****

**Durham County Council**

**Framework for the Supply & Delivery of**

**Audio &Visual Aids (AVA) Equipment and**

**Accessories**

**ProContract Reference**

**Invitation to Tender (ITT)**

**Document 2**

**Contract**

**Terms and Conditions**

The Terms of this Framework will be as detailed in ITT Document 1, and as attached at **Appendix 2** as follows:

* **Standard Goods Framework Terms and Conditions for the Purchase of Goods**

**SPECIFICATION**

**Framework for the Supply & Delivery of AVA Equipment & Accessories**

**Background Information**

Information Communication Technology School Services (ICTSS) have provided services to Establishments with the Council and also to Schools, Academies and Multi-Academy Trust (MATs) within Durham, Darlington and Hartlepool.

ICTSS offer customers a full ICT support service managed by Service Level Agreements (SLA’s) for the procurement, supply, installation and commissioning of all aspects of Information Technology (IT) including full network design and systems installations, hardware repairs including AVA equipment, software support and installation.

ICTSS also provide a design, procure and install service on a chargeable basis for many items of technology including AVA, data, fibre and wireless installations. This service offers the customer an effective procurement service supported by the Council whilst offering a personalised service for each individual request.

Schools, Academies including MATs have their own delegated powers and budgets and are able to deal direct with ranked bidder(s) on the Framework, however, any ranked bidder(s) on the Framework for any specified Lot(s) will not be allowed to directly approach any end-users of this Framework.

**Framework Contract and Length**

This Framework is for an initial period of 1 year commencing 1st April 2018 until 31st March 2019 (with an option to extend for a further 3 x 12 months).

The Council wishes to establish a Framework Agreement for the Supply & Delivery of AVA Equipment and Accessories.

**Introduction to the Framework**

The Framework will be available for use by Durham County Council, and the following additional Contracting Authorities, where they have entered into a Procurement Service Level Agreement (SLA) with Durham County Council.

-         Maintained Schools in County Durham, Darlington and Hartlepool

- Academy Schools in County Durham, Darlington and Hartlepool

- Multi-Academy Trust (MATs) in County Durham, Darlington and Hartlepool

The list of Establishments above is **not exhaustive** and therefore the Council reserves the right to **add or delete** additional Establishments throughout the Framework Period.

In the addition to the above, the Framework may also be made available to not for profit Community Leisure Organisations, again where these have entered into a Procurement SLA with Durham County Council. At the time of issuing this Framework it is understood that this is likely to include Crook Community.

An up-to date list of these SLA partners is available on our website at:

<http://www.durham.gov.uk/dobusinesswithus>

**Operation of the Framework Agreement**

The Council have split their requirements for AVA Equipment and Accessories into the following Lot(s):

* Lot 1 – Smart Equipment
* Lot 2 – Promethean Equipment
* Lot 3 – Ctouch & Clever Touch Equipment
* Lot 4 – Smart Televisions or Equivalent
* Lot 5 – Projectors
* Lot 6 – Miscellaneous Equipment
* Lot 7 - Cabling
* Lot 8 - Mountings & Brackets

Potential bidder(s) are able to tender for one or more Lot(s).

**Call-Off Mechanisms for the Framework**

The Council intends to appoint a maximum of 3 ranked bidders to each Lot(s) and the Framework and will operate two call-off mechanisms which are as follows:

**Direct Award Call-Off**

Direct Award to the 1st ranked bidder for each Lot(s) can be called off up to the following individual order values and for an initial Framework period of 6 months whereby all ranked bidders will be subject to a price re-fresh to establish their place on the Framework for the next 6 months and so on.

* Lot 1 – Smart Equipment – Individual Order Value - £10,000
* Lot 2 – Promethean Equipment - Individual Order Value - £10,000
* Lot 3 – Ctouch & Clever Touch Equipment – Individual Order Value - £10,000
* Lot 4 – Smart Televisions or Equivalent – Individual Order Value - £5,000
* Lot 5 – Projectors – Individual Order Value - £5,000
* Lot 6 – Miscellaneous Equipment – Individual Order Value - £5,000
* Lot 7 – Cabling – Individual Order Value - £1,000
* Lot 8 - Mountings & Brackets – Individual Order Value - £5,000

**Further Competition Call-Off**

A Further Competition process must be undertaken for the Council’s requirements for Special Projects and for individual order value(s) where the total order value exceeds the order value thresholds stipulated above for each individual Lot(s).

All ranked bidder(s) awarded a place on the Framework for an individual Lot(s) must be invited to submit a bid. This process must be undertaken with all ranked bidder(s) in that Lot(s) and this Further Competition process will apply throughout the entire duration of the Framework period.

**Operation of Direct Award Call-off Mechanism for all Lot(s)**

To obtain a ranked position on the AVA Framework for an individual Lot(s) potential bidder(s) must first of all pass all of the mandatory criteria set out in Section 7.5 Specific Essential Criteria of the ITT Document 3 – Tender which is scored on a Pass/Fail basis. If potential bidder(s) pass all of the essential criteria then their submission will be evaluated on a Quality/Price criteria which will be scored out of a total of 100% Quality/Price weighting.

The bidder with the highest combined Quality/Price score for each Lot(s) will be ranked 1st on the Framework for each Lot(s) and will receive all of the business for the first 6 months of the Framework for any call-off order up to the individual threshold value.

If for any reason the 1st ranked bidder for each Lot(s) for an initial period of 6 months cannot carry out the requirements of the Framework, due to timescales, resource issues, high periods of demand etc., then the Council will be able to offer the business on this occasion to the 2nd ranked bidder and so on, however the 1st ranked bidder for each Lot(s) for an initial period of 6 months will always receive all of the business for that Lot(s) when using the Direct Award call-off mechanism.

**Operation of Further Competition Mechanism for All Lot(s)**

For Special Projects and individual order values for each Lot(s) where the total value exceeds the individual order value thresholds outlined above, then the Council will be required to undertake a further competition process and must invite all ranked bidder(s) in that Lot(s) to submit a bid.

The Council will issue a Further Competition Document via the Council’s NEPO (North East Procurement Organisation) Portal. All ranked bidder(s) for that Lot(s) will be required to complete and return the Further Competition Document within a specified timeframe of 24 hours and whereby the results will be evaluated on 100% price evaluation and any specified essential criteria at that time.

**Position on the Framework for Years 1, 2, 3 and 4 for all Lot(s)**

A bidder’s ranked position on the Framework for Years 1, 2, 3 and 4 will be subject to two 6 monthly price refresh competitions which will be evaluated on a 100% price evaluation only.

The bidder with the highest priced bid out of a 100% price evaluation for each 6 month price refresh will obtain 1st ranked position on the Framework for that Lot(s) for the 6 months and will receive all of the business. There will be always be a maximum of 3 ranked bidder(s) on the Framework for each Lot(s) for Years 1, 2, 3 and 4. The Council reserves the right to decide on how the 100% price weighting will be split across each Lot(s) and the individual weightings relating to products within that Lot(s) at the time of each price refresh.

If for any reason the 1st ranked bidder for each Lot(s) for Years 1, 2, 3 and 4 cannot carry out the requirements of the Framework, due to timescales, resource issues, high periods of demand etc., then the Council will be able to offer the business on this occasion to the 2nd ranked bidder and so on, for each Lot(s), however, the 1st ranked bidder for each Lot(s) over the period of the Framework will always receive all of the business for that individual Lot(s) when using the Direct Award call-off mechanism.

The estimated annual spend on this Framework is £250,000 per annum.

This spend is for indicative purposes only and there is no guarantee as to the amount of business promised to all ranked bidder(s) during the Framework period.

**Council’s Key Requirements**

The Council is looking to appoint up to a maximum of 3 ranked bidder(s) for each Lot(s) to Supply, and Deliver AVA Equipment and Accessories and where the 1st ranked bidder on the Framework at the time, may on occasion, be requested to carry installation work out on behalf of the Council.

The AVA Service within the Council’s ICTSS are responsible for advice, procurement and installation of Interactive Whiteboards and Projectors which are key tools in delivering innovative and exciting ways of learning and education.

ICTSS engineers delivering this service are certified to undertake repairs and installations to Manufacturer’s standards Promethean and SMART and work with Schools, Academies and Mats to ensure repairs are speedy and trouble free. This service also covers, Amplifiers, Headphones and includes the repair to warranty standards on named vendors.

**Warranty/Guarantee Requirement**

Ranked Bidder(s) awarded a position on the AVA Framework **MUST** be able to provide the following Manufacturer’s Guarantees/Warranties on the following Lot(s) of AVA Equipment & Accessories

* Lot 1 – Smart Equipment – 5 years Manufacturer’s Warranty
* Lot 2 – Promethean Equipment - 5 years Manufacturer’s Warranty
* Lot 3 – Ctouch & Clever Touch Equipment – 5 Years Manufacturer’s Warranty
* Lot 4 – Smart Televisions or Equivalent – 12 months Manufacturer’s Guarantee
* Lot 5 – Projectors – (To be educational and come with a minimum of 3 year Warranty as standard)
* Lot 6 – Miscellaneous Equipment – 12 months Manufacturer’s Guarantee
* Lot 7 – Cabling – 12 months Manufacturer’s Guarantee
* Lot 8 - Mountings & Brackets –12 months Manufacturer’s Guarantee

**General Requirements Generic to all Lot(s)**

Ranked bidder(s) awarded a place on the Framework for each individual Lot(s) will be required to supply and deliver all AVA Equipment and Accessories to the consignee fitted with a main’s plug and appropriate fuse where applicable.All mains operated AVA Equipment and Accessories **MUST** conform to the appropriate safety standards.

**Branding or Equivalent**

Bidder(s) submitting a bid for each individual Lot(s) **MUST** price up for the Council’s exact specified make and model of AVA Equipment or Accessories unless the Council’s specified product is accompanied by the wording or an ‘Equivalent’.

If a bidder submits an ‘Equivalent’, where required, then it will be up to the Council’s authorised Officers and their professional judgement to decide that what has been priced up for is an ‘Equivalent’ to the make and model been specified.

Where a make or model is **not** deemed to be an ‘Equivalent’, then the Council will reserve the right to clarify this with the bidder.

**Ordering Process for Council End-Users**

All orders placed by the Council for AVA Equipment and Accessories throughout the duration of the Framework **MUST** be accompanied by a valid Durham County Council (DCC) Purchase Order Number (PON).

If a ranked bidder on the Framework for each Lot(s) does not receive an official PON from other end-user establishments, then the order should be rejected by the ranked bidder and the ranked bidder should contact the end-user Establishment in question and ask them to submit an official order number.

**Minimum Order Quantities**

There will be no minimum order quantities applied to this Framework on any of the specified Lot(s) throughout the duration of the Framework Period.

**Delivery Timescales**

Delivery from receipt of Council Official Purchase Order must be no later than 5 working days, however ranked bidder(s) **MUST** have the capability to provide deliveries within 2 working days if urgently required by the Council and as set out in Section 7 - Specific Essential Criteria Question outlined in ITT Document 3 – Tender which is scored on a Pass/Fail basis.

**Delivery Notes**

Delivery Notes **MUST** have an Order Reference Number and must include the Purchase Order Number.

Carriage will be Free of Charge (FOC) on all orders placed by the Council and its end-users throughout the entire duration of the Framework.

**Invoicing & Delivery**

Orders direct from any Manufacturer’s must refer to the Council’s Purchase Order Numbers and all Invoices **MUST** include the Council’s Purchase Order Number (PON).

**Delays**

1st ranked bidder(s) on the Framework for each individual Lot(s) must notify any delays to the Council within 24 hours.

If the 1st ranked bidder on the Framework for each individual Lot(s) is unable to deliver within 5 working days, then the Council will be able to approach to the 2nd ranked bidder(s) on the Framework for that Lot(s) and so on.

The Council will require part orders to be shipped in the case of acceptable delays.

The 1st ranked bidder(s) on the Framework **MUST** notify the Council immediately of an alternative product before dispatch.

**Returns**

The Council will notify the ranked bidder of any damaged, short or incorrect orders and the bidder will be required to acknowledge this within 4 hours together with collection details, replacements for damaged, short or incorrect orders.

The Council will notify the ranked bidder of any incorrect products ordered and the ranked bidder **MUST** acknowledge within 4 hours along with collection details.

**Warranty Requirements**

Where there is an end user responsibility to register a warranty order, then that responsibility for warranty registration procedure on all product orders **MUST** be advised by the ranked bidder(s)

Bidder(s) awarded a place on the Framework for an individual Lot(s) **MUST** immediately notify the Council of any changes relating to any of the required warranty procedures outlined in this document.

**Manufacturer’s & Provider’s Special Offers**

Ranked bidder(s) awarded a place on the Framework for each individual Lot(s) will be required to notify the Council of any special offers or promotions, monthly as a minimum, but sooner should they become available by the Manufacturer and throughout the duration of the Framework period.

**Availability of Spare Parts**

Provider(s) **MUST** be able to provide availability of spare parts for all AVA Equipment and Accessories throughout the period of warranty/guarantee specified for the individual Lot(s) they are tendering for and throughout the entire duration of the Framework period.

**Product Updates**

Ranked bidder(s) for all Lot(s) **MUST** provide the Council with product updates on discontinued items or item shortages at the earliest opportunity or as soon as they are notified.

New Products that come onto the market are to be showcased as appropriate or as beta versions. Advance evaluation products to be provided to the Council Free of Charge.

**Contract Manager**

The Contract Manager for this Framework for the Council is Barbara Brown, School Support Manager – Client, Digital and Customer Services, Resources, Telephone Number: 03000-265171.