

Working with Gwynedd



www.gwynedd.gov.uk



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1. Doing business with Gwynedd Council.

Gwynedd Council purchases services, supplies and works which range in value from several hundred pounds, to many hundreds of thousands. This provides commercial opportunities for companies of all sizes, of which your company could potentially benefit.

The Council is committed to providing the best information possible about the opportunities that are available and the procedures that need to be followed. This guide aims to provide information and help for current and potential contractors, consultants and suppliers to apply for the Council's contracts. The guide explains the legislation that influences the Council's tendering process and describes the procedures that need to be followed when bidding for work by:

- Outlining the rules that the Council must follow
- Alerting companies to the opportunities to supply the Council
- Explaining how to bid for Council work
- Advising on other contracts within the Council that possibly could be done by contractors
- Giving details of organisations that can assist businesses

What are the benefits of working with the Council?

Gwynedd Council is fair, non-discriminatory, professional and transparent. As a long established organisation, we have a strong record and are committed to paying our suppliers in a timely manner.

This guide should provide sufficient information so that companies can decide whether or not to present a bid. However it should be noted that there is much competition for Gwynedd Council contracts and this guide cannot assure individual companies of success. This guide forms part of the Council's new and enthusiastic approach to procurement.

2 Council's Structure & Contacts

Gwynedd Council's structure has at the most senior level four Strategic Directors, who join Chief Executive, Dilwyn Williams, to form the Management Team.

Strategic Directors are responsible for overseeing a group of services, corporate strategies and mainstreaming priorities.

Reporting to the Strategic Directors are the Heads of Services responsible for the day to day running of services.

The Council provides a wide range of public services to nearly 122,000 residents. Procurement is usually undertaken directly by the Services which are located within the four Directorates - Care, Development, Environment, and Resources. Each directorate is supported by the Corporate Procurement Unit.

The Council deals with a variety of contracts ranging from one-off purchases to contracts for supplies, services or works that will last for a specific period before coming up for renewal. Effective procurement supports the Council's aims of providing high quality, value for money, sustainable services which meet the needs of residents both now and in the future.

3 How to find out about the opportunities offered by Gwynedd Council

The National Procurement website for Wales www.sell2wales.gov.uk shows public sector contracts of all values to be awarded. Goods, services and works contracts over the European Union thresholds have to be purchased in line with the EU Procurement Directives and are advertised in the Official Journal of the European Union (OJEU). These can be viewed on the Sell2Wales website. This website also allows suppliers and contractors to register their company details free of charge so that they can receive e-mail updates about tender opportunities as they arise.

Following Gwynedd Council's Contract Procedure Rules all opportunities can be advertised in the press and in relevant publications, however if over the OJEU threshold they must also be advertised on the sell2wales web site for submission to the Official Journal. The council is using this site more and more for advertising and therefore certain opportunities may not appear in the press. The Council's advertisements state what is required from potential suppliers and invite companies to apply. If your company would like to be considered you must follow the application instructions detailed in the advertisement.

Gwynedd Council can use 'All-Wales' contracts. This means that the Council does not have to advertise a detailed tender itself as it will collaborate with other public sector bodies to reduce procurement costs. However, the fact that these contracts are All-Wales should not preclude any supplier from expressing interest as these may be awarded on a regional basis. The Council encourages collaborative working amongst suppliers on larger contracts. These opportunities can also be found on www.sell2wales.gov.uk

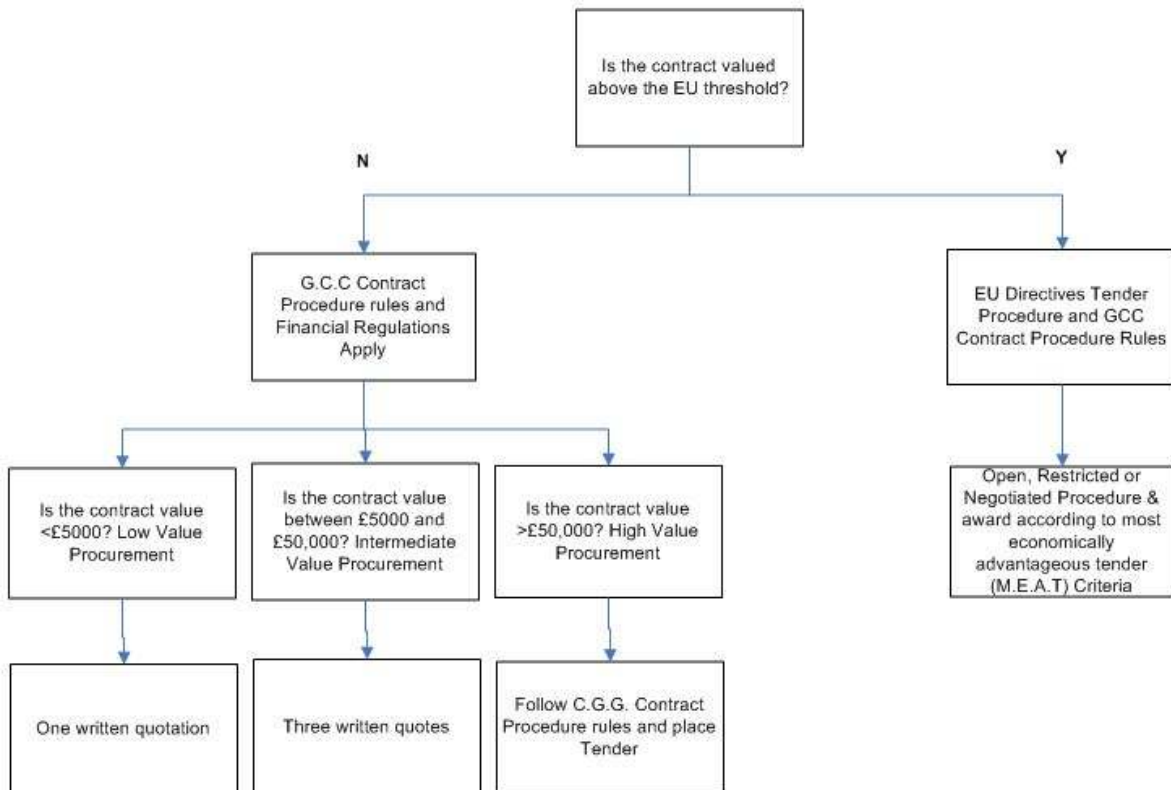
4 Types of Procurement.

The way in which the Council approaches a purchase depends upon the estimated value and legal requirements for awarding such contracts. The Council must follow its Contract Procedure Rules and Financial Procedure Rules as contained in the Constitution. These can be viewed at:

<https://www.gwynedd.gov.uk/en/Council/Documents---Council/Strategies-and-policies/The-Constitution/Section-17---Contract-standing-orders-and-procurement-rules.pdf>

Any appropriate Compliant Public Sector Contracts/Framework Agreements* in place will be used regardless of value.

Below is a flowchart showing the procedure Council staff must follow when letting a contract.



Each contract will need to specify the award criteria for evaluating price and quality at the outset of the procurement process.

**Note that framework contracts can be awarded to a number of suppliers.*

5 Tendering for Contracts

Companies will either be invited to tender directly following the 'open' procedure or be sent a pre-qualification questionnaire (PQQ) prior to issuing an invitation to tender following the 'restricted' procedure. The purpose of a pre-qualification questionnaire is to assess the potential bidder's suitability to supply the Council and ability to satisfy the contract before tenders are issued. This saves a bidder's time and effort from being spent unnecessarily on completing full tender documents.

When you have been accepted to tender for a project, the tender documentation will be sent to you from the relevant Council Service. These documents usually contain the following information:-

- Letter of invitation and instructions to tender
- Pricing document and/or form of tender
- Specification
- Schedule of rates and/or bills of quantities (if applicable)
- Drawings (if applicable)
- Contract conditions or conditions of purchase
- Method statement requirements (if applicable)
- Any relevant supporting information

You will be asked to complete and return your tender documents by a given time and date. The tender documents are all opened at the same time after the tender return date. Once opened, the tender documents are forwarded to the appropriate Council Officer for evaluation. Any tender documents not returned by the specified deadline will be excluded from the evaluation process.

Tender evaluation and Contract Award

Returned tenders will be evaluated against the pre-determined criteria as specified in the tender documentation. The evaluation will focus on examining how the tender proposals will deliver the contract on the basis of price and quality. The balance between price and quality will depend on the particular service area. The Council will award the contract on the basis of the most economically advantageous tender. The successful supplier will be notified in writing.

Debriefing

If you are not awarded the contract you will be notified in writing. Within the limits of commercial confidentiality, the Council will always endeavour to offer unsuccessful suppliers feedback to discover why their bid failed. This information can be used to help any future bids. Being unsuccessful in one contract does not mean that a company will be unsuccessful in future. It should be noted that the Council must comply with the Freedom of Information Act.

Contract Performance

Procedures exist to monitor the performance of companies carrying out contracts on behalf of Gwynedd Council. Companies are monitored to assess their compliance with pre-defined performance criteria. Your company must be capable of delivering the requirements of the contract. You should be aware that Contract Conditions will be strictly applied especially with regard to quality and general performance.

The Council is continuously striving to improve its own performance and expects its contractors to do the same. The Council will seriously assess the position of any contractor who fails to perform to the levels required.

Council contractors will be asked to comment on any performance issues reported. You should be aware that serious instances of poor performance could disqualify your company from being considered for future business. The Council is not responsible for the consequences that this may have on a company's business. Examples of adverse performance would include but not limited too:

- unacceptable quality of work,
- lack of site supervision,
- failure to deliver on time,
- inadequate control of sub-contractors,
- poor health and safety practices.

Variations

Variations may be needed from time to time during a contract period. Gwynedd Council will normally request variations in writing, except in an emergency, where instructions can be made verbally and followed up in writing.

6. Information about your Organization you may need to provide.

The amount of information required by the Council will vary in proportion to the contracts' value. Low value contracts require limited information, whilst contracts awarded by tender (>£50,000) may require more extensive information, including:

- **Financial Information**

Companies may be asked for certain financial information relating to each of the last three years. (It may be two years in some contracts) Private limited companies and public limited companies must submit fully audited accounts as registered with Companies House. Other applicants should forward copies of financial statements, business plans or a certified statement of turnover to the Council. This information is used to assess the financial position of the company in relation to the size of the contract. Information is also required to check that a company is registered (if appropriate) for tax and complies with the Council's insurance requirements.

If a company has less than 3 years financial information, they may still be considered depending on the nature of the contract.

- **Experience and Technical Ability**

Further information requested seeks to assess whether a company has the relevant experience and technical ability to carry out the categories of work and to provide the type and quality of service required. If an application relates to a specific contract, it may be necessary to provide references.

Some further questions may be asked, tailored to the needs of the individual contract. The responses and supporting evidence will be used to assess whether a company has the required level of skills and abilities to tender. This could include accreditations such as FENSA, CORGI, ISO, IIP (or equivalent) etc.

- **Health and Safety**

Depending upon the nature of the goods/services/works, organisations may be required to submit a copy of their Health and Safety Policy.

- **Quality Assurance**

For certain contracts including works contracts, organisations may be required to demonstrate that they have a suitable quality assurance system. This may be demonstrated by certification by an approved assessment company or by the Council reviewing the company and accepting the organisations quality manual.

- **Equal Opportunities and Race Relations**

Gwynedd Council is committed to equal opportunity, equal access and positive outcomes. The Council aims to ensure that organisations that provide services on behalf of the Council comply with equal opportunities legislation and promote equality of opportunity. The Council also aims to encourage those organisations and individuals with which it does business to observe and adhere to the principles contained within the Council's Equal Opportunities Policy. Copies of this policy can be found on our website: www.gwynedd.gov.uk

- **Sustainability & Environmental Care**

Gwynedd Council is committed to protecting the environment and ensuring a better quality of life for everyone now and for future generations. To promote this the Council has adopted a Sustainable Development Action Plan to improve its environmental and social performance as part of the Community Strategy. The Council expects its contractors to meet similar levels of environmental care and commitment. It's Sustainable Procurement Policy and Community Strategy can be viewed at: www.gwynedd.gov.uk

- **Electronic Trading and Purchasing Cards**

The Council has a commitment to implement e-Government, which aims to increase levels of electronic business which will include electronic tendering, ordering and invoicing. The aim is to improve efficiency and reduce the costs associated with the Procurement Process, for both the Council and the supplier. It is recognised that e-business can help suppliers by opening up a supplier's products and services to a wider market. The Council will seek to work with suppliers which can help deliver its e-Procurement and other e-Strategies.

Gwynedd Council uses the Welsh Purchasing Card's (WPC) introduction as a payment method for certain purchases. Tenders may specify that suppliers be able to accept the WPC.

7 Business Support available.

The Council's Economic and Community Service provides a range of Business Support Services to attract new business and to help existing businesses to expand. The Business Support team works closely with other business support agencies to deliver a number of initiatives including financial assistance to gain required accreditations, expert support on procurement processes, e-commerce, guidance in terms of equality and diversity and environmental policies and more. The contact details for the Business Support Team and Business Wales are as follows:-

Economy and Community Service
Development Directorate
Gwynedd Council Offices
Caernarfon, Gwynedd
LL55 1SH
Phone: 01286 679 778
Fax: 01286 679 338
Email: business@gwynedd.gov.uk

Business Wales Contact Details:-

Sion ap Glyn
Tendering Adviser

Office: 01248 660 079
Mobile: 07904874870
email: sion.ap.glyn@businesswales.org.uk

Menter a Busnes, Building 9, Park Road, Parc Menai, Bangor, LL57 4BN

8. Freedom of Information Act 2005.

From January 2005 this act gives every individual the right to request information from a public sector organisation. However there are exemptions, for example a request for personal information about an employee. Further information is available on our web site www.gwynedd.gov.uk

9. Equality in Procurement

Gwynedd Council must consider its procurement activity in light of all relevant legislation: race, disability, sex, language, sexual orientation, religion, belief and human rights. It is our duty to eliminate any unfair discrimination according to legislation which includes:

- (a) Race Relations Act 1976 and Race Relations (Amendment) Act 2000
- (b) Disability Discrimination Act 1995 and 2004
- (c) Equal pay Act 1970 and Sex Discrimination Act 1975
- (d) Welsh Language Act 1993
- (e) Employment Equality (Sexual Orientation) Regulations 2003
- (f) Employment Equality (Religion and Belief) Regulations 2003
- (g) Human Rights Act 1996

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Contact Details for County Council Head Office

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Stryd y Jêl, Caernarfon,
Gwynedd, LL55 1SH

e-mail: enquiries@gwynedd.gov.uk

www.gwynedd.gov.uk

Contact Number

Siop Gwynedd 01766 771 000