Procuring Preservation: hoops, hurdles and processes

Susan Corrigall
Head of Electronic Records Unit
We’re the horrible people who tell you that you can’t do it

NRS Procurement colleague
The Scottish Model of Procurement puts procurement at the heart of Scotland’s economic recovery. It sees procurement as an integral part of policy development and service delivery.

http://www.scotland.gov.uk/Topics/Government/Procurement/about/spd-aims
Procurement

Is the process of buying goods, services and works from external suppliers

Scottish Government Procurement Policy Manual, p 2
NRS Accounts 2012/13

Parliamentary funding £18.7m
Staff costs £13.7m
£5.00m
EU Procurement Directives & other Procurement Regulations (Legal Issues)

EU Procurement Directives
The Public Contracts (Scotland) Regulations 2012
The Public Contracts & Utilities (Scotland) 2012 Amendment Regulations 2009 (Remedies Directive)
Bribery & Corruption Act 2011
Sale of Goods Act 1979
Supply of Goods & Services Act 1982
TUPE 2006
Unfair Contract Terms Act 1977
EC Treaty Obligations

Principles apply to all procurement, regardless of value:
– transparency;
– equal treatment;
– non-discrimination;
– proportionality &
– mutual recognition
Value for money

the optimum combination of whole-life cost and quality (or fitness for purpose) to meet the user’s requirement. Depending on the nature of the contract, whole-life cost may include implementation costs, ongoing operating costs and end-of-life disposal.

Scottish Procurement Policy Handbook, p 18
Preservica

Service ID: 4.G2.0622.001

From: Tessella Limited

£1,200.00

1000 GB/Month

Preservica offers a long-term digital archiving and preservation system without the overheads of procuring a system or supporting the infrastructure. This cloud service is based on the world leading digital preservation system, Safety Deposit Box (SDB), that is used by a number of the world leading digital preservation institutions including the UK National Archives. It is currently deployed in top of Amazon Web Services. In 2011 SDB won the Queen’s Awards for Innovation.

Details

On-boarding process e.g. moving on to the service? Yes
Categorise your service. Search, Un-listed
Web browser interface? Primary
Attachment support? Yes
Separated environments? Yes
Integration with Identity Systems? No
Instant Messaging? No
Solution provides Blogging capabilities? No
How would you categorise the service e.g. Social Media etc? Long-term digital preservation and archiving service

Need help reducing your search results?

Contact us here enquiries@gcloud.cabinet-office.gov.uk
<table>
<thead>
<tr>
<th>Published</th>
<th>Title</th>
<th>Deadline</th>
</tr>
</thead>
<tbody>
<tr>
<td>29/11/2013</td>
<td>UK-Birmingham: back scanning</td>
<td>16 days</td>
</tr>
<tr>
<td>28/11/2013</td>
<td>UK-Birmingham: document scanning</td>
<td>16 days</td>
</tr>
<tr>
<td>27/11/2013</td>
<td>UK-Paisley: Document/Archive Management and Associated Services</td>
<td>PIN</td>
</tr>
<tr>
<td>26/11/2013</td>
<td>United Kingdom-Brighton: Records management</td>
<td>33 days</td>
</tr>
<tr>
<td>19/11/2013</td>
<td>UK-Newport (Wales): Electronic data capture</td>
<td>PIN</td>
</tr>
<tr>
<td>16/11/2013</td>
<td>United Kingdom-London: Metadata transformation services</td>
<td>PIN</td>
</tr>
<tr>
<td>14/11/2013</td>
<td>UK-London: metadata transformation services</td>
<td>20 days</td>
</tr>
<tr>
<td>11/11/2013</td>
<td>IE-Ireland: archiving and records management services</td>
<td>expired</td>
</tr>
</tbody>
</table>
Engagement with suppliers?

• Procurement rules do allow this
  – Explore the market;
  – Obtain indicative costs;
  – Only once specification completed (to avoid bias towards any one supplier);
  – Procurement staff must be informed.

NRS Specification Writing course
The Procurement Journey
**Estimated value of requirement** - What is the anticipated total spend over the lifetime of this requirement? e.g. acquisition cost, ongoing cost, support costs etc.

<table>
<thead>
<tr>
<th>Points</th>
<th>Estimated value of requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Up to £50,000</td>
</tr>
<tr>
<td>2</td>
<td>£50,000 to £350,000</td>
</tr>
<tr>
<td>3</td>
<td>Greater than £350,000</td>
</tr>
</tbody>
</table>

These figures are advice/guidance. You must also consider if your internal policies would require a different level to be applied.

**Potential Risk** - What is the level of risk associated with the delivery of this requirement?

<table>
<thead>
<tr>
<th>Points</th>
<th>Potential risk</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Low</td>
</tr>
<tr>
<td>2</td>
<td>Medium</td>
</tr>
<tr>
<td>3</td>
<td>High</td>
</tr>
</tbody>
</table>

**Adequate Publicity** - Does the requirement need to be advertised e.g. Identify suppliers, or attract suppliers from a wider supply base. Internal policies and procedures and or Public Contract Scotland Regulations SPPN 04 2009 may require you to advertise.

<table>
<thead>
<tr>
<th>Points</th>
<th>Advertising</th>
</tr>
</thead>
<tbody>
<tr>
<td>0</td>
<td>No</td>
</tr>
<tr>
<td>1</td>
<td>Yes</td>
</tr>
</tbody>
</table>

**Determine the Procurement Journey Route** - In order to determine the appropriate Procurement Journey (Route 1, 2 or 3) you should add together the points for each stage and then refer to the table below.

<table>
<thead>
<tr>
<th>Total Score</th>
<th>Route for Procurement Journey</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>Route 1</td>
</tr>
<tr>
<td>3-5</td>
<td>Route 2</td>
</tr>
<tr>
<td>6-7</td>
<td>Route 3</td>
</tr>
</tbody>
</table>
Route 2 & 3 (moderate & high risk) Procurement Journey, [http://www.scotland.gov.uk/Topics/Government/Procurement/buyer-information/spdlowlevel/routetwotoolkit](http://www.scotland.gov.uk/Topics/Government/Procurement/buyer-information/spdlowlevel/routetwotoolkit)
OJEU or not?

Depends on:
- Value of contract
- Nature of organisation
- any policy guidance

Formal thresholds:
- Central gov, supplies/services = £113,057 (€130,000)
- Other public sector, supplies/services = £173,934 (€200,000)

SG policy guidance:
- Advertise in Public Contracts Scotland if value > £50,000
Timings

• Laid out in EU Procurement legislation
• OJEU or not?
Selection and Award criteria

- PQQ – identify suitably qualified and experienced businesses who will be invited to submit a tender
- Quality vs price (% ratio)
- Transparency – publish evaluation criteria
Clarifications

• All bidders must have same opportunity for clarification
Post Tender Negotiations

• Carried out after tenders but before contract award
• Must not trade off between bids
Contract Award

- Public announcement in OJEU within 48 days of award
- Commercially sensitive info excluded eg price
Thank you!

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