# Building Materials and Equipment – RM6157

## Customer Guidance



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## Terminology

This document is drafted as guidance to customers (Additional Clients) awarding contracts under the Building Materials and Equipment framework, although it will be useful for suppliers (Supplier Alliance Members*)* to also make themselves aware of this guidance.

For simplicity, we will refer to Additional Clients as customers and Supplier Alliance Members as suppliers in this document where appropriate.

## Introduction and Overview

Crown Commercial Service (CCS) is an executive agency of the Cabinet Office which supports the public sector to achieve maximum commercial value when procuring.

This framework provides a wide range of building materials and equipment, including plumbing and heating, electrical products, domestic kitchens, paints and solvents, flooring, tools, plant and protective wear.

The framework is suitable for all public sector, devolved administrations and third party entities. For more information on who can access this framework, please refer to the authorised customer list available on [Contracts Finder](https://www.contractsfinder.service.gov.uk/Notice/c9d22237-ca50-4f10-b89e-59490ebd5a27).

The framework agreement commenced in July 2021 and will expire in July 2025.

## What is the Building Materials and Equipment (BME) Framework Alliance Contract (FAC-1)?

The basis of the BME Framework Alliance Contract is the FAC-1 standard form of Framework Alliance Contract, published by the Association of Consulting Architects.

The FAC-1 BME Framework Alliance Contract is an innovative approach that combines the scope of a framework with the collaborative relationships of an alliance to create new systems for achieving greater value.

Our Framework Alliance Contract allows for framework level Alliancing as well as Sub Alliancing at call-off level.

For more detailed information on the FAC-1 please refer to this [briefing paper](https://publicprocurementinternational.com/wp-content/uploads/2020/02/FAC-1-Briefing-Paper.pdf).

Our FAC-1 BME Framework Alliance Contract should be read alongside the standard form FAC-1 contract. Customers and suppliers can purchase their own copy of FAC-1 for £35 by emailing office@acarchitects.co.uk  and referencing the discount CCSFAC252018 to become fully familiar with its terms.

For more information on Alliancing and Sub Alliancing and how this can be built into your project please go to the [**Alliancing**](#bookmark=id.3as4poj)section below.

## Benefits

Our framework provides a wealth of benefits. Here are just a few we think you will be interested in;

**Free**: The framework is free of charge for all public sector buyers to use

**Fast**: Speed of access to market providing choice and flexibility of different contract types

**Standard Boilerplate Amendments:** The framework agreement provides standardised ‘boilerplate’ amendments for central government to ensure consistent implementation of the latest government policies and to reduce the need for unnecessary drafting, creating a more efficient standardised approach

**Construction Products Regulator**: The newly established Construction Products Regulator has also been taken into consideration and provision made within the framework to adopt their recommendations.

**Success Measures:** TheFramework Contract includes agreed “success measures”, against which suppliers’ performance will be measured at framework level. Customers can also adopt the template project level success measures which can be amended or supplemented to suit their requirements

**Contract Management:**  CCS will actively manage framework performance and fulfil the role of Alliance Manager on each Lot to ensure continuous service improvement

**Social Value:** The framework has a strong focus on Social Value and Customers can use the [Themes Outcomes and Measures (TOMS) Framework](https://socialvalueportal.com/national-toms/) to measure outcomes.

**Evolving Core List of Products:** The core list of products will be regularly reviewed with suppliers so that it reflects developments in the market and customer demand. This core list is also available through the [Government eMarketplace](https://www.gov.uk/guidance/emarketplace-a-guide-for-public-sector-buyers).

**Sustainability:** Supplier focus on the Government’s strategic priorities related to the environment such as the [Greening Government Commitments Strategy](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/585344/greening-government-commitments-overview-reporting-requirements-2016-2020.pdf).

**Advanced Alliancing Capability** - brings together industry with the end user to promote collaborative working practices

**Integration:** The framework is one of four that form the CCS integrated strategy for Construction along with: Construction Professional Services (RM6165), Modular Buildings (RM6014) and Construction Works and Associated Services (RM6088).

## Framework Structure

The framework comprises of 9 lots as follows:

* lot 1 – heavy building materials and ‘one-stop shop’ and includes a range of products from lots 2-9
* lot 2 – plumbing, heating and bathrooms
* lot 3 – electrical products
* lot 4 – paints and solvents
* lot 5 – flooring
* lot 6 – kitchens (domestic)
* lot 7 – personal protective equipment (workwear, general and specialist)
* lot 8 – building and construction tools and equipment (purchase)
* lot 9 – building and construction tools and equipment (hire)

For further details of which suppliers have been awarded to each lot please see the Supplier Section of the Quick Start Guide in the documents tab of the [website](https://www.crowncommercial.gov.uk/agreements/RM6157).

For more detailed information relation to the scope of the framework you may wish to refer to:

* The framework specifications which can be found in the documents tab of the [website](https://www.crowncommercial.gov.uk/agreements/RM6157).
* The [Contract notice on Find A Tender](https://www.find-tender.service.gov.uk/Notice/004774-2021?origin=SearchResults&p=1) where the full list of CPV codes are provided. If you are still unsure if your requirement is covered, please contact info@crowncommercial.gov.uk.

## How to access the Framework Agreement

### Registration

To use the framework you must become a Framework Alliance Member (Additional Client) for the Lot(s) that you would like to use. To do this please complete and return the Registration Document which you can find on our [website](https://www.crowncommercial.gov.uk/agreements/RM6157).

There is no joining fee and no commitment or obligation to procure from the Framework Alliance Contract.

You will know that your registration has been successful once we issue you with an Additional Client Notice along with the pricing for the lot(s) you have registered to use.

Once you have registered you will be invited to join the Building Materials and Equipment (BME) KnowledgeHub which contains a wealth of support and guidance documents as well as providing a collaborative forum with other Framework Alliance Members.

More information on the BME KnowledgeHub and how to join can be found on the documents tab of the [website](https://www.crowncommercial.gov.uk/agreements/RM6157).

### Additional Client User Agreement (ACUA)

After Registration and once you are ready to procure you will need to complete an ACUA. The ACUA document can be downloaded from the documents tab of our [website](https://www.crowncommercial.gov.uk/agreements/RM6157).

Once we have processed your ACUA form we will provide you with a unique reference number for each individual procurement project. Please ensure that all procurement documentation contains this reference number.

With your permission, we will also share details of your requirement with other alliance members, both customers and suppliers, to encourage collaboration, shared learning and to provide the framework suppliers with as much notice as possible about your requirement. More details can be found on the ACUA form.

Please visit our webpage at; [https://www.crowncommercial.gov.uk/agreements/RM](https://www.crowncommercial.gov.uk/agreements/RM6088)6157

for more information about the framework agreement, including the specification and the Building Materials and Equipment Framework Alliance Contract.

### Award Notification Form

As soon as you have run your procurement process and a contract has been signed, please complete and return a contract Award Notification to us at info@crowncommercial.gov.uk. This can be found on our [website](https://www.crowncommercial.gov.uk/agreements/RM6157).

## Framework Pricing

Suppliers have tendered prices in respect of the Core List of items onto a pricing schedule. These prices are the maximum that may be applied to a competitive award procedure. The suppliers may reduce their framework rates when pricing Project Briefs. We recognise that it would be impossible to include every item on the Core List. To address this we have included a Non-Core List containing category discount percentages and pricing for additional services where applicable which are the minimum discounts or maximum prices you can expect to receive against the overarching categories and/or additional services.

### Agreed Prices

The Framework Prices are the maximum prices that the supplier can charge.

The earliest date for inflationary increases to the framework prices will be 12 months after award of each Lot (this will be July 2022). Any subsequent increase to the framework prices shall be annually after this date.

Inflationary rate increases will be in line with in the Consumer Price Index published for the twelve (12) months ended on the 31st of January immediately preceding the relevant Indexation Adjustment Date.

## Terms and Conditions - the Project Contracts

 The following forms of contract are available at call off:

* NEC 4: [The NEC4 Supply Contract (SC)](https://www.neccontract.com/NEC4-Products/NEC4-Contracts/NEC4-Supply-Contract) is used for the local and international procurement and supply of high-value goods and associated services.
* JCT: [JCT Minor Works Building Contract 2016](https://corporate.jctltd.co.uk/products/minor-works-building-contract/) is designed for smaller, simple construction and are suitable for projects procured through the traditional or conventional method.
* JCT: [JCT Minor Works With Contractor Design 2016](https://www.jctltd.co.uk/product/minor-works-building-contract-with-contractors-design)
* SBCC: [Minor Works Building Contract for use in Scotland 2016](https://www.scottishbuildingcontracts.com/contracts/36/minor-works-building-contract-for-use-in-scotland/) where the work involved is simple in character and designed by or on behalf of the Employer.
* SBCC: [Minor Works with contractor design for use in Scotland 2016](https://www.scottishbuildingcontracts.com/contracts/37/minor-works-building-contract-with-contractor-s-design-for-use-in-scotland/)
* TAC-1 – [Term Alliance Contract](https://acarchitects.co.uk/tac-1-term-alliance-contract-launched/) supports and integrates the provision of any type or scale of works and/or services and/or supplies.
* Materials Purchase Order Short Form
* Materials Supply/Supply and Install Conditions
* Equipment Hire Agreement

Customers are encouraged to use the IPA / CCS Standard Boilerplate Amendments, which can be used to amend the standard forms of contract. They provide a consistent application of non-contentious government specific clause modifications. Specific amendment sets are produced for NEC4 and JCT.

The adoption of these clauses is optional, but strongly recommended.

You can find out more about them and view the clauses on the documents tab of our [website](https://www.crowncommercial.gov.uk/agreements/RM6157).

**Call Off Process**

The framework includes mechanisms for awarding contracts using a Competitive Award or a Direct Award route. It is anticipated that the Competitive Award route will be used more often, as it provides additional evidence of value for money by including a competitive tension.

The selection of your procurement strategy should always take account of advice from appropriate specialists in your organisation.

You can opt to use the [Crown Commercial Services eSourcing tool](https://crowncommercialservice.bravosolution.co.uk/web/login.html) or you can use your own procurement portal. If you opt to use your own version of the procurement portal you should ensure that all suppliers invited to bid are made aware of your chosen procurement method and the systems used. We highly recommend that you contact suppliers in advance to make them aware of the opportunity and your chosen procurement portal to allow suppliers adequate time to register.

All suppliers in the Lot must be given the opportunity to submit a tender or to decline. If they decline, they should give a valid reason so that all parties can learn from this going forward.

### Competitive Award

Before you commence a Competitive Award Procedure you should refer to Schedule 4 of the Building Materials and Equipment Framework Alliance Contract that can be found on the documents tab of our [website](https://www.crowncommercial.gov.uk/agreements/RM6157).

If all of the terms of the proposed Project Contract are not laid down in the Project Contract and you need to amend or refine the terms of the Project Contractto reflect its deliverables to the extent permitted by and in accordance with the Regulations, then you may award a Project Contract in accordance with the Competitive Award Procedure set out as follows:

* Expression Of Interest (EOI) – The Additional Client may use an EOI process to produce a Supplier shortlist. The EOI may contain the following details but is not limited to: scope, scale, timescales, incumbent supplier, grades, payment terms, capacity and/or budget
* develop a Project Brief setting out its requirements identify the suppliers capable of delivering them (i.e. all suppliers on the relevant lot subject to responses from the EOI if applicable)
* **if applicable**, amend or refine the deliverables to reflect its requirements by using the Form of Order/order (Appendix 3) as referenced in Clause 7 for alliance activities/pre-contract works only to the extent permitted by and in accordance with the requirements of the Regulations
* invite the suppliers to submit a tender in writing for each proposed Project Contract to be awarded by giving written notice.
* set a time limit for receipt of the tenders which takes into account factors such as the complexity of the subject matter of the proposed Project Contract and the time needed to submit tenders
* keep each tender confidential until the time limit set out for the return of tenders has expired
* apply the Competitive Award criteria to the supplier’s compliant tenders submitted through the Competitive Award Procedure as the basis of its decision to award a Project Contract for its deliverables
* on the basis set out above, award its Project Contract to the successful supplier
* The Project Contract shall:
	+ state the Deliverables
	+ state the tender submitted by the successful supplier
	+ state the charges payable in accordance with the tender submitted by the successful supplier; and
	+ **if applicable,** incorporate the terms [of the Form of Order/order Appendix 3 if applicable and Framework Alliance Contract]
* provide unsuccessful suppliers with written feedback in relation to the reasons why their tenders were unsuccessful.

### E-Auctions

You can run your competitive award procedure by using an [e-auction](https://www.crowncommercial.gov.uk/buy-and-supply/agreements/eauctions/) procedure. Please refer to Paragraph 7 Schedule 4 of the Building Materials and Equipment Framework Alliance Contract.

If you are interested in running an e-auction for your competitive award, please contact eauctions@crowncommercial.gov.uk.

### Competitive Award Criteria

### Lot 1

|  |  |
| --- | --- |
| **Criteria** | **Relative weighting percentage**[**Guidance:** where weighting is not possible for objective reasons, list the criteria in decreasing order of importance, amend the column heading to read 'Rank order of importance where 1 = most important, 2 = second most important etc.'. The figure 1 must be in the top row, running down to the least important in the bottom row.] |
| Quality Which consists of the following criteria:* Added value / innovation
* Social value
* Approach To delivery of the services
* Implementation
* Use of supply chain / partners
 | 60% with a tolerance of -/+ 30 % |
| PriceWhich consists of the following criteria:* Running costs
* Delivery date and delivery period
* Period of completion
 | 40% with a tolerance of -/+ 30 % |

### Lots 2-9

|  |  |
| --- | --- |
| **Criteria** | **Relative weighting percentage**[**Guidance:** where weighting is not possible for objective reasons, list the criteria in decreasing order of importance, amend the column heading to read 'Rank order of importance where 1 = most important, 2 = second most important etc.'. The figure 1 must be in the top row, running down to the least important in the bottom row.] |
| Quality Which consists of the following criteria:* Added value / innovation
* Social value
* Approach To delivery of the services
* Implementation
* Use of supply chain / partners
 | 40% with a tolerance of -/+ 30 % |
| PriceWhich consists of the following criteria:* Running costs
* Delivery date and delivery period
* Period of completion
 | 60% with a tolerance of -/+ 30 % |

### Direct Award Process

Before you commence a Direct Award Procedure you should refer to Schedule 4 of the Building Materials and Equipment Framework Alliance Contract

If your requirements can be met by the Supplier’s catalogues and all of the terms of the proposed Project Contract are laid down in the Framework Alliance Contract and do not require amendment or any supplementary terms and conditions then you may award a Project Contract in accordance with the Direct Awardprocedure set out below and in Paragraph 2 Schedule 4 Building Materials and Equipment Framework Alliance Contract.

Once you have established the above:

* develop a clear Project Brief
* apply the Direct Award criteria to the supplier catalogues and description of the deliverables as set out in in Framework Brief and Framework Prices for all Suppliers capable of meeting the requirements in the Project Brief in order to establish which Supplier provides the most economically advantageous solution; an
* on the basis set out above, award the Project Contract with the successful Supplier.

### Government eMarketplace

The [Government eMarketplace](https://www.gov.uk/guidance/emarketplace-a-guide-for-public-sector-buyers) catalogue offers products for you to buy as a direct award. It is primarily for low volume, low value purchases, in accordance with your own internal governance.

When you order from the Government eMarketplace catalogue, your direct award decision must be made on the basis of the catalogue content of the suppliers on your chosen lot(s) which contains the Core List items and prices. The prices are inclusive of Standard UK Mainland Delivery.

You will need to register to use the framework and complete the ACUA form before completing your purchase using the eMarketplace. Our Customer Service Centre can help you [get registered on to the platform](https://www.gov.uk/guidance/emarketplace-a-guide-for-public-sector-buyers#how-to-register-for-access), please email our Customer Service Centre if you have any issues or further questions on this.

For full details please refer to this [eMarketplace guidance](http://info.basware.co.uk/pm/) on the Basware platform.

### Direct Award Criteria

The following criteria and weightings shall apply to the evaluation for Direct Award of each Project Contract

|  |  |
| --- | --- |
| **Criteria** | **Relative weighting percentage**[**Guidance:** where weighting is not possible for objective reasons, list the criteria in decreasing order of importance, amend the column heading to read 'Rank order of importance where 1 = most important, 2 = second most important etc.'. The figure 1 must be in the top row, running down to the least important in the bottom row.] |
| Price | 100% - Price-the Additional Client accepts the maximum Framework Prices(this includes a choice of delivery options which becomes the total framework price). |

### Contract Award

The Project Contract is awarded when the relevant documentation is signed by the customer and supplier

Should circumstances change or responses are inadequate, nothing in the Framework Alliance Contract obliges you to make an award. However, where a no award decision is made due to poor responses from suppliers, we would appreciate feedback.

When using our framework you should always ensure that your own internal processes and governance procedures are followed.

Once you have awarded your contract please confirm the details back to us by completing an Award Notification Form which you can download from the documents tab of the [website](https://www.crowncommercial.gov.uk/agreements/RM6157) and return it to us at info@crowncommercial.gov.uk.

### Responsibility for Awards

Each customer is independently responsible for the conduct of its award of Project Contracts under this Framework Alliance Contract. CCS is not responsible or accountable for and shall have no liability whatsoever in relation to:

(a) The conduct of other Alliance Members in relation to this Framework Alliance Contract; or

(b) The performance or non-performance of any Project Contracts between the supplier and other Alliance Members entered into pursuant to this Framework Alliance Contract.

### Insurances and Liabilities Considerations

Please ensure that all required insurances, liabilities and contract summaries are comprehensively described in the Project Contract and released with the tender documents, as this will have a direct impact on pricing proposals.

## Alliancing

### Framework level Alliancing

CCS Construction Frameworks are built around an Alliancing structure, using industry standard FAC-1 documentation. This has been done to promote collaboration between all parties, which is recognised and promoted by government as a major driver of successful project outcomes.

The alliance contracts are built around shared objectives with transparent assessment against agreed success measures and targets. CCS and its suppliers enter into a single multi-party contract, which sets out the award procedures for each project or programme of work. Public sector users who join the alliance also sign up to the same contract. This creates a set of integrated relationships through which clients, suppliers and user members can all learn from each other’s experience.

### Lot-Alliances

Each Lot forms a separate Alliance, reflecting the specific Objectives, Risks, Success Factors etc particular to that market sector.

Customers register as an Additional Client to become a member of one or more of the Lot Alliances, depending on their anticipated needs.

### Sub-Alliancing

The BME agreement also offers an advanced methodology enabling the creation of sub-alliances. This allows for a multi-party structure of Alliance Members and any combination of selected clients, consultants, contractors or suppliers to co-operate on a project or programme of work.

This approach:

* enables a client and its team to obtain better results from a framework.
* helps to integrate a team into an alliance.
* helps to obtain improved value through building information modelling (BIM).
* Can be used in conjunction with any of the permissible project call-off contract forms.

The sub-alliancing provisions can be used to e.g.:

* integrate professional services, construction works, materials supplies, and Facilities Management to support a whole life cycle approach to procurement.
* manage programmes of work or several inter-dependent projects as a discrete and separate “sub-alliance” to achieve specific objectives and outcomes.
* link one or more Customers with a common supply chain to drive improved efficiency and value.

This is an optional provision within the framework, but offers powerful, advanced project and programme management capability under certain circumstances. Please contact CCS if you would like further specific guidance regarding this facility.

## Supplier Performance

### Success Measures, Targets and Incentives

Success Measures, Targets and Incentives have been set out in Schedule 1 BME Framework Alliance Contract to outline performance measurement requirements of supplier’s in delivering their framework contract requirements.

Schedule 1 is also designed to support customers as part of the Alliance in tracking Project Contract Success Measures (KPIs) with an aim to improve their service delivery approach and practices.

The use of Project Success Measures is optional, however you are encouraged to consider the use of such performance measures to assist in incentivising improved project value and performance.

## Additional Support and Guidance

### Team Support and Guidance

If you have any questions about using our Framework Agreement please contact us [info@crowncommercial.gov.uk](http://info@crowncommercial.gov.uk)

### KnowledgeHub Alliance Members Collaborative Forum

Once you are a registered as a Framework Alliance Member you can join our Building Materials & Equipment Framework KnowledgeHub**.**

In KnowledgeHub you will find;

* Exclusive access to the Alliance Members area which provides access to a wealth of additional guidance and support in the form of webinars, user guides, guided match tools and template documents
* Invitations to Alliance Members only events, such as webinars and seminars
* Access to Alliance Members only shared learning forums
* Access to our customer pipeline of work to encourage member collaboration and learning

For more information on how to join please read the Knowledge Hub Guidance Document on our [website](https://www.crowncommercial.gov.uk/agreements/RM6157).

### Assisted Procurement Service

We can provide an assisted procurement service. To find out more please contact [info@crowncommercial.gov.uk](http://info@crowncommercial.gov.uk)

### Our E-sourcing tool

For additional guidance on how to run further competitions using the CCS eSourcing tool please refer to our [eSourcing tool: guidance for customers](https://www.gov.uk/government/publications/esourcing-suite-guidance-for-customers).

The guidance will show you how to;

* register, log in and amend your profile
* run a capability assessment
* select the correct framework for a further competition
* run a further competition
* manage communications with suppliers during your further competition

For additional support on the eSourcing tool please email eenablement@crowncommercial.gov.uk

You can also register for online training [here](https://www.crowncommercial.gov.uk/esourcing-training).

## Further information

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) |

