



## London Procurement Partnership

*Commercial advantage for the NHS by the NHS*



### **Estates, Facilities & Professional Services**

Apprenticeship Training Providers DPS User Guide

DPS Reference Number: LPP/2017/005

OJEU Reference: - 2017/S 041-074961

August 2017

## Version Control

Contributor(s)	Date	Version	Comments
<b>Edward James</b>	01/04/2015	0.1	Draft layout for population
<b>Laura Whitworth</b>	06/03/2017	0.2	First draft population
<b>Laura Whitworth</b>	10/04/2017	0.3	Added Annex 1, Summary of Stage 1 Evaluation
<b>Laura Whitworth</b>	11/05/2017	0.4	Amendment to Annex 1
<b>Laura Whitworth</b>	18/07/2017	0.5	Amendment to Annex 1
<b>Mark Fox</b>	04/08/2017	0.6	Amendment to table 1.3
<b>Laura Whitworth</b>	14/09/2017	0.7	Amendment to Annex 1 and contact details
<b>Laura Whitworth</b>	10/01/2018	0.8	Amendment to Lot structure to reflect addition of new categories
<b>Laura Whitworth</b>	29/03/2018	0.9	Amendment to table at Annex 1 to reflect change to using 16/17 success rates

## Contact Details

### Laura Whitworth

Senior Category Manager

NHS London Procurement Partnership  
200 Great Dover Street  
London SE1 4YB

Telephone 0207 188 8122  
Email [laura.whitworth@lpp.nhs.uk](mailto:laura.whitworth@lpp.nhs.uk)  
Web [www.lpp.nhs.uk](http://www.lpp.nhs.uk)

## Contents

1. Introduction.....	5
1.1 Key Information.....	5
1.2 Background.....	5
1.3 Overview & Lot Structure .....	6
1.4 Pricing.....	7
1.5 Suppliers on the DPS.....	8
1.6 Expected Benefits .....	9
1.7 Awarding a Contract .....	9
2. Management of the Dynamic Purchasing System.....	10
2.1 DPS Contracts .....	10
2.2 Activity Based Income (ABI).....	10
2.3 Management Information .....	10
2.4 DPS Manager .....	10
2.5 Business Continuity Plans.....	10
3. Accessing the DPS .....	11
3.1 DPS Access.....	11
3.2 Benefits of Accessing a DPS .....	11
3.3 DPS Charges.....	11
3.4 Customer Access Agreement (CAA).....	11
4. Running a Mini-Competition or Call-Off.....	12
4.1 Establishing a Project Team .....	12
4.2 Key Decisions and Actions.....	12
4.3 Undertaking a Mini Competition .....	12
4.4 Evaluation Criteria.....	15
4.5 Undertaking a Direct Order .....	15
4.6 Transition, Planning and Support.....	15
4.7 Managing the Contract.....	15
4.8 Key Performance Indicators.....	15
5. Frequently Asked Questions .....	17
5.1 What is a DPS and is it compulsory to join?.....	17
5.2 If a supplier is not on the DPS can they still take part?.....	17
5.3 Do I need to invite all suppliers to a mini competition? .....	17
5.4 How long does a mini competition need to run for?.....	17

**London Procurement Partnership**

5.5	Do I have to apply a stand still period to a mini competition? .....	17
6.	Appendices .....	18
6.1	Appendix A – Supplier List by Lot .....	18
6.2	Appendix B – Supplier Contacts.....	19
6.3	Appendix C – Responsibilities Matrix .....	20
6.4	Appendix D – Customer Access Agreement (CAA).....	21
6.5	Appendix E – Mini Competition Documentation .....	24
6.6	Annex 1 – Summary of DPS Stage 1 Evaluation.....	25

## 1. Introduction

This user guide is intended to provide information about the Dynamic Purchasing System “DPS” for the procurement of Apprenticeship Training Providers owned by NHS London Procurement Partnership and to provide practical support to contracting authorities who wish to access the DPS to award contracts.

Please note that the guidance provided within this document only applies to this DPS and contracting authorities should ensure they refer to the guidance document which is relevant to the DPS/framework they wish to access to ensure that the right processes are being followed.

Procurement teams should be involved in the decision to access the DPS to ensure that the decision fits with local procurement policies and contracting authorities’ standing financial instructions.

### 1.1 Key Information

DPS Title	DPS for the Procurement of Apprenticeship Training Providers
OJEU Reference Number	2017/S 041-074961
Agreement Reference Number	LPP/2017/005
DPS Period	03/04/2017 – 27/09/2020 with extensions allowed as per the Public Contract Regulations 2015

### 1.2 Background

In April 2017 the way the government funds apprenticeships in England is changing with employers with a pay bill over £3 million per annum being required to contribute to a new apprenticeship levy. The levy, which equates to 0.5% of the employer’s pay bill, will be deducted through the PAYE process, with the government topping-up the levy funds by 10%. From the 1<sup>st</sup> May 2017, employers can begin to utilise their levy funds to cover the costs of apprenticeship training, assessment and certification. It is anticipated that this change will lead to an increase in the number of apprenticeship placements both within the NHS and the public sector as a whole.

Public sector organisations, including the NHS, will need to comply with the Public Contract Regulations 2015 when selecting a provider/assessment organisation, as well as adhering to their own organisational Standing Financial Instructions.

The supplier market is diverse with many SME’s and local educational providers delivering the services. Additionally, there are on-going changes in the type of apprenticeship schemes available and the levels of qualification within the schemes.

### London Procurement Partnership

A DPS can streamline procurement for both suppliers and authorities and provides flexibility, particularly as suppliers may join it at any time during its period of validity, meaning that they are not locked out as they are with traditional frameworks. It is an electronic system, allowing Contracting Authorities to consult a large number of potential suppliers whose capabilities have already been verified through the establishment of the DPS.

These factors led LPP to establish a DPS for the Procurement of Apprenticeship Training Providers (rather than a traditional framework). The procurement followed the restricted procedure as directed by the Public Contracts Regulations 2015. Interested bidders were invited to select which apprenticeship schemes and regions under the DPS they wished to bid for and to complete a pre-qualification questionnaire to evaluate compliance to mandatory and discretionary exclusion criteria and technical and professional ability. Bidders who met the pre-qualification requirements were awarded on to the relevant lots of the DPS.

### 1.3 Overview & Lot Structure

The DPS provides a compliant and potentially quick, route to market to procure apprenticeship training providers for one or more apprenticeship schemes within a geographical region(s), which allows Contracting Authorities a choice of how best to approach the market. The DPS has multiple categories and regions as indicated below:

Apprenticeship Scheme Categories	
Adult Care (health & social care)	Healthcare Science
AHP Support	Healthcare Support Worker (clinical healthcare support)
Business Administration	Healthcare Support Services
Children's & Young People Workforce	Hospitality and Catering
Customer Services	HR & Recruitment
Dental Nurses	Leadership & Management
Digital Degree/Masters	Management Degree/Masters
Digital Marketing (social and digital media)	Maternity & Paediatric Support
Digital Services (IT, data analysis)	Network Engineer (IT Professionals)

### London Procurement Partnership

Education and Training	Nursing Associate
English & Maths Functional Skills	Peri-operative Support
Events Assistant	Pharmacy Services
Facilities Management	Procurement
Finance & Accountancy	Project Management
Healthcare Assistant Practitioner	Registered Nurse Degree
	Service Improvement

Regions	
East of England	South London
East Midlands	South West
Kent, Surrey & Sussex	Thames Valley
North Central & East London	Wessex
North East	West Midlands
North West	Yorkshire & The Humber
North West London	

The engagement of an End Point Assessment Organisation for Contracting Authorities who are registered as Employer Providers is also in scope of the DPS. A list of End Point Assessment Organisations who have been successfully awarded to the DPS is available separately.

#### 1.4 Pricing

Under a DPS no commercial information is obtained until the further competition stage. Contracting Authorities will further define their specifications for each apprenticeship to be included in the competition and will issue pricing schedules to the bidders based on their tailored specifications.

Template pricing schedules have been built by NHS LPP, with suggested weightings. Contracting authorities are free to amend these to suit individual requirements.

#### Funding Caps



## London Procurement Partnership

The total contract price for each apprenticeship will need to include the costs of training and assessment. For standards this must include the cost of the end-point assessment which should be agreed within the overall price as part of the mini competition (expected to be no more than 20% of the total agreed price for the delivery of the apprenticeship training and assessment). Each apprenticeship standard/framework is allocated to a certain banding with an associated funding cap. As part of the price assessment within a further competition, suppliers will be asked to submit pricing that does not exceed the funding cap for the particular band. Contracting Authorities should note that if they do agree prices in excess of the caps then funds from the Digital Service Account cannot be used to cover the excess and Contracting Authorities will have to cover the balance.

### 1.5 Suppliers on the DPS

The Public Contracts Regulations 2015 contain new requirements in relation to the use of Pre Qualification Questionnaires, for both above and below EU thresholds. The new requirements aim to ensure a simpler and more consistent approach to selection across the whole of the public sector, removing some of the bureaucracy and barriers which make it difficult for businesses, in particular small to medium enterprises, to access public sector contracts.

All suppliers who have been awarded on to the DPS have already passed the first stage, the pre-qualification questionnaire (PQQ). This initial DPS set-up phase only covers the following areas:

- Supplier Information
- Exclusion & Selection criteria (as set out in Regulations 57-64 of the PCR 2015) including insurances.
- Economic & Financial Standing
- Technical & Professional Ability. Including: -
  - Ofsted grading
  - Registration with the Information Commissioner's Office
  - Safeguarding
  - Equality & Diversity
  - Health & Safety
  - Intention & capability to supply
- Agreement to NHS Terms and Conditions for the supply of services

Evidence of economic and financial standing has been obtained for each supplier, prior to award of contract and will be held on file by NHS LPP. Contracting Authorities may wish to use this information to assure themselves that the financial standing of the organisation is adequate to support the awarded contract, although every supplier awarded to the Skills Funding Agency register has already been through an economic and financial assessment so Contracting Authorities may consider further evaluation of economic and financial standing to be unnecessary.

Contracting Authorities should note that there is no minimum score required for suppliers to be awarded on to the DPS.



## London Procurement Partnership

Contracting Authorities should take steps to satisfy themselves that all suppliers being invited to compete in a mini competition are currently listed on the Skills Funding Agency register (RoATP) and have Main Provider status.

### 1.6 Expected Benefits

#### Benefits for Contracting Authorities

- Shortened procurement time as advertisement in OJEU and PQQ stage has already been undertaken. No further advertisement is necessary.
- Encourages competition as it is easier for local providers to get on to the DPS and join at any time during its period of validity.
- Contracting authorities can undertake a further competition with a group of pre-qualified bidders with all qualification documentation held centrally by the LPP.
- Award of individual tenders can be quicker than under some other procedures. The minimum time limit for return of tenders is 10 days.
- Award criteria can be formulated more precisely for specific local contracts.

#### Benefits for Suppliers

- Suppliers don't have to demonstrate suitability and capability every time they wish to compete for a public sector contract.
- Supplier may join the DPS at any time during its period of validity so they are not "locked out".
- More accessible for SMEs.
- Award of individual tenders can be quicker than under some other procedures.

### 1.7 Awarding a Contract

To award a contract under this DPS all Contracting Authorities must run a further competition procedure based on individually defined evaluation criteria, and in accordance with the DPS terms and conditions and the relevant procurement regulations. **There is no option for direct call-off.**

Instructions on how to access the DPS and undertake a further competition are contained in section 4 below.

Contracts that are awarded will be between the Service Provider and the named Authority.

## 2. Management of the Dynamic Purchasing System

### 2.1 DPS Contracts

All suppliers who have been awarded a position on this DPS have signed DPS contracts with LPP. LPP are responsible for the management of the DPS contracts and will seek feedback from Contracting Authorities to ensure maximum value is derived from the DPS.

### 2.2 Activity Based Income (ABI)

This framework has been established with an Activity Based Income (ABI) charge of 1%. Each supplier will pay the ABI charge for all contracts awarded under the framework. Any pricing provided by suppliers will be inclusive of this charge.

### 2.3 Management Information

LPP will collect on a monthly basis, management information from each supplier for each contract they have been awarded under the DPS. This management information will be available to view through the my.LPP system to allow for spend analysis and monthly reporting.

### 2.4 DPS Manager

Contracting Authorities who have any questions regarding the DPS should contact the DPS manager at LPP in the first instance. This is the person identified on page 2 of this document.

### 2.5 Business Continuity Plans

LPP strongly suggests that Contracting authorities request as part of their mini competition specific business continuity plans relating to their service and location so these can be retained for the successful contractor.

### 3. Accessing the DPS

#### 3.1 DPS Access

This DPS is open to LPP members. Other Public sector organisations who wish to use the DPS can do so with prior agreement from LPP. By virtue of the NHS Commercial Procurement Collaborative, members of the East of England NHS Collaborative Procurement Hub, NHS Commercial Solutions and NHS North of England Commercial Procurement Collaborative, also have free of charge access to the DPS.

#### 3.2 Benefits of Accessing a DPS

There are a number of benefits of awarding contracts under a DPS, these include:

- It is faster and less onerous than a full OJEU tender process. After the DPS has been established, contracting authorities can award local contracts with a minimum timescale for return of tenders being 10 days.
- There is no need to assess DPS suppliers against criteria such as financial standing or business probity as these have been assessed during the PQQ stage of the DPS establishment.
- By using the DPS there is no need for you to separately advertise your requirement.
- The DPS is based on generic service specifications which Contracting Authorities can adapt to meet their specific requirements.
- The terms and conditions of the DPS agreement and call off contracts have already been agreed with all DPS suppliers therefore no further legal dialogue is required.
- By following these guidelines you can ensure that you are adhering to EU Procurement legislation.

#### 3.3 DPS Charges

There is no charge for Contracting Authorities to access this DPS agreement other than any membership fees.

Appendix C sets out the key responsibilities of each party during the DPS further competition process. Should a Contracting Authority wish for NHS LPP to provide additional support over and above what is shown in this document, then NHS LPP reserves the right to charge for these additional services. This will be discussed and agreed with each Contracting Authority on a case by case basis.

#### 3.4 Customer Access Agreement (CAA)

Contracting Authorities wishing to access this DPS to run a further competition should complete the Customer Access Agreement (CAA) in Appendix D and send this to the category manager. Once this has been completed the category manager will provide the Contracting Authority with access to the mini competition documents as appropriate. Suppliers on the DPS will not enter contracts under this DPS with any Contracting Authority until the category manager has confirmed a signed access agreement is in place.

## 4. Running a Mini-Competition or Call-Off

### 4.1 Establishing a Project Team

Contracting Authorities will need to establish a project team which is responsible for supporting the award of the new contract. This project team should include key stakeholders from across the organisation who can input into the specification and evaluate the quality of responses from suppliers under the DPS.

The project team should be supported by a project lead who is responsible for ensuring the project is supported by the Contracting Authority's board and managing the implementation of the new contract.

LPP will liaise with the project lead as per the responsibilities matrix in Appendix C. If the Contracting Authority does not have the resource to undertake this internally then LPP can provide support but this may come at an additional cost. If this is required then you should contact the category manager to discuss further.

### 4.2 Key Decisions and Actions

By deciding to award a contract under the DPS agreement much of the hard work has already been completed which should save the Contracting Authority time and money. A suite of mini-competition documents are available which can be tailored by the Contracting Authority to meet their specific requirements.

The key decisions and actions which will need to be completed by the Contracting Authority to award a contract under the DPS via running a mini-competition are set out in the responsibilities matrix in Appendix C.

It is the Contracting Authority's responsibility to validate the data being sent out as part of the mini competition, check the evaluation of all bids and award the contract under the DPS.

### 4.3 Undertaking a Mini Competition

To undertake a mini competition under the DPS the Contracting Authority should refer to the responsibilities matrix in Appendix C and complete the Customer Access Agreement (CAA) in Appendix D. Once this is received by NHS LPP access to the DPS documents will be provided through the my.lpp portal to registered users.

The Contracting Authority can use the mini competition template documents but will need to refine and agree the specification of services and should build upon the generic specifications provided to ensure that their specification meets the service needs. The Contracting Authority will also need to review the template pricing schedule templates to ensure they are relevant to local specifications.

The Contracting Authority must also note that the mini competition process must be based on the evaluation criteria of:

## London Procurement Partnership

- i. quality (a template mini competition response document is available which individual Contracting Authorities should adapt to meet their local requirements); and
- ii. price.

The information which is required from the Contracting Authority in each document set to issue to bidders is:

### 1. Invitation to Tender (Further Competition) Instructions

This document sets out the instructions for the bidders on how to complete and respond to the mini competition. The Contracting Authority will need to insert its award criteria and weightings, enter the contract period and complete the project plan. Contracting Authorities using their own e-procurement systems to run the mini-competition will need to change the instructions to reflect their own systems.

### 2. ITT Response Template

This document identifies the questions that you will be asking bidders to respond to. All questions should clearly show how they are linked to the award criteria and any word limits that bidders will be asked to adhere to. Remember you should not re-evaluate areas already evaluated at PQQ stage (such as financial standing) or compliance with mandatory and discretionary exclusion criteria. You also should not ask for evidence of standard documentation such as bidder's insurance policies, ISO accreditations etc. as these were requested from bidders at the PQQ stage and will be held centrally by NHS LPP. If a Contracting Authority wishes to confirm which documentation was requested from bidders at PQQ stage they should contact the Category Manager.

After evaluation but before award of a contract under the DPS, the Contracting Authority should contact the Category Manager and request that all such documentation for the winning bidder is checked for compliance (i.e. supplier still has valid insurance etc.) It is the responsibility of suppliers awarded to the DPS to ensure up to date certification/documents are being held by LPP.

The mini competition response document can either be uploaded as an attachment or the questions input directly in to the Due North eTendering portal.

### 3. Commercial Schedules

Contracting Authorities undertaking a further competition will need to amend the template pricing schedule(s) to fit individual requirements for each lot included in the further competition. Contracting Authorities are free to amend the criteria and any relative weightings as they choose to do so.

### 4. NHS Framework Agreement for the Provision of Services

The terms and conditions of contract have been agreed with all suppliers and signed as part of their award onto the DPS. Contracting Authorities may make changes to

### London Procurement Partnership

these terms and conditions but they should be minor changes and highlighted clearly in the document so all bidders are aware changes have been made. When setting response deadlines to the mini-competition, additional time should be provided by Contracting Authorities where changes have been made to the terms and conditions, so that all bidders have the opportunity to raise these changes with their legal teams. The order form contained within this document will require completing on award of contract.

5. Specifications

A service specification has been provided for use by the Contracting Authority. All suppliers on the DPS have seen these template specifications as part of their application to be on the DPS. Contracting Authorities should use these documents as a guide to structure their own specifications.

6. DPS Userguide

This document

7. Example Evaluation Document

Contracting Authorities should issue an example evaluation document which clearly shows how the evaluation of the further competition will be conducted. A template has been provided by LPP which will require amending by the Contracting Authority to fit their individual method of evaluation.

8. Signed Document Set

All bidders are required to complete and sign this set of documentation. Contracting Authorities should ensure that the tender invitation date and title are changed to reflect their mini-competition.

9. Standstill Award Letters

Contracting Authorities should complete and issue these letters once they are in a position to award the contract. This letter will start the ten day stand still period giving all bidders an opportunity to request further information before the contract is formally awarded. The standstill period should finish at midnight once ten full calendar days have passed. If the tenth day finishes on a weekend or bank holiday this should be extended to midnight on the next working day. Contracting Authorities should use the information within the completed evaluation document to complete the standstill letters. The letters should also be customised to reflect the mini-competition details and the Contracting Authority's process for appeal or request for further information.

Once mini competition documents 1-8 are completed they can be issued to all of the suppliers under the relevant lot. A list of suppliers and their contact details is provided in Appendix B. If the Contracting Authority prefers for NHS LPP to release the mini competition documents through their e-tendering portal the mini competition documents should be sent to the category manager. Suppliers should be given adequate time to



## London Procurement Partnership

respond to a mini competition and a minimum of 10 days. Where relevant, site visits should be provided to all suppliers during the mini competition process and any clarification questions should be answered as swiftly as possible.

The mini competition documents will be returned by the suppliers and should be evaluated by the project team in line with the evaluation criteria which was set out within the invitation to tender. As part of the evaluation process supplier presentations may be undertaken. Suppliers should be provided with adequate time to prepare their presentations and should be given a clear brief of what to present.

Once the evaluation process is completed the Contracting Authority should notify all suppliers of the outcome of the mini competition and start a 10 day stand still period before concluding the contract.

### 4.4 Evaluation Criteria

The evaluation criteria set out within the DPS agreement can be found in the Mini Competition Instruction document. The main criteria stated should be used as part of any mini competition within the DPS however the Contracting Authority can change, add to or delete the sub-criteria as long as these are clearly stated to all suppliers at the start of the mini competition process. The weightings of the sub-criteria can be set to meet the Contracting Authority's requirements.

### 4.5 Undertaking a Direct Order

It is not possible to call off directly from the DPS.

### 4.6 Transition, Planning and Support

As part of the mini-competition process the successful supplier should provide you with a transition plan which clearly explains what tasks need to be undertaken and who is responsible for ensuring they are completed. This plan should set out the level of resource which is required from the Contracting Authority during the transition process. The expected timescales for each stage of the transition and the mobilisation as a whole should be shown. The Contracting Authority should review the supplier's performance against the plan on a regular basis throughout the transition.

### 4.7 Managing the Contract

The Contracting Authority should hold regular meetings with the supplier to review performance against agreed key performance indicators. Should the supplier fail to meet the agreed key performance indicators then the Contracting Authority should look to take corrective action as outlined within the contract document. The NHS LPP category manager should be made aware of repeated failures in a supplier's performance and can be asked by the Contracting Authority to support rectifying issues.

### 4.8 Key Performance Indicators

NHS LPP encourages the use of key performance indicators within contracts as a way of monitoring and managing supplier performance. Some suggested key performance indicators which are relevant to this contract have been included in Part B of the template



### London Procurement Partnership

specification document. Contracting Authorities should ensure these meet their requirements and if necessary personalise them to ensure they do.

Key performance indicators should not be used to punish a supplier but should be built in to encourage and reward high quality performance of the contract. As such NHS LPP suggests that key performance indicators are established which are achievable and agreed by both parties.

## 5. Frequently Asked Questions

### 5.1 What is a DPS and is it compulsory to join?

A DPS is an electronic system allowing public purchasers to consult a large number of potential suppliers of standardised works, supplies or services, whose capabilities have already been verified. As a procurement tool, it has some aspects that are similar to a framework agreement, but where new suppliers can join at any time. It has to be run as a completely electronic process using the restricted procedure.

The DPS is a two-stage process- an initial set-up stage where suppliers who meet the selection criteria and are not excluded must be admitted to the DPS and a second stage where individual contracts are awarded.

### 5.2 If a supplier is not on the DPS can they still take part?

Yes. The DPS is flexible and new suppliers can apply to join it at any time during its period of validity. In addition, suppliers who originally fail to be admitted on to the DPS are able to re-apply at a subsequent time if their circumstances change.

### 5.3 Do I need to invite all suppliers to a mini competition?

You will need to invite all suppliers for the apprenticeship scheme(s)/region for which you are undertaking your further competition. There is a tool available to use to filter down to the suppliers qualified on to the DPS for the specific scheme(s)/regions you have a requirement for.

### 5.4 How long does a mini competition need to run for?

This will depend on the complexity of the service. Contracting authorities should take into account the size of the contract, the number of services included, requirements for supplier site visits and TUPE. On average NHS LPP would suggest suppliers are given four weeks to respond to the mini competition. The minimum timeframe for receipt of tenders is ten days. For specific advice please contact the category manager.

### 5.5 Do I have to apply a stand still period to a mini competition?

NHS LPP encourages the application of standstill periods for all mini competitions under the DPS, especially where the value of the contract exceeds the OJEU thresholds. This ensures transparency to all suppliers involved in the process and minimises the risk of challenge once a contract is awarded.

## 6. Appendices

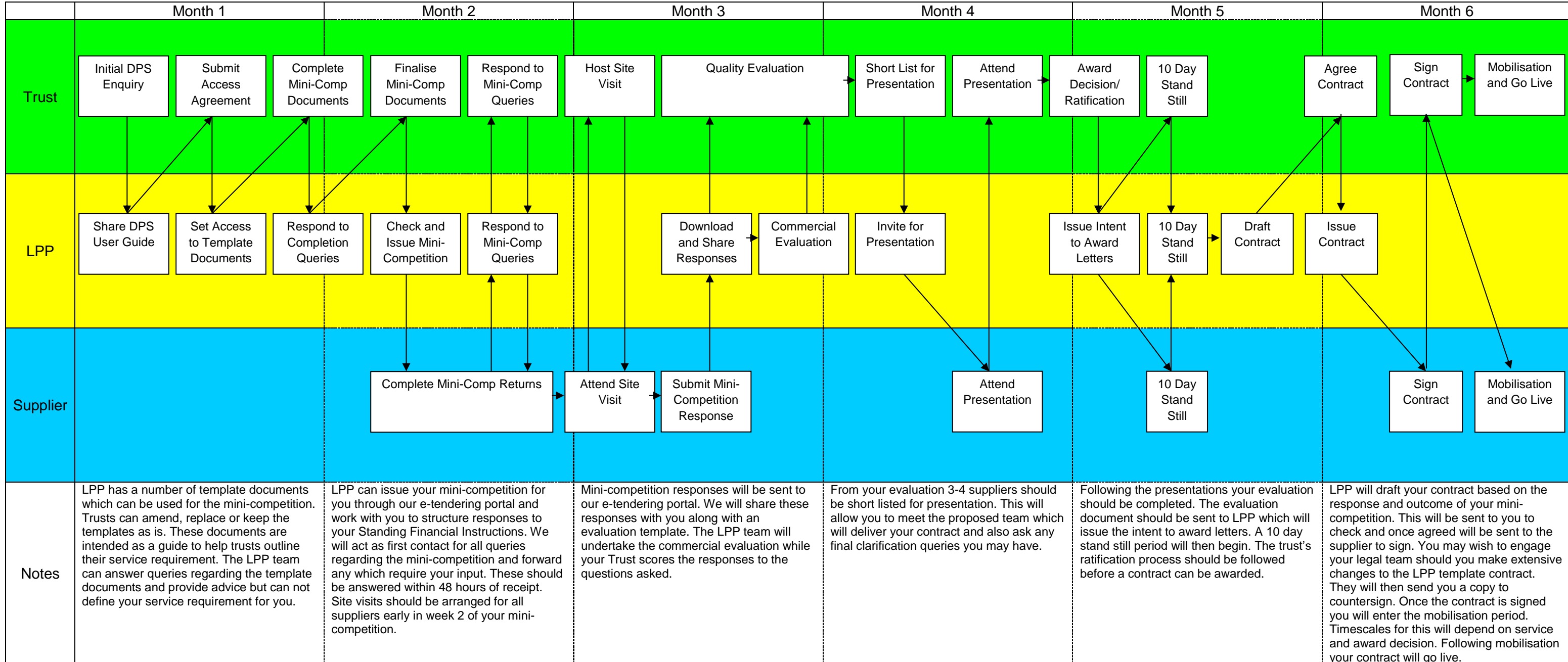
### 6.1 Appendix A – Supplier List by Lot

A list of suppliers who have successfully qualified under the DPS will be maintained by NHS LPP. As new suppliers can apply and be awarded to the DPS at any time over its duration, Contracting Authorities must ensure that they refer to the **most current version of the supplier list prior to commencing any further competitions** and should check with LPP if they are unsure. Suppliers who are awarded to the DPS after a further competition process has commenced should not be invited to participate retrospectively.

## 6.2 **Appendix B – Supplier Contacts**

Supplier contact details for each lot under the DPS will be available through the Due North eTendering portal or by contacting the Category Manager.

6.3 Appendix C – Responsibilities Matrix



## 6.4 Appendix D – Customer Access Agreement (CAA)

The Customer Access Agreement should be completed and returned to NHS LPP.

## CUSTOMER ACCESS AGREEMENT

for use by **INSERT HUB/TRUST NAME**

### NHS LONDON PROCUREMENT PARTNERSHIP DYNAMIC PURCHASING SYSTEM FOR THE PROCUREMENT OF APPRENTICESHIP TRAINING PROVIDERS

Agreement Reference Number: LPP/2017/005

OJEU Reference: - 2017/S 041-074961

---

Before conducting any activity under this DPS please complete and return this form to NHS LPP directly if you are an NHS LPP member/associate member or via your local **(insert local hub name)** representative.

This agreement provides approval by NHS LPP for the below named Organisation to access the above named DPS only, subject to the conditions set out below.

In exchange for NHS LPP granting approval to access the DPS, the Organisation AGREES:

1. I/We accept all responsibility for both accessing and using the DPS in accordance with its associated terms and conditions of contract;
2. I/We agree that NHS LPP (and **insert local hub name**) have no responsibility, or liability, on behalf of our Organisation relating to our use of this DPS Agreement;
3. I/We hereby certify that all information provided by NHS LPP (and **insert local hub name**) in relation to the DPS, in any form, will be kept strictly confidential and not be made available to any external entity other than our own, without prior permission of LPP. (Please note, this obligation shall not apply to the provision of information by public sector organisations in order to comply with government guidelines and/or legislation regarding transparency and expenditure of public money);
4. I/We authorise NHS LPP to receive management information from contracted suppliers, regarding the usage of this DPS by the Organisation. Such information will be used by NHS LPP for contract management/administration purposes, and will be shared with **insert local hub name**.

**AGREEMENT:** I/We confirm that the organisation detailed below intends to participate in the above mentioned NHS LPP DPS, and that in doing so will act in accordance with the guidance and instructions set out in the relevant NHS LPP (and/or **INSERT LOCAL HUB NAME**) Contract Briefing Document, associated terms and conditions of contract, and in accordance with the Public Contracts Regulations 2015.



## CUSTOMER ACCESS AGREEMENT

for use by **INSERT HUB/TRUST NAME**

NHS London Procurement Partnership (Hosted by Guy's & St Thomas' NHS Foundation Trust (NHS LPP) DPS FOR THE PROCUREMENT OF APPRENTICESHIP TRAINING PROVIDERS

Agreement Reference Number: LPP/2017/005

OJEU Reference: - 2017/S 041-074961

Customer Signature:	
Date:	
Name:	
Position:	
Name of Authority:	
Address:	
Telephone:	
E-mail	

### Access facilitated by FRH- (To be completed by FRH)

Name:		Signature:	
Position:		Date:	

---

### NHS LPP APPROVAL (To be completed by NHS LPP)

Name:		Signature:	
Position:		Date:	

## 6.5 Appendix E – Mini Competition Documentation

1. DPS Mini Competition Language Services Instruction Document	Available following completion of the Customer Access Agreement (CAA) in Appendix D.
2. Abstract of Particulars	Available following completion of the Customer Access Agreement (CAA) in Appendix D. Contracting authorities to complete.
3. ITT Questions	Contracting authorities to create
4. Specification	Available following completion of the Customer Access Agreement (CAA) in Appendix D.
5. Pricing Schedule	Contracting authorities to create
6. NHS Conditions for the Provision of Services	Available following completion of the Customer Access Agreement (CAA) in Appendix D.
7. Signed Document Set	Available following completion of the Customer Access Agreement (CAA) in Appendix D.

## 6.6 Annex 1 – Summary of DPS Stage 1 Evaluation

This document outlines the evaluation performed by LPP at the first selection stage and is intended to provide guidance around what the Trust/Contracting Authority **may** wish to include within their ITT evaluation.

	LPP PQQ Stage	Trust Further Competition
<b>Supplier Information</b>	<input checked="" type="checkbox"/> UK Provider Reference Number <input checked="" type="checkbox"/> Registration on Skills Funding Agency Register (RoATP)	<input checked="" type="checkbox"/> Request and check RoATP listing. Providers must be a Main Provider in order to be awarded a contract.
<b>Ofsted Ratings</b>	<input checked="" type="checkbox"/> To be awarded on to the DPS, bidders self-certified their Ofsted rating. Ratings of 3 or above were awarded. Bidders who have not been Ofsted inspected were <b>not</b> disqualified.	<input checked="" type="checkbox"/> Request evidence of Ofsted Inspection or equivalent quality standard if Bidder has no Ofsted ratings.
<b>Technical &amp; Professional Ability</b>	<input checked="" type="checkbox"/> For Apprenticeship Categories which include schemes that have been in previous existence, success rates; on-time success rates and number of apprenticeship starts were requested and evaluated against average national success rates for the 2014/2015 year. Bidders not achieving the average success rate were not awarded to the DPS. N.B This was self-declaration and bidders did not have to provide evidence at PQQ Stage. As of 5 <sup>th</sup> April 2018 evaluation of new applications changed to using the 2016/2017 success rates.	<input checked="" type="checkbox"/> Include minimum success rates/on-time success rates/number of apprenticeship starts as evaluation criteria as deemed necessary by the Authority and request for submitted evidence. The average national success rates for 2016/2017 can be viewed in the secure area of the website or are available on request from LPP.
<b>Economic/Financial standing</b>	<input checked="" type="checkbox"/> Request last 2 years of audited accounts or other means to demonstrate economic/financial standing <input checked="" type="checkbox"/> Assess economic/financial standing	<input checked="" type="checkbox"/> Set minimum turnover at maximum of 2 x annual contract value and request evidence of turnover from winning bidder prior to contact award
<b>Insurance</b>	<input checked="" type="checkbox"/> Request self-certification that bidder already has, or can commit to obtain, prior to the commencement of the contract minimum cover of £5m Employers Liability £5m Public Liability and £5m Professional Indemnity	<input checked="" type="checkbox"/> Request evidence of insurance from LPP prior to contract award

	<input checked="" type="checkbox"/> Request evidence of insurance and renewal upon expiry	
<b>Monthly Management Information</b>	<input checked="" type="checkbox"/> Obtain agreement from the provider that they will submit monthly management information electronically	<input checked="" type="checkbox"/> Request MI to be submitted in a format and at a frequency to suit the requirements of the Trust
<b>Mandatory Exclusions</b>	<input checked="" type="checkbox"/> Request self-certification <input checked="" type="checkbox"/> Exclude bidders that fail	<input checked="" type="checkbox"/> Include mandatory exclusion in ITT
<b>Discretionary Exclusion</b>	<input checked="" type="checkbox"/> Request self-certification <input checked="" type="checkbox"/> Assess submission and exclude bidders	<input checked="" type="checkbox"/> Include discretionary exclusion in ITT
<b>Environmental Management</b>	<input checked="" type="checkbox"/> Request self-certification of convictions/breaches <input checked="" type="checkbox"/> Exclude bidders that do not meet requirement/ self-certify	
<b>Equality Legislation</b>	<input checked="" type="checkbox"/> Request self-certification of unlawful discrimination made against the bidder and evidence of remedial action <input checked="" type="checkbox"/> Exclude bidders that that do not meet requirement/self-certify	
<b>Health and Safety</b>	<input checked="" type="checkbox"/> Request self-certification of compliance to with current legislation and evidence of any remedial action <input checked="" type="checkbox"/> Exclude bidders that that do not meet requirement/ self certify	
<b>OTHER</b>	<b>LPP - Mini Competition Documents</b>	<b>Trust Further Competition</b>
<b>Mini Competition Templates</b>	<input checked="" type="checkbox"/> Issued to Trust upon receipt of signed Customer Access Agreement	<input checked="" type="checkbox"/> Amend all templates to suit the needs and requirements of the Trust <input checked="" type="checkbox"/> Prior to issuing the ITT documents, request from LPP the current list of suppliers, that are relevant to the Categories/Regions and invite them all to bid



London Procurement Partnership

---

**NHS London Procurement Partnership**

*Commercial advantage for the NHS by the NHS*