

## **Unit: CPC 422 Secure the supply of a programme of specified services (Commissioning, Procurement and Contracting)**

### **Key Purpose**

The key purpose identified for those working in commissioning, procurement and contracting is to: "Specify, shape and secure quality services, responses and projects that deliver improving outcomes for individuals, families and communities within the strategic objectives of the organisation"

### **Elements of competence:**

<b>CPC 422 A Plan the tendering process</b>
<b>CPC 422 B Tender for the supply of specified services</b>
<b>CPC 422 C Evaluate tenders and award a contract</b>

### **About this unit**

This unit covers the process of tendering and awarding a contract. The tendering process is bound by legislation and must be undertaken properly and this requires effective planning to ensure that there are service providers bidding for the contract. It also needs to take into account the circumstances of the voluntary sector and micro providers who will not have the capacity to respond in short timescales or to an onerous bidding process. This unit is also about evaluating and awarding contracts, this means making sure that tenders are realistic and sustainable and in line with your organisation's responsibilities

### **Scope**

The scope is here to give you guidance on possible areas to be covered in this unit. The terms in this section give you a list of options linked with items in the performance criteria. You need to provide evidence for any option related to your work area.

**Appropriate information sources:** approved tenderer list;

Previous contractors; national advertisement; local advertisement; professional association

**Appropriate people:** managers; partner organisations; legal/contracting specialist; service provider; individuals, families and communities

**Appropriate process for the contract:** open tender; closed tender; expression of interest; quotation; e- auction

## Values

The values underpinning this unit have been derived from the key purpose statement, the values and principles statement, relevant service standards and codes of practice for health and social care in the four UK countries. The values and principles statement is at the start of these units:

## Key words and concepts

This section provides explanations of the key words and concepts used in this unit. In occupational standards it is quite common to find familiar words or phrases used, which, in the detail of the standards, may be used in a very particular way. **Therefore we would encourage you to read this section carefully before you begin working with the standards and to refer back to this section as required.**

**Criteria:** factors that can be used to measure and make a judgement about: whether or not an outcome has been achieved, how much progress has been made or how well something has been done

## CPC 422 A Plan the tendering process

### Performance Criteria

You must show that you:

- 1 Identify contractors who may be capable of meeting the contract requirements from **appropriate information sources**
- 2 Establish relevant **criteria** for the selection of potential contractors in accordance with organisational policy and legal requirements
- 3 Take into account the capacity issues faced by micro, small or voluntary providers when determining timescales and tender requirements
- 4 Evaluate potential contractors against the established selection criteria

- 5 Establish a list of contractors capable of meeting the contract requirement following evaluation
- 6 Analyse the specification and identify and record the commercial implications and potential contracting risks
- 7 Choose the type and form of contract most appropriate to achieve the specified user requirements
- 8 Ensure that contract clauses, schedules and supporting documentation fulfil contractual and commercial requirements
- 9 Obtain specialist advice when required and acted upon where appropriate
- 10 Ensure that contractual documentation and records, and their issue and retention, conform to organisational policy and legal requirements
- 11 Distribute contractual documentation to **appropriate people** and seek agreement where necessary

## **CPC 422 B Tender for the supply of specified services**

### **Performance Criteria**

You must show that you:

- 1 Ensure that the process for establishing an agreement is in accordance with organisational policy and procedures
- 2 Invite tenders from selected contractors in instances where agreement is to be reached through a formal tendering process
- 3 Use a process appropriate to the size and level of risk of the contract
- 4 Develop and record criteria for assessing offers and agree them with appropriate people
- 5 Evaluate offers accurately against the agreed criteria
- 6 Communicate any opportunities for improving offers promptly to appropriate people
- 7 Conduct negotiations with contractors on contractual issues against a negotiating brief and plan
- 8 Record offers, counter offers and agreements in accordance with legal and organisational requirements
- 9 Evaluate the results of negotiation against established criteria

- 10 Make a justified and reasoned recommendation of a contractor for selection to decision makers

## **CPC 422 C Evaluate tenders and award a contract**

### **Performance Criteria**

You must show that you:

- 1 Evaluate final proposed offers and the offer from the selected supplier is recommended to decision makers
- 2 Ensure that the agreed contract is capable of delivering the required outcomes in full
- 3 Ensure that where it has been agreed that outcomes cannot be fully met, the agreed contract is acceptable to users and contractors
- 4 Record the contract decision and promptly notify appropriate people
- 5 Distribute final contracts to appropriate people
- 6 Seek agreement to contracts from appropriate people and obtain contract signatures where required

### **Knowledge specification for the whole of this unit**

Competent practice is a combination of the application of skills and knowledge informed by values and ethics. This specification details the knowledge and understanding required to carry out competent practice in the performance described in this unit.

When using this specification **it is important to read the knowledge requirements in relation to the expectations and requirements of your job role**

You need to show that you know, understand and can apply in practice:

### **Values**

1. Legal and organisational requirements on equality, diversity, discrimination, rights, confidentiality and sharing of information when letting tenders
2. How to ensure that you and others for whom you are responsible protect the rights and the interests of individuals families and communities
3. How to manage ethical dilemmas and conflicts that can arise when awarding tenders

4. Legal and organisational requirements about safeguarding children and vulnerable adults
5. Why it is important to reflect on your own practice and identify areas for further development and how to do so
6. Methods and ways of working that:
  - a. support equality and diversity
  - b. support the development of sustainable new ideas
  - c. are ethical and adhere to any codes of practice relevant to your work
  - d. respect other people's ideas, values and principles

### **Legislation and organisation policy and procedures**

4. Codes of practice and conduct, and standards and guidance and the roles, responsibilities, accountability and duties of others when tendering for services
5. Current local, UK and European legislation and organisational requirements, procedures and practices for tendering:
6. Key government initiatives which affect the organisational practices on tendering and contracts
7. How different philosophies, principles, priorities and codes of practice can impact on tendering
8. The issues faced by voluntary and small providers in meeting the requirements of the tendering process

### **Theory and practice**

9. The different types of contract available
10. How and when quotations, bids, and tenders should be used
11. Your organisation's policy in relation to the selection of contractors
12. Why it is important to follow supplier selection processes
13. The sources of information on potential contractors
14. The types of criteria that could be used for selecting contractors
15. How to identify and assess contracting risks
16. The factors that make different types and forms of contract suitable to different specifications
17. What type of specialist advice can be accessed, and in which situations is it appropriate to do so

18. Why it is important to comply with organisational procedures for the production of contract documentation
19. Organisational policies and procedures for establishing agreements
20. Organisational policies and procedures for choosing contractors to receive tenders
21. The process of identifying and agreeing selection criteria
22. What are the normal opportunities for improving offers
23. The form of the negotiating brief and plan, Why it is important to evaluate the results of negotiations
24. The contractual issues that might arise and how they should be dealt with
25. How to ensure that the agreed contract best meets user requirements
26. The procedures for resolving contract decisions
27. The authorised signatory for contracts and distribution list