

Network Services 2 (RM3808)

Buyers Guidance to Direct Award

About this Guide

The purpose of this document is to provide you with a guide on how to conduct a Direct Award on the Network Services 2 framework (RM3808).

This document will help you follow best practice when purchasing Services required for telecoms and network estates.

The guide includes 'handy hints' and additional information to help you use the framework.

To help you easily identify these elements we have used the following icons throughout this guide:



Handy hints



Tools to assist you



Additional information



Template documents

Contents

- 1. When to use the direct award route**
- 2. How does the Contract work?**
- 3. What Services are available?**
- 4. Call-Off Contract duration**
- 5. Key Stages**
- 6. How to complete the Call-Off Order Form**
- 7. Award Criteria**
- 8. Contact us**

1.

When to use the direct award route

Direct award offers a quick and flexible way to buy products and Services from the Network Services framework (RM3808). Direct award offers OJEU compliant purchasing without the need to run a further competition.

Direct award should be used when you have a clear understanding of the services you require and does not involve a complex solution.

Using the direct award route provides you with access to the Suppliers' Service Offers within a structured catalogue format.



Developing a clear Statement of Requirements (refer to the Creating your Statement of Requirements guidance) will enable you to identify suitable Service Offers within the Catalogue to conduct a meaningful comparison by conducting a desktop evaluation between Service Offers

Direct award does **not** allow you to add Special Terms to the Call-Off Terms.



Refer to the **Buyer's Guidance to the Public Sector Contract** for further help with understanding the optional schedules for direct award.

2.

How does the Contract work?

The Public Sector Contract is the form of Contract used by CCS as the base for construction of its framework contracts. It's a composite product consisting of the following elements;

- i. Core Terms – CCS' standard commercial terms applicable at both the framework and Call-Off Contract level;
- ii. Framework schedules – applicable at the Framework Contract level and managed by CCS;
- iii. Joint schedules – applicable at both Framework Contract and Call-Off Contract levels;
- iv. Call-Off schedules – applicable only to Buyer Call-Off Contracts resulting from the framework; and
- v. Framework Award Form

The Call-Off Contract sits between the Buyer and Supplier and governs the purchase and delivery of the services. It is entered into when the purchase is confirmed.

The equivalent document to the Framework Award Form at the Call-Off level is the Order Form, which is incorporated into the Framework Contract as Framework Schedule 6 (Order Form Template and Call-Off Schedules). The relevant Buyer and Supplier sign a completed form to put a Call-Off Contract in place.

The Order Form covers all the elements and schedules that can be included in the Call-Off Contract between the Buyer and the Supplier.

The blank Order Form Template highlights in yellow the components that Buyers will either need to complete to create the Call-Off Contract and optional Call-Off Contract Schedules that Buyers have the ability to include where applicable.

The Framework Award Form draws all of the components together and captures the key information on the construction of a particular Framework Contract. It documents any "Framework Special Terms" that amend the Core Terms specifically for the relevant Framework Contract and also provides a vehicle for the Supplier and CCS to sign the agreement.

The Framework Award Form states the scheduled duration of the Framework Contract, and any possible extension period, along with details of the Lots to which the relevant Supplier is appointed. It records the components of the agreement – those Framework and Joint Schedules incorporated together with the Call-Off Schedules that may be included in Call-Off Contracts resulting from the Framework Contract. The possible Call-Off Award procedures are stated together with the contact details of key CCS and Supplier staff involved in management and performance of the agreement.

3.

What Services are available ?

Network Services 2 consists of 10 Lots offering a wide range of telecommunications and network services.



Suppliers appointed on more than one lot are able to publish cross-lot Service Offers which include services from one or more lots.



Refer to Joint Schedule 1 (Specification) for further details on the Lot scope.

4.

Call-Off Contract Duration

The duration of your Call-Off Contract, defined as the Call-Off Contract Period, is constructed from the initial term (the Call-Off Initial Period) and any extension term(s) (the Call-Off Optional Extension Period).

When using the direct award route, the maximum Call-Off Contract Period may be less than but must **NOT** exceed the period listed in the table below for each Lot.

Lot	1	2	3	4	6	7	8	9	11	12
Maximum Call-Off Contract Period (years)	5	5	5	5	3	5	5	5	5	5

For a cross-lot requirement (Further Competition or direct award), the maximum length of the Call-Off Contract is limited to the lower of the maximum Call-Off Contract Period of the lots included. For example, where lot 6 is included, the maximum period can not exceed 3 years.

As a Buyer you have the flexibility to decide the Initial term of your Call-Off Contract and any optional extension term(s) up to the maximum Call-Off Contract Period shown above. For example for Lot 3;

- a full Call-Off Initial Period i.e. 5 years; or
- a Call-Off Initial Period + a Call-Off Optional Extension Period i.e. 3 years initial + up to 2 years extension = 5 years; or
- a Call-Off Initial Period + multiple Call-Off Optional Extension Periods. i.e 2 years initial + 2 years extension + 1 year extension = 5 years.

You must include the initial term and any optional extension term(s) in your completed direct award Order Form. Where an optional extension term is included on your Order Form you will need to notify your Supplier at least 90 days before the end of the initial term if you wish to make use of the optional extension term.



If an extension term is not included on your Order Form, you cannot continue with the Call-Off Contract beyond the initial term.

The Call-Off Contract term must include implementation, delivery, business as usual and exit management of the services.



Whilst opting for the maximum term might deliver more competitive pricing initially, it is important to balance that against the ability to re-tender, moving your network to the latest solutions and the latest pricing, bearing in mind any potential early-termination fees. Opting for a realistic timeframe for the initial term and including optional extensions with pricing adjustments in your tender, can help to deliver the flexibility and benefits your organisation requires.

5.

Key Stages

Identify your needs

When establishing your requirements you may wish to consider the following:

- Your organisational strategy and refresh cycle;
- Market trends and innovation;
- Total cost of ownership, recognising running costs;
- Compatibility with other in-house systems;
- What your budget parameters are;
- Your contractual landscape including exit of current services and considerations for implementation; and
- Evaluate your current estate and consider possible future scale of requirement.



we recommend that you review the Statement of Requirements guidance to ensure you have captured all the details before reviewing the catalogue service offers.



There may be times when a Service Offer can supercede a Schedule, as an example; Call-Off Schedule 14 (Service Levels) states the minimum levels CCS expects from the Suppliers. A Service Offer could provide more favourable Service Levels that suit your requirements

Reviewing the service offers

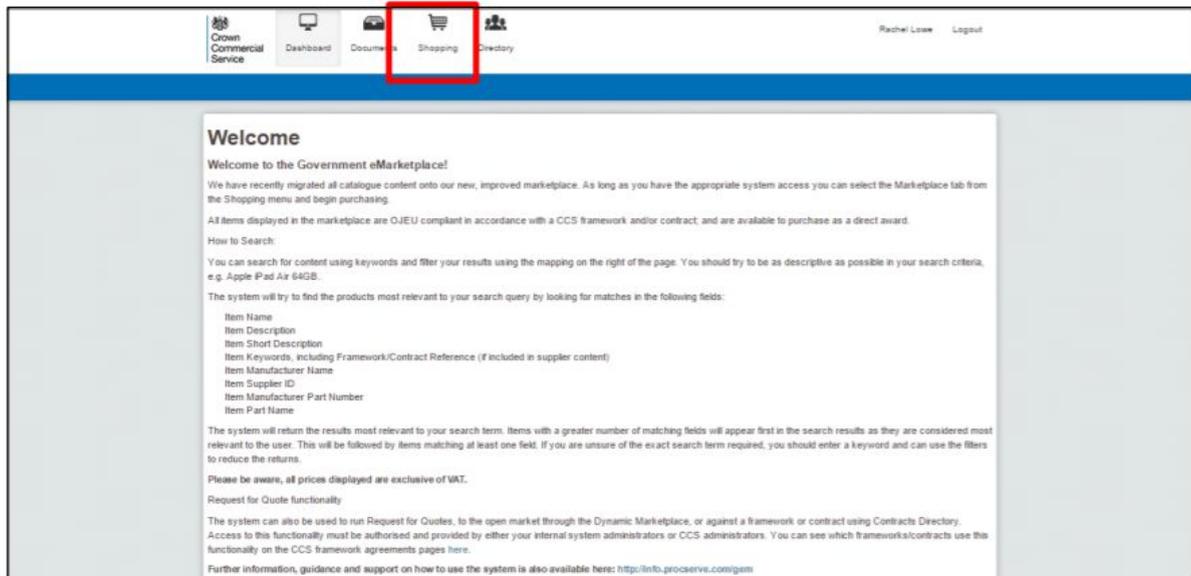
You can find the current live Service Offers by browsing the technology catalogue in the Government eMarketplace, which is where Suppliers will publish their available Service Offers.

In order to access the Government eMarketplace you and your organisation will need to register as a Buyer. Guidance on how to access the Government eMarketplace can be found via the following link

<https://www.gov.uk/guidance/emarketplace-a-guide-for-public-sector-buyers> which includes information on how to contact us should you have any issues in doing so.

How to Shop on eMarketplace

Once logged in to the Government eMarketplace, the homepage will be displayed as follows;

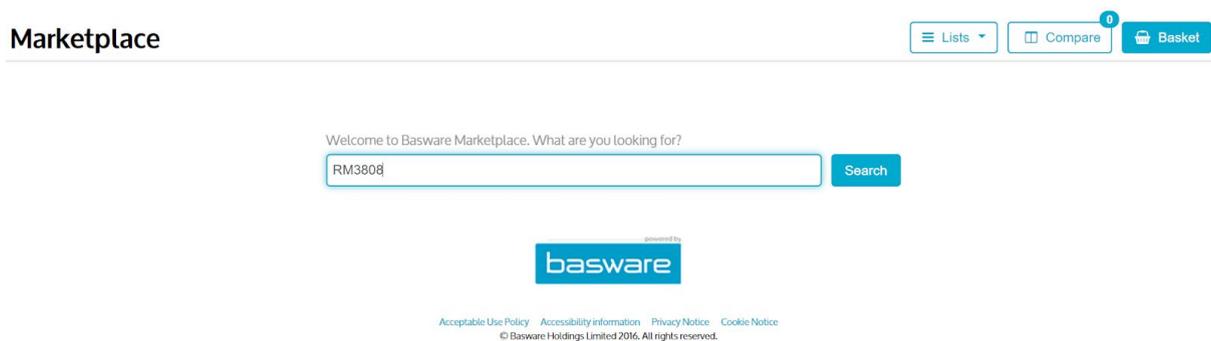


Click on the 'shopping' icon at the top of the page

Select the 'Marketplace' tab



A search bar will appear to allow you to enter your search criteria.



Rather than searching for Service offers using keywords such as mobile or WAN, it is strongly recommended that you enter the framework number (RM3808) in the search bar and click the search button.

Once results are displayed, on the right of the screen you will find "Filters", under "Content tag" you can filter on the Lot number that you require to display the currently available Supplier Service Offers within the lot.

The lot numbers in the Government eMarketplace are listed by number the description of which can be found above in section 3 or with the Framework Schedule 1 (Specification)

How to view the service offers

Having filtered on a Lot, the list of published current Service Offers available will be displayed. To view an individual Service Offer you need to click on the relevant offer which enables you to review the description. Providing this meets your requirements, you need to click on the additional information links to download all relevant documents to view the full Service Offer including pricing.

It is recommended that you review all available Service Offers on the Government eMarketplace within the appropriate Lot, and evaluate those which meet your requirement.

In the event you are unable to find a suitable Service Offer to meet your requirements, you can issue a Request for Information (RFI) to all the Suppliers on your chosen Lot. Providing all the information to the Suppliers allows them to either point you in the direction of an existing Service Offer or they can upload a new Service Offer to meet your requirements. We strongly advise that you still complete the evaluation process detailed below.

Evaluation

Once you have downloaded all the Service Offers that are applicable to the Lot and your requirements, you must evaluate the Service Offers with your Award Criteria to find the most appropriate Service Offer, ensuring that records of your evaluation are kept for transparency. When you have completed your desktop evaluation you will need to follow the guidance in the Call-Off Order form in order to contract this with the Supplier.

Award

You can place your order with the chosen Supplier by completing the Call-Off Order Form - Framework Schedule 6 - Part B (Order Form Template and Call-Off Schedules).

6.

How to complete the Call-Off Order Form

To make a direct award against the Network Services 2 framework you must complete a direct award Order Form and send it to your chosen Supplier.

This Call-Off Order Form has been devised as part of the Public Sector Contract terms.

This Call-Off Order Form, when completed and executed by both you and the Supplier forms the Call-Off Contract.

The following points provide guidance on how to complete **PART B: Direct Award Order Form Template** within the Framework Schedule 6 (Order Form Template and Call-off Schedules

Call-Off Reference: A unique reference which will identify this requirement. This assists you and the Supplier with tracking your project from its procurement to award and then on an on-going basis through invoices, this could be your Purchase Order for your project.

The Buyer: Your organisation name

Buyer Address: Your organisation's business address

Supplier Reference: A unique reference will be populated in this field by the **Supplier** and assists the Supplier and CCS with tracking your project from award to invoicing via the Management Information requirements.

The Supplier: Your Supplier's name. This can only be updated once you have completed your desktop analysis of Service Offers and identified the successful Supplier.

Supplier Address: Your successful Supplier's registered address.

Registration Number: Your successful Supplier's registration number.

DUNS Number: Your successful Supplier's DUNS number.

SID4GOV ID: Your successful Supplier's SID4GOV ID.

Call-Off Lot (s); Insert the relevant Lot(s)

Call-Off Incorporated Terms: The Order Form lists all the Joint and Call-Off Schedules that are relevant to direct awards. The listed Schedules are mandatory, with the exception of those that are highlighted yellow, which are optional. We strongly advise that you review and familiarise yourself with **all** the Schedules and decide if the optional Schedules are applicable for your requirements. It is essential that if you, as the Buyer, add to or amend any aspect of any Call-Off Schedule, **you must send the updated Schedule** with the Order Form to the Supplier.

Also refer to the **Buyer's Guidance to the Public Sector Contract**, this provides further details on the options within the mandatory schedules.



Bear in mind that optional Schedules or bespoke requirements may incur additional costs

Call-Off Special Terms: This is not applicable when the Call-Off Contract is awarded through direct award.

Call-Off Start Date: The start date of the Call-Off Contract between Buyer and Supplier

Call-Off Expiry Date: The expiry date of the initial Call-Off Contract term

Call-Off Initial Period: The period in years and months of the Call-Off Contract, this will be the period between the Start and Expiry Dates

Call-Off Optional Extension Period: Any additional months and years required after the initial Call-Off Contract.



Extension Periods must be updated on the Call-Off Contract before being sent to the chosen Supplier, this cannot be added at a later date.

Minimum Period of Notice for Without Reason Termination: Where you may need to terminate the contract without reason the Core Terms at Clause 10.3 requires that you give the Supplier at least 90 days notice. You can amend this notice period here.

Consider the amount of time you will require to re-procure and implement a replacement service.

Caution: A reduction in the notice time to less than 90 days may impact the number of suppliers interested in your opportunity and significantly increase the price.

Call-Off Deliverables: There are two options for you to update the details of your requirements.

Option A - insert the details from the Suppliers Service Offer; or

Option B - if your deliverables are more complex, you can update the details within Call-Off Schedule 20 (Call-Off Specification). **You must not include any Deliverables that are not included within the Suppliers Service Offer**

Remember to delete the option not used on the Order Form

Maximum Liability: Refer to the Core Terms clause 11.2, you as the Buyer must make an appropriate risk assessment if you wish to change the liability stated within the Core Terms and update in the Order Form where requested.

Call-Off Charges: There are two options for you to update the charges for the deliverables

Option A - you can update the details on the order form; or

Option B - if the charging model is too complex, you can update the details within Call-Off Schedule 5 (Pricing Details)

Reimbursable Expenses: Not recoverable when conducting a direct award.

Payment Method: Update your payment method of invoices to the Supplier.

Buyer's Invoices Address: Update here all the contact information that the Supplier requires to send their invoices to you.

Buyer's Authorised Representative: The contact within your organisation that will be the contact for the Supplier in respect of the Call-Off Contract.

Buyer's Environmental Policy: There are two options for you to update your organisations environmental policies.

Option A - insert your organisations documents or insert your website URL into the Order Form; or

Option B - update the details as an additional item within Call-Off Schedule 4 (Call-Off Tender)

Additional Insurances: Not applicable when conducting a direct award.

Guarantee: Not applicable when conducting a direct award.

Social Value Commitment: To add anything additional to the Call-Off Contract, the Supplier should use Call-Off Schedule 4 (Call-Off Tender) to provide the details to the Buyer.

Staff Transfer: As a Buyer you will need to ensure appropriate provisions are included for any staff transfer requirements. Refer to and fully understand the details within Call-Off Schedule 2 (Staff Transfer) and delete the options on the Order Form that are not required.

Quality Plan: Not applicable when conducting a direct award.

Maintenance of ICT Environment: Not applicable when conducting a direct award.

Business Continuity and Disaster Recovery: Refer to Call-Off Schedule 8 (Business Continuity and Disaster Recovery (BCDR)) Only Part A, the Suppliers standard BCDR Plan at Annex 1, will apply. You can ask the Supplier to provide this to you.

Security Requirements: Refer to Call-Off Schedule 9 (Security). There are two options to consider, Part A - Short Form Security and Part B - Long Form Security.

Part B should only be considered if there is a high level of risk to personal or sensitive data. Also refer to the options regarding Information Security Management Systems (ISMS) for further options when choosing Part B - Long Form Security.

Delete the option that is not applicable to your requirements.

Buyer's Security Policy: Not applicable when conducting a direct award.

Information Security Management Systems (ISMS): If you have opted Part A - Short Form Security as part of your security requirements within Call-Off Schedule 9 (Security), you must insert Not Applicable to this section.

If Part B - Long Form Security is applicable to your requirements, the bespoke ISMS option is not applicable when conducting a direct award.

Clustering: Refer to Call-Off Schedule 12 (Clustering) This Schedule provides the ability to have Other Contracting Authorities join with the Buyer to collectively contract under a single Call-Off Contract. The Supplier will provide the same level of service to the Cluster Members and provide individual reporting and invoicing. All Cluster Members must be updated within the Order Form.

Cluster Members cannot be added to the Call-Off Contract once awarded.

Service Levels and Service Credits: Refer to Call-Off Schedule 14 (Service Levels). Only **Part B** - Long Form applies when the Call-Off Contract is awarded through the Direct Award Procedure. Review the Service Maintenance Levels within the Suppliers Service Offer.

The Service Credit Cap has been set within the Definitions of this Call-Off Schedule 14. The Service Period is one month.

Supplier's Authorised Representative: The Suppliers named contact for the Framework.

Supplier's Contract Manager: The Suppliers named contact to oversee the Call-Off Contract.

Progress Report Frequency: Is the first Working Day of each calendar month.

Progress Meeting Frequency: Is Quarterly on the first Working Day at each quarter.

Operational Board: Not applicable when conducting a direct award.

Key Staff: Refer to Call-Off Schedule 7 (Key Supplier Staff) If key staff is important to your delivery, the Supplier should list the contact details within this Schedule.

Key Subcontractors: The Supplier will notify the Buyer of the Key Subcontractors that will support the deliverables of the Call-Off Contract.

Commercially Sensitive Information: If applicable, the Supplier will update the information as listed within Joint Schedule 4 (Commercially Sensitive Information)

Both parties to sign and date the Order Form to finalise the Call-Off Contract.

7.

Award Criteria

The direct award criteria should below, form part of this Network Services framework and must be applied when conducting your desktop evaluation of all Suppliers Service Offers.

Full details of the Call-Off Award Procedure and criteria can be found within Framework Schedule 7 (Call-Off Award Procedure).

There are two options based on price only or price and quality evaluations

1. If, you as the Buyer can only differentiate the Service Offers that meet your requirements on the basis of price, the following criteria must be applied;

Criteria Number	Criteria - ranked in order of importance	Percentage Weightings
1	Price (life cycle costs, cost effectiveness & price, price and running costs)	100%
2	Non- Price (Quality, Technical Merit, Delivery Lead Times)	0%

2. If, you as the Buyer can differentiate the Service Offers that meet your requirements on the basis of price and quality, the following criteria shall be applied;

Criteria Number	Criteria - ranked in order of importance	Percentage Weightings
1	Price (life cycle costs, cost effectiveness & price, price and running costs)	25-75%
2	Non- Price (Quality, Technical Merit, Delivery Lead Times)	25-75%



Scoring templates to use for both Price Only and Price and Quality are available within the Documents section of the framework website.

8.

Contact us

Crown Commercial Service (CCS)



networkservices@crowcommercial.gov.uk



0345 410 222



<https://www.crowncommercial.gov.uk/agreements>

Webinars

Further support and training is available through scheduled webinars that provide an overview of the information given in this Buyer's guide and use of the templates. If this would be of interest please click on LINK or <https://www.eventbrite.co.uk/o/technology-webinars-at-ccs-14738735974>

You can also learn more about what we offer online:



www.gov.uk/ccs



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