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# Scottish Procurement

## ICT Products Web Based & Proprietary Client Devices Framework

**SP-19-013**

### Buyer's Guide

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## **1. Foreword and Acknowledgements**

Scottish Procurement aims to deliver benefits to the people of Scotland through improved value for money for taxpayers, improved goods and services for all our citizens and economic opportunities for Scotland. This is achievable 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**

This guide aims to assist public sector bodies in selecting the most cost effective products from a range of web based and proprietary client devices to suit individual requirements. This document is designed to guide organisations through the selection and ordering process and provide organisations with peace of mind regarding the products purchased through the Web Based & Proprietary Client Devices Framework Agreement.

### **Scottish Procurement Point of Contact**

The Scottish Procurement ICT Products Team are based in The Scottish Government, 5 Atlantic Quay, 150 Broomielaw, Glasgow. G2 8LU. The individual contact details are as follows –

[Bryan Dodds](#)

Senior Portfolio Specialist  
Tel: 0131 244 6290

[Dawn Swan](#)

Senior Portfolio Specialist  
Tel: 0141 242 5595

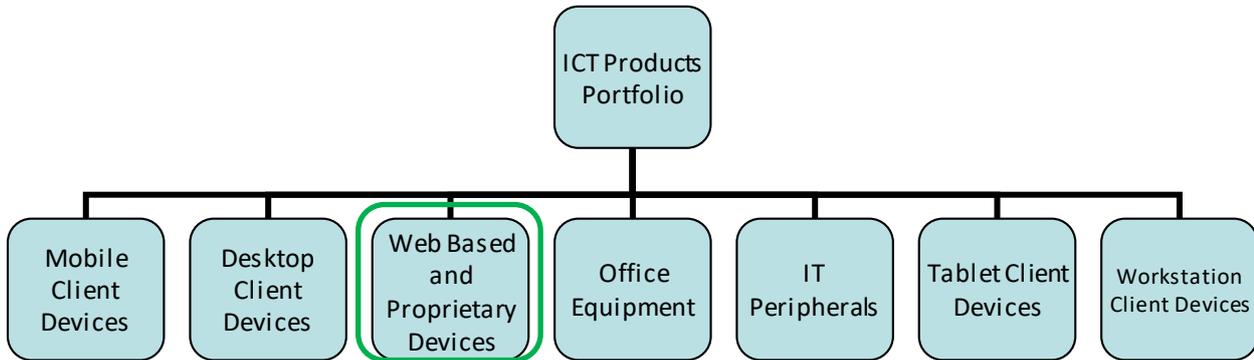
[James Gray](#)

Portfolio Manager  
Tel: 0141 242 5505

## **3. Framework Overview**

The ICT Products Portfolio covers a wide range of ICT products through a number of specific framework agreements, as shown overleaf:

This Buyer's Guide refers to the Web Based & Proprietary Devices Framework highlighted.



Scottish Procurement developed a national approach for the procurement of Web Based & Proprietary Client Devices which resulted in the award of a single supplier Framework Agreement to **XMA Limited (XMA)**.

The Framework commenced on 30 November 2019 and will end on 29 November 2021.

Buyers are reminded of the obligations contained within 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 a framework call-off. In particular, Buyers should note that in accordance with Section 23(2) the award to contracts must be publicised on the Public Contracts Scotland website and in accordance with Section 35 contracts must be registered in the Framework Public Body's "contracts register".

For all ICT Products Frameworks, a Supplier Catalogue is available through the secure [Knowledge Hub](#) site. The "Scottish Procurement: Procurement Information Network" group provides access to the Standard Terms of Supply and further information, including details of products and pricing available. As this is a restricted group, access to the information may be obtained through the Request to Join link within the Knowledge Hub Group.

### **Framework Contractor**

Full contact information for all the XMA Account Management team can be found below:

[Kenny Macniven](#)  
 Framework Manager  
 Tel: 0115 846 4221

[Scott Langan](#)  
 Local Government & Education, Higher & Further Education.  
 Tel: 0115 846 4352

[David Warren](#)  
 Central Government, Higher & Further Education, Health & Blue Light Services.  
 Tel: 0115 846 4217

John Coyle

Non- departmental Public Sector Bodies, Third Sector & Charities.  
Tel: 0115 846 4339

Mark Walker

Local Government & Education, Higher & Further Education  
Tel: 0115 846 4218

Robert Stewart

Local Government & Education, Higher & Further Education  
Tel: 0115 846 4219

Advice

[scotlandsales@xma.co.uk](mailto:scotlandsales@xma.co.uk)

0115 8464100

Orders

[scotlandorders@xma.co.uk](mailto:scotlandorders@xma.co.uk)

0115 8464100

Technical Support and Dead on Arrival (DOA)

[hardwaresupport@xma.co.uk](mailto:hardwaresupport@xma.co.uk)

01727 201850

Customer Services

[customer.services@xma.co.uk](mailto:customer.services@xma.co.uk)

## **Framework Benefits**

The benefits for public bodies using the Framework are:

- The award follows a comprehensive tender exercise, under EU public procurement regulations, and provides an easy route to market for contracting organisations.
- The Framework has secured a diverse range of products, which offers Scottish public sector organisations choice, at market leading prices. In addition, there is a range of competitively priced upgrades, accessories and services, which complement the core devices.
- The Framework will deliver significant cash savings and environmental benefits, including a reduction in carbon emissions through the inclusion of latest environmental and energy efficiency certification.
- The Framework satisfies demand for new and emerging requirements through a process of continuous improvement, throughout the life of the agreement.
- The Framework provides one central point of ordering and contract management covering warranty, insurance, and general supply enquiries.

- The Framework addresses the Scottish Government's and Scottish public sector organisations' aspirations with regard to ethical, social, economic, environmental and sustainability issues (see section below for further details)

## **Devices**

- Savings: The product pricing is significantly lower than current market pricing.
- Ease of Use: This award follows a comprehensive tender exercise, under EU public procurement regulations, and provides an easy route to market for contracting organisations.
- Fixed pricing: Pricing is agreed for the duration of the framework, providing budget certainty for public bodies.
- Product range: To provide flexibility and choice, the products are supplemented by a menu of upgrades, downgrades, accessories and services.
- Coverage: The framework is available to all Scottish public sector contracting authorities, regardless of size or geographical location.
- Transactional efficiencies: The framework focusses on eProcurement, increasing transactional efficiencies for end users.

## **Climate & Sustainability**

One of the key priorities for Scottish Procurement is to embed sustainability into all activities, taking the climate emergency seriously. As part of this Framework agreement the supplier has committed to the following environmental, social and fair work benefits:

- Energy Efficiency: All products are required to meet or exceed the minimum energy efficiency standards detailed in the minimum specification, based on Energy Star. Documentation has been supplied and verified to support the Energy Star accreditation.
- Product Lifecycle: All products are required to meet or exceed the minimum of Electronic Product Environmental Assessment Tool (EPEAT) Gold (Proprietary) or Silver (Web based) compliance, with documentation supplied by the manufacturer to support this.
- Management of Delivery Fleet: All deliveries should be managed in order to minimise emissions, including the use of efficient logistics, full loads and driver training. The supplier is required to monitor and report on the fleets' efficiency on a regular basis over the term of the framework.
- Innovative Packaging: To embed a focus on waste minimisation and a more circular approach, packaging specification included:

- Minimising waste through the principles of sustainably sourced materials as well as reduction, re-use and recycling methods, such as the use of creative packaging design and re-usable packaging such as unboxed palletised packaging.
  - Adherence to all EU packaging and waste regulations and ensuring that plastics used do not include halogen containing polymers .
  - Recycled materials, with packaging containing a minimum of 50% recycled content.
- End of Life Management: The framework aims to extend the products useful life while ensuring compliance with the Waste Electrical and Electronic Equipment (WEEE Directive) and data security requirements
  - Social and Ethical Responsibility: Ensuring all goods supplied under the framework are produced in accordance with all International Labour Organisation (ILO) conventions that have been ratified by the country of their origin, in particular, labour standards, working conditions and the use of child labour.
  - Workforce Matters: including the empowerment and training of employees, committed to fair work practices including no forced zero-hours contracts and a commitment to paying a living wage.
  - Community Benefits: XMA are committed to investing in Scotland and examples of community benefits are –
    - Professional development for education community – over 500 sessions delivered to 5000 attendees
    - Digital inclusion training for parents and family, delivered in tandem with professional development
    - Support and Sponsorship at local events – Youth Football teams and University Clubs
    - Charity work with local organisations
    - Framework discounts made available to family through easy Ecommerce solution

The following links provide further information on the Scottish Governments approach to Sustainable Developments and Community Benefits:

<https://www2.gov.scot/resource/doc/47121/0020703.pdf>

<https://www.gov.scot/policies/public-sector-procurement/community-benefits-in-procurement/>

#### **4. Supplementary Information**

As this is a single supplier framework, there is only a Direct Award route to market and no further competition is required.

In either case, the Standard Terms of Supply (Schedule 5) should be referenced when placing an order, and form the basis of the contract arrangements.

Full details on buying from a framework are detailed in [SPPN 5 2010](#) and further guidance on completing the Schedule 5 are available on the “Scottish Procurement: Procurement Information Network” group on the secure [Knowledge Hub](#) site.

## Placing an Order

Orders can be placed by fax, post and [e-mail](#) to the XMA contacts provided. Please ensure the following details, as a minimum, are included on all Purchase Orders:

- Device Make and Model
- Part Number
- Price
- Quantity
- Purchase Order Number
- Full Delivery Address
- Framework Reference: SP-19-013
- Contact Details
- Date
- Any Additional Services required

## eCommerce

The preferred method for placing Orders is directly through the [XMA Store](#). Full training can be provided where required. The training can be carried out via a virtual classroom or in person at a customer site. Basic training typically takes 30 minutes and will enable customers to then place orders online, configure products and then check and track orders once placed.

New users should contact your Framework Account Manager to discuss your individual eCommerce requirements or you can self-register [here](#). A Supplier Catalogue is available directly from XMA or via the “Scottish Procurement: Procurement Information Network” group on the secure [Knowledge Hub](#) site.

## Turnaround times

Please find the delivery turnaround times below:

- Standard Web Based & Proprietary Devices (no changes to base specification) - 10 Working Days
- Non Standard Web Based & Proprietary Devices (with any upgrades or downgrades from base specification) – 15 Working Days

## Product Range

Full details of the range can be accessed from the supplier catalogues held on the “Scottish Procurement: Procurement Information Network” group on the secure [Knowledge Hub](#) site.

## Warehousing & Tailored Services

XMA can offer a number of services to assist in the deployment of mobile devices in your school or institution. They can asset tag or laser etch (minimum 10 units) your devices with asset numbers and your institution’s logo, pre-configure your devices with applications and settings and store your device in our bonded warehouse for staged rollouts. Please contact your Account Manager for further information.

Scottish Procurement have also negotiated firm pricing for the following additional services. Use of these services is optional.

Service	Service Description
Chromebook Pre-provisioning	Pre-enrolment of the devices to the organisations Google Apps Domain enabling plug and play and zero-touch deployment, straight out of the box.
XMA Quick Start Google Deployment	<ul style="list-style-type: none"><li>• Domain verification and signup (XMA will assist in verifying the registration of your domain account and handle the signup procedure)</li><li>• Domain Setup following Google's best practice design</li><li>• User account and group provisioning (A fast track process to create accounts for staff/students to allow them to quickly access Google Apps in a secure environment)</li><li>• Google Apps core service configuration (A workshop / survey process to identify the core service configuration for the organisation that will determine the initial deployment)</li><li>• Mail Integration (XMA will provide options for email migration to ensure a seamless migration to Gmail)</li><li>• Google Classroom Setup (Classroom is an exciting new feature that is designed to help teachers create and collect assignments paperlessly).</li></ul>

## Services (Proprietary)

Scottish Procurement have also negotiated firm pricing for the following additional services. Use of these services is optional.

- Imaging
- Asset Tagging
- Installation

## Warranty

### XMA Framework Warranty Cover

Every device offered on the framework includes a collect and return warranty managed, on behalf of framework customers with the vendors, by XMA.

That means if something goes wrong that the supplier can't help you with over the phone, they will arrange to have the device collected, repaired and returned to you.

If a problem develops with any device purchased through the framework, call the XMA help desk on the number below. The supplier may ask you to perform some basic troubleshooting that could get you back up and running immediately, but you should have the following information to hand:

- Serial number of the faulty unit
- Location of the faulty unit
- Description of the fault
- Contact Details

Call: 01727 201 850 Monday to Friday: 08.00 - 18.00 Visit: [www.xma.co.uk/hardwaresupport](http://www.xma.co.uk/hardwaresupport)  
If you prefer to e-mail with details of the problem, use the address below:

Email: [hardwaresupport@xma.co.uk](mailto:hardwaresupport@xma.co.uk)

These details should also be used to report any devices that are Dead On Arrival (DOA) i.e. they do not function as expected out of the box, within 30 days of delivery.

### Standard Warranty Cover

The standard warranty cover offered is very similar across all of the major vendors, although there are some small difference in terms of the length of service offered as standard. The supplier aims to complete repairs within 7 business days, but this is subject to availability of parts and identification of intermittent failures. Enhanced offerings are available on all devices – please speak to your XMA account manager for more details

## Apple Devices

What is covered by standard warranty?

- Any hardware failure or defect under conditions of normal use during the 1 year life of the limited warranty or the additional 3 year life (total of 4 years) of the XMA extended warranty
- A battery which has depleted to less than 50% of its capacity

- Any manufacturer options or accessories sold as standard at the original point of sale and which are specifically designed and authorized for the device under cover for the 1 year life of the limited warranty

### **What is not covered by warranty?**

- A battery that has a reduced capacity but still holding more than 50% of its charge
- Damage to the machine or lack of functionality caused by fluid or accidental damage
- Cosmetic damage
- Accessories, Software and applications other than where exclusively supported by the manufacturer under their standard warranty

## **Microsoft Devices**

### **What is covered by standard warranty?**

- Any hardware failure or defect under conditions of normal use during the 1 year life of the limited warranty
- A battery which has depleted to less than 50% of its capacity
- Any manufacturer options or accessories sold as standard at the original point of sale and which are specifically designed and authorized for the device under cover

### **What is not covered by warranty?**

- A battery that has a reduced capacity but still holding more than 50% of its charge
- Damage to the machine or lack of functionality caused by fluid or accidental damage
- Cosmetic damage
- Accessories, Software and applications other than where exclusively supported by the manufacturer under their standard warranty

## 5. Frequently Asked Questions

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 entered into this framework agreement with a single contractor to ensure organisations may obtain value for money in their purchasing 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.

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

The Framework commenced on 30 November 2019. The duration of the framework is two years, with the option to extend for a further two years.

2. 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 the terms of the Official Journal of the European Union (OJEU) advert (OJEU reference number: [2019/S 239-586175](#). Section III.5 of the advert refer; copy embedded below).

“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, Scottish Fire & Rescue Service, the Scottish Police Authority, Scottish health boards or special health boards, all NHS Scotland, The Integrated Joint Boards established further to the Public Bodies (Joint Working) Act 2014, 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 of 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.”

Guidance on this can be found in Annex A of Scottish Government Guidance on Framework Agreements. If there is any doubt, legal advice should be sought.

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

Yes.

4. Are framework agreement details distributed to individual organisations?

Scottish Procurement will disseminate relevant information concerning the framework via sectoral Centres of Expertise, who then cascade to their stakeholders. Framework terms can be accessed via the “Scottish Procurement: Procurement Information Network” group on the secure [Knowledge Hub](#) site or via your sector representative.

5. How will my contract be formed?

Your contract will be based on the Standard Terms of Supply (Schedule 5), which have been constructed by Scottish Procurement and which forms part of the framework agreement between Scottish Procurement and the contractor awarded a place on the framework. This will be amended to reflect the individual customer organisation, contractor, reference numbers, dates, etc. Specific requirements or variations will be recorded in the supporting schedules. It will constitute the entire agreement between you and the contractor relating to the services ordered.

6. What about data protection?

Both you and the contractor are obliged to duly observe all your obligations under the Data Protection Regulations which arise in connection with the contract. Under the contract, both you and the contractor 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. Please refer to the Data Protection clause in the Standard Terms of Supply (Schedule 5) for further details.

7. What if I want to amend a contract?

If you or the contractor wish to amend the contract, such amendments must be agreed between you both and formally amended in accordance with the Change Control procedures. The contract may be amended only by the written agreement of both parties. Accordingly, the service provider may not unilaterally amend the contract. Care should be taken when considering amendments to the contract that any amendment would not substantially alter the terms and conditions to such an extent that it could be alleged that the contract is no longer conformant with the framework agreement and therefore not compliant with EU Directives.

### **Service and management provisions**

8. Can we dictate what products and/or services we can purchase from the contractor?

Organisations can only select the products and services that are in scope for this framework.

9. Can we see the full specification for the service?

Yes. The specification and service levels schedule is available. Both of these can be accessed via the “Scottish Procurement: Procurement Information Network” group on the secure [Knowledge Hub](#) site or your sector representative.

10. What are the contract management provisions?

The framework will be managed overall by Scottish Procurement, who will be responsible for regular Contractor review meetings covering escalated issues, key performance indicators (KPIs), benchmarking and innovation. Organisations will be required to manage the day-to-day operational aspects of their contract with their contractor. Please see Schedule 4 – Management Arrangements. This can be accessed via the “Scottish Procurement: Procurement Information Network” group on the secure [Knowledge Hub](#) site or via your sector representative.

11. Is there a process for providing feedback back into Scottish Procurement on issues and the contractors performance?

Scottish Procurement is committed to managing, monitoring and developing contractor performance and understanding whether our contracts are delivering and meeting the needs of our customers and customer feedback is an essential part of the process. It is proposed that a balance scorecard will be utilised to monitor performance. Feedback and escalation processes will support the framework and robust Management Information from all contractors will cover several performance measures.

12. Will a copy of the contractor's catalogue be available?

Yes - it will be available from via the "Scottish Procurement: Procurement Information Network" group on the secure [Knowledge Hub](#) site.

13. Will management information be provided by contractors as part of the framework?

Yes, management information will be provided by contractors throughout the lifetime of the agreement. Management information will be provided to Scottish Procurement on a quarterly basis as specified.

14. Are there performance related criteria in the new framework?

As part of the overarching terms and conditions target key performance indicators (KPI) have been agreed.

15. Does the framework allow for community benefits?

'Community benefits' are social considerations which include not only targeted recruitment and training, but also equal opportunities, training for the existing workforce, supply-chain initiatives, community consultation, 'considerate contractor' schemes, contributions to education, the promotion of social enterprises, and resources for community initiatives. Bidders were asked within the tender to provide details of any quantifiable wider community benefit they will bring to the framework through their approach to the delivery of Web Based and Proprietary Client Devices.

Whilst not necessarily linked to the framework the contractors provide community benefits as organisations in the form of;

- Graduate programmes
- Apprenticeship programmes
- Partnership with local training organisations
- Volunteering activities
- Staff development and training
- Sponsoring of local sports teams and groups

16. Does the Framework consider Workforce Matters?

For more information on 'Workforce matters' please see the attached Scottish Procurement Policy Note [SPPN 1/2015](#).

## Award process

19. Do I need to run a mini competition?

No, the only route to market for a single contractor framework is through Direct Award. For high volume requirements, it is possible to request a quote from the contractor, who may be able to provide a better price than the published framework price.

More detail can be found in Schedule 3 – Award and Order Schedule. This can be accessed via the “Scottish Procurement: Procurement Information Network” group on the secure [Knowledge Hub](#) site or via your sector representative.

## Pricing and invoicing arrangements

23. How long is pricing held for?

Pricing shall remain fixed for the term of the Framework Agreement except where:

- the exchange rate has increased or reduced by more than an average of 5% over a 6 month period, a price review has been proposed and a price adjustment has been approved by the Authority,
- the Contractor, at their sole discretion, reduces the price, or
- the Authority has provided the Contractor with Benchmarked prices in accordance with the Schedule 2, Price and Product Listing of the Framework Agreement

24. I am a small organisation can I still benefit from these prices?

Yes, the contractors published framework pricing is available to all organisations regardless of size. The prices provided are the maximum price any customer organisation using the framework agreement would expect to pay when making a call-off from this agreement.

25. How can I easily compare the prices on this framework with what I am currently paying?

A Contractor Catalogue containing further details, including pricing, is available on via the “Scottish Procurement: Procurement Information Network” group on the secure [Knowledge Hub](#) site.

26. What are the invoicing arrangements?

Contractors have been asked to provide eInvoicing and you must pay all sums due to the Contractor within 30 days of receipt of a valid invoice.

Interest is payable on the late payment of any undisputed sums of money in accordance with the Late Payment of Commercial Debts (Interest) Act 1998.

Further details can be found within the Standard Terms of Supply (Schedule 5) at section 14 - Payment and Invoicing.