

RM6187

Management Consultancy Framework Three

(MCF3)

Customer guidance



Crown
Commercial
Service

Key information

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Additional support

Guidance and templates

Comprehensive guidance documents and templates can be found under the documents section of the framework web page.

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Website:
crowncommercial.gov.uk

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[@gov_procurement](https://twitter.com/gov_procurement)

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[Crown Commercial Service](https://www.linkedin.com/company/crown-commercial-service)

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1. Introduction

Purpose of this document

This is not a legal document and is intended to be used as guidance only.

This document is specifically designed to provide advice and guidance on how to use RM6187 Management Consultancy Framework Three (MCF3). It forms part of a comprehensive suite of guidance and template documents to help you buy management consultancy via the framework. The templates are not mandatory however if you decide to use them they should be amended to reflect your specific requirements.

Who can access this framework

MCF3 is available for use by all public sector bodies, including central government departments, devolved administrations, the wider public sector and third sector and including but not limited to:

- Local government
- Education
- Police, fire and rescue
- Social housing organisations
- Charities and voluntary organisations
- Community sector bodies

Full details can be found in the OJEU [contract notice](#)

Spending controls and approvals

The Minister for the Cabinet Office has produced guidance on the use of the private sector for management consultancy which apply to central government departments, their arm's length bodies and Non Departmental Public Bodies (NDPBs) and has introduced a range of [spending controls](#) and [reporting](#).

Please check if any controls apply to your organisation to ensure you comply fully with your own procedures.

Best Practice

The [Consultancy Playbook](#) provides comprehensive guidance on how to commission consultancy and engage with suppliers more effectively, achieving better outcomes, value for money and improved capability through the transfer of knowledge and skills. This includes, but is not limited to:

- engaging the market
- going to market
- developing effective specifications & evaluation criteria
- choosing suitable pricing mechanisms
- being an effective client

2. Using the Framework

Scope

MCF3 is for the provision of compliant and cost effective management consultancy described in the [“Consultancy Playbook”](#) as ‘the provision of objective advice relating to strategy, structure, management or operations of an organisation that is outside the ‘business-as-usual’ environment and often includes the identification of options with recommendations or assistance with the implementation of solutions’.

You will need to review the OJEU contract notice and framework specification to ensure your requirements are within the scope of this agreement.

Requirements for contingent labour should be procured through other CCS framework agreements. If your requirements fall outside the scope of this agreement you need to use an alternative route to market. See link to our alternative [CCS agreements](#).

You need to determine the employment status of every off-payroll work irrespective of the contracting route due to IR35 legislation. When using MCF3, if the engagement is a genuine contracted-out service and the management consultant(s) is on the payroll of the supplier then it's likely that IR35 will not apply, however you will still need to do your own checks.

CCS cannot offer advice in relation to IR35 on individual cases. For further information please refer to the links below.

- [“IR35 Guidance for Off-Payroll Working in the Public Sector”](#)
- [HMRC Employment Status Manual Guidance](#)
- [Public Sector Off-payroll Working for Clients](#)

Lot selection

You will need to select the most appropriate lot (detailed below) which best matches your requirement. See the Lot descriptions document to assist you in selecting the most appropriate Lot to meet your requirements. You cannot undertake a further competition across multiple lots.

Lot structure

The Framework has been divided into nine lots:

- Lot 1 - Business
- Lot 2 - Strategy & Policy
- Lot 3 - Complex & Transformation
- Lot 4 - Finance
- Lot 5 - HR
- Lot 6 - Procurement & Supply Chain
- Lot 7 - Health, Social Care & Community
- Lot 8 - Infrastructure including Transport
- Lot 9 - Environmental Sustainability & Socio-Economic Development

Shortlisting suppliers

We have created a [digital filtering tool](#) to help you shortlist suppliers. Select what service(s) you require and the tool will create a list of framework suppliers that can meet your requirements.

Supplier engagement

A key principle of public sector procurement is that all suppliers are treated in a fair and equitable manner. Early engagement with suppliers before you issue your tender documents may assist in the development of a more focused specification.

- If sharing sensitive information you may want the suppliers to sign a non-disclosure agreement (NDA).
- Engage with all suppliers in the chosen Lot to make them aware of the opportunity.
- Issue a request for information (RFI) if you require market intelligence or have a specific question.
- Use the CCS eSourcing portal or your own procurement portal to provide an audit trail.
- Share draft documents (including specification) with all Lot suppliers for feedback.

You need to ensure that you retain control of your requirements and that they are not dictated by suppliers or provide an unfair advantage to one particular supplier.

Specification (statement of requirements)

A clearly written specification will help get the right result for your organisation. It informs suppliers about the services required and enables them to propose a solution.

The specification provides a legal contractual tool which forms an integral part of the call-off contract which will be binding on both parties. Your specification facilitates effective contract management and can be referenced in the case of any disputes between you and the supplier.

When running a further competition, any quality questions should be linked to your specification to ensure supplier responses are relevant to your requirement. Establish high level requirements, for example what do you want to achieve from the suppliers and how will you know that the requirement has been satisfied.

Base location

You need to detail in your tender the base location(s) where the majority of the work will be carried out as the framework rates are inclusive of travel and related expenses to the base location.

Knowledge transfer

Knowledge transfer should be built into any contract to ensure that future reliance on external advice is minimised and the building of internal capability is maximised.

3. Procurement Process

Further Competition

Further Competition is the default route to market, under this framework. See Framework Schedule 7 Call off award procedure for the detailed further competition process.

Direct Award

Under this framework you can direct award in accordance with the process detailed in Framework Schedule 7 Call off award procedure.

You should obtain your own legal advice to ensure direct award is a compliant approach in your specific circumstances.

4. Constructing your tender

Running your Tender

Below is a list of documents you should consider when formulating your tender.

- T2 - Attachment 3 - Statement of requirements
- T3 - Non-disclosure agreement (NDA)
- T5 - Attachment 1 - About the procurement
- T7 - Attachment 2 - How to bid including evaluation criteria
- T8 - Pricing schedule
- Framework schedule 6: Call-off order form and schedules

Templates can be found on the framework web page.

CCS provides free access to our eSourcing portal which enables you to conduct a further competition and provides a fully auditable procurement process. If you wish to use your own internal eSourcing portal you are able to do so.

Quality award questions

You need to develop questions which allow you to assess a supplier's ability to meet your requirements. Whilst there is flexibility in what suppliers can be asked, you should ensure questions are in line with your requirements, forward looking and within the scope of the framework specification.

Quality and price weighting

You need to evaluate supplier responses using the most economically advantageous tender (MEAT) criteria. The criteria and weightings below should be applied to supplier's compliant tenders submitted through the further competition. You can define the sub-criteria, as part of the further competition process.

Criteria	Weighting	Allowable variance	Sub-criteria	Sub-criteria Weighting
Quality includes Social Value	50% minimum	+ 40% (50% to 90%)	Determined by the customer. Examples are, approach to solution, resourcing, mobilisation	Determined by the customer
Price	50% maximum	- 40% (10% to 50%)	Determined by the customer	Determined by the customer

Social value

Take Social Value into account early in the preparation and planning phase of your requirements, and consider how consultants can deliver broader value as part of their bids. Detailed guidance on how to evaluate social value can be found on GOV.UK;

For further information on Social Value see [PPN 06/20](#)

For central government customers a minimum weighting of 10% of the total score for social value should be applied in the procurement to ensure that it carries a heavy enough score to be a differentiating factor in bid evaluation. A higher weighting can be applied if justified.

Timescales

- set a sufficient time limit for the receipt of tenders which takes into account factors such as the complexity of the subject matter, time needed to submit tenders and resource availability
- a minimum of 10 working days should be allowed for a simple requirement and greater for more complex requirements
- when planning the tender period you should ensure that you allow sufficient time and set a deadline for suppliers to ask questions and for you to respond to those questions
- once you have issued your final response to the clarification questions, allow sufficient time for suppliers to consider your responses before they submit their bid. Remember to respond to all bidders with the same information and to anonymise the clarification log.

5. Evaluating your tender

Compliance check

On receipt of tenders a compliance check should be undertaken prior to evaluation to ensure:

- the bid is from the same supplier that is awarded to the framework agreement
- suppliers confirm acceptance of framework and call-off terms and conditions
- all mandatory questions are answered
- all documentation is completed and attached (if applicable) as requested in the tender
- supplier(s) are notified as detailed in your tender document if they have failed the compliance check and that their bid will not be further considered in the procurement
- check the pricing is completed in line with the guidance and there are no missing prices
- ensure framework maximum rates have not been exceeded.
- if a supplier proposes rates higher than the framework maximum or changes to the terms and conditions please notify CCS

Price evaluations and abnormally low tenders

You should evaluate pricing, as defined in the tender. Where a tender price appears to be abnormally low in relation to the requirement, you should seek an explanation of the costs proposed, then assess the information provided. If the evidence does not provide a satisfactory explanation you may be able to reject the tender. Legal advice to be sought prior to rejection.

Post tender clarification

Under public sector procurement regulations post tender negotiation is not permitted. Post tender clarifications may be necessary during tender evaluation where aspects of the bids are unclear or contain minor errors. Where post tender clarification is undertaken this needs to be transparent and auditable. You will need to liaise with your commercial team / legal advisors for further advice.

Quality evaluation

The quality evaluation process must be conducted as detailed in your tender documents. Responses should be scored individually, ideally by three evaluators. You should then undertake a consensus meeting to agree on final scores following a robust conversation of the bid responses to address any anomalies and resolve opposing views. Detailed records should be maintained.

Evaluation report

Once evaluation is completed and the successful supplier identified, you should create an evaluation report and obtain appropriate approval and sign-off before the award of the contract.

6. Awarding your contract

Intention to award

If you elected to include a standstill period (10 calendar days) when you developed your tender then you need to issue, intention to award letters to all suppliers. For further advice please speak to your commercial team / legal advisors.

Award letters (successful and unsuccessful suppliers)

After the standstill period expires (if used) or at time of award, you need to issue an award letter to the successful supplier and an unsuccessful letter to all other suppliers which submitted a bid informing them of the procurement outcome. You should provide feedback to all suppliers on their bids, including the scores and commentary against the evaluation criteria.

Call-off contract

You should populate the call-off order form document with information taken from the successful supplier's tender or response to the statement of requirements for direct award which should include:

- framework name and Lot number
- call-off contract start date
- call-off contract end date
- any potential extension period
- pricing

All parties to the call-off contract should sign the call-off order form.

For information on completing the call-off order form please read "How to use contractual documents" available on the web page.

Contracts Finder

Where a public contract (in excess of £10,000) is awarded, within a reasonable time, you will need to publish on [Contracts Finder](#).

If you are experiencing problems using the Contracts Finder service you can contact our service support team at: ContractsFinder@crownccommercial.gov.uk

7. Managing your contract

Contract management

Following contract award it is important to have a robust contract management process to ensure that suppliers work to the original specification.

Ensure the right resource mix of personnel for example not too many partners or junior staff.

Throughout the contract duration, you need to ensure you are invoiced correctly in line with your contract to ensure the agreed prices have not been exceeded and that payment is not released until the agreed milestones have been achieved.

For further information on contract management please refer to Call-Off Schedule 15 - Call Off Contract Management.

Changing the call-off contract

If you need to change the call off contract see Clause 24 of the Core Terms and use the Joint Schedule 2 - Variation Form.

You may wish to speak with your commercial or legal team for further advice.

Ending the call-off contract

Call-off contracts can be terminated for a variety of reasons as detailed in clause 10 of the core terms.

If you need to end the contract early, follow the exit process detailed in the call-off contract.