



**DEVON &
SOMERSET**
FIRE & RESCUE SERVICE



CFOA
Chief Fire Officers
Association

Frequently Asked Questions

Framework Agreement for UK Fire and Rescue Emergency Response Vehicles

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Question 1 – I would like to identify other Fire and Rescue Services who are planning to or have procured similar vehicles, how can I access this information?

Devon and Somerset Fire and Rescue Service (DSFRS) has central visibility of all planned procurements disclosed by each FRS and maintains a pipeline for known procurements via this Framework Agreement. Please contact the Procurement Department at DSFRS to discuss your plans, have access to the pipeline and obtain contact details for relevant FRSs:

Email: procurement@dsfire.gov.uk
Tel: 01392 872396

Question 2 – Are there any performance sanctions built into the Framework Agreement for FRSs to use?

The template Order Form for FRSs to complete when forming a Call-Off Contract includes Key Performance Indicators which are linked to the payment of service credits when the KPIs are not met (see appendices 1 and 2 of framework document named 'DS183-15 Framework Agreement T's & C's - Schedule 7 Call-Off Contract - Part 1 - Order Form'). Service credits provide a method of applying liquidated damages in circumstances such as late delivery, failure to meet the specification and warranty and defect rectification. However the existence of service credits does not exclude a Contracting Authority from seeking other remedies, such as damages for the full amount of losses suffered if this exceeds that value of the service credit.

Before forming a Call-Off Contract, FRSs should familiarise themselves with the example KPIs and service credit method to ensure it meets their needs. The examples provided can be amended as required. FRSs may need to seek their own legal advice as appropriate.

Question 3 – Can FRSs award a Call-Off Contract without running a Further Competition via this Framework Agreement?

The Framework Agreement contains a mix of multiple and single supplier lots. The option for direct award is only available via the three single supplier lots (5a, 5b and 10), which have fully defined specifications set within the Framework Agreement. The award for these lots is to a single Framework Contractor for the provision of the specific vehicles only. Details of the specification under these lots can be found on the CD containing the Framework documentation.

Multi supplier lots allow Contracting Authorities to procure vehicles, individually or collaboratively, providing the requirement fits within the scope of the Framework Agreement. A Further Competition must be carried out via the relevant lot to identify a winning Framework Contractor and award a Call-Off Contract against a specification developed and defined during the life of the Framework

Please see framework document 'DS183-15 Framework Agreement T's & C's - Schedule 6 Ordering Procedure' for the ordering methods available via this Framework Agreement.

Question 4 – What central procurement guidance is available and how can I access this?

Procurement guidance for the Framework Agreement is available from the DSFRS Procurement Team (see question one for contact details).

A suite of further competition templates are available for FRSs to use; these will be updated throughout the framework life and are available to FRSs via the NFCC website: <https://www.nationalfirechiefs.org.uk/NFCC-Emergency-Response-Vehicles>

Question 5 – A supplier that I want to use isn't named on the Framework Agreement, how can they join?

Framework Agreements do not allow suppliers to join at a later stage, therefore any who are not named cannot apply until the Framework Agreement is re-tendered. The earliest a re-tender would commence is in 2020; however, it could be later as optional extensions are available.

Question 6 – How are the suppliers being centrally managed at a framework level?

When deemed necessary, FRSs and Framework Contractors are able to escalate any complaints and/or issues to DSFRS as the owner of the Framework Agreement. Examples may include repeated poor performance, dispute resolution and refusal to bid against Further Competition etc. FRSs are encouraged to escalate any issues to or seek advice from DSFRS Procurement:

Email: procurement@dsfire.gov.uk
Phone: 01392 872396

DSFRS Procurement and at least one representative from the NFCC Transport Officers Group, will attend regular review meetings with each of the six Framework Contractors. As a minimum the following will be discussed:

- Pipeline of Procurements
- Performance Management, Call-Off Contracts and Rebates (Review and discuss KPI Report)
- Risks and Issues
- Framework Contractor Status:
 - Financial Stability
 - Insurance
 - Health and Safety Events
 - Accreditation e.g. ISO 9001:2015
- Change Control/Framework Improvements
- New Developments (Innovations and Technological Advances)

DSFRS has the ability to suspend Framework Contractors from the Framework Agreement, which would mean that they would be unable to bid for Further Competitions but still obliged to fulfil any committed contracts. Such circumstances include stating false or misleading information within a response to a Further Competition, a detrimental change to their financial status that adversely impacts their ability to deliver and failure to meet the Key Performance Indicators set by the Framework Agreement.

Question 7 – What insurance levels are asked for within the Framework?

- Employer's (Compulsory) Liability Insurance = £5,000,000 (five million pounds)
- Public Liability Insurance = £10,000,000 (ten million pounds)
- Product Liability Insurance = £10,000,000 (ten million pounds)
- Professional Indemnity Insurance = £2,000,000 (two million pounds)
- Appropriate motor trade insurance to cover transportation/driving/movement, whilst working on, storing and collecting/delivering the Contracting Authority's vehicles.

See also Clause G1 of the Framework Agreement Terms and Conditions (Liability, Indemnity and Insurance)

Question 8 – How long should Framework Contractors be given to respond to bids?

As a result of regular feedback from Framework Contractors stating that they were not being given enough time to respond to bids, an FRS Guidance Document for Fleet Procurement Timescales has been created. This document is available via the NFCC website and was developed in collaboration with NFCC Procurement Leads, the Transport Officers Group (TOG) and suppliers to the NFCC Emergency Response Vehicles Framework: <https://www.nationalfirechiefs.org.uk/NFCC-Emergency-Response-Vehicles>

The document recommends that Contracting Authorities allow a minimum of 6 weeks for Framework Contractors to respond to bids.

Question 9 – Do I have to do a standstill period?

Standstill under a framework is voluntary however it is strongly recommended that one is done. Contained within the suite of further competition templates are examples of success and regret letters.