a hybrid Dynamic Purchasing System
 - iv. After early consultation we expect both Lot 1 and Lot 2 to each have 4 to 6 providers, but Lot 3 to have a much larger number.
 - c. What is an OJEU?
 - i. This stands for the Official Journal of the European Union and in summary is a register of all procurements across Europe.
 - ii. This may mean that companies based outside the UK could bid to be on the Framework Agreement.
 - iii. More detail of the full process will provided on the microsite ASAP.
 - d. What is a Neutral Vendor?
 - i. A Neutral Vendor is a supplier prepared to offer a Managed Service to provide the full curriculum provision.
 - ii. This could be done by full provision itself, via subcontractors or a consortium.
 - iii. This supplier does not have to be an Awarding Organisation
 - e. Can an AO be on more than 1 lots?
 - i. A supplier can bid and be awarded places on more than one Lot
 - f. How frequently will the DPS be refreshed?
 - i. As this procurement is covered by Light Touch regulations, the normal terms of a DPS can be varied as long as the process is applied consistently
 - ii. It is anticipated that the DPS will be refreshed bi-yearly.
 - g. Can a supplier appeal if it does not make it onto the framework?
 - i. All the terms of the procurement, processes and evaluation criteria are declared before the Tender begins.
 - ii. Unsuccessful suppliers can appeal if they believe the defined procurement processes have not been applied fairly.
 - h. How long will this Framework be in place?
 - i. It is hoped to implement this Framework from the last Quarter of 2016 in readiness for curriculum development for September 2017/18.
 - ii. The key at the point of implementation that the Framework fits into the colleges planning cycles.
 - iii. As this is a very new area with significant change it is intended to implement the Framework with a 2 year term with the option to extend twice for 1 year. This is normally termed 2+1+1.
 - i. How will the Framework agreement deal with Let Priorities?
 - i. There is no direct award facility
 - ii. Let priorities will need to be accommodated via a specific unique requirement
 - j. When changing providers there can be a significant cost of change.



- i. Bids for inclusion on the Framework will need to define what cost change is included (e.g. training for AO processes and course structures) or at extra cost.

2) Other Questions:

- a. How will changes in funding be accommodated e.g.
 - i. Advanced Learner Loan – CCs believes this is still public funding and therefore qualifications taken via this route are included
 - ii. Apprenticeships – Clarification is sought here but as money is acquired by government through a training levy and then recycled to provide training, it seems likely this is in scope.
- b. Are CCS liaising with SFA?
 - i. The project team has been and will continue to consult with the SFA/EFA, OfQual, and Department of Education. Key is correctly positioning the Framework Agreement to cover the changes in funding
 - ii. CCS is also considering consulting with both Welsh and Scottish authorities to assess whether they would like to take advantage of this Framework Agreement.
- c. What kind of MI will be required and will there be any quality aspects? ***
 - i. The following data is proposed to be collated from both colleges and Awarding Bodies
 - 1. Number of courses provided
 - 2. Spend by college
 - 3. Spend by course
 - 4. Number of students by course
 - 5. Quality of performance (to be developed)
 - a. For each AO
 - b. For each College
- d. What lot will the curriculum 'HE Access' fall into? ***
 - i. **HE Access** (Higher Education) is within scope for this Framework agreement as it provides courses and Foundation Qualifications providing access to University courses
 - ii. It may be considered for a future procurement
- e. Do after sales services fall into the spend threshold? ***
 - i. Spend for all services provided is included
 - ii. Spend for each continuous year provision by the same provider is counted in the aggregated spend
- f. More clarification needed on aggregate spend ***
 - i. Spend is aggregated around the supplier
 - 1. for all the qualifications
 - 2. related services provided.
 - 3. For the term of the provision
 - ii. **CCS need to seek further advice** (legal and otherwise) on how existing spend a college (or college group) may have with an Awarding Body that has won further business with the College.
- g. Where do the provision of sub-contract services fall into? ***
 - i. Subcontracted services provided by AOs in the delivery of their Qualification are included in the spend aggregation.
 - ii. Where a sub-contractor has an existing arrangement with a specific AO it will remain in force
- h. How is the cost of running the Framework Agreement by CCS covered?
 - i. CCS operates by charging a commission to the suppliers on the basis of the value of sales value to each college.
 - ii. The commission level varies but is typically at a level of 1% to 2%.
- i. How is the commission charged?
 - i. The commission is invoiced on the basis of the MI provided
 - ii. This will be checked with the returns from colleges.
 - iii. In addition CCS carries out a number of audits of supplier records at their offices
- j. When the Framework is implemented, will Awarding Bodies find that they have to respond to a large number of Mini competitions?



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- i. When the Framework Agreement is implemented, it does not invalidate current non expired contracts with Colleges which run until they expire.
- ii. Colleges may choose to tender part of their existing requirements or new requirements
- iii. It is expected that there will be a rolling change over with probably Year 2 showing most activity.

Please note, the questions that have stars next to them are the questions which were frequently.