ENGAGEMENT OF CONTRACTORS TO PROVIDE SUPPORT ON STUDENT LIFE CYCLE PROJECT.

The supplier to provide the Student Life Cycle system was selected after a full tender advertised in the European Journal through the Competitive Dialogue route. A full audit trail of the tender submissions and evaluation are available.

During the implementation it became clear that the University required significant third party support by way of specialists in the field to assist and supplement the in house team.

The Head of Procurement discussed with the Director of IT how the procurement of these specialists may be handled. Uppermost in the discussion was the requirement to adhere to the principles of the European rules to be transparent, open and fair.

Various options were considered.

Firstly the Procurement Scotland framework for Business Consultancy which has a provision for temporary IT staff was considered. This option was rejected as it was considered that the nature of the staff required were required on a medium to long term basis and would be specialists in their field. The PS framework catered more towards temporary IT staff of a more routine nature.

It was then considered whether the acquisition of the required staff was a Part A service under the OJEU Regulations. The nearest categorisation under part A was as follows;

842   **Software implementation services**

All services involving consultancy services on, development and implementation of software. The term "software" may be defined as the set instructions required to make computers work and communicate. A number different programms may be developed for specific applications (application software), and the customer may have a choice of using ready-made programmes off the shelf (packaged software), developing specific programmes for particular requirements (customized software) or using a combination ot the two.

However it was considered that the nature of the services required was more than "just" consultancy. All of the specialists engaged were self employed through specialist agencies, what might be called contractors sometimes referred to as IR 35 workers.

This requirement was considered to fall more squarely under Part B services than Part A. For example;

87202   Placement service of office support personnel and other workers

> Services consisting in selecting, referring and placing applicants in employment by others or
> permanent or temporary basis, except executive search services. The services may be supp
> to the potential employer or to the prospective employee and may involve the formulation o
> job descriptions, the screening and testing of applicants, the investigation of references, etc
> Included are the placements of secretaries, clerks, receptionists, book- keepers, data entry
> operators, typists, word processor operators, nurses, models, maids, ship crews, etc

Although this category provided examples of less specialist staff it was considered that
the nature of the acquisition was more appropriate to Part B

This still required the University to be transparent and fair in appointing the contractors.
The procedure used was to circulate specifications for the person required to a few
specialist agencies each time a person was required, internet outlets were used too. The
person appointed would only be confirmed after consideration by the SLC Board, who
then monitored performance and duration of contract. It was decided that where one
specialist firm received more than the current OJEU threshold of around 178k an award
notice would be placed in the European Journal.

Tom McAra
Head of Procurement

Background Information

The Student Lifecycle Project (SLP) was based on the implementation of Campus, a
complex packaged software solution from Oracle developed using the Peoplesoft suite of
software development tools. Any implementation of Campus requires both expertise of
Campus and the functionality it delivers in addition to software development expertise
using Peoplesoft tools.

Only 6 other UK HE institutions use Campus and therefore functional expertise in the
UK is extremely limited. Peoplesoft development expertise is also scarce although to a
slightly lesser extent as Oracle have had a degree of success with an HR Solution based
on a Peoplesoft platform. Nevertheless developers frequently seek to specialise in sectors
where there is an ongoing demand for labour and where Peoplesoft developers are
available in the market they frequently prefer to focus on employers working on an HR
solution rather than Student Administration.

Given the above and as proven by the lack of success the University had at the outset in
recruiting staff with Campus and Peoplesoft experience resources are extremely thin on
the ground in the UK.

As a result of being unable to recruit fixed term full time members of staff the University
had little alternative but to look at the contract market via agencies but suitable
candidates. Although it was recognised that a small number of agencies in the UK

claimed to be specialists in Peoplesoft candidates the lack of demand in the overall market meant candidates were spread over a great many agencies. As a result, had the University created some form of framework agreement with a limited number of agencies, the end result would have restricted access to the restricted overall pool of specialist developers and functional experts.

Overall a framework agreement was considered as being inadequate and restrictive given the overall background as described above.