**Heat Networks and Electricity Generation Assets (HELGA)**

RM3824



This guidance has been produced by Crown Commercial Service (CCS) to help you understand how to use Heat Networks and Electricity Generation Assets (HELGA) via the Dynamic Purchasing System (DPS).

The HELGA DPS was advertised in OJEU on 4th August 2017 under contract notice reference 2017/S 148-306479 and will expire on 15th November 2023. CCS are responsible for managing the DPS processes and suppliers at agreement level and for providing you with the advice and guidance to help you get the best out of the agreement.

While this guidance provides you with the best practice approach to using the agreement, additional information to support your procurement approach can be found in the HELGA key considerations document. You may also wish to seek additional advice from your own commercial team if you have a particularly complex requirement.

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# What is the HELGA DPS?

The HELGA DPS has been established to enable government and public sector bodies to access related products and services.

The principles and benefits of using the agreement are:

● The right suppliers hear about opportunities at the right time

● Accessible route for suppliers to apply and register their interest (at any time)

● A dynamic filtering system, giving buyers flexibility based on requirements

● Quality and price can be assessed based on individual buyers requirement

● An efficient structure and approach to commissioning variety of projects

● Agility and flexibility to meet Government Estates changing needs to support their estates rationalisation programmes.

● Fully compliant with UK and EU regulations

The DPS can be used for a variety of HELGA related products and services, as listed below, there is no minimum or maximum value.

Energy Advisory, Design and Technical Services

Technical services relating to the advice and design of any demand management or generation type

● Delivery Services

Delivery services to install, manage and maintain any demand management or generation type

● Energy Purchase Agreement

Provision of Energy Purchase Agreements through direct or indirect opportunities

● Commoditised Products

Access to Commoditised Products through bulk purchasing

● One Stop Shop

One-stop-shop solution to deliver full end to end advisory, design, delivery, energy purchase agreements, and commoditised products.

The DPS fulfils this requirement; upon application to join the DPS, suppliers indicate which elements and services they are able to bid for under the DPS. The elements are organised into a matrix of filters, comprising:

* Products & Services
* Geographic Area: International & National
* Project Value

Full details can be found in Annex 1

# Important DPS Information

This agreement can be used by all UK government and public sector bodies which includes:

* Central Government Departments, Arm’s Length Bodies and Executive Agencies;
* Non Departmental Public Bodies;
* Devolved administrations;
* Local Authorities;
* NHS bodies;
* Charities; and
* Universities, colleges, schools, further education providers.

# What is a Dynamic Purchasing System (DPS)?

A DPS is a public sector sourcing tool for services and goods ([Public Contracts Regulations 2015](http://www.legislation.gov.uk/uksi/2015/102/pdfs/uksi_20150102_en.pdf)). It is similar to an electronic framework, but new suppliers can join at any time. This is an electronic way of sourcing which means that both suppliers and buyers do not need any special IT equipment. It therefore eliminates unnecessary activity for the supplier up front.

# Key Benefits

There are a number of key benefits for buyers using the HELGA DPS:

* it’s flexible and new suppliers can apply to join at any point. This increases the potential capacity and capability in the market that is available to buyers;
* offers you more choice through increased scope and scale of service offerings;
* allows you to filter supplier service offerings, ensuring that suppliers receive notifications of relevant competitions and that you are dealing with the suppliers who can deliver against your requirements;
* is dynamic and allows you to build specifications, competitions and contracts in a way that suits you;
* supports Social Policy by enabling suppliers to bid for business either locally, regionally or nationally. It also allows you to undertake competitions on both a local or national basis, depending on your requirements;
* gives you the opportunity to access the wider supply chain for specialist services or where a supplier may previously have been a subcontractor;
* is a simpler, quicker process and supports SMEs looking to access public sector business; and
* is an automated and electronic process using existing supplier selection tools and systems available to you from CCS.
* it’s a complaint route to market, fully compliant with UK and EU regulations\*.

# The Buyer Journey

# This section details how you are able to access the HELGA [DPS](https://supplierregistration.cabinetoffice.gov.uk/dps#fmandproperty) and undertake a competition amongst suppliers.

You should note that as part of the process for joining the DPS, Suppliers have been asked to self-certify that they are able to meet a range of minimum standards set out in the HELGA Selection Questionnaire. When you have completed your competition and intend to award to a supplier, you should request that the Supplier provides you with the evidence that they meet the Selection Questionnaire standards and undertake compliance checks. This process can be undertaken electronically through the DPS system.

## Funding

Should you be seeking funding for your procurement please note that there is a there is [BEIS Heat Network Investment](https://tp-heatnetworks.org/bhive/).

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## Step 1 - Registering on the System

You will need to register on [Supplier Registration Service](https://supplierregistration.cabinetoffice.gov.uk/) (SRS), navigate to the DPS for HELGA and access by agreeing to terms of use.

## Step 2 - Pre-Market Engagement - Capability Assessment (optional)

You may find it beneficial to develop a specification that not only delivers your short term requirements but also provides flexibility for long term planning. In support of this you may wish to consider undertaking some pre-market engagement, this involves consulting with suppliers before you go out to market which can

* identify best suited suppliers
* help you refine your business case and benchmark costs;
* define the procurement plan and timetable for implementation;
* help you better understand the vehicle charging sector and what is available in the market to best meet your needs, avoiding unnecessary over specification and costs;
* enable you to ask questions relevant to any potential procurement and support clarifying your specific requirements;
* check what suppliers will need to do to meet your needs in the short and long term, avoiding errors and costly mistakes further down the line,
* be undertaken face to face or remotely
* You can start your Call for Competition using a capability assessment (optional), this will help you to identify which suppliers from your shortlist are going to be the most suitable. You may wish to run this process to refine your shortlist or to assess capability of meeting your requirement.
* Use a series of yes and no questions that are mandatory for suppliers to pass to get to the next stage - you could, for example, use the ability to meet your stated deadline as a question. Please use questions that relate to key requirements only at this stage, and not those that you could score in the evaluation stage.
* Issue your final specification to suppliers whom have ‘passed’ the capability assessment unless you make material changes to the specification as a result of the capability assessment exercise.
* Contact your regional BEIS Energy Hub for assistance in developing your specification.

This agreement can support you by providing a list of capable suppliers to invite to your pre-engagement, as outlined in Step 5.

## Step 3 - Develop your HELGA/ project Specification

The specification sets out a full and accurate statement of what is required and forms part of the documentation that is sent out to all suppliers when inviting them to quote. It has 3 main aims:

1. To communicate to potential suppliers what is required
2. To provide a clear and transparent evaluation criteria for proposals to be measured against
3. Ensure that open competition is achieved

A good specification should:

* provide a clear and concise description of what is required, including contract management reporting requirements and Performance Indicators (PIs)
* highlight the features that are essential to you
* provide an opportunity for suppliers to offer technical solutions
* allow potential suppliers to provide a price for the services they offer

## Step 4 - Structure the competition

Under a DPS you are able to determine how you structure your contract. This means that you can choose the competition and evaluation criteria to best suit your requirement, in accordance with public procurement regulations. This gives you complete flexibility - for example you may want:

* a short or long term contract;
* to appoint a single supplier for all your HELGA requirements, and;
* to separate out your requirements into stages. For example you may prefer to initially undertake some consultancy and feasibility activity, followed by civil engineering and construction, and to award separate contracts for each stage.

Some key specification areas that should be included are:

* **Pricing and cost models** - You should design a pricing schedule that best fits the end requirement, ensuring clarity and fairness. Best practice would be to consider using whole life cost or total cost of ownership models.
* **Evaluation criteria and weightings** - Evaluation should concentrate on the supplier’s ability to best meet the outlined requirements and pricing/cost model. The evaluation weightings that you intend to use should be issued as part of your ITQ and you have the flexibility to set your own specific weightings and measures.
* **Timescales** - You should carefully consider delivery and timescales requirements. Good practice would require suppliers to share their build project plans and regularly communicate updates on delivering against these timescales.
* **Financial standing** - CCS has tested appointed suppliers’ financial standing at the point of them joining the DPS, and will monitor them through the life of the DPS. For HELGA a threshold Dun and Bradstreet (D&B) score of 35 and 65% (dependent on Offerings) has been set, so all appointed suppliers will have met or exceeded this score, or their accounts will have been reviewed and sufficient financial assurance has been provided.
* **Insurances** - In order to join the DPS, suppliers have confirmed that they comply with all statutory insurance requirements. You can determine the levels and types of insurances you require as part of your contract, and test this through the competition.
* **Key Subcontractors** - It is advisable that you seek the detail and assurances of any key subcontractors that will be used by the supplier you appoint as part of their supply chain. This can be asked for as part of the competition, and the contract terms can reflect the requirement to keep you updated with regards to any key subcontractor changes.
* **Non-Disclosure Agreements -** If your Invitation to Quote (ITQ) includes sensitive or confidential information, you may wish to protect the content of the competition from being released into the public domain. Whilst there are confidentiality clauses in place within the contract template under this DPS, these do not apply until a contract is signed between the Buyer and the successful Supplier. Therefore, you may choose to include an additional layer of confidentiality to protect your brief and the information contained within it by using a Non-Disclosure Agreement (NDA).

## Step 5 - Use the Filters to generate a list of capable Suppliers

You can use the DPS filters to reflect your contract requirements, filter the capable suppliers (see [Annex 1](#_y1ny6bhamhpi)), and export these as a shortlist to be used when issuing your ITT or when inviting to your pre-market engagement.

**Note: Please do not use the United Kingdom filter within the International selection, as UK suppliers will be naturally selected.**

It is important that once you have exported the list of potential suppliers from the DPS system, you run the competition within **48** hours. This is because the DPS is constantly changing as new suppliers join and become eligible to bid for your contract. After 48 hours, the list you have exported could be out of date as the list of eligible suppliers may have changed.

## Step 6 - Issue RFx

To ensure compliance with current procurement regulations, you must issue the Invitation to Quote (ITQ) to **all** capable suppliers. Under a DPS, this means all suppliers on the shortlist obtained after filtering against specific your requirements in Step 5.

Details of the procurement process, timeline, award criteria and evaluation procedure must be published to all capable suppliers at the same time the ITQ is published.

If suppliers ask any clarification questions during the ITQ process, all suppliers must be treated fairly and equally without discrimination. Any questions received must be anonymised, making sure that they do not reveal the identity of the originator, or reveal any potentially commercially sensitive information relating to the originator. Appropriate responses must be issued, sharing both the question and answer to all participating suppliers, at the same time.

Under a DPS, a minimum of 10 calendar days must be allowed for suppliers to submit their bids.

You may use whichever eProcurement system you deem suitable to run your competition. You are also able to make use of the CCS eSourcing Suite which enables you to:

respond to supplier clarification questions

* Respond to supplier cla
* track bid responses
* send reminders to bidders
* communicate to successful and unsuccessful suppliers
* provide feedback to all parties

For information on how to do this, please refer to the [eSourcing Suite user guidance.](https://www.gov.uk/government/publications/esourcing-suite-guidance-for-customers)

## Step 7 - Evaluate Responses

After the bid submission closing date, supplier responses will need to be evaluated in accordance with the evaluation criteria and procedures that were set out within your ITQ. You must ensure that you maintain a fully documented audit trail of the results and final award decision.

## Step 8 - Award your Contract

Following evaluation, you can then proceed to request supporting evidence from the supplier(s) intending to be awarded. This can be requested and viewed via the DPS system, using the original DPS session used to shortlist the suppliers. Suppliers will receive a notification of the request to provide supporting evidence via the system, and can choose either to share documentation they have already uploaded to the system with you, or to add new evidence which may be relevant to your specific contract.

Once satisfied with the evidence provided, and with the outcome of the competition, you can proceed to award by notifying suppliers through the eProcurement system you have used to undertake the competition. You should also inform CCS of the award via the DPS system and complete the Buyer Feedback document within Annex 2.

Some buyers are also obliged to publish details of their award on Contracts Finder. You should follow your own organisation’s guidance on this, and can also refer to [Procurement Policy Note 07/16.](https://www.gov.uk/government/publications/procurement-policy-note-0716-legal-requirement-to-publish-on-contracts-finder)

## Step 9: Contract mobilisation and management

As part of the supplier contract award, you should put the appropriate management processes in place to ensure the supplier is meeting both your reporting and KPIs requirements as set out in your ITQ. CCS can be used as an escalation point to support you with issues of underperformance during the life of the contract.

Managing your contract and being a good Buyer

There are a number of obligations you have in managing your contract, including:

* agreeing at the start of the project how frequently you expect to receive reports from your supplier (if required). This should be in line with the requirements in your specification.
* track and manage project delivery
* communicating with your supplier on a regular basis to discuss progress;
* checking invoices against the rates and deliverables agreed in your contract;
* paying your supplier in line with contract terms;
* promptly manage any issues with your supplier;

Managing issues

By ensuring you have regular communication with your supplier you should be able to avoid any major issues. In the event that you do experience performance issues with your supplier, you should take the following steps to address the issue as quickly as possible.

1. Raise the issue with your supplier lead as soon as possible
2. Clearly set out your concerns and agree a plan of action with the supplier including a deadline for resolution. You can put in place more frequent status updates if necessary.
3. If the issue fails to be resolved to your satisfaction, contact CCS as a point of escalation and support - either via [email](mailto:info@crowncommercial.gov.uk) or via phone on 0345 410 2222.

# Useful information

This section provides you with further information you may need to consider as part of your specification development depending on type and location of your organisation.

## Energy Saving Trust

The Energy Saving Trust is an independent UK-based organisation focused on promoting action that leads to the reduction of carbon dioxide emissions. They are funded by the UK government, devolved governments and the private sector.

## The Association for Renewable Energy and Clean Technology (REA)

The REA offers advice and guidance on a range of topics, including XXXXXXXX. Their [website](https://www.r-e-a.net/) contains useful information.

## Guidance on Outsourcing

In response to a call for greater clarity on approaches to outsourcing services [guidance](https://www.gov.uk/government/publications/the-outsourcing-playbook) was issued in 2019. This guidance outlines eleven key policies that all central government departments are expected to follow and should be considered best practice for all public sector organisations.

By following the guidelines, rules and principles associated with these new policies, departments can expect to:

* get more projects right from the start;
* develop robust procurement strategies;
* engage with healthy markets;
* contract with suppliers that want to work with us; and
* be ready for the rare occasions when things go wrong.

# Frequently Asked Questions

**Q. Can a direct award be made under the HELGA DPS?**

No, direct awards cannot be made under the HELGA DPS

**Q. How do I register as a buyer?**

Buyers register on the Supplier Registration Service, via the ‘Access as a buyer’ link.

**Q. Are there template docs for me to use?**

There are currently standard terms and conditions and call of templates which can be accessed by buyers. The intention is the CCS will develop further HELGA specific guidance and templates over time.

**Q. How long does it take to run a competition?**

Minimum time to run a further competition under the HELGA DPS is 10 days, as per Regulation 34(11) of the Public Contract Regulations (11). There is no maximum timeline.

**Q. Can buyers determine their own specification, evaluation and contract terms?**

Yes, buyers can decide upon their own specification, how they wish to evaluate and the contract format they require.

**Q. Do I need to publish my award?**

Yes - responsibility for publication of award remains with the buyer

**Q. Does CCS charge the buyer a commission for using the HELGA DPS?**

No. Commission is not charged to the buyer. A supplier rebate of 1% is applied.

**Q. How do we encourage suppliers to join the HELGA DPS?**

Suppliers register on the Supplier Registration Service, and complete the Selection Questionnaire for the DPS they wish to be appointed to.

**Q. Are the number of suppliers which can join the HELGA DPS restricted?**

No, supplier numbers cannot be restricted under a DPS.

**Q. How long will the HELGA DPS operate for and how long can resulting contracts last?**

The HELGA DPS will be for a four year term with annual reviews to ensure it remains fit for purpose. CCS will provide three months’ notice should we decide to terminate the arrangement

**Q How long can the buyer’s HELGA contacts last?**

Buyer’s order contracts can last for as long as is reasonable in the context of the market, and can go beyond the term of the DPS agreement.

**Q. Will the HELGA DPS support SMEs and social value?**

Yes, the very nature of a DPS with its electronic, automated and standardised approach to selection supports both SME access and social value.

**Q. Can buyers determine their own specification, evaluation and contract terms?**

Buyers can decide upon their own specification, how they wish to evaluate and the contract format they require provided they remain within the scope of the DPS.

# Further information

If you require any further information please

Contact us at [info@crowncommercial.gov.uk](mailto:info@crowncommercial.gov.uk)

Visit the HELGA webpage <https://www.crowncommercial.gov.uk/agreements/RM3824>

You can also learn more about Crown Commercial Service at:

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| Website:  [crowncommercial.gov.uk](https://www.crowncommercial.gov.uk/) | Twitter: [@gov\_procurement](https://twitter.com/gov_procurement) | LinkedIn: [Crown Commercial Service](https://www.linkedin.com/company/government-procurement-service/?trk=cp_followed_logo_government-procurement-service) |