



Scottish Procurement Buyer's Guide

**Commodities Reserved for Supported
Businesses**

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Version Control

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1. Foreword and acknowledgements

Scottish Procurement aim to deliver benefits to the people of Scotland through improved value for money for taxpayers, improved goods and services for all our citizens, economic opportunities for Scotland and the integration of disabled and disadvantaged citizens into the workforce. This can be achieved through effective collaboration throughout the procurement cycle.

Scottish Procurement would like to acknowledge the work, support and contribution from all sector representatives. Their input has helped to shape the direction of the project to a successful outcome.

2. Introduction

The key aim of the Commodities Reserved for Supported Businesses Framework is to provide Scottish public sector and third sector bodies (framework public bodies) with a clear path for the purchase of goods and services from Supported Businesses and in so doing support the integration of disabled and disadvantaged citizens into the mainstream workforce.

This guide aims to assist public sector bodies wishing to purchase a range of goods and services from supported businesses through the framework.

The framework is one part of the “blended approach” strategy which seeks to raise the profile of supported businesses across the public sector. This includes encouraging public bodies to reserve their own individual contracts for supported businesses and where appropriate sector specific collaborative solutions.

The guide is not a definitive, technical or legal document and framework public bodies should always seek their own professional technical and legal guidance and advice.

3. Scottish Procurement points of contact:

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Phone: 0141 242 5759
Mobile: 07967 320715
Email: SupportedBusinessesFramework@gov.scot

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Scottish Government, 5 Atlantic Quay, 150 Broomielaw, Glasgow, G2 8LU
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4. Framework overview

Framework period

The framework is for an initial two year period from 10 December 2018 to 9 December 2020, with an option to extend for a maximum period of two years, using two separate 12 month extensions. Call-off contracts placed via the framework will have no constraints on timescales for example, there will be no minimum period.

Number of lots

There are four lots under this framework:

Lot 1 – Furniture and associate products

Lot 2 – Document management

Lot 3 - Personal protective equipment (PPE) and uniforms

Lot 4 - Signage

Entitlement to use the framework

It is the responsibility of any buying organisation wishing to use the framework Agreement to satisfy itself that it is eligible to do so. Entitlement can be established from the terms of the OJEU advert (OJEU reference number [2018/S 143-326359](#): Sections I.4, II.1.5 and VI.3 of the advert refer; copy embedded below). If there is any doubt, legal advice should be sought.

Buyers are reminded of the obligations contained in the [Procurement Reform \(Scotland\) Act 2014](#) in relation to the award of contracts valued equal to or greater than £50,000 including those awarded as a result of an order via the framework.

In particular, Buyers should note that in accordance with [Section 23\(2\)](#) the award of contracts must be publicised on the Public Contracts Scotland website and in accordance with [Section 35](#) contracts must be registered in the contracting authorities “contracts register.

Framework documentation

2. A copy of the framework terms and conditions and the Terms of Supply, are available on our secure [Knowledge Hub Site](#) and within this website, our “Scottish Procurement: Procurement Information Network” group space, which provides information on how to purchase goods and services under Scottish Procurement's contracts and frameworks. The supported business framework documentation, is within the library section of this group space.

Details of the framework agreements for each Lot of this agreement are held with the following part of our [Scottish Government publications](#) web page.

Requests for this documentation and any other queries can also be made via our email: SupportedBusinessesFramework@gov.scot.

Terms and conditions

The framework terms and conditions are subject to Scots Law.

Contract management provisions

Scottish Procurement will be responsible for the active strategic supplier management and customer engagement during the framework lifecycle of the Commodities Reserved for Supported Businesses. This will include the review and revision of contracts using product and market knowledge. This responsibility will extend to include the assessment of processes that address the supplier development of supported businesses.

These processes will also include but will not be limited to, the management of regular framework contractor review meetings, covering escalated issues, KPI's, benchmarking and innovation.

Throughout the framework period and following framework expiry, framework public bodies will be required to manage the day-to-day operational aspects of their contract with the framework contractor.

Management Information to be provided by the framework contractors

Management Information (MI) will be provided by the framework contractor throughout the lifetime of the agreement. Scottish Procurement will monitor and analyse the MI to establish the efficacy of the framework and to help shape any future iterations of supported business frameworks.

5. Framework scope

The Commodities Reserved for Supported Businesses Framework Agreement is intended to deliver a range of goods and services which can be provided by supported businesses. The scope of services will include:

Lot 1: Furniture and associated products

For the supply and/or repair of furniture such as (but not limited to):

- Bedroom furniture
- Office furniture
- Educational / laboratory furniture
- Conference furniture
- Cafe / restaurant furniture
- Kitchen units
- Furnished and student accommodation
- Beds and mattresses

Lot 2: Document management Services

For the supply of document management services such as (but not limited to):

- Document scanning, including preparation, scanning, indexing, encryption, electronic storage and secure disposal of documents
- Secure document storage and retrieval, including the preparation, collection, indexing, storage, retrieval, delivery, secure disposal of documents
- Document management solutions
- All of the above document handling where enhanced handling and security are required

Lot 3: Personal protective equipment and uniforms

For the supply of PPE and uniforms/workwear such as (but not limited to):

- Personal protection equipment
- Specialist workwear and uniforms.

Lot 4: Signage

For the supply of signage goods or services such as (but not limited to):

- Signs (fascia, illuminated, pavement, freestanding, road traffic, safety)
- Displays
- Flat cut and fabricated letters
- Street name plates
- Engraving
- Graphics (window, building)
- Vehicle livery
- Screen printing
- Nameplates

6. Framework agreement suppliers

The Commodities Reserved for Supported Businesses Framework Agreement has the following suppliers, within each of the following good and service provisions Lots.

Lot 1: Furniture and associated products

- Highland Blindcraft
- City Building (Contracts) LLP/RSBi
- Dovetail Enterprises (1993) Ltd.

Lot 2: Document management

- Capture All
- Haven Products Limited

Lot 3: Personal protective equipment and uniforms

- Haven Products Limited

Lot 4 Signage

- Scotland's Bravest Manufacturing Company

Framework agreement suppliers contact details:

Contact details of the framework suppliers are provided at annex B.

7. Call-off procedures

Framework public bodies utilising the framework agreement must adhere to the following procedures when calling off.

A call-off contract can be for a 'single order' or a 'duration contract' for a period of time to cover one or more orders. A call-off contract must be awarded prior to the expiry of the framework. The period of a call-off contract for a 'single order' or a 'duration contract' may continue notwithstanding that the framework agreement has expired or terminated.

It is the responsibility of the framework public body calling off to fully specify their requirements for each individual call-off contract. Specifically, it will be the framework public body's responsibility to identify and specify any statutory or regulatory standards, accreditations or compliances relevant to the goods or services being procured. **There should be no presumption that such standards, accreditations or compliances which are required for any of the four framework lots, are held by framework suppliers.**

Framework public bodies must ensure they complete and execute the Terms of Supply (schedule 5 of the framework agreement can be found by following the process outlined at page 5 of this guidance document, at 'framework documentation') before awarding a call-off contract.

Multi supplier lots

Call-off contracts from multi supplier Lots must be awarded by way of a mini competition.

Lot 1: mini competition (direct award for kitchen units only)

The framework public body should refer to annex A: furniture matrix to identify lot suppliers who have expressed an interest in supplying the furniture type you wish to procure.

In the case of kitchen units only, contracts may be awarded via direct award. The framework public body should contact the supplier using their own order templates and set out their requirements to request a quotation. If a satisfactory response is received then the framework public body should award a contract in line with its internal governance procedures.

For all other furniture types, mini competitions must include all suppliers identified in the matrix. The procedure for carrying out a mini competition will be subject to the anticipated value and complexity of the order and the internal governance procedures of the framework public body calling off and may include such methods as emailed “request for quotes”, the quick quotes system within Public Contracts Scotland (PCS) or Public Contracts Scotland Tender (PCS-T).

Framework public bodies are responsible for fully specifying their requirements. Particular attention should be paid to standards, accreditations or compliances which are specific to this lot (for example, fire retardancy, timber accreditation etc.)

Lot 2: mini competition.

Mini competitions must include all framework suppliers for the lot. The procedure for carrying out a mini competition will be subject to the anticipated value and complexity of the order and the internal governance procedures of the framework public body calling off and may include such methods of emailed “request for quotes”, the quick quotes system within Public Contracts Scotland (PCS) or Public Contracts Scotland Tender (PCS-T).

Framework public bodies are responsible for fully specifying their requirements. Particular attention should be paid to standards, accreditations or compliances which are specific to this lot (for example, data protection, cyber security etc.)

Lot 3: direct award

The framework public body should contact the supplier using their own order templates and set out their requirements to request a quotation. If a satisfactory response is received then the framework public body should award a contract in line with its internal governance procedures.

Framework public bodies are responsible for fully specifying their requirements. Particular attention should be paid to standards, accreditations or compliances which are specific to this lot (for example, impact protection, hearing protection etc.).

Lot 4: direct award

The framework public body should contact the supplier using their own order templates and set out their requirements to request a quotation. If a satisfactory response is received then the framework public body should award a contract in line with its internal governance procedures.

Framework public bodies are responsible for fully specifying their requirements. Particular attention should be paid to standards, accreditations or compliances which are specific to this lot (for example, road safety requirements).

8. Regulated procurements and risk management

All framework public bodies have their own individual procurement risk management processes. The [procurement journey](#) provides guidance at route 2 and route 3 on the level of risk associated with the delivery of a requirement for regulated procurements, as defined in the [Procurement Reform \(Scotland\) Act 2014](#), which are between £50k and the [OJEU Threshold](#) and also above this value for goods and services.

Regularly updated risk management financial reports and cross sectoral market information, is held on each of the suppliers within this framework.

The Scottish Procurement points of contact for this framework (at paragraph 3 of the guidance document) suggest that in line with the best practice guidance within the procurement journey for regulated procurements and above this value, that you consider contacting them at the strategy stage of your future requirements, that will utilise the framework agreement for commodities reserved for supported businesses.

9. Framework benefits

The benefits for public bodies using the framework are:

- Provides comfort to framework public body that framework suppliers have met the Scottish Governments two part test on supported businesses. ([SPPN 04/2017](#) describes the two part test in more detail).
- Supports the development and growth of Supported Businesses and the associated integration of disabled or disadvantaged persons into employment.
- Reduces duplication of procurement activity within the Scottish public sector

10. Frequently asked questions

1. What is a framework agreement?

A framework agreement is a general term for agreements which can be with either single or multiple contractors that set out the terms and conditions under which specific purchases (call-offs) can be made throughout the framework duration.

Scottish Procurement has established this framework agreement with the service providers to ensure organisations may procure their goods and services from Supported Businesses whilst being assured that their procurement is compliant with EU procurement regulations.

In establishing this framework agreement Scottish Procurement carried out a competition in accordance with EU procurement regulations.

Using a framework agreement saves time and money for organisations and ensures that the terms and conditions of their contract with the contractors are robust and follow best practice.

2. What is the framework agreement start date and what is the duration?

The framework will start on 10 December 2018 and will run for a period of two years until 9 December 2020. There are options for two one year extensions which provides an option to extend the framework till 9 December 2022.

3. Who can use the framework?

It is the responsibility of any buying organisation wishing to use the framework agreement to satisfy itself that it is eligible to do so. Entitlement can be established from contract award notice on the [PCS](#) website or the OJEU Notice Number: 2018/S 143-326359

“The framework agreement will be available for use by the Scottish Ministers (including agencies), Scottish Non-Departmental Public Bodies, offices in the Scottish administration which are not ministerial offices, cross-border public authorities within the meaning of section 88(5) of the Scotland Act 1998, the Scotland Office, the Scottish Parliamentary Corporate Body, councils constituted under section 2 of the Local Government etc. (Scotland) Act 1994, the Scottish Fire and Rescue Service, the Scottish Police Authority, Scottish health boards or special health boards, bodies registered as social landlords under the Housing (Scotland) Act 2001, Student Loans Company Limited, the Forestry Commission, the Commissioner of Northern Lighthouse operating as the Northern Lighthouse Board, Equality and Human Rights Commission, Business Stream Ltd, the Business Gateway National Unit at the Convention of Scottish Local Authorities, further or higher education institutions being fundable bodies within the meaning of section 6 of the Further and Higher Education (Scotland) Act 2005, any public body established by or under the Scotland Act 1998 or any Act of the Scottish Parliament, any association of or formed by one or more of the foregoing, bodies financed wholly or mainly by one or more of the foregoing, bodies subject to management supervision by one or more of the foregoing and bodies more than half of the board of directors or members of which, or, in the case of a group of individuals, more than half of those individuals, being appointed by one or more of the foregoing. In addition to the contracting authorities listed, the framework agreement will be available to charities entered on the Scottish Charity Register and voluntary organisations entered on the membership database of the Scottish Council for Voluntary Organisations”.

4. Are the framework terms and conditions subject to Scots law?

Yes.

5. Are framework agreement details distributed to individual organisations?

Scottish Procurement will disseminate relevant information concerning the framework via sectoral Centres of Expertise, who can then cascade to their stakeholders. Framework terms can be accessed via the secure Scottish Procurement [Knowledge Hub](#) site or via your sector representative or by a request for this documentation and any other queries via our email: SupportedBusinessesFramework@gov.scot.

6. What about data protection?

Both you and the service provider are obliged to duly observe all your obligations under the General Data Protection Regulations (GDPR) which arise in connection with the contract. Under the contract, both you and the service provider are asked to take all necessary precautions to ensure that all confidential information is treated as confidential and not disclosed or used other than for the purposes of the contract by your employees, agents or sub-contractors. Particular attention should be given to the data protection implications for call-off contracts awarded under Lot 2 Document Management.

7. Is there a process for providing feedback back into Scottish Procurement on issues and the service provider's performance?

Scottish Procurement is committed to managing, monitoring and developing service provider performance and understanding whether our contracts are delivering and meeting the needs of our customers. Customer feedback is an essential part of this process. Feedback and escalation processes will support the framework and robust Management Information from all service providers will evolve to support the optimal performance of all service providers.

8. Will management information be provided by the framework supplier as part of the framework?

Yes, management information will be provided by the service provider throughout the lifetime of the agreement. Management information will be provided by the framework supplier to both the framework public body and Scottish Procurement on a monthly or quarterly basis as specified.

9. Do I need to run a mini competition?

Yes, in the multi supplier lots call-off contracts must be established using a mini competition. The exact format of the mini-completion however will be a matter for the framework public body and their own governance procedures.

Annex A: furniture service provision matrix

Lot 1 Furniture and Associated Products	Highland Blindcraft	City Building (Contracts) LLP/RSBi	Dovetail Enterprises (1993) Ltd
Bedroom Furniture		✓	✓
Office Furniture		✓	✓
Educational / Laboratory Furniture		✓	✓
Conference Furniture		✓	✓
Café/restaurant Furniture		✓	✓
Kitchen Units		✓	
Furnished and Student accommodation		✓	✓
Beds and mattresses	✓	✓	✓

Annex B: framework supplier contact details

<p>Capture All</p> <p>9 Castings Court Middlefield Ind Est Falkirk FK2 9HQ</p> <p>Contact: Shaun Benfold Email: shaun.benfold@capture-all.co.uk Phone: 01324 670353</p>	<p>City Building (Contracts) LLP/RSBi</p> <p>350 Darnick Street Glasgow G21 4BA</p> <p>Contact: Melanie McGrath Email: bidding@citybuildingglasgow.co.uk Phone: 0141 287 2167</p>
<p>Dovetail Enterprises (1993) Ltd</p> <p>Dunsinane Avenue Dunsinane Industrial Estate Dundee DD2 3QN</p> <p>Contact: Jill Rettie Email: sales@dovetailenterprises.co.uk Phone: 01382 814816</p>	<p>Haven Products Limited</p> <p>325 Govan Road Glasgow G51 2SE</p> <p>Contact: Jamie Lawson Email: jamie.lawson@havenproducts.co.uk Phone: 07971 507 211</p>
<p>Highland Blind Craft</p> <p>39 Ardconnel Street Inverness IV2 3EX</p> <p>Contact: Denise Clark Email: denise@highlandblindcraft.co.uk Phone: 01463 233662</p>	<p>Scotland's Bravest Manufacturing Company</p> <p>Erskine Hospital Estate Bishopton PA7 5PU</p> <p>Contact: Michelle Ferguson Email: michelle.ferguson@scotlandsbravest.org.uk Phone: 01414 710830</p>