

Dynamic Purchasing System User guide

Non-Emergency Transport and other Transport Services

Estates, Facilities & Professional Services

Non-Emergency Transport and other Transport Services DPS User Guide

DPS Reference Number: LPP/2019/007

OJEU Reference: - 2019/S 190-462175

November 2019

Version Control

Date	Version	Comments
22.11.2019	1	Final for Issue
25.11.2019	2	Minor amendments
26.2.2020	3	Minor update to access agreement

Contact Details

Ash Fraser

Senior Category Manager
NHS London Procurement Partnership
200 Great Dover Street
London SE1 4YB

Telephone 07833 181 479
Email ashwaq.fraser@lpp.nhs.uk
Web www.lpp.nhs.uk

Contents

1.	Interpretation.....	5
2.	Introduction.....	6
2.1	Key Information.....	6
2.2	Background.....	7
2.3	Overview & Category Structure.....	7
2.4	Pricing.....	9
2.5	Suppliers on the DPS.....	9
2.6	365 Response Ltd.....	10
2.7	The benefits of a DPS.....	10
2.8	Expected Benefits.....	10
2.9	Awarding a Contract.....	11
3.	Management of the Dynamic Purchasing System.....	11
3.1	DPS Agreements.....	11
3.2	DPS Contracts.....	12
3.3	Activity Based Income (ABI).....	12
3.4	Management Information.....	12
3.5	DPS Manager.....	12
3.6	Business Continuity Plans.....	12
4.	Accessing the DPS.....	12
4.1	DPS Access.....	12
4.2	DPS Charges.....	12
4.3	Customer Access Agreement (CAA).....	12
5.	Running a Mini-Competition or Call-Off.....	13
5.1	Establishing a Project Team.....	13
5.2	Key Decisions and Actions.....	13
5.3	Undertaking a Mini Competition.....	13
5.4	Evaluation Criteria.....	17
5.5	Undertaking a Direct Order.....	18
5.6	Transition, Planning and Support.....	18
5.7	Managing the Contract.....	18
5.8	Key Performance Indicators.....	18
6.	Frequently Asked Questions.....	19
6.1	What is a DPS and is it compulsory to join?.....	19
6.2	If a supplier is not on the DPS can they still take part?.....	19

6.3	Do I need to invite all suppliers to a mini competition?	19
6.4	How long does a mini competition need to run for?	19
6.5	Do I have to apply a stand still period to a mini competition?	19
7.	Appendices	20
7.1	Appendix A – Supplier List by Category	20
7.2	Appendix B – Supplier Contacts.....	21
7.3	Appendix C – Responsibilities Matrix	22
7.4	Appendix D – Customer Access Agreement (CAA).....	23
7.5	Appendix E – Mini Competition Documentation	26

1. Interpretation

Unless the context otherwise requires, the following words and expressions used in this document shall have the following meanings (to be interpreted in the singular or plural as the context requires)

TERM	MEANING
"365 Response Ltd."	means the supply chain management organisation that has been appointed to support the Authority to manage and monitor the Dynamic Purchasing System.
"Authority"	means Guy's and St.Thomas' NHS Foundation Trust. NHS London Procurement Partnership (LPP) shall act on behalf of Guy's and St.Thomas' NHS Foundation Trust.
"Call-Off"	means the issue of an Invitation to Tender in relation to any contract to be awarded under the Dynamic Purchasing System.
"Call-Off Contract"	means the legally binding agreement for the provision of Services made between a Contracting Authority and a Provider comprising of the Call-off Order Form and the Call-Off Terms and Conditions as may be amended.
"Contracting Authority "	means any contracting authority as defined in Section 2 (Definitions) of the Public Contracts Regulations 2015, other than the Authority.
"Digital Marketplace"	means shorter term (under 24 months); ad-hoc; on day; flexible transport; shift-fill requirements; discharge and transfer crews; GP driver contracts; out of area movements: procured through the Digital Transport Marketplace (365 Smart Platform), where long term and/or fixed volume contracts may not afford commissioner and supplier flexibility
"Dynamic Purchasing System "	means a completely electronic system of specified duration which is (a) established by a contracting authority to purchase commonly used Goods, Services and/or Works (if applicable); and (b) open throughout its duration for the admission of economic operators which (i) satisfy the selection criteria specified by the contracting authority; and (ii) submit a Request to Participate to the contracting authority or person operating the system on its behalf which complies with the specification required by that contracting authority or person
"Due Diligence Information"	means the background and supporting documents and information provided by the Authority for the purpose of better informing the Suppliers response to this PQQ.
"e-Tendering System"	means the online e-Tendering portal used by a contracting authority for conducting an Invitation to Tender in relation to any contract to be awarded under the Dynamic Purchasing System.
"EIR"	means the Environmental Information Regulations 2004 (as amended) together with any guidance and/or codes of practice issued by the Information Commissioner or relevant Government department in relation to such regulations.
"FOIA"	means the Freedom of Information Act 2000 (as amended) and any subordinate legislation made under such Act from time to

	time together with any guidance and/or codes of practice issued by the Information Commissioner or relevant Government department in relation to such regulations.
“LPP”	means NHS London Procurement Partnership.
“OJEU Notice”	means the advertisement issued in the Official Journal of the European Union in respect of this PQQ.
“Order Form”	means the order submitted to the Provider by the Contracting Authority in accordance with the Contract which sets out the description of Services to be supplied including, where appropriate, the Key Personnel, the Premises, the timeframe, the Deliverables and the Quality Standards.
“SQ”	means the standard selection questionnaire and all related documents published by the Authority and made available to Supplier(s) and includes the Due Diligence Information.
“SQ Response(s)”	means a Supplier(s) response to the SQ.
“Potential Provider(s)”	means the person, firm or company who are admitted to the DPS following evaluation by the Authority of the SQ Response.
“Provider(s)”	means the person, firm or company with whom the Contracting Authority enters into a Call-Off Contract as identified in the DPS Order Form.
“Regulations”	means the Public Contracts Regulations 2015.
“Services”	means the Services to be supplied as specified in the Order Form.
“Supplier (s)”	means the person, firm or company who submit a completed SQ in response to the OJEU Notice.
“Tender”	means the document(s) submitted by the Provider to the Contracting Authority in response to the Contracting Authority's Invitation to Tender to provide the Contracting Authority with the Services.

2. Introduction

This user guide is intended to provide information about the Dynamic Purchasing System “DPS” for the procurement of Providers of Non-Emergency Transport and other Transport Services 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.

2.1 Key Information

DPS Title	Dynamic Purchasing System for the Provision of Non-emergency Transport and other Transport services
OJEU Reference Number	2019/S 190-462175
Agreement Reference Number	LPP/2019/007
DPS Period	07/11/2019 – 06/11/2024 with extensions allowed as per the Public Contract Regulations 2015

2.2 Background

NHS trusts and other public sector organisations require the ability to flexibly deliver Non-emergency Transport and other Transport Services in the way they see fit for their organisation and site(s).

The DPS can be utilised by LPP Members, any 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. Potential users of the DPS are identified in the OJEU Contract Notice.

Potential Providers admitted to the DPS for Non-emergency Transport and other Transport Services were informed at the Pre-Qualification stage that neither LPP nor our customers are under obligation to use the DPS and may decide not to do so during the DPS validity period.

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 transport providers delivering the services.

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.

The procurement followed the restricted procedure as directed by the Public Contracts Regulations 2015. Interested bidders were invited to select which category 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 categories of the DPS.

2.3 Overview & Category Structure

The DPS provides a compliant route to market to procure the provision of non-emergency Transport and other Transport Service providers for one or more Category, 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:

Category #	Category
1	<p><u>Booking and Eligibility Assessment Services</u></p> <p>This category enables the Contracting Authority to secure a full or partial booking and eligibility service and tailor this service to meet the unique local circumstances of each locality. The service will include online and telephone booking and an assessment service that will work to the required localised eligibility criteria. The service will ensure the collection and processing of all booking requests and securely transfer booking data in a confidential and compliant manner to the approved transport provider(s) in the wider patient transport pathway as required.</p>
2	<p><u>Core Patient Transport Services</u></p> <p>This category enables the Contracting Authority to secure a full or partial patient transport service and choose the main elements of the service that suit local operational requirements.</p> <p>All parts of the patient transport pathway are covered in this category including: a booking and eligibility service for an on line and phone based booking and eligibility assessment part of the pathway; all outpatient services to include renal services, oncology and physiotherapy services sometimes referred to as enhanced PTS, standard outpatient clinic activity, discharge services from wards/units and A&E and transfer transport (site to site) as required</p> <p>Mobility: Walker/Wheelchair/Stretcher Vehicle Types: Car, Wheelchair Accessible Vehicle, Stretcher</p>
3	<p><u>Mental Health and Secure Patient Transport</u></p> <p>This category enables the Contracting Authority to secure a transport service specifically designed for the needs of mental health patients who may require a range of transportation types that is proportionate to their clinical needs and clinical risk assessment.</p> <p>Each patient will be pre-assessed by their referring clinician or care team to determine the type of vehicle required (from car to secure vehicle), the number and nature of escorts required and the type of intervention and observation needed during transport.</p> <p>Mobility: Walker/Wheelchair/Stretcher Vehicle Types: Car, WAV, Stretcher, Secure Car (including People Carrier), Secure Medium sized minibus, Secure Ambulance</p>
4	<p><u>High Dependency Patient Transport</u></p> <p>This category enables the Contracting Authority to secure a transport service specifically designed for the purposes of High Dependency Unit transport where the skills of Registered Paramedics are required in a fully equipped Ambulance.</p> <p>Mobility: High Dependency Vehicle Types: Ambulance</p>

Regional breakdown

No.	Region
-----	--------

1	North East
2	Yorkshire
3	North West
4	West Midlands
5	East Midlands
6	South West
7	South Central
8	South East
9	London
10	East
11	Wales
12	Scotland
13	Northern Ireland

2.4 Pricing

Under a DPS no commercial information is obtained until the further competition stage.

Contracting Authorities will further define their specifications, to meet the needs and requirements of their organisation, and will issue pricing schedules to the bidders based on their tailored specifications.

2.5 Suppliers on the DPS

The Public Contracts Regulations 2015 contain new requirements in relation to the use of standard Selection Questionnaire (SQ) 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
- Agreement to NHS Framework Terms and Conditions for the supply of services and NHS Standard Contract

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. However 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.

2.6 365 Response Ltd.

LPP has appointed 365 Response to develop and maintain the e-Procurement technology platform for the delivery of the DPS for Non-emergency Transport and Other Transport Services. The e-Procurement technology platform enables a Contracting Authority to produce a list of Potential Providers that are awarded to the DPS Categories and region of supply.

2.7 The benefits of a DPS

A DPS was chosen as the most suitable commercial vehicle following feedback from LPP member Trusts and other potential users of the system.

Establishing a DPS with multiple providers will help to create an environment which encourages fair competition, allowing Potential Providers to join at any time and choose whether to compete for all or any of the requirements for the provision of Non-emergency Transport and other Transport Services under the DPS for which they are considered suitable.

Potential Suppliers who are successful in securing a place on the DPS will be awarded onto the DPS via the e-Procure technology platform which the Contracting Authorities will access to filter potential suppliers by category, regionally and additional filters.

A DPS remains open to new Suppliers throughout the period of the agreement. This enables Suppliers who may not initially be able to meet the selection criteria during the establishment period, to review their processes, finances and capabilities and apply for acceptance onto the DPS at a later stage. In addition, it allows (and encourages) existing DPS members to revise their offerings at any stage within the operation of the DPS. This supports small and medium size enterprises, or businesses in tendering for work with the public sector.

The flexibility in keeping the DPS agreement open to new Suppliers also benefits our customers. It enables public bodies to promote potential 'calls for competition under the DPS' in their geographical region, offering the opportunity to engage with local Potential Suppliers and support wider aims of working with local businesses for economic growth.

2.8 Expected Benefits

Benefits for Contracting Authorities

- 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 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, as advertisement in OJEU and pre-selection by SQ stage of the DPS establishment has already been undertaken, no further advertisement is required.

London Procurement Partnership

- Award criteria can be formulated more precisely for specific local contracts, adapting the LPP templates as appropriate.
- Contracting authorities can ask their incumbent suppliers to apply to the DPS prior to launching a competition in order to allow them to bid for the opportunity, providing a benchmark against existing supply.
- 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

Benefits for Suppliers

- Suppliers don't have to demonstrate suitability and capability every time they wish to compete for a public sector contract, reducing cost and administrative burdens.
- Supplier may join the DPS at any time during its period of validity so they are not "locked out".
- Award of individual tenders can be quicker than under some other procedures.
- Suppliers are able to apply for new lots as they expand their services, making this a flexible and accessible approach that supports the growth of SMEs.

2.9 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 5 below.

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

3. Management of the Dynamic Purchasing System

3.1 DPS Agreements

All Potential Providers who have been awarded a position on the DPS for Non-emergency Transport and other Transport Services have signed a DPS Agreement to be able to provide Non-emergency Transport and other Transport Services to Contracting Authorities on a Call-Off basis. The Agreement sets out the award and ordering procedure for Non-emergency Transport and other Transport Services which may be required by Contracting Authorities, the main terms and conditions for any Call-Off contract which Contracting Authorities may conclude, and the obligations of the Providers during and after the term of the Agreement.

There are two types of terms and conditions included within this document and the contracting authority should check with their CCG's which should be applied to their contract. This can either be the NHS Terms and Conditions for the Provision of Services or the NHS Standard Contract 2017/18 and 2018/19.

NHS LPP is responsible for the management of the DPS Agreement and will seek feedback from Contracting Authorities to ensure maximum value is derived from the DPS.

3.2 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.

3.3 Activity Based Income (ABI)

This DPS has been established with an Activity Based Income (ABI) charge of 2%. 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.

3.4 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.

3.5 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.

3.6 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.

4. Accessing the DPS

4.1 DPS Access

This DPS is open to LPP members. Wider 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. All Contracting Authorities that wish to access the DPS to run a further competition will need to complete the Customer Access Agreement (CAA) in [Appendix D](#)

4.2 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.

4.3 Customer Access Agreement (CAA)

Contracting Authorities wishing to access this DPS to run a further competition should complete the online Customer Access Agreement (CAA) in at [Appendix D](#).

Once this has been completed in full LPP will provide the Contracting Authority:

- Access to the online buyer portal where they can produce a list of Potential Providers that have been awarded to the DPS by Category, Region and Vehicle Type required.
- Access to the mini competition documents as appropriate.
- A Unique Reference number (URN) to be used on all mini competition documents.

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.

5. Running a Mini-Competition or Call-Off

5.1 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.

5.2 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.

5.3 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 and a Unique Reference Number will be provided.

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

London Procurement Partnership

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 may wish to use their own pricing schedules.

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

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

Note:

Contracting Authorities can weight quality/technical scoring between 40-80% and the commercial scoring between 20-60%

The quality/technical and commercial scoring of each bid will be combined to give a total score out of 100%

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 Questions

This document identifies the questions that you will be asking bidders to respond to. Suggested wording has been provided in this document. Contracting authorities may replace these questions with their own, amend the suggested questions or keep them as they are as part of the mini competition. 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.

3. Pricing Schedules

Pricing schedule templates are provided for Contracting Authorities undertaking a further competition, you should review the template(s) and amend to ensure that it captures all the areas relevant to your trust and that you are clear how you will evaluate the responses received. You should decide which pricing template suits your contract whether this be cost per journey, cost per mile or open book.

4. Abstract of Particulars

This document provides bidders with an introduction to the contracting authority. An outline to the contracting authority and its main areas of service provision should be

provided as well as an overview of the current contracting arrangements. Any specific aims and objectives from a new contract should be given here so bidders can understand how best to structure their response to meet your requirements. Any known changes to service provision which may affect the contract should be stated.

5. Booking and Eligibility Specification

A template 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. The specification sets out sets out the minimum data which should be captured by the provider and the key performance indicators (KPI's) which the suppliers are expected to achieve for Booking and Eligibility Assessment Services.

6. Core Patient Transport Service Specification

A template 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.

The Core Patient Transport Services specification sets out the minimum requirements which apply to all transport categories for delivering the transport service including KPI's, cancellation and abort reasons, booking process, addresses of the Contracting Authority addresses, vehicle standards & equipment and cleaning, in addition to patient dignity and safeguarding. It should be use used with the Booking and Eligibility Specification for full Core Patient Transport Services.

7. Mental Health and Secure Transport specification

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.

The specification sets out the minimum requirements that apply to Mental Health and Secure Transport Services category it has been specifically designed for Mental Health patients who may require a range of transportation types that is proportionate to their clinical needs and clinical risk assessment. The specification should be used with the Core Patient Transport Services Specification.

8. High Dependency Transport Specification

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.

The specification sets out the minimum requirements that apply to High Dependency Transport Services category it has been specifically designed for the where the skills

of Registered Paramedics are required in a fully equipped Ambulance. The specification should be used with Core Patient Transport Service Specification.

9. NHS Framework Agreement for the Provision of Services

The terms and conditions of contract have been agreed with all suppliers as part of their award onto the DPS. Contracting authorities may make changes to 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. There are two types of terms and conditions included within this document and the contracting authority should check with their CCG's which should be applied to their contract. This can either be the NHS Terms and Conditions for the Provision of Services or the NHS Standard Contract 2019/20.

10. Supplier Code of Conduct

All suppliers awarded to the DPS have signed the Supplier Code of Conduct document. Contracting Authorities undertaking a further competition should issue this document and invite suppliers to make a voluntary pledge by completing the Social Value Pledge section. Contracting Authorities should not add any weighting to this response.

11. 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.

12a. Volume Data Template

The incumbent supplier should be asked to provide a 12 month activity profile using the template provided. This will allow bidders to identify any seasonal trends in activity.

12b. TUPE Template

Where TUPE is applicable to the contract the contracting authority should request from the incumbent supplier a list of employees who would be eligible for TUPE. The incumbent supplier should complete the TUPE template, at this stage not providing an individual's name; these will be provided to the successful contractor.

13. 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.

14. ITT Feedback Letter Templates

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

London Procurement Partnership

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 1-12 are completed they can be issued to all of the suppliers under the relevant category and region.

An up to date list of suppliers should be obtained immediately prior to publishing the ITT to ensure all suppliers that have been awarded to the DPS and relevant category are invited. 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 respond to a mini competition and a minimum of 10 days, however on average NHS LPP would suggest suppliers are given four weeks to respond to the mini competition. 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.

5.4 Evaluation Criteria

The evaluation criteria 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 can be changed to meet the Contracting Authority's requirements.

- Service Quality – 20%
- Management Capability & Risk Mitigation – 20%
- Operational Capability and Innovation – 20%
- Sustainability – 10%
- Pricing/Commercials – 30%

Note: Contracting Authorities can weight quality/technical scoring between 40-80% and the pricing/commercial scoring between 20-60%

The quality/technical and commercial scoring of each bid will be combined to give a total score out of 100%

5.5 Undertaking a Direct Order

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

5.6 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.

5.7 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.

5.8 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 Core Patient Transport Services Specification 'Appendix I' and in the Booking and Eligibility Assessment Services Specification. Contracting Authorities should ensure these meet their requirements and must personalise them to ensure they do, the targets and thresholds in the example KPI's are for illustration purposes only, these must also be changed by the Contracting Authority prior to issuing the mini competition.

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.

6. Frequently Asked Questions

6.1 What is a DPS and is it compulsory to join?

A Dynamic Purchasing System (DPS) is a completely electronic system established by a contracting authority to purchase commonly used goods, works or services.

A DPS does not operate in the same way as a framework in that it is an 'open market' product designed to provide access to a pool of Potential Providers where new Potential Providers can join at any time.

DPS applicants are required to complete a standard selection questionnaire (SQ). The completed SQ's are evaluated to establish the applicant's general capability for provision of the required Non-Emergency Transport and other Transport Services. The evaluation works on a Pass/Fail basis and therefore weightings are not applied. The evaluation reviews aspects of the applicant's financial and technical provision and, based on this evaluation, the applicant is either accepted onto the DPS or rejected and provided with feedback in order to enable them to re-apply at a later date should they wish to do so.

Individual contracts are awarded by approved users (Contracting Authorities) of the DPS during the second stage of the process. In this stage, the Contracting Authority invites all Potential Providers on the DPS (who are awarded to category, region of supply and vehicle types within the DPS) to bid for the specific contract.

A step by step guide on implementing the second stage of the process is set out at section 5

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.

6.2 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.

6.3 Do I need to invite all suppliers to a mini competition?

You will need to invite all suppliers for the category/region for which you are undertaking your further competition. There is a tool available, to contracting Authorities who have returned a completed Customer access Agreement, to filter down to the suppliers qualified on to the DPS for the specific category / regions / vehicle type you have a requirement for.

6.4 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.

6.5 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.

7. Appendices

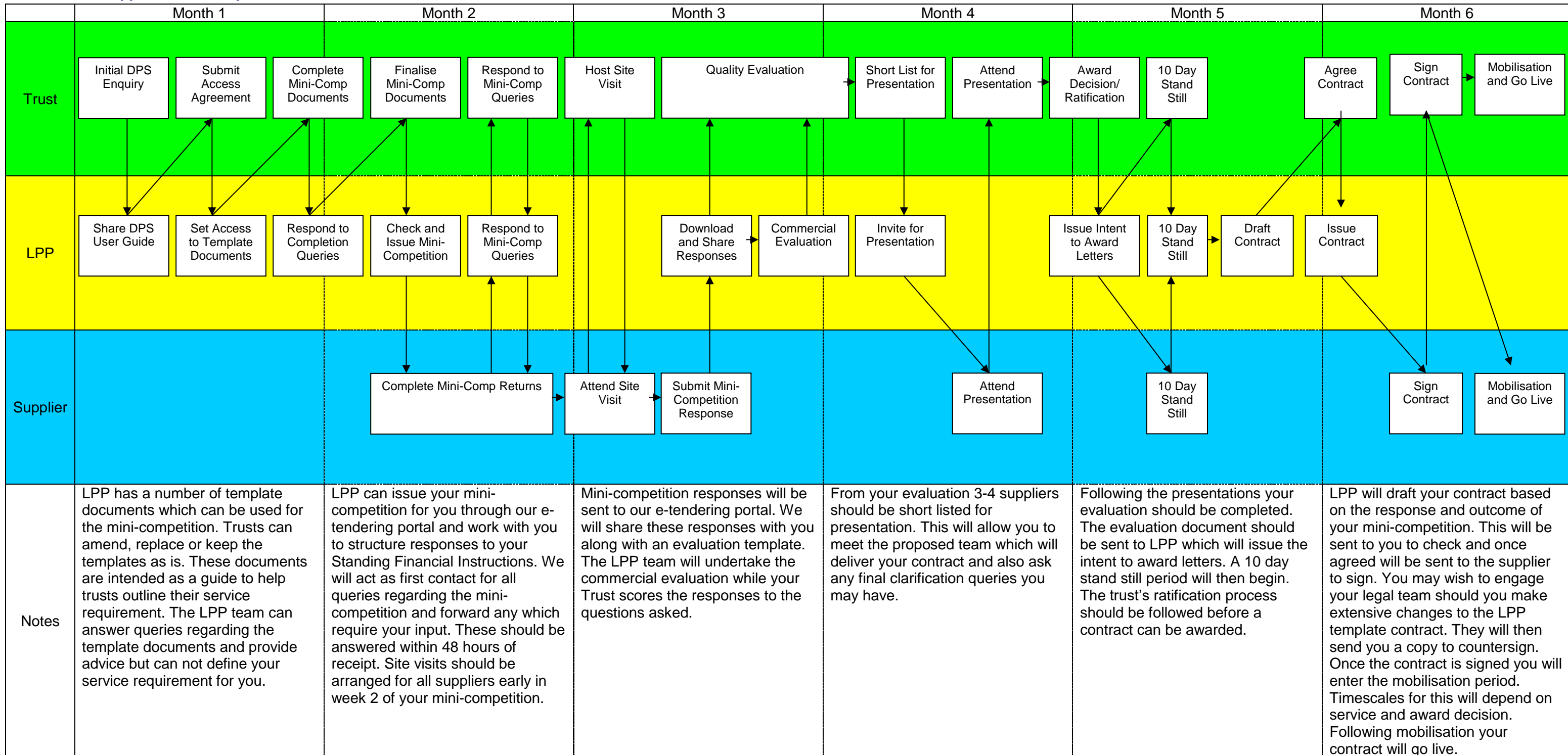
7.1 Appendix A – Supplier List by Category

A list of suppliers who have been awarded to the DPS is available on the e-procure buyer portal. 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 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.

7.2 Appendix B – Supplier Contacts

Supplier contact details for each category under the DPS will be available through the e-procure buyer or by contacting LPP.

7.3 Appendix C – Responsibilities Matrix



7.4 Appendix D – Customer Access Agreement (CAA)

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

NHS LONDON PROCUREMENT PARTNERSHIP DYNAMIC PURCHASING SYSTEM FOR THE PROCUREMENT OF NON-EMERGENCY TRANSPORT AND OTHER TRANSPORT SERVICES
Agreement Reference Number: LPP/2019/007
OJEU Reference: - 2019/S 190-462175

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 Access Agreement enables **<<insert customer name>>** to access the services sourced by the Contracting Authority (NHS LPP) as intended in the Official Journal of the European Union Contract Notice 2019/S 190-462175

On completion and signing this agreement:

1. NHS LPP will make available to **<<insert customer name>>** all details of Non-Emergency Transport and Other Transport Services DPS.
2. **<<insert customer name>>** will be entitled at any time during the term of this agreement to order products or services under the categories and sub-categories from any of the suppliers awarded.
3. Unless otherwise agreed in writing, **<<insert customer name>>** will have full responsibility and ownership for the administration and management of each individual call off contract which will include, but is not restricted to, the preparation and issue of specifications, the receipt and evaluation of proposals and the issue of service contracts specific to their own business needs.
4. NHS LPP will retain overall responsibility for the management of the Non-Emergency Transport and Other Transport Services DPS.
5. Any variation to the terms and conditions of this framework must be notified, in advance, to NHS LPP.

Declaration

6. I/We accept all responsibility for both accessing and using the DPS in accordance with its associated terms and conditions of contract;
7. I/We agree that NHS LPP have no responsibility, or liability, on behalf of our Organisation relating to our use of this Framework Agreement;
8. I/We hereby certify that all information provided by NHS LPP in relation to the Framework Agreement, 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 NHS 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);



9. I/We authorise NHS LPP to receive management information from contracted suppliers, regarding the usage of this Framework Agreement by the Organisation. Such information will be used by NHS LPP for contract management/administration purposes.
10. I/We agree not to disclose any information relating to the commercials of the framework to any other Organisation and will use reasonable security measures to safeguard the information
11. I/We shall provide management information to the NHS LPP on an annual basis including;
 - Total number of contracts awarded by supplier, lot and sub-category
 - Total level of business expenditure by supplier, lot and sub-category
 - A record of any failures by suppliers to provide products or services in accordance with the relevant order.

Duration and termination

- This agreement shall commence on the <<enter date>> and shall give <<Insert customer name>> access until 06/11/2024 the date of expiry of the primary term of the contract.
- NHS LPP will notify <<Insert customer name>> if it intends to extend the Non-Emergency Transport and Other Transport Services DPS.
- If NHS LPP extends the term of the contract it is the responsibility of <<Insert customer name>> to request that the access agreement is renewed.
- If this request is not made then <<Insert customer name>> shall not continue to access the contract.

NHS LPP reserve the right to withdraw <<Insert customer name>> access to the Non-Emergency Transport and Other Transport Services DPS at any time where it is apparent that NHS LPP business is being adversely affected by this agreement and/or where the quality of service provided by the suppliers is impacted. In the event of such action being taken, any ongoing current contracts will be honoured.

Current Contract Details*

*If there is no contract in place, please provide details of current provision

Description:	
Current contract start date:	
Current contract end date:	
Incumbent Supplier(s):	
Estimated current annual spend total (excl VAT):	£



CUSTOMER ACCESS for use by [Framework Recipient Hub]

NHS LONDON PROCUREMENT PARTNERSHIP DYNAMIC PURCHASING SYSTEM FOR THE PROCUREMENT OF NON-EMERGENCY TRANSPORT AND OTHER TRANSPORT SERVICES

Agreement Reference Number: LPP/2019/007

OJEU Reference: - 2019/S 190-462175

Authorisation

I/We confirm that the organisation detailed below intends to participate in the above mentioned framework agreement, and that in doing so will act in accordance with the guidance and instructions set out in the relevant NHS LPP Contract User guide, associated terms and conditions of contract, and in accordance with the Public Contracts Regulations 2015.

Customer Authorisation (please complete all sections below)		LPP Authorisation	
For and on behalf of:	<<<Insert company name>>	For and on behalf of:	NHS London Procurement Partnership
Customer Address:		Address:	London Procurement Partnership 200 Great Dover Street London SE1 4YB
Customer Name:		Name:	
Customer Email:			
Customer Tel No:			
Customer Job Title:		Job Title:	
Department:			
Customer Signature		Signature:	
Date:	-- / -- /20 --	Date:	-- / -- /20 --

Access facilitated by (Framework Recipient Hub) – (To be completed by NHS Hub if applicable)

NAME:		Sign:	
Position		Date	-- / -- /20 --

Unique Reference number: _____



7.5 Appendix E – Mini Competition Documentation

1. Cover Letter and Invitation to Tender (“ITT”) Non- Emergency Transport and other Transport Services.	Available following completion of the Customer Access Agreement (CAA)
2. ITT Questions	Available following completion of the Customer Access Agreement (CAA) in Appendix D. Contracting authorities to complete.
3. ITT Pricing Schedules	Available following completion of the Customer Access Agreement (CAA) in Appendix D. Contracting authorities to complete.
4. Abstract of Particulars	Available following completion of the Customer Access Agreement (CAA) in Appendix D. Contracting authorities to complete.
5. Booking and Eligibility Assessment Service Specification	Available following completion of the Customer Access Agreement (CAA) in Appendix D. Contracting authorities to complete.
6. Core Patient Transport Specification	Available following completion of the Customer Access Agreement (CAA) in Appendix D. Contracting authorities to complete.
7. Mental Health and Secure Transport Specification	Available following completion of the Customer Access Agreement (CAA) in Appendix D. Contracting authorities to complete.
8. High Dependency Transport Specification	Available following completion of the Customer Access Agreement (CAA) in Appendix D. Contracting authorities to complete.
9. Terms and Conditions for the supply of Non- Emergency Transport and other Transport Services.	Available following completion of the Customer Access Agreement (CAA) in Appendix D. Contracting authorities to complete.
10. Supplier Code of Conduct	Available following completion of the Customer Access Agreement (CAA) in Appendix D. Contracting authorities to complete.
11. ITT Document Set	Available following completion of the Customer Access Agreement (CAA) in Appendix D. Contracting authorities to complete.
12a. Volume Data	Available following completion of the Customer Access Agreement (CAA) in Appendix D. Contracting authorities to complete.
12b. TUPE Template	Available following completion of the Customer Access Agreement (CAA) in Appendix D. Contracting authorities to complete.
13. Example Evaluation Template	Available following completion of the Customer Access Agreement (CAA) in Appendix D. Contracting authorities to complete.
14. ITT Feedback Letter	Available following completion of the Customer Access Agreement (CAA) in Appendix D. Contracting authorities to complete.

