

## **Dynamic Purchasing System - FAQ**

### **Q1. What is a Dynamic Purchasing System (DPS)?**

A DPS is a procurement 'tool' used to create a list of pre-qualified providers (stage 1) who have the opportunity to then bid on contract opportunities (stage 2) that are within the scope of the DPS.

It is similar to a framework with the main difference being that providers can apply to join the DPS at regular intervals during the term of the DPS.

A DPS is a fully 'electronic ' process.

For clarity, this DPS is not a full DPS as defined under the Public Procurement Regulations 2015 but is a modified version. This is because social and health care services are not subject to the full rigour of the procurement procedures set out in the Regulations.

### **Q2. Why is this helpful / necessary?**

The DPS can streamline the procurement for both the providers and the Council. Providers don't have to demonstrate suitability and capability every time they compete for a contract on the DPS and the award for individual tenders can be quicker than under some other procedures. The DPS is more flexible in some respects than frameworks as new providers can apply to join throughout the life of the DPS, meaning providers are not locked out of future opportunities as they are on traditional frameworks.

### **Q3. Deleted**

### **Q4. Who can apply to join the DPS?**

Any economic operator may apply to join the DPS by submitting a completed application via the East Mids Tender Portal. Only those providers that meet the Council's selection criteria will be accepted on to the DPS and subsequently invited to bid for contract opportunities.

### **Q5. Can a provider be deselected from a DPS?**

Yes. If a provider ceases to meet the original selection criteria during the course of the DPS or where severe action points/suspensions are implemented by the regulator/contract monitoring team, it is likely that the provider could be suspended or excluded.

### **Q6. Deleted**

### **Q7. Will the DPS open at any time to join?**

Yes, the DPS will be open to applicants to submit their application for the duration of the DPS. However the Council will only evaluate and approve an application on the times stated in the DPS Application.

### **Q8. Are there a minimum number of providers required to qualify for the DPS?**

No, any and all providers who pass/meet the Council's selection criteria will be accepted on to the DPS.

**Q9. Are providers required to sign up to the service contractual terms and conditions as part of the initial DPS application process?**

Yes, the Council will make it clear that providers will be required to accept overarching service terms and conditions when joining the DPS. Individual contracts will be signed between the provider and the Council when awarded contracts from the further competitions or a direct award process.

**Q10. If a provider fails the Council's selection criteria and is not accepted on to the DPS can it reapply at a later date?**

Yes, if the provider's circumstances have changed and acted upon the action points identified by the Council as the reason for failing to meet the selection criteria.

**Q11. If a provider is accepted on to the DPS, is it obliged to bid for all contracts under the DPS?**

No, Although we may track the record of where no bids or unsatisfactory bids are received and engage with providers to explore the reasons for a low response.

**Q12. How do I get on the DPS?**

The process for joining the DPS involves a simple 3 step process consisting of Registration, Application and Admission:

1) Registration (if not already registered)

Providers must first register on the East Mids Tender Portal at <https://www.eastmidstenders.org/>

2) Application

To be accepted onto the DPS, the applicant must meet the Council's required selection criteria.

The Application will require applicants to respond to a series of mandatory questions that need to be answered via an **on-line questionnaire**. This will be a pass/fail process, with the selection criteria clearly indicated for each service/Lot.

3) Admission

Once completed, Applications will be checked and validated.

Applicants will receive a notification confirming whether or not their Application to join the DPS has been successful via the e-procurement messaging system..

**Q13. What is the On-line Questionnaire?**

This is an on-line form where you will need to provide information about your organisation and respond to mainly 'yes/no' questions using 'radio' buttons, with some specific questions appropriate to each Lot.

**Q14. Will I have to answer the same question more than once if I apply to go onto several Lots?**

No. Where you have previously responded to a question, the system will remember the previous response to that question. You will need to review to check it is still an accurate response to the question.

**Q15. When will contracts be awarded?**

Further competitions and direct awards are anticipated to start early 2020.

**Q16. How will contracts be awarded?**

The detailed process for calling-off placements from the DPS will be detailed in the DPS Application document.

**Q17. How will we be informed about further competitions?**

Once on the DPS you will be informed of relevant further competitions for the Lot you are in via an email from the East Mids Tender Portal.

You will need to ensure that your registered email address on the East Mids Tender Portal is monitored on frequent basis during the day as some contract opportunities may have a limited response time.

**Q18. What will Further Competition involve?**

This will involve

- Providers receive an email via the East Mids Tender Portal.
- Providers will need to download and complete the further competition documents, responding to the requirements of the opportunity – usually requesting how you meet the personal needs of the individual/s.
- Providers will upload completed documents and submit the response via the East Mids Tender Portal.
- The Council will undertake an evaluation of the bid responses and award to the highest scoring compliant bid.
- Individual Agreements are completed and signed outside of the system.

**Q19. How will Direct Award contracts be awarded?**

The Council will identify the appropriate provider for the user's needs (location, customer preference, specific needs etc.) and request that the provider confirms acceptance of the contract opportunity via the East Mids Tender Portal.

Individual Agreements are completed and signed outside of the system.

**Q20. If I have problems with East Mids Tender Portal what can I do?**

You can contact the supplier help desk via email. This operates from 08:30am to 17:30 (local time) Monday to Friday, excluding Bank Holidays.  
[ProContractSuppliers@proactis.com](mailto:ProContractSuppliers@proactis.com)

The East Mids Tender Portal is not a system run or owned by the Council.

**Q21. How long will the DPS run for?**

The Council anticipates the DPS will initially run for 10 years. The Council however reserves the right to reduce, extend or terminate the DPS with appropriate notification. This does not mean the individual contracts will be implemented for the same duration.

**Q22. What will the duration of the individual contracts be?**

Individual contract durations will be based on individual service user care plans/placement plans and these may exceed the term of the DPS.

**Q23. Existing placements**

At the start the DPS will be used for new requirements and existing individual agreements will continue as they are. However over the duration of the DPS the Council anticipates moving users from providers that have not successfully applied to come onto the DPS or where during service users reviews their needs have changed or where providers are not meeting the quality of provision required.

**Q24. What guarantee of business will we get through the DPS?**

There is no guarantee of business. Further competitions are a competitive process and direct awards will be made on a case by case basis. The Council is unable guarantee any particular provider any volume or value of business.