

info@nhmfframeworx.org.uk nhmfframeworx.org.uk



## A Not-for-Profit procurement solution investing in social value and the community

FOR SOCIAL HOUSING PROVIDERS, CONTRACTORS AND SUPPLIERS

# Welcome to Frameworx

A brand-new framework is now available across the UK, with the aim of offering a unique and innovative solution for social housing providers, contractors and suppliers who have a shared commitment to investing in social value and the communities in which they work.



#### WHO ARE FRAMEWORX?

Launched in association with the National Housing Maintenance Forum, Frameworx is a Not-for-Profit organisation, offering something new, including a competitive maximum fee of 1.5%, an established and engaged supply chain, and investment in initiatives including social value, training and benchmarking.

#### **Benefits for Members**

- ✓ Aligned with M3NHF Schedule of Rates
- All surpluses will be invested in social value, sustainability, innovation, research and training
- Supplier benchmarking, monitoring and sharing best practice
- ✓ Not-for-profit organisation
- ✓ Highly competitive maximum fee 1.5%

#### NHMF (NPC) Limited is a contracting authority

In order to set up framework agreements that registered providers, local authorities and other housing providers that are themselves contracting authorities can use for their own compliance with the public procurement rules, NHMF (NPC) Limited ("**NPC**") must be a "central purchasing body". To be a "central purchasing body" NPC must itself be a "contracting authority". This is set out in the definition of "central purchasing body" under Regulation 2 of The Public Contracts Regulations 2015 ("**PCR 2015**").

Under PCR 2015 (also in Regulation 2 PCR 2015) the definition of "contracting authority" includes "associations formed by one or more contracting authorities".

NPC was formed by registered providers of social housing, all of which are themselves contracting authorities (and subscribers to the NHF Schedule of Rates).

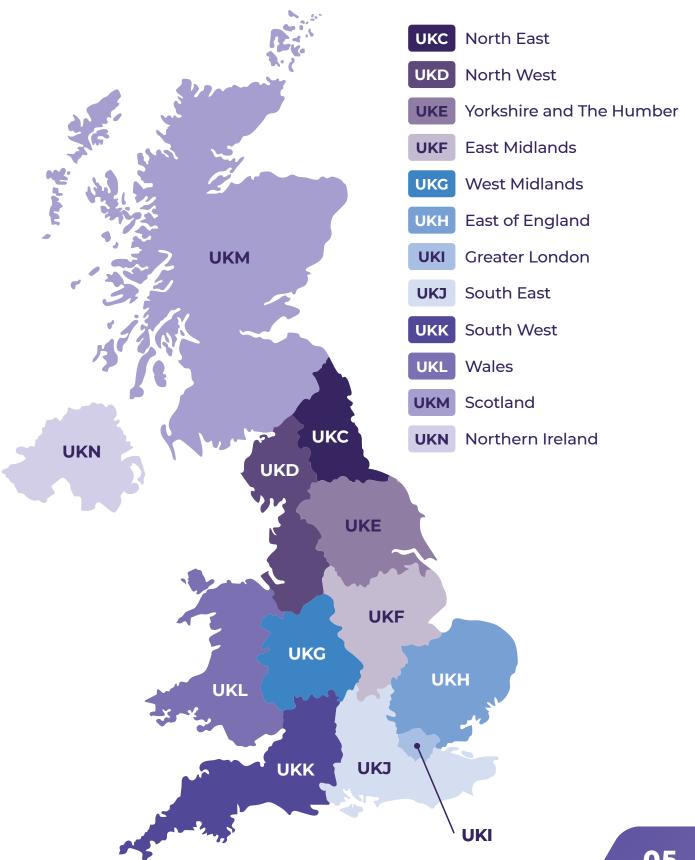
NPC is set up as a company limited by guarantee, which is the usual form for a not-for-profit organisation. Its governing document (Articles of Association) states that it is "an association of contracting authorities". The requirement that NPC meets needs in the general public interest is written into that governing document. Membership of NPC is restricted membership to contracting authorities. Article 25.2 of its Articles of Association state that no organisation or person may be admitted as a Member of NPC unless they are a contracting authority under PCR 2015. This ensures that its status as "an association of contracting authorities" continues when new Members are admitted.

#### **CONTENTS**

	gions 22/2023 Agreements	.05
	Energy Consultancy Services  covering Domestic & Non-Domestic Energy Assessors and Retrofit Consultants	07
Q	Asset Management Consultancy Services covering Domestic & Non-Domestic Stock Condition Surveys and Asset Management Consulta	<b>08</b>
	Compliance Consultancy Services  covering Gas Audit Services, Electrical Audit Services, Security & Access Compliance Services, F Safety Compliance, Water Hygiene Compliance, Asbestos Compliance, and Lift & Disabled Lifti Equipment Compliance	
99	Responsive Maintenance and Void Property Works	12
	Planned Maintenance of External, Communal and Internal Works, Cyclical Redecoration and Pre-Decoration Repairs, Net Zero Carbon Works, and Passive Fire Safety Works	14
Elipho el	Materials Supply of all materials, and specifically Plumbing & Heating, Electrical, and Decorating materials	16
Ne	w Framework Agreements for 2023	17
lm	portant Information & FAQs	18

#### **REGIONS**

The Frameworks are national covering England, Wales, Scotland and Northern Ireland with the ability to operate in specific geographical regions. Details of which contractors are appointed to work in each area is detailed in the individual framework pages.



## 2022/2023 Framework Agreements



## ENERGY CONSULTANCY SERVICES



#### **Contract Details**

**Reference:** NPC1501 **Estimated total value excluding VAT:** £32,000,000

**Duration:** 48 months **Main CPV code:** 71631000 - Technical inspection services

Framework Live: 1st December 2022

#### Framework Workstream

There are two frameworks for Energy Consultancy Services, one for Direct Award and one for Mini-Competition. Each of the frameworks is broken down into 3 workstreams:

1A & 1B Domestic Energy Assessors

2A & 2B Non-Domestic Energy Assessors

3A & 3B PAS 2035 Retrofit Consultants

(Advisers, Assessors, Co-ordinators, Design Consultants and Evaluators)

CONTRACTOR	REGIONS	1	2	3
Energy & Compliance Technology Ltd T/A Compliance365	ALL	~	~	
Keegans Ltd	UKD, UKF, UKG, UKI, UKJ			<b>✓</b>
Parcor Ltd	ALL	<b>✓</b>		<b>✓</b>
Pellings LLP	UKD, UKF, UKG, UKI, UKJ	<b>✓</b>	✓	<b>✓</b>
Pennington Choices Limited	UKC, UKD, UKE, UKF, UKG, UKH, UKI, UKJ, UKK, UKL, UKM	~	~	
Pennington Choices Limited	ALL			<b>✓</b>
Rand Associates Consultancy Services Ltd	ALL	<b>✓</b>	<b>✓</b>	<b>✓</b>
Ridge and Partners LLP	UKD, UKE, UKF, UKG, UKH, UKI, UKJ, UKK			•
Value Optimised Retrofit Ltd	UKF, UKG, UKH, UKI, UKJ, UKK, UKL	~		•

## ASSET MANAGEMENT CONSULTANCY



#### **Contract Details**

**Reference:** NPC1528 **Estimated total value excluding VAT:** £20,000,000

**Duration:** 48 months **Main CPV code:** 71631000 - Technical inspection services

Framework Live: 1st December 2022

#### Framework Workstream

There are two frameworks for Asset Management Consultancy, one for Direct Award and one for Mini-Competition. Each of the frameworks is broken down into 3 workstreams:

1A & 1B Stock Condition Surveys: Domestic

2A & 2B Stock Condition Surveys: Non-Domestic

3A & 3B Asset Management Services

CONTRACTOR	REGIONS	1	2	3
Faithorn Farrell Timms LLP	UKC, UKD, UKE, UKF, UKG, UKH, UKI, UKJ, UKK, UKL, UKN	~	~	•
MLCS3 Limited	UKC, UKD, UKE, UKF, UKG, UKH, UKI, UKJ, UKK, UKL	~		
Pellings LLP	UKD, UKF, UKG, UKI, UKJ	<b>✓</b>	<b>✓</b>	<b>✓</b>
Pennington Choices Limited	UKC, UKD, UKE, UKF, UKG, UKH, UKI, UKJ, UKK, UKL, UKM	~		•
Rand Associates Consultancy Services Ltd	ALL	<b>✓</b>	<b>✓</b>	<b>✓</b>
Rapleys LLP	UKC, UKD, UKE, UKF, UKG, UKH, UKI, UKJ, UKK, UKL, UKM	~		
Ridge and Partners LLP	ALL	<b>✓</b>		<b>✓</b>

## COMPLIANCE CONSULTANCY SERVICES



#### **Tranche 1: Contract Details**

**Reference:** NPC1507 **Estimated total value excluding VAT:** £20,000,000

**Duration:** 48 months **Main CPV code:** 71631000 - Technical inspection services

Framework Live: 1st December 2022

#### Framework Workstream

Under Compliance Consultancy Services Tranche 1 there are two frameworks, one for Direct Awards and one for Mini-Competitions, which is broken down into separate workstreams:

1A & 1B Gas Audit Services

2A & 2B Electrical Audit Services

CONTRACTOR	REGIONS	1	2
CORGI Technical Services	ALL	<b>✓</b>	<b>✓</b>
Morgan Lambert	UKC, UKD, UKE, UKF, UKG, UKH, UKI, UKJ, UKK, UKL, UKM	~	•
Pennington Choices Limited	UKC, UKD, UKE, UKF, UKG, UKH, UKI, UKJ, UKK, UKL, UKM	<b>✓</b>	<b>~</b>

## COMPLIANCE CONSULTANCY SERVICES



#### **Tranche 2: Contract Details**

**Reference:** NPC1513 **Estimated total value excluding VAT:** £20,000,000

**Duration:** 48 months **Main CPV code:** 71631000 - Technical inspection services

Framework Live: 1st December 2022

#### Framework Workstream

Under Tranche 2 of Compliance Consultancy Service there are two frameworks, one for Direct Awards and one for Mini-Competitions, which is broken down into 4 workstreams:

**1A & 1B** Fire Safety Audit Services

2A & 2B Water Hygiene Audit Services

3A & 3B Asbestos Audit Services

4A & 4B Lift and Disabled Lifting Equipment Audit Services

CONTRACTOR	REGIONS	1	2	3	4
Allium Environmental Limited	UKC, UKD, UKE, UKF, UKG, UKH, UKI, UKJ, UKK, UKL			•	
Butler & Young Lift Consultants Limited	UKC, UKD, UKE, UKF, UKG, UKH, UKI, UKJ, UKK, UKL, UKM				~
Enquin Environmental Ltd	UKG, UKJ, UKK, UKL			<b>✓</b>	
Envirocure Limited	UKG, UKH, UKI, UKJ, UKM		<b>✓</b>		
HSB Engineering Insurance Services Limited	ALL				<b>✓</b>
HSL Compliance Limited	ALL		<b>✓</b>		
Integrated Water Services Ltd	UKC, UKD, UKE, UKF, UKG, UKH, UKI, UKJ, UKK, UKL, UKM		~		
Severn Trent Services Operations UK Ltd	UKC, UKD, UKE, UKF, UKG, UKH, UKI, UKJ, UKK, UKL, UKM		<b>~</b>		
Storm Tempest Ltd	UKC, UKD, UKE, UKG	~			
Tersus Consultancy Limited	UKC, UKD, UKE, UKF, UKG, UKH, UKI, UKJ, UKK, UKL	~		~	
Tersus Consultancy Limited	ALL			~	
Urban Environments Limited	UKC, UKD, UKE, UKF, UKG, UKH, UKI, UKJ, UKK		<b>~</b>		

## RESPONSIVE MAINTENANCE



#### **Contract Details**

**Reference:** NPC1601 **Estimated total value excluding VAT:** £300,000,000

**Duration:** 48 months **Main CPV code:** 45400000 - Building completion work

Framework Live: 24th January 2023

#### Framework Workstream

There are two frameworks for Responsive Maintenance and Void Property Works, one for Direct Award and one for Mini-Competition. Each of the frameworks is broken down into 3 workstreams:

1A & 1B Responsive Maintenance

2A & 2B Void Property Works

3A & 3B Responsive Maintenance and Void Property Works

CONTRACTOR	REGIONS	1	2	3
Axis Europe plc	UKD, UKF, UKG, UKH, UKI, UKJ	<b>✓</b>	✓	<b>~</b>
Bell Decorating Group Limited	UKC, UKD, UKE, UKF, UKG, UKH, UKI, UKJ, UKK, UKL, UKM	<b>~</b>	•	<b>~</b>
Breyer Group Plc	UKH, UKI, UKJ	~	<b>✓</b>	<b>✓</b>
Chigwell London Ltd	UKH, UKI, UKJ	<b>~</b>	<b>✓</b>	<b>✓</b>
CLC Contractors Limited	UKC, UKD, UKE, UKF, UKG, UKH, UKI, UKJ, UKK, UKL, UKM		~	
стѕ	UKL, UKN	<b>~</b>	<b>✓</b>	<b>✓</b>
Etec Contract Services Ltd	UKH, UKI, UKJ		<b>✓</b>	
Ian Williams Limited	UKC, UKD, UKE, UKF, UKG, UKH, UKJ, UKK	~	•	<b>~</b>
Purdy Contracts Ltd	UKH, UKI	<b>~</b>	<b>✓</b>	~
LCB Group	UKI, UKJ, UKK, UKL	~	<b>✓</b>	<b>✓</b>
<b>City West Works Ltd</b> T/A Liberty Group	UKC, UKD, UKE, UKF, UKG, UKH, UKI, UKJ, UKK, UKL, UKM	•	•	•
MCP Property Services Ltd	UKD, UKE, UKF, UKG, UKH, UKI, UKJ, UKK	•	•	<b>✓</b>
MD Building Services Limited T/A MD Group	UKK	•	•	•
Novus Property Solutions Limited	UKC, UKD, UKE, UKF, UKG, UKH, UKI, UKJ, UKK, UKL, UKM	<b>~</b>	•	<b>~</b>
Pilon Ltd	UKF, UKG, UKH, UKI, UKJ		✓	
Prestige Domestic Property Maintenance Ltd	UKH, UKI		<b>✓</b>	
R&M Williams Limited	UKK, UKL		<b>✓</b>	
United Living (South) Limited	UKE, UKF, UKG, UKH, UKI, UKJ	<b>✓</b>	<b>✓</b>	<b>✓</b>
Wates Property Services Limited	UKC, UKD, UKE, UKF, UKG, UKH, UKI, UKJ, UKK, UKL	~	~	<b>~</b>

#### PLANNED MAINTENANCE



#### **Contract Details**

Reference: NPC2001 Estimated total value excluding VAT: £850,000,000

**Duration:** 48 months **Main CPV code:** 45400000 - Building completion work

Framework Live:

24th January 2023 (Lots 1, 2, 3, 4 and 6)

1st March 2023 (Lot 5)

#### Framework Workstream

There are two frameworks for Planned Maintenance, one for Direct Award and one for Mini-Competition. Each of the frameworks is broken down into 6 workstreams:

1A & 1B Planned Maintenance: External and Communal Works

2A & 2B Planned Maintenance: Internal Works

3A & 3B Planned Maintenance: External, Communal and Internal Works

4A & 4B Cyclical Redecoration and Pre-Decoration Repairs

5A & 5B Net Zero Carbon Works

6A & 6B Passive Fire Safety Works

CONTRACTOR	REGIONS	1	2	3	4	5	6
AD Construction Group					4		
(Architectural Decorators Ltd)	UKH, UKI, UKJ				~		
Bell Decorating Group Ltd	ALL	<b>✓</b>	<b>✓</b>	<b>✓</b>	<b>✓</b>		<b>V</b>
Checkmate Fire Solutions Ltd	UKC, UKD, UKE, UKF, UKG, UKH, UKI, UKJ, UKK, UKL, UKM						<b>~</b>
Chigwell (London) Ltd	UKH, UKI, UKJ		<b>✓</b>				
CLC Contractors Limited	UKC, UKD, UKE, UKF, UKG, UKH, UKI, UKJ, UKK, UKL, UKM	<b>~</b>	<b>✓</b>	<b>✓</b>	~	<b>✓</b>	<b>~</b>
стѕ	UKN	<b>✓</b>	<b>✓</b>	✓	<b>✓</b>	✓	~
<b>Diamond Fire Safety Limited</b> a division of Diamond Build Group PLC	UKI, UKJ						<b>~</b>
Guildmore Ltd	UKH, UKI, UKJ	<b>✓</b>	<b>✓</b>	✓	<b>✓</b>	✓	~
Harmony Fire Ltd	ALL						<b>✓</b>
Ian Williams Limited	UKC, UKD, UKE, UKF, UKG, UKH, UKI, UKJ, UKK, UKL	~	~	•	<b>~</b>	~	<b>~</b>
LCB Group	UKI, UKJ, UKK, UKL	<b>~</b>		<b>✓</b>	<b>~</b>	<b>✓</b>	
Leeds Environmental LLP	ALL						<b>✓</b>
MD Building Services Ltd T/A MD Group	UKK	~	~	•		<b>✓</b>	<b>~</b>
Michael Donaghy (P&D) Ltd	UKN	<b>✓</b>			<b>✓</b>		
Milestone Contracting Limited	UKH, UKI, UKJ	<b>✓</b>	<b>✓</b>	<b>✓</b>	<b>✓</b>	<b>✓</b>	<b>✓</b>
Novus Property Solutions Limited	UKC, UKD, UKE, UKF, UKG, UKH, UKI, UKJ, UKK, UKL, UKM	<b>~</b>	~	~	~	~	~
Passive Fire Safety Solutions	UKJ, UKK						~
Pilon Ltd	UKH, UKI, UKJ		~				
PK Murphy Construction Limited	UKN	<b>✓</b>	<b>✓</b>	<b>✓</b>	<b>✓</b>	~	<b>✓</b>
Purdy Contracts Ltd	UKH, UKI, UKJ	<b>✓</b>	<b>✓</b>	<b>✓</b>	<b>✓</b>	~	<b>✓</b>
Saltash Enterprises Ltd	UKI	<b>✓</b>	<b>✓</b>	<b>✓</b>	~	<b>✓</b>	<b>✓</b>
Trail Group Ltd	UKG, UKI, UKJ						<b>✓</b>
TSG Building Services plc	UKH, UKI, UKJ		<b>✓</b>			<b>✓</b>	
United Living (South) Limited	UKD, UKE, UKF, UKG, UKH, UKI, UKJ, UKK	<b>~</b>	<b>✓</b>	<b>✓</b>	<b>~</b>	<b>~</b>	<b>~</b>
Ventro Ltd	ALL	<b>✓</b>	<b>✓</b>	<b>✓</b>	<b>✓</b>	<b>✓</b>	<b>~</b>
<b>Vinci Construction UK Ltd</b> T/A Vinci Facilities	UKD, UKF, UKG, UKH, UKI, UKJ, UKK, UKL	•	~	•		•	
Wates Property Services Limited	UKC, UKD, UKE, UKF, UKG, UKH, UKI, UKJ, UKK, UKL	•	~	•	<b>~</b>	•	•

#### MATERIALS SUPPLY



#### **Contract Details**

Reference: NPC3001 Estimated total value excluding VAT: £500,000,000

**Duration:** 48 months **Main CPV code:** 44111000 - Building materials

Framework Live: 1st March 2023

#### Framework Workstream

Under Material Supply there are two frameworks, one for Direct Award and one for Mini-Competition. Each of the frameworks is broken down into 4 workstreams:

1A & 1B All materials

**2A & 2B** Plumbing and Heating Materials

3A & 3B Electrical Materials

4A & 4B Decorating Materials

CONTRACTOR	REGIONS	1	2	3	4
Bradfords Building Supplies Limited	UKG, UKK	<b>~</b>	<b>✓</b>		<b>✓</b>
C Brewer & Sons Ltd T/A Brewers Decorating Centres	UKC, UKD, UKE, UKF, UKG, UKH, UKI, UKJ, UKK, UKL				~
Huws Gray Ltd	UKC, UKD, UKE, UKF, UKG, UKH, UKI, UKJ, UKK, UKL, UKM	~	~	~	~
Powred Heating Components Ltd	ALL		<b>✓</b>		
Rexel UK Limited	ALL			✓	
<b>Stark Group</b> T/A Jewsons	ALL	~	~	~	~
Travis Perkins Trading Company	ALL	<b>✓</b>			
UK Plumbing Supplies Ltd	UKC, UKD, UKE, UKF, UKG, UKH, UKI, UKJ, UKK, UKL, UKM		~		

## NEW FRAMEWORK AGREEMENTS FOR 2023

We will be issuing additional framework agreements throughout 2023, covering:

#### **Heating Services**

#### **Lot 1A & 1B**

Domestic Heating Appliances and Installations Servicing, Maintenance and Installations

#### Lot 2A & 2B

Commercial/Communal
Heating Appliances and
Installations Servicing,
Maintenance and Installations

#### Lot 3A & 3B

Microgeneration Appliances and Installations Servicing, Maintenance and Installations

#### **Estate Services**

Lot 1A & 1B

**Grounds Maintenance** 

Lot 2A & 2B

**Building and Window Cleaning** 

Lot 3A & 3B

Sewage and Drainage Works

Lot 4A & 4B

**Estate Improvements** 

#### **Communal Mechanical and Electrical Services**

#### Lot 1A & 1B

Security, Access and Life Support Systems

#### Lot 2A & 2B

Active Fire Safety Detection and Prevention Systems

#### Lot 3A & 3B

Lifts and Disability Lifting Equipment

#### Lot 4A & 4B

Landlord's Electrical Installations

#### Lot 5A & 5B

Sprinkler Installations

#### Lot 6A & 6B

Water Installations

#### Subcontract/Specialist Works including:

- > Groundworks
- > Road and Path Surfacing
- > Fencing
- > Drainage Works
- > Brickwork
- > Damp Poof Injection Works
- > Concrete Repairs

- > Stonemasonry
- Pitched Roofing including Rainwater Goods
- > Flat Roofing
- > Asphalt Works
- > Carpentry and Joinery
- > Plasterwork

- > Wall and Floor Tiling
- > Floor Finishes
- > Painting and Decorating
- > Plumbing
- > Electrical Works
- > Pest Control
- > Damp and Mould Treatment

The duration of each contract will be 48 months with varying values.

Service Providers will be invited to tender over the coming months.

To register your interest and for updates, please visit:

etenders.nhmfframeworx.org.uk

# Important Information & FAQs



#### Who can use NHMF Frameworx?

Under Regulation 33(5) PCR 2015 any contracting authority "clearly identified in the call for competition" for an NPC Framework can use that NPC Framework. The "call for competition" for an NPC Framework consists of the Find a Tender Service Contract Notice ("FTS Notice") accompanied by the procurement documentation required to be published on the date of publication of the FTS Notice in accordance with Regulation 53(1) PCR 2015.

For the initial frameworks, in compliance with the principles of transparency and equal treatment, the procurement documentation referenced in the FTS Notice included the Register of NPC Members and "Associates". This lists the contracting authorities who are eligible to use the NPC Frameworx as of the date of the publication of the FTS Notice. Copies of these lists for each of the frameworks can be accessed here.

The term "Associate" is used to denote organisations that are not Members of NPC (either because they are not contracting authorities, and therefore ineligible to become Members, or because they have chosen not to become Members). In order to use one of the Frameworx frameworks an Associate must first sign an Authorising Agreement.

For the later frameworks which are in the process of being procured (Domestic and Communal Heating Servicing, Maintenance and Installations, Communal Mechanical and Electrical Installations, Estate Services, and Subcontracted and Specialist Works) there will be a list of categories of contracting authority that can use those frameworks in the relevant FTS notices. This will enable contracting authorities that become Members or Associates after the date of these FTS notices to use these frameworks.

It is not necessary for an organisation to be a contracting authority to use Frameworx. Their procurements are not regulated by PCR 2015. However, as set out above, before being permitted to use the frameworks, these organisations must first sign an Authorising Agreement and therefore become "Associates".

Copyright in the Frameworx documentation belongs either to NPC or to Rand Associates Consultancy Limited and Hammar South West (in which case its use is licensed to NPC for the Frameworx). It would be a breach of that copyright to use those documents without permission from NPC. Members of NPC are entitled to use Frameworx by virtue of their membership of NPC.

Non-Members (whether or not they are contracting authorities) can be given permission to use Frameworx by NPC, subject to their signing an Authorising Agreement. NPC may make a charge to those non-Members for use of Frameworx.

### Why there are separate frameworks for direct award and mini competition?

If a single framework agreement includes both direct award and mini-competition as potential call off methods Regulation 33(9)(a) PCR 2015 requires the choice between direct award and mini-competition to be based on "objective criteria" which defines when each option is to be used. However, this does not apply where there are different framework agreements; one of which provides for call-offs by direct award and one of which provides for call-offs by mini-competition.

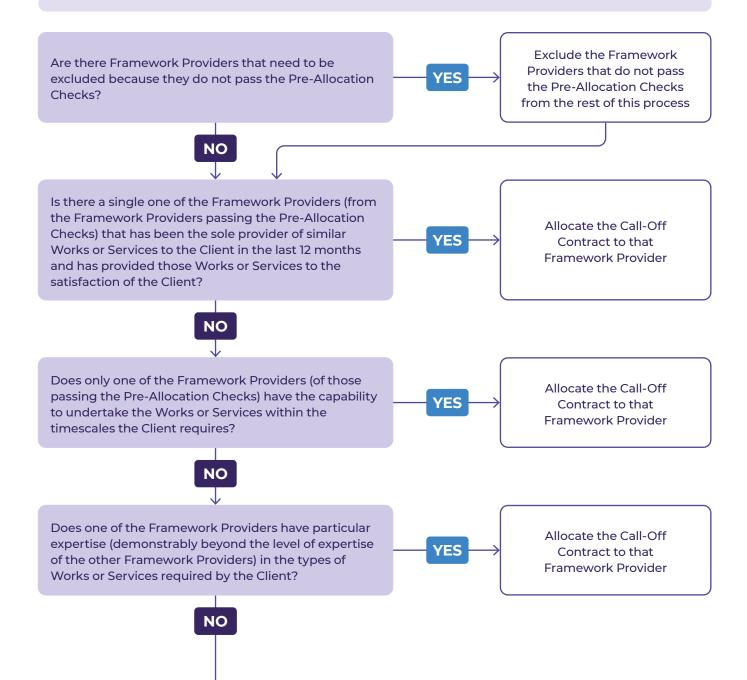
We have therefore procured separate framework agreements for call-offs by direct award and for call-offs through a mini-competition so users of Frameworx can decide which to use.

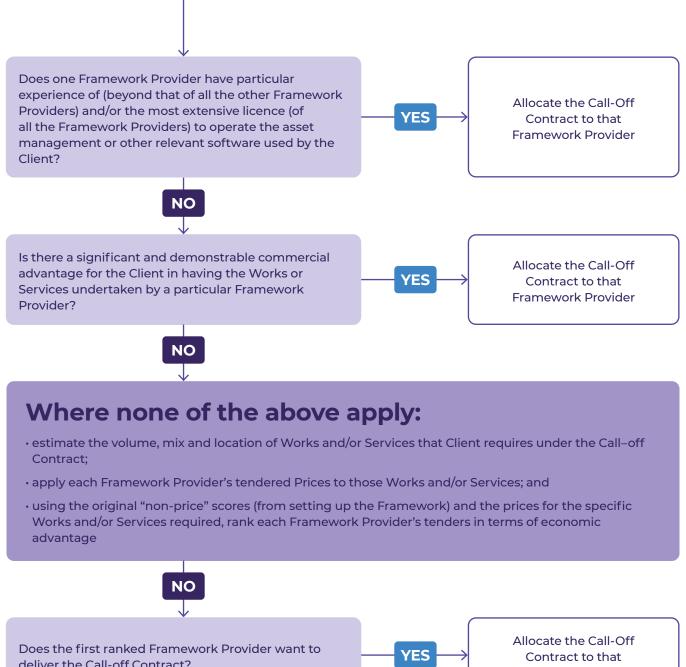
#### **Direct Awards**

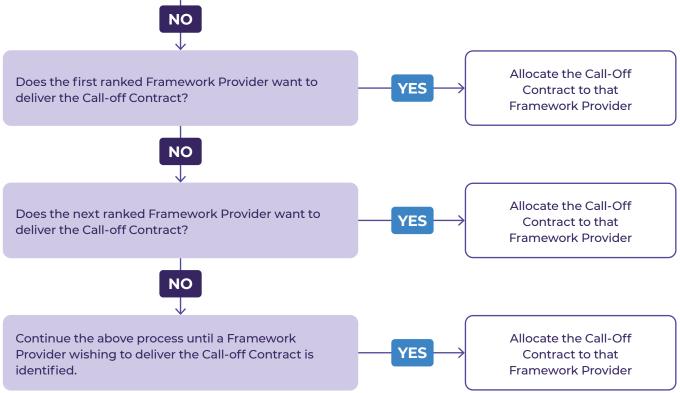
Contracts called off by Direct Award must be awarded in accordance with "objective criteria" to select which Framework Provider is to be awarded the call-off contract (Regulation 33(8)(a)(ii) PCR 2015).

Users of Frameworx ("Clients") should therefore use the following flowchart for Direct Awards to determine to which of the Framework Providers their contract is to be awarded. This flowchart mirrors the award process in Schedule 4 to the Framework Agreements for the Direct Award frameworks.

#### Frameworx: Direct Award Flowchart







NPC will provide support and guidance to Clients on this Direct Award process. It is important that Clients follow this process exactly, otherwise their call-off may be open to challenge.

#### How to run a mini competition

NPC will provide full support to Clients who wish to use a Mini-Competition to call off a contract from one of the frameworks. The procedure is set out in the "Call-off Contract Allocation Procedure" in Schedule 4 to the Mini-Competition Framework Agreements for Frameworx and is briefly described below.

The first stage of a Mini-Competition is to determine which of the Framework Providers are capable of meeting the Client's requirements for the Call-off Contract. This is done by applying the Pre-Allocation Checks (set out in Paragraph 1 of Schedule 4) to all of the Providers on the framework.

An Invitation to Submit a Mini-Tender ("**IMT**") is then issued to all of the Framework Providers who have been deemed to be capable of performing the Call-off Contract in the Pre-Allocation Checks procedure. This IMT must include details of:

- the award criteria for the Mini-Competition;
- the Mini-Tender submission requirements (including any Prices) that the Framework Provider is required to submit to tender for the Call-off Contract;
- · the date until which those Prices must be held open for acceptance; and
- the Mini-Tender submission deadline.

The award criteria used in a Mini-Competition and their weightings must be "based on" those used for the award of places on the Framework Agreement (as this is a legal requirement under Regulation 33(11) PCR 2015). However, those criteria may be "more precisely formulated" (i.e. tailored to the Client's specific requirements for the Call-off Contract).

The prices submitted by Framework Providers in the Mini-Competition must be based on the prices submitted by those Providers in the competition for places on the framework. If they are not, their Mini-Tender can be declared to be non-compliant and rejected.

#### Standstill and contract award

It is optional whether or not a Client adopts a standstill period for a call-off from one of the frameworks. For Direct Awards this would be unusual, as there is no "competition" on which to feed back scores etc.

Where a Mini-Competition is used and there is no standstill period, this is one of the circumstances in which a court can set aside a Call-off Contract. This is a risk if there has been any breach of PCR 2015 in the way in which the Mini-Competition has been run.

Where a standstill period is used, the Client provides feedback to the Framework Providers through a standstill letter. This standstill letter must include details of:

- the name of the successful Framework Provider;
- · the award criteria used;
- the scores achieved by the Framework Provider that is awarded the Call-off Contract and the Framework Provider to whom feedback is being given;
- the characteristics and relative advantages of the Mini-Tender submitted by the successful Framework Provider; and
- · when the standstill period ends.

The standstill period will begin on the day after standstill letters are sent out electronically ("day 1"). It then ends 10 calendar days later, unless that day is a weekend or bank holiday. If this is the case, it will end on the next working day.

#### **Call-Off Contract documentation**

The call-off contract documentation for each of the frameworks comprises:

• Articles of Agreement and Contract Details: The "Articles" are the part of the Contract that set out details of the Parties and which incorporate all of the other Contract Documents. There is a section in the Articles for any bespoke amendments to the Contract Conditions (and, for some of the frameworks, the Preliminaries) that the Client requires. However, these cannot include any "substantial changes" to the template Call-off Contract terms.

The **Contract Details** set out how the "variables" in the Contract Conditions (and, for some of the frameworks, the Preliminaries) are to be completed. There are several Appendices to these which include things like the Client's policies that the Provider must comply with in delivering the Calloff Contract. The Client will need to provide some of the information necessary to complete these Appendices;

- Contract Conditions: These set out the main terms and conditions of the Call-off Contract. They deal with things like the provision of staff, information handling and termination;
- Specification OR (depending on which of the frameworks is being used) Preliminaries and Specification (separate documents): This describes the works, materials or products to be delivered under the Call-off Contract and the contractual standards that must be met. Where there is a separate Preliminaries document, this describes the "processes" for undertaking the works or services (eg appointments, working hours etc). In these circumstances the Specification describes the standards of work and detailed works on-site. Where these is a single Specification, it includes both of these elements.
- Price Framework and Price List OR Schedule of Rates: The Price Framework is the important Contract Document that sets out the basis of payment, including inflation indexation, invoicing procedures and VAT.

The Price Framework will cross reference to either a **Price List** (setting out the Prices payable under the Call-off Contract) or the pre-priced Schedule of Rates document (against which Framework Providers have tendered percentage adjustments);

- KPI Framework: This sets out the Key Performance Indicators which are a set of quantifiable measures of performance in specific areas of delivery of the Works and/or Services under the Contract. For these there are generally KPI Targets (setting the expected level of performance) and KPI MAP (Minimum Acceptable Performance) levels, performance below which can trigger a process leading ultimately to termination of the Call-off Contract;
- Parent Company Guarantee (optional): This is a guarantee by a parent company that its subsidiary (which is the signatory to a Call-off Contract) will perform a Call-off Contract; and
- **Performance Bond** (optional): This is a guarantee by a bank or bond provider that the Provider will perform a Call-off Contract. This is not normally be required other than for "capital projects".





Like to award work through Frameworx? Our team can support you – get in touch:

info@nhmfframeworx.org.uk nhmfframeworx.org.uk