**Start Date 01/06/2017**

**End Date 01/06/2019**

Framework Owner – Nicola Murray (legal.services@crowncommercial.gov.uk)

**Q) What category does e-Disclosure belong to?**

A) The Legal category within the people pillar.

**Q) What is the scope of the Framework?**

A) The e-Disclosure Framework provides access to the full range of e–Disclosure services across 9 Lots. Including:

|  |
| --- |
| **Lot 1 - Low Volume Work Service Package for documents and data with a security classification up to ‘Official’ (and including ‘Official Sensitive’)**  The scope of this Lot includes the provision of e-Disclosure Services in respect of an overall initial dataset (pre-processing) of no more than 5GBs Electronically Stored Information (“ESI”) plus no more than 1,750 pages of hardcopy documents. Mandatory requirements for **Lot 1** are: * Document Processing;
* Document Review;
* Document Production;
* Disclosure from Other Opponent Parties; and  Security Requirements.
 |
| **Lot 2 - End to End Service package for documents and data with a security**  **classification up to ‘Official’ (and including ‘Official Sensitive’)** **ALL** of the Mandatory requirements relate to **Lot 2.**  * Project Management and Advice;
* Document Identification;
* Data Preservation and Collection;
* Document Processing;
* Document Review;
* Document Production;
* Disclosure from Other Opponent Parties;
* Presentation at Trial; and  Security Requirements.
 |
| **Lot 3 - Project Management and Advice for documents and data with a security classification up to ‘Official’ (and including ‘Official Sensitive’)**   |

|  |
| --- |
| Mandatory requirements for **Lot 3** are:   Project Management and Advice; and  Security Requirements.  |
| **Lot 4 - Data Preservation and Collection for documents and data with a security classification up to ‘Official’ (and including ‘Official Sensitive’)** Mandatory requirements for **Lot 4** are:  Data Preservation and Collection; and  Security Requirements.  |
| **Lot 5 - Document Processing for documents and data with a security classification up to ‘Official’ (and including ‘Official Sensitive’)** Mandatory requirements for **Lot 5** are:  Document Processing; and  Security Requirements.  |
| **Lot 6 - Document Review and Document Production for documents and data with a security classification up to ‘Official’ (and including ‘Official Sensitive’)** Mandatory requirements for **Lot 6** are:  Document Review;   Document Production and  Security Requirements.  |
| **Lot 7 - Disclosure from Other Opponent Parties for documents and data with a security classification up to ‘Official’ (and including ‘Official Sensitive’)** Mandatory requirements for **Lot 7** are:  Disclosure from Other Opponent Parties; and  Security Requirements.  |
| **Lot 8 - Presentation at Trial for documents and data with a security classification up to ‘Official’ (and including ‘Official Sensitive’)** Mandatory requirements for **Lot 8** are:   Presentation at Trial; and  Security Requirements.  |
| **Lot 9 - End to End Service for documents and data with a security classification up to and including ‘Secret’ and ‘Top Secret’** **ALL** of the Mandatory requirements relate to **Lot 9**: * Project Management and Advice;
* Document Identification;
* Data Preservation and Collection;
* Document Processing;
* Document Review;
* Document Production;
* Disclosure from Other Opponent Parties;
* Presentation at Trial; and  Security Requirements.
 |

Full details and definitions of the services provided by each Lot can be found at the [Framework web page](http://ccs-agreements.cabinetoffice.gov.uk/contracts/rm3717)

**Q) How long will the Framework run for?**

A) The Framework has been awarded for 2 years with a 1 + 1 year option of extension. The Framework is likely to run for a total of 4 years.

**Q) Who can use the Framework?**

A) The framework has been made available to all public sector organisations.

**Q) How much does it cost to use the Framework?**

A) There is no charge to the Contracting Authority. Suppliers contracted through the

Framework are required to pay a Management Charge equal to 1% of all Charges for the Services invoiced to the Contracting Authorities by the Supplier (net of VAT) in each Month throughout the Framework Period and thereafter until the expiry or earlier termination of all Call Off Contracts entered pursuant to this Framework Agreement.

**Q) How many Suppliers are on the Framework?**

A) 11 Suppliers in total. More details of the Suppliers and Lots can be found on the [Framework web page.](http://ccs-agreements.cabinetoffice.gov.uk/contracts/rm3717)

**Q) Where can I find the pricing for the Framework?**

A) Customers can access pricing from the [eSourcing suite.](https://gpsesourcing.cabinetoffice.gov.uk/emptoris/sso_login.jsp#/login/loginPage)  You will need to register on this portal. Or if already registered here are the instructions, once logged in:

View Pricing Rate Cards:

1. Log in to e-sourcing.
2. Click ‘RFX’ tab.
3. Click on ‘Manage RFX’ option.
4. Select the ‘Templates’ tab.
5. Click on the binoculars (top right) to open the search function.
6. Scroll down to the ‘Framework / Contract Reference’ field and enter ‘\*3717\*’.
7. Click on required Lot in the ‘RFX Name’ column.
8. Click on RFX ‘Attachments’ tab (to view).
9. Click tick box of required document, i.e. ‘Supplier Rates’.
10. Click ‘Export’.
11. 'Data Manager' field will appear. When complete the status will show as ‘Done- click here to download results’. If it is taking a long time you can click the button with the four arrows to refresh.
12. Click to download.
13. ‘File download’ box will appear.
14. Click ‘Save.

Alternately, customers can contact Legal.Services@crowncommercial.gov.uk for a rate card.

 **Q) Are there specific quality price ratios to apply to further competitions?**

A) There is no specific quality price ratio. Please contact

Legal.Services@crowncommercial.gov.uk if you require any advice on ratios.

**Q) What are the advantages of the Framework?**

A) RM3717 delivers the following improvements on the expired RM924 Framework:

1. A commercial vehicle that is better aligned to customers’ requirements, and with the correct capacities in each genre of service to enable fast and responsive action.
2. A high baseline for the share of spend going through the commercial vehicle with SMEs. 3. Reduced customer “time to engage Supplier(s)” to enable improved “time to Court” cycle.
3. Increased availability of emerging technologies to enhance service.
4. Streamlined process and reduced costs of procurement.
5. Captures the requirement for continuous improvement from Suppliers.
6. Ability for yearly price benchmarking.
7. A wider range of services and Suppliers.

**Q) How do I use the eSourcing suite?**

A) You can obtain more information here on [eSourcing Guidance Document](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/582481/eSourcing_Suite_Further_Competition_User_Guidance_v2_20.10.2016.pdf)

**Q) Can Suppliers be terminated from the Framework?**

A) Yes, CCS has the right to terminate for a number of reasons. Details of cause for termination can be found within Clause J of the Framework Agreement.

**Q) Can Suppliers offer discounted rates to customers?**

A) The rates recorded in the tender against pay bands are the maximum that the Supplier can charge for that band. Suppliers must offer rates either equal to or lower than that rate.

**Q) Do Suppliers need to provide CCS with any information?**

A) Suppliers are required under the Framework to provide full and correct management information by the 7th of each month for the previous month’s spend. This is to be submitted through the MISO system using the template available. For login details and reset passwords please email: MISO.Mailbox@crowncommercial.gov.uk

**Q) Will Suppliers be audited?**

A) Suppliers will complete an annual self-audit and submit to CCS. CCS undertake inspections of each Supplier on a yearly basis, or ad-hoc basis if deemed necessary.

**Q) What is the Cyber Essentials Scheme?**

A) It is mandatory for Suppliers to demonstrate that they meet the technical requirements prescribed by Cyber Essentials.

This is in order to further reduce the levels of cyber security risks in their supply chains. With regard to the Services, Suppliers have demonstrated that they have achieved the level of assurance known as Cyber Essentials. More information can be found below:

<https://www.cyberstreetwise.com/cyberessentials/files/requirements.pdf>

**Q) Are customers able to see the original bids submitted under the tender process?**

A) No, all bids are confidential.

**Q) Can new Suppliers join the Framework?**

A) No – the Suppliers on these Frameworks are fixed, and whilst Suppliers could be suspended for breaching the Framework agreement there is no facility for Suppliers to join once the Framework is awarded.

**Q) Can I exceed the rates under the Framework agreement?**

A) The rates set out under the Framework agreement are the maximum that can be charged by a Supplier. This includes where a Suppliers standard set of rates have been subject to a discount, - making the discounted rates effectively the new maximum rates. The maximum rates represent those applicable to direct award. Under further competition, Suppliers have the opportunity to bid under their maximum rates but it is not guaranteed.

**Q) How do I direct award?**

A) Please contact the CCS Framework manager, Nicola Murray

(legal.services@crowncommercial.gov.uk ) for detailed guidance on the direct award procedure.

A Contracting Authority may direct award if it can determine that the following two criteria are met:

1. Its Services Requirements can be delivered by the Framework Suppliers and the

Framework Services. A description of the Framework Services is set out in Schedule 2 (Services and Key Performance Indicators), which can be found on the [Framework web page;](http://ccs-agreements.cabinetoffice.gov.uk/contracts/rm3717)

1. All of the terms of the proposed Call Off Agreement are laid down in the Framework Agreement and the Template Call Off Terms do not require amendment or any supplementary terms and conditions (other than the inclusion of optional provisions already provided for in the Template Call Off Terms);

A Contracting Authority conducting a direct award shall select a Supplier by:

1. Developing a clear Statement of Requirements;
2. Applying the Direct Award Criteria (below) to the description of the Framework Suppliers’ Services (to be obtained through research conducted by the Contracting Authority) - and description of the Services as set out in Framework Schedule 2 (Services and Key Performance Indicators). The Direct Award Criteria shall be applied to all Framework Suppliers capable of meeting their Statement of Requirements in order to establish which of the Framework Suppliers provides the most economically advantageous solution;
3. The Direct Award Criteria is Value for Money: i.e. the Contracting Authority believes that the Supplier provides demonstrable value for money, which may include but is not limited to:
* Speed of response;
* Proof of no conflict of interest;
* Quality; and • Price.

A Contracting Authority will then confirm that their selected Framework Supplier agrees to deliver their Statement of Requirements by obtaining a proposal from the Supplier. This should include, as a minimum:

1. an email response subject line to comprise unique reference number and Supplier name, so as to clearly identify the Supplier;
2. a brief summary, in the email (followed by a confirmation letter), stating that the Supplier is bidding for the Statement of Requirements;
3. a proposal covering the Services Requirements; and
4. full pricing for their proposed Service. Contracting Authorities should check that the pricing submitted by the Supplier does not exceed the Framework rates.

**Q) How do I run a further competition?**

A) Please contact the CCS Framework manager, Nicola Murray

(legal.services@crowncommercial.gov.uk ) for detailed guidance on the further competition procedure.

Any Contracting Authority awarding a Call Off Agreement under this Framework through a further competition shall:

1. Develop a Statement of Requirements setting out its requirements for the Services and identify the Framework Suppliers / Lots capable of supplying the Services.
2. Amend or refine the Template Call Off Form and Template Call Off Terms to reflect its Services Requirements only to the extent permitted by and in accordance with the requirements of the Regulations and Guidance;
3. Invite tenders by conducting a Further Competition Procedure through the [eSourcing suite.](https://gpsesourcing.cabinetoffice.gov.uk/emptoris/sso_login.jsp#/login/loginPage)
4. 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 Agreement and the time needed to submit tenders. Tenders will be kept confidential until the time limit set out for the return of tenders has expired.
5. Apply the Further Competition Award Criteria to the Framework Suppliers' compliant tenders submitted through the Further Competition Procedure as the basis of its decision to award a Call Off Agreement for its Services Requirements;
6. On the basis set out above, award its Call Off Agreement to the successful Framework Supplier. The Call Off Agreement shall:
7. state the Services Requirements;
8. state the tender submitted by the successful Framework Supplier;
9. state the charges payable for the Services Requirements in accordance with the tender submitted by the successful Framework Supplier; and
10. incorporate the Template Call Off Form and Template Call Off Terms (as may be amended or refined by the Contracting Authority in accordance with paragraph 3.1.2 above) applicable to the Services,
11. provide unsuccessful Framework Suppliers with written feedback in relation to the reasons why their tenders were unsuccessful.

The Supplier shall:

1. In writing, by the time and date specified by the Contracting Authority following an invitation to tender pursuant to paragraph 3.1.3 above, provide the Contracting Authority with either:
2. a statement to the effect that it does not wish to tender in relation to the relevant Services

Requirements; or

1. 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: -an email response subject line to comprise unique reference number and Supplier name, so as to clearly identify the Supplier;

-a brief summary, in the email (followed by a confirmation letter), stating that the Supplier is bidding for the Statement of Requirements; and -a proposal covering the Services Requirements.

9. Ensure that any prices submitted shall be based on the Charging Structure and take into account any discount to which the Contracting Authority may be entitled as set out in Framework Schedule 3 (Framework Prices and Charging Structure).

**Q. What documents should I publish on Contracts Finder?**

A) Contracting Authorities are not required to publish an Invitation To Tender for either direct award or further competition on this Framework. However, all awarded contracts over £20,000.00 must be published in redacted form within 90 days of award. Contracting Authorities should redact personal information, Supplier proposals and rates. The overall total value of the contract should be published.