



Working together for the people of Herefordshire



Herefordshire Council

Descriptive Document 2

Proposed Competitive Dialogue Process

Public Realm Services

22<sup>nd</sup> October 2012

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**SECTION 1: Overview of the Process**

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**Part One: Process Outline**

- 1.1. This document sets out the proposed competitive dialogue process (the Process) to be followed by the Council; however the Council reserves the right to: alter the timings and structure of any of the Stages within the Process at any time. In particular, Candidates should note that the Council reserves the right to terminate the Process and where appropriate, re-advertise the requirement for the Services in the event that an insufficient number of compliant and satisfactory responses are received to ensure genuine competition.
- 1.2. This guide to the proposed Process to be followed by the Council is based on the OGC Guide to the Competitive Dialogue Procedure (2008) which has been adapted by the Council (as allowed by the Guide [OGC/HMT 2008 Guidance on Competitive Dialogue](#)) to meet the particular needs and timescales of the Project.
- 1.3. The Process is planned to consist of the following process stages (Stages):
  - Pre-Qualification with the issue of this PQQ;
  - Outline Solution, with the issue of an Invitation to Submit an Outline Solution (ISOS);
  - Detailed Solution with the issue of an Invitation to Submit a Detailed Solution (ISDS) and a Refined Solution (ISRS)
  - Final Tender, with the issue of an Invitation to Submit a Final Tender (ITT).

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**SECTION 2: Process Stages**

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**Stage One: Pre-Qualification Stage (PQS)**

- 1.4. Full details of the procedure to be followed and evaluation guidance can be found in ***Descriptive Document 1: Pre-Qualification Guidance.***
- 1.5. All Candidates will be debriefed on the relative merits of their Response. If any Candidates are not invited to submit an Outline Solution the Council may apply a voluntary standstill period of 10 days from the issue of debriefs before issuing the invitation to participate in the next stage. The Council's objective in applying this period is to improve transparency and ensure fairness and equal treatment, thereby protecting the interests of Candidates and the Council.
- 1.6. In particular, the application of the voluntary standstill period gives non-selected Candidates the opportunity to consider the reasons for their non-selection and if any areas of contention are identified, discuss these with the Council. This then allows the Council to consider any representations made and if these are agreed, rectify any issues with the evaluation before the next stage in the process is commenced. This being said it is hoped that the level of transparency contained within supporting documents will protect against any misunderstandings of requirements by Candidates and misapplication of criteria by the Council. Overall the application of a voluntary standstill period is thought to protect the interests of all.
- 1.7. This being said, the Council may choose not to apply a voluntary standstill period if the application of a 10 day period would threaten the viability of Contract commencement by the 1<sup>st</sup> September 2013. In addition, should qualifying Responses be received from less than 7 Candidates, the Council reserves the right to omit the Outline Solutions Stage and progress directly to the Detailed Solutions Stage.

**Stage Two: Outline Solution Stage (OSS)**

- 1.8. The Outline Solutions stage enables the Council to dialogue with Participants their initial proposals for Service provision. (The Outline Solutions Stage is also commonly referred to as the Invitation to Participate ITPD Stage). At the start of the Outline Solutions Stage, an Invitation to Submit Outline Solutions (ISOS) will be issued and the Council will carry out short and focused (outline) dialogue with Participants. Outline Solutions will then be

submitted and evaluated by the Council on the basis of the award criteria stated in the ISOS. As a result of the evaluation the Council may reduce to no less than 3, the number of Participants taken forward to the next stage of the procurement process.

- 1.9. As with the PQQ Stage, all Participants (protecting commercial confidentiality) will be debriefed on the relative merits of their solutions. If any Participants are not selected to submit a detailed solution the Council may apply a voluntary standstill period as per the process outlined at the PQQ Stage. Again, the Council's objective in applying this period is to improve transparency and ensure fairness and equal treatment, thereby protecting the interests of Participants and the Council.

### **Stage Three: Detailed Solution Stage (DSS)**

- 1.10. Participants selected to progress to the Detailed Solutions Stage will be issued with an Invitation to Submit Detailed Solutions (ISDS). Detailed dialogue meeting(s) will be held with each Participant. A timetable of meetings will be prepared for each Participant which will ensure that each spends an equal time in dialogue and has sufficient time to prepare their Detailed Solutions. The timetable will allow each Participant to prioritise resources and to invite advisers and funders to attend meetings as and when required.
- 1.11. Following submission of Detailed Solutions, the dialogue will re-commence and, formal written clarification questions may be issued to all Participants, as well as individual clarification questions being issued to each Participant as appropriate. Clarification meeting(s) will then be held with each Participant to ensure clarity in the evaluation process and remove any ambiguity. The Council may repeat as necessary to ensure clarity, but would seek to progress with alacrity. Once the Council is satisfied that all aspects of the solutions have been sufficiently clarified, the dialogue will be declared closed and a submission of Refined Solutions will be requested.
- 1.12. Refined Solutions will then be evaluated by the Council, which reserves the right not to invite all Participants to submit Final Tenders. Should any Participant not be requested to submit a Final Tender, the Council may apply a voluntary standstill period as per the process outlined at PQQ Stage (again protecting commercial confidentiality). All Participants will be debriefed on their Responses to the Detailed Solutions Stage.

### **Stage Four: Final Tender Stage (FTS)**

- 1.13. Participants called to submit Final Tenders (Tenderers), will have the opportunity for limited clarification of the requirements of the Final Tender (to ensure compliance) prior to the deadline for submission.
- 1.14. Following evaluation of Final Tenders, a Preferred Bidder will be appointed subject to the approval of the Project Team's recommendation to the Council's Cabinet. The Council also reserves the right to identify a Reserve Bidder and will request that the Final Tender from that Bidder remain on offer for a specified period of time. The Reserve Bidder will be expected to attend meetings with the Council until the specified period of time has elapsed.
- 1.15. A limited period will follow during which the Preferred Bidder will confirm its commitments and to allow the Council to seek final clarifications prior to the submission of a Final Business case to the Council's Cabinet to seek approval to award the contract.

### **Stage Five: Contract Award**

- 1.16. Following approval to award the contract, the Council will debrief Tenderers and issue an intention to award letter. The mandatory 10 day standstill period will then be applied prior to the award of the Contract.

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**SECTION 3: Process Timetable**

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- 1.1 The table below outlines the proposed timetable for the Process. Candidates should be aware that the Tender Process will involve their attendance at various meetings at Council offices and potentially other venues within Herefordshire such as for site visits. Meetings are likely to consist of Briefing Meeting(s); Dialogue Meeting(s); Presentation(s) and Interview(s). The attendance of Council representatives on a Site Visit to the Candidate's premises may also be required. Advance notice will be given of any meeting requirements at the commencement of each Stage of the Tender Process. Candidates should ensure they will be available to attend any meetings as notified.
- 1.2 Indicative timings are given below for all Stages. As outlined in Section 2 above, Candidates should note that 10 day voluntary standstill periods have been included at any point in the process at which debriefs will be provided and that these voluntary standstill periods may not be applied.
- 1.3 As a result, the timings of all post Pre-Qualification Stages should be best viewed as indicative only. Should it be necessary for the Council to alter the structure and timings of any of the stages within the Tender Process, the Council will endeavour to provide Candidates with as much notice as possible.
- 1.4 Should any Candidate identify any issues with any of the Stages of the proposed timetable, such as errors or omissions, they should notify the Council immediately so that any issues can be rectified.

Stage	Anticipated Dates
<b>Advertisement Date</b>	22nd October 2012
Clarification Period Closes	16 <sup>th</sup> November 2012 12:00 noon
<b>Closing date for return of PQQ</b>	<b>23<sup>rd</sup> November 2012 12:00 noon</b>
Completion of PQQ Evaluation	7 <sup>th</sup> December 2012
Confirm Participants to be Invited to Submit Outline Solutions and debrief Candidates <b>(dates from this point onward are indicative only)</b>	10 <sup>th</sup> December 2012
Broadcast ISOS	21 <sup>st</sup> December 2012
Hold Bidders Day / Dialogue Appointments	14 <sup>th</sup> – 23 <sup>rd</sup> January 2013
Clarification Period Closes	25 <sup>th</sup> January 2013
<b>Closing date for submission of Outline Solution</b>	<b>1<sup>st</sup> February 2013 12:00 noon</b>
Completion of Outline Solution Evaluation	15 <sup>th</sup> February 2013
Confirm Participants to be Invited to Submit Detailed Solutions and debrief	18 <sup>th</sup> February 2013
<b>Broadcast ISDS</b>	<b>1<sup>st</sup> March 2013</b>
Hold Bidders Day / Dialogue Appointments	4 <sup>th</sup> – 15 <sup>th</sup> March 2013
Clarification Period Closes	18 <sup>th</sup> March 2013
<b>Closing date for submission of Detailed Solution</b>	<b>25<sup>th</sup> March 2013 12:00 noon</b>
Consideration of Detailed Solutions	26 <sup>th</sup> March – 5 <sup>th</sup> April 2013
Further Dialogue Appointments	8 <sup>th</sup> April – 12 <sup>th</sup> April 2013
Declare Close of Dialogue and Request to submit Refined Solution	12 <sup>th</sup> April 2013
<b>Closing date for submission of Refined Solution</b>	<b>22<sup>nd</sup> April 2013 12:00 noon</b>
Completion of Refined Solution Evaluation	2 <sup>nd</sup> May 2013
Confirm Participants to be Invited to Submit Final Tenders and debrief	3 <sup>rd</sup> May 2013
<b>Broadcast ITT</b>	<b>15<sup>th</sup> May 2013</b>
Clarification Period Closes	22 <sup>nd</sup> May 2013
<b>Closing date for submission of Final Tender</b>	<b>24<sup>th</sup> May 2013 12:00 noon</b>
Completion of Final Tender Evaluation and Confirmation of Approved Bidder	13 <sup>th</sup> June 2013
Confirmation of MEAT and Intention to Award Approval	14 <sup>th</sup> – 20 <sup>th</sup> June 2013
<b>Issue of Intention to Award and Start of mandatory standstill period</b>	21 <sup>st</sup> June 2013
<b>Award of Contract</b>	<b>1<sup>st</sup> July 2013</b>
<b>Contract Commencement</b>	<b>1<sup>st</sup> September 2013</b>













