

Report title

Agreement to enter a Call off Contract for the supply of Personal Protective Equipment (PPE)

Meeting

Resources Committee

Date

21 July 2017

Report by

Head of Procurement and Technical & Service Support

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Summary

Members agreed in January 2015 that the Authority participates in a collaborative procurement project with Kent Fire and Rescue Service (KFRS) for the provision of Personal Protective Equipment (FEP 2381).

The procurement has now concluded and Bristol Uniforms have been selected as the new Framework supplier

The Framework Agreement between Kent Fire and Bristol Uniforms was entered into on 13th June 2017 and is now available to all fire and rescue services..

This report details the outcome of this project and asks members approval for LFEPA to enter into contract with Bristol Uniforms for a fully managed service of structural PPE and USAR PPE beginning October 2018 and for a period of 8 years..

Recommendations

That the Authority authorises the Head of Procurement and Technical Service Support to enter into a Call-Off Contract under the Framework Agreement between Kent Fire and Bristol Uniforms for the provision of Firefighter Personal Protective Equipment and Urban Search and Rescue Personal Protective Equipment and authorises the Head of Legal and Democratic Services to execute the Call-Off Contract together with all ancillary or additional documentation.

Background

1. As detailed in FEP2381, Kent FRS led the collaborative project for the provision of Personal Protective Equipment and established a collaborative project board for this purpose. The Brigade had representation on the Joint Procurement Project Board, and on the Technical and Commercial Teams to ensure that London's interests and requirements were fulfilled.
2. Internally, the project was run in accordance with the corporate project management framework and a London specific project board was set up to monitor the progress of the collaborative

procurement and to take decisions pertinent to London's specific requirements of the collaboration.

3. The advantages to the Brigade joining up with this collaborative procurement included, the ability to access shared resources to undertake the market research and procurement activities. The Brigade influenced the procurement strategy and the user specification to ensure our requirements were incorporated into the new contract. Further detailed advantages are set out in paragraphs 16 – 21 below.

Scope

4. The scope of the project was to provide a framework which allows FRSs to establish call-off contracts for the supply of suitable PPE ensembles for operational staff to complete a range of activities, such as (but not exclusively): Structural firefighting, outdoor firefighting (including fields, woods, forests etc.), technical rescue (including USAR, road traffic collisions, non-fire related rescues etc.) and other activities that a Fire and Rescue operational member of staff would attend as part of their day-to-day activity. The project looked at innovation in PPE design, fabrics and methods to achieve the best possible solution.

The procurement process

5. Paragraphs 6 to 12 below provide members with a summary of the procurement and evaluation process but the full detail is attached as Appendix 1 to this report. This is the official report on the full tender, evaluation and trialling and testing process as recorded by Kent FRS acting as lead procurement authority for this procurement..
6. Following a series of market days with potential suppliers starting in March 2015 the framework for the provision of Personal Protective Equipment for Fire Fighters was advertised in the Official Journal of the European Union (OJEU) in line with the Public Contract Regulations 2015 on 4th April 2016. The Competitive with Negotiation Process was used for this procurement and bidders were required to submit a Pre-Qualification Questionnaire (PQQ) prior to submitting a tender.
7. The requirement was for a single supplier framework agreement with the successful tenderer being able to provide both firefighters PPE and Urban Search and Rescue PPE. Six bidders submitted PQQ's and following the evaluation process and approval by the Project Board, three bidders were invited to tender.
8. The three bidders Agility Logistics, Ballyclare Ltd and Bristol Uniforms Ltd. were invited to tender on 31st May 2016.
9. On receipt of tenders, an initial desktop evaluation was carried out by representatives from the Commercial and Technical Teams and the Project Board. This was followed by initial discussions in terms of the proposed Fully Managed Service, Pricing Models and Terms and Conditions.
10. Following the desktop evaluations, there was a 3 stage evaluation of the proposed ensembles. This included various wearer trials, laundry , ergonomic and performance tests to determine the best overall performing ensemble . LFB provided 8 out of the 30 firefighters for the trials for PPE and 6 for the Urban Search and Rescue Trials from an overall total of 12 firefighters. The trialling process was all completed in the presence of official recorders who were responsible for observing and noting any comments made by the trialist during the trials. The official recorders represented 11 FRS and these were London, West Sussex, Hertfordshire, Suffolk, Kent, Essex, Tyne & Wear, Durham & Darlington, East Sussex, Bedfordshire and West Midlands.

11. Bidders were then required to re-submit their tenders with their best and final offer.
12. Each of the bids were scored against the relevant quality and cost criteria. The full breakdown of scores awarded is provided in the Part Two report (Commercially Sensitive). Bristol Uniforms Ltd were the successful tenderer

Length of Framework Agreement

13. The length of the Framework Agreement is as follows:

- Framework Agreement – the overarching framework agreement between Kent FRS and Bristol Uniforms will be in place for 4 years from the date of signing the Framework Agreement ending 12th June 2021.
- Call Off Contracts – Independent call off contracts between single FRS and Bristol can be placed anytime within the 4 year call off period and will be for a period of 8 years.

14. The current LFB PPE contract with Bristol Uniforms ends on 14th October 2018 and therefore immediately following Resources Committee approval, officers will begin discussion with Bristol uniforms to ensure a new contract is agreed and all the pre-contract start up work such as measuring and manufacture can be completed to allow a seamless transition on that day.

15. LFB would also be using the Fully Managed Service for the provision of USAR PPE as per our existing arrangement..

Benefits to this Collaborative Procurement Exercise:

16. Following the award of the contract, officers were keen to review the collaborative process and determine what the benefits of such a collaboration were to the Brigade. It is clear that the officers who were involved in the process determined that these were several and in both the commercial and technical areas.

17. The collaboration provided for a cost model which enables volume discounts, thereby optimising the collective buying power of the FRS and generating cashable savings, in addition to the cost avoidance savings that FRS's will benefit from in terms of reduction in time and resource to place a call-off via this framework. The saving to LFB is £158K in year 1 and £343K in subsequent years as the temporary budget reduction as a consequence of the 2 year extension to the current contract (FEP2381) 16 January 2015, is ended and the budget is returned to the original sum from October 2018.

18. A significant benefit of running a national collaboration was the opportunity to involve a wide range of technical experts from around the UK. These officers not only offered a wealth of knowledge and understanding of the subject but had years of operational experience encompassing large metropolitan brigades to smaller services employing a sizable retained/on call response. The suppliers to be successful were required to deliver a high performing PPE that could meet a diverse demographic need.

19. The specification for the fire tunic and trouser looked for enhanced performance in both heat and flame protection and breathability (water vapour resistance). Bristol Uniforms successful fire tunic and trouser exceeded the requirements of the specification and offers (for LFB) enhanced heat and flame protection, whilst delivering excellent levels of breathability.

20. This process has benefited hugely from the participation of officials from National and LFB Fire Brigades Union (FBU). The FBU provided advice on H&S matters pertaining to their members and contributed operationally giving technical feedback as current serving firefighters and officers.
21. From the start of the collaboration project, LFB was committed to ensuring staff side representation as standing members on the Technical Group. Corporately, it is acknowledged that early inclusion of RBs on projects such as this proves invaluable in identifying potential issues early and resolving them quickly; avoiding delays later on.

Lessons learnt:

22. The main lesson learnt from this collaboration is that any Brigade specific requirement that deviates from the agreed generic specification runs the risk of being voted down as a result of sheer numbers of opposing views due to the volume of participating authorities in the collaboration. This is the case with London's requirement to have the word FIRE on the reverse of the tunic. This requirement would seem to be particular to London and is standard on our current PPE and remains a prerequisite for our final ensemble. No other participating Authority agreed with the need for this addition and as a result this does not feature on the tunic offered under the framework.
23. Officers approached the legal advisor to the collaborative procurement and his advice is that there is nothing in the framework agreement to prevent authorities modifying the PPE to meet their own requirements, provided this is permitted by the terms of the call-off agreements. The draft terms of this contract form a schedule to the framework agreement. They contain a clause allowing the authority entering into the call-off contract to make variations to the terms of the contract. The Authority can serve a "Variation Notice" on the contractor. Once they have done so the contractor must prepare an estimate setting out the cost of implementing the variation. The authority then has the opportunity of deciding whether or not to accept this additional cost. It was the legal view that this clause allows authorities to make changes to the specification of the PPE as well as to the services to be provided under the contract.
24. This requirement will now be agreed between officers and Bristol Uniforms. The additional cost of this variation is not yet known however this cost should be minimal and will be met from the savings figures detailed in paragraph 17.

Head of Legal and Democratic Services comments

25. Lawyers from the Brigade have been working closely with Kent and the external legal adviser throughout the project. The procurement has been undertaken strictly in accordance with the provisions of the Public Contracts Regulations 2015. The OJEU Notice stated that all UK fire and rescue services are entitled to call off under the Framework agreement.

Director of Finance and Contractual Services comments

26. This report presents the outcome of the collaborative procurement for the provision of PPE with Kent Fire and Rescue Services. The report notes that by running a collaborative procurement there have been savings in terms of time and cost to LFEPA, which would have been significant if LFEPA needed to run a separate procurement. The potential cost of entering this call off contract

for LFEPA has been calculated and could generate a saving of £158k in the first contract year and £343k in all subsequent years. These figures reflect both the unit costs for PPE agreed in the contract and a reduction in the establishment since the contract was previously tendered. Any potential savings will be included as part of the 2018/19 budget setting process, once they are confirmed.

Sustainable development implications

27. Requirements in support of the GLA Group's Responsible Procurement policy were incorporated into tender documents and the Brigade's Head of Sustainable Development supported the evaluation of those elements of the bid, including apprenticeships and ethical sourcing.

Staff Side consultations undertaken

28. As part of the evaluation process a London FBU representative was a member of the technical team who developed the specification and as an official recorder who observed them on the fire ground during trials.

Equalities implications

29. As part of the selection of trialists, LFB ensured that out of 30 firefighters involved with PPE that 12 of these were female firefighters. LFB also provided two female firefighters for the USAR trials. Bristol will also produce an extra item of special measure PPE held in stock at the appropriate Service Centre for increased resilience. This includes bespoke items, such as gloves and boots, for individuals with special fit requirements.

List of Appendices to this report:

1. Kent Fire and Rescue Service – Award recommendation report Part 1.

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985	
List of background documents	
1. Kent Award Recommendation Report Part 1, Framework Agreement for the Provision of Personal Protective Equipment for Firefighters . Reference C15041	
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Kent Fire &
Rescue Service

Appendix 1

Award Recommendation Report Part 1

Framework Agreement for the Provision of Personal Protective Equipment for Firefighters

Reference: C15041

**Hannah Parfitt
Procurement Department
5th May 2017**

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Section 1 – Executive Summary

In 2014, Kent Fire and Rescue Service (KFRS) began work on the renewal of the South East and Eastern Regional Personal Protective Equipment (PPE) Framework which was being accessed by 13 Fire and Rescue Services (FRS) and expired in June of that year. The new Framework would be open to FRS, Police Forces, NHS bodies, Scottish NHS bodies, Ministry of Defence and Northern Ireland DHSSPS within the UK. It includes the options of full structural firefighting PPE, a layered jacket, rescue jacket and also the provision of Urban Search & Rescue kit. It would also include both 'fully managed' and 'purchase only' options.

In line with the steer from Government to collaborate, a total of 20 FRS initially joined the project with a total buying power of approximately £70,000,000 with approximately 20,500 wearers. Ongoing marketing with the aim of enticing more FRS's to join continued throughout the project with facilities being made to allow new entrants at any stage of the process.

There was a requirement for the Collaborative PPE framework to be ready for the summer of 2017 for FRS to have their chosen option available for January 2018.

This report sets out the results of the tender process undertaken.

Section 2 – General

2.1 Background Information

In 2010, Kent led a procurement project to establish a framework for the supply and maintenance of structural firefighting PPE. The framework lasted for a period of four years and expired in June 2014. By that time 13 FRSs had agreed call off contracts with the supplier.

The length of the call off contracts was for a period of eight years (life expectancy of the garments) and therefore the first FRSs who used call off contracts would need a new framework in place by 2017 so that a seamless transition could occur from existing to new.

Drawing on previous experience, as well as working collaboratively with other FRSs, there was an opportunity for this project to identify resource efficiencies and financial savings moving forward. It was anticipated that savings could be made through the new framework as a result of collaboration with other services, enabling economies of scale and reduced duplication of resource commitment for the provision of firefighting PPE.

Under the previous framework there were 13 FRS and approximately 8,500 Fire Fighters. Those services that expressed an interest in the new Collaborative PPE framework, prior to the issue of the Invitation to Tender (ITT) were asked to sign an Inter Authority Agreement to state that they intended to place call off contracts from the framework once it was awarded. 20 FRS signed the agreement which totals approximately 20,600 firefighters.

The project team carried out an options appraisal to determine the scope of the project and it was agreed that a framework would be set up that looks to provide an ensemble that caters for most types of incidents and considers a layered approach.

The scope of this project was to provide a framework which allows FRSs to establish call off contracts for the supply of suitable PPE ensembles for operational staff to complete a range of activities, such as (but not exclusively): Structural firefighting, outdoor firefighting (including fields, woods, forests etc.), technical rescue (including USAR, road traffic collisions, non-fire related rescues etc.) and other activities that a Fire and Rescue operational member of staff would attend as part of their day to day activity. The project looked to explore innovation in PPE design, fabrics and methods to achieve the best possible solution.

The framework caters for purchase only and for a fully managed service option. The fully managed service option has been designed and specified to offset risk of non-compliance to the PPE at Work Regulations 1992, in particular : -

Regulation 4: Provision of PPE

Regulation 5: Compatibility of PPE

Regulation 6: Assessment of PPE

Regulation 7: Maintenance and Replacement of PPE

Regulation 9: Information, Instruction and Training

Regulation 11: Reporting loss or defect

Fire and Rescue Services electing to Purchase only would only be able to demonstrate compliance with regulations 4, 5 and 6 if they were to purchase and issue the full ensemble, as the complete ensemble is an outcome of the risk assessment, specification and evaluation processes used; a

mix and match with other items of PPE purchased separate to this contract may not demonstrate compliance. Compliance to regulations 7, 9 and 11 are an integral part of the fully managed service only.

The Project Board comprised of senior representatives from KFRS, West Midlands FRS, London Fire Brigade and Northumberland FRS (representing the North East Region). Reporting into the Project Board were two working groups, Commercial and Technical. These groups looked at various different aspects of the project which included profile building, data gathering and analysis, market research and development, review and consultation of risk assessment, specification writing, route to market, preparation of tender documents, evaluation of tender including evaluations of ensembles, awarding the framework and developing a delivery plan with the successful contractor.

The Project Board decided to utilise the competitive with negotiation tendering process and this report sets out the results of that exercise.

2.2 Owner/Sponsor

KFRS are the National Lead for the Clothing Category and is responsible for the procurement process, award and shall be the legal entity named on the contract on behalf of all UK FRS. KFRS shall therefore also be responsible for the ongoing management of this Framework Agreement.

Call-Off Contracts awarded via the Framework Agreement shall be the responsibility of the relevant Contracting Authority.

Hannah Parfitt, Senior Procurement Officer, is the owner/sponsor for KFRS Call-Off Contracts awarded via the Framework Agreement.

2.3 Indicative Value of the Framework Agreement

As published within the Contract Notices (the Official Journal of the European Union (OJEU) and the Contracts Finder website) to alert the market of the opportunity to tender, the Framework Agreement has an indicative value range of £70,000,000 to £180,000,000.

The lower figure represents the value of all of the FRS that signed an Inter Authority Agreement at the start of the process . The maximum figure allows for all UK FRS to access the Framework.

2.4 Key Procurement Personnel

Tina Butler, Head of Procurement at KFRS is the Category Lead for the Clothing Category in line with the National Procurement Category Management Strategy.

Hannah Parfitt, Senior Procurement Officer at KFRS was the Commercial Lead for the Procurement Process and will act as the first point of contact for the management of the Framework Agreement.

Section 3 – Objectives, Justification and Scope

3.1 Recommended Scope of the Framework Agreement

The scope of this project is to provide a framework which allows FRSs to establish call off contracts for the supply of suitable PPE ensembles for operational staff to complete a range of activities, such as (but not exclusively): Structural firefighting, outdoor firefighting (including fields, woods, forests etc.), technical rescue (including USAR, road traffic collisions, non-fire related rescues etc.) and other activities that a Fire and Rescue operational member of staff would attend as part of their day to day activity. The project will look to explore innovation in PPE design, fabrics and methods to achieve the best possible solution.

In addition, a fully managed service and purchase only options will be provided to ensure compliance with PPE regulations.

The Project Management Plan captures the following objectives and benefits.

Benefit Name	How & when will this be measured?	Success is....
New PPE Framework that all LA FRSs can access	A new framework needs to be in place so FRA's can call off contracts from June 2017	A new framework is in place by May 2017
'Fit for purpose' firefighting PPE is available for participating FRSs beyond their current contracts	New PPE is in place to provide a smooth transition from the current to the new arrangements for March 2018	PPE is available to front line operational crews from March 2018
FRSs will be able To ensure compliance with PPE at Work Regulations 1992	Through Risk assessments, Evaluations and wearer trials carried out between July 2016 and February 2017.	A Service provision that complies with PPE Regulations 1992.
Both financial and resource savings are realised by participating FRSs	Savings will be made through collaboration, not only through economies of scale once the framework has been awarded but also because of reduced duplication of work conducted by individual services by not having to go out to market for the provision of firefighting PPE.. The project will explore the potential collaboration with a university to conduct research on current costs for individual fire and rescue services across the country.	Reduced annual expenditure and resource commitment for PPE that meets the standards of performance currently available as a minimum

3.2 Procurement Scope – Single Supplier Framework

The Commercial Group produced a matrix outlining the advantage and disadvantages to determine whether the award could be made to one or multiple suppliers.

A lot of the components to an ensemble are sourced through third parties and suppliers were encouraged to work together in order to provide the best ensemble.

The Personal Protective Equipment (PPE) at Work Regulations states the responsibility placed on an employer for where the risk cannot be removed in any other way. This project specifically looks to transfer certain aspects of this risk onto the supplier.

- Regulation 4: Requires PPE to be provided where the risk cannot be eliminated and then stipulates the conditions which must be met in order for PPE to be deemed suitable
- Regulation 5: Requires compatibility between different elements of PPE
- Regulation 7: Requires PPE to be maintained in an efficient state and in good repair

The risk would be too high for an FRS to maintain these regulations, particularly if multiple suppliers were used; therefore, based on the level of risk of transferring the responsibility onto an FRS to compile an ensemble, the recommendation was to have a single supplier.

The use of Lots were also considered according to Regulation 46 of the Public Contracts Regulations 2015. It was agreed that the use of lots would not be suitable for this project for the following reasons:

- Technically difficult as compatibility between the different elements of PPE needs to be executed. This would be difficult to implement if there were different suppliers awarded different lots.
- The use of lots does not allow for the management of PPE under a fully managed service option.
- Due to the volume of wearers that this project may be providing for, true economies of scale will only be achievable with one supplier and this would not be possible if lots were attributed to the project. One supplier would only be able to win a limited number of lots and the risk would fall back onto the FRS to manage.
- Co-ordination of different lots would be costly to the FRS

The recommendation from the Commercial Group, following discussions with the Technical lead was to have a single supplier, who will be required to provide all components of the PPE and have the option for a fully managed service. This was agreed by the Project Board.

3.3 Procurement Scope – Competitive with Negotiation Procedure

The Commercial Group discussed the possibility of using the competitive with negotiation procedure as well as the restricted process and discussed the advantages and disadvantages for both procedures. The discussions included input from the Technical lead and legal representatives. It was agreed that the complexities of the pricing schedule would determine whether competitive negotiation would be used. The specification would be output based and conversations regarding the requirements were determined through the market days which followed the process set out in the supplier engagement strategy.

Legal advice was sought from Sharpe Pritchard which confirmed that it would be possible to go through the Competitive with Negotiation Route. This was detailed within the tender documentation.

The Commercial and Technical groups both agreed that there would be a need to negotiate but only on specific parameters of the tender submissions. These were the Fully Managed Service, Pricing Models and Terms and Conditions. The Project Board agreed with the recommendation for the use of the Competitive with Negotiation Route.

Section 4 – Supplier Engagement, Tender Process and Evaluation Summary

4.1 Supplier Engagement

A series of market days were held with potential suppliers from March 2015 through to January 2016. Within this time there were 3 market days as well as representation from the project at the Emergency Services Show. This enabled officers to seek advice and opinions from the marketplace prior to beginning the formal tender process and update suppliers on the progress of the project.

To ensure fairness and transparency, all of the presentations delivered were made available to suppliers on the project website as well as video recordings of the presentations.

The website also included information on the timescales of the project and the strategy outlining how suppliers will be communicated with at various points in the process.

4.2 Approach to the Market

Following the market engagement, the framework for the provision of Personal Protective Equipment for Fire Fighters was advertised in the Official Journal of the European Union (OJEU) in line with the Public Contract Regulations 2015 on 4th April 2016. The Competitive with Negotiation Process was used for this procurement and suppliers were required to submit a Pre-Qualification Questionnaire (PQQ) prior to submitting a tender.

The market was informed of the opportunity via three ways:

1. A Contract Notice advertised in OJEU (reference: 2016/S 066-115718)
2. A Contract/Opportunity Notice advertised on the Contracts Finder website
3. An advert on the Kent Business Portal

All suppliers were notified at the market days of how the advert will be published and the project website was updated, providing links to the opportunity when it was available.

The Framework Agreement is accessible to all UK FRS, Ministry of Defence, Police Forces in the UK, NHS Bodies in England, Scottish NHS Bodies, NHS Wales and Northern Ireland DHSSPS.

4.3 PQQ Submissions and Evaluations

The requirement was for a single supplier framework agreement with the successful tenderer being able to provide both fire fighters PPE and Urban Search and Rescue PPE. Six companies submitted PQQ's and following the evaluation process and approval by the Project Board, three companies were invited to tender.

All PQQ's received were subject to a 'two stage' evaluation process. The PQQ stated that The Authority reserves the right to exclude a supplier or consortia who does not achieve a score of 300 through the evaluation process. All suppliers that were not successful either failed at Stage 1 or did not meet the scoring requirement.

Stage 1 – Pass/Fail

Criteria
Section 1 - Supplier Information
Section 2 - Grounds for Mandatory Exclusion
Section 3 - Grounds for Discretionary Exclusion Part 1
Section 4 - Grounds for Discretionary Exclusion Part 2
Section 5 - Economic and Financial Standing
Section 7A Question 7 - Article 11B
Section 7B - Insurance
Section 7C - Compliance with Equality Legislation
Section 7D - Environmental Management
Section 7E - Health and Safety

Stage 2 – Scored Evaluation

Assessment Criteria	% Weighting
1. Please provide details of your experience of providing a fully managed service in an essential services environment for a contract/combination of contracts that equate to over 5,000 wearers/users	18%
2. Please provide details of the processes that are in place to ensure tracking and tracing of items through the supply chain	18%
3. Please provide details of the Company's experience of managing sub-contractors within a fully managed service	18%
4. Please provide experience of managing suppliers through the supply chain.	10%
5. Please provide experience of maintaining quality standards within an essential services environment	18%
6. Please provide evidence of implementing the delivery of a fully managed service.	18%

The following three suppliers were invited to tender on 31st May 2016.

- a. Agility Logistics
- b. Ballyclare Ltd
- c. Bristol Uniforms Ltd

4.4 Evaluation Process and Results

As part of the process suppliers were required to attend sizing days in June 2016 to measure those wearers that were taking part in the product evaluations. This took place at Oldbury Fire Station, West Midlands. At the beginning of the process there were 30 wearers that were sized from FRS across the country involved in the project.

All three suppliers responded to the ITT and met the closing date of 5th August 2016.

The evaluation process was split into 3 stages.

4.4.1 Stage 1 – Desktop Evaluations:

On receipt of tenders, an initial desktop evaluation was carried out. This included the technical specifications. Representatives from the Commercial Team, Technical Team and Project Board carried out the evaluations. There were 10 representatives from 7 different FRS involved in the tender evaluation.

Negotiations with suppliers also took place during this stage. Each supplier had 2 days of negotiations with representation from Sharpe Pritchard Legal advisors and members from each of the working groups.

The agenda items for each of the negotiation days for each supplier were the same and the topics discussed were; Fully Managed Service, Pricing Models and Terms and Conditions.

Any pass/fail elements were evaluated at this stage and then main tender responses reviewed to enable negotiations to take place, specifically relating to the initial pricing, managed service and technical specifications.

During this stage, the aim was to only eliminate products from the process, rather than looking to eliminate tenderers completely.

4.4.2 Stage 2 – Product Selection:

Following Stage 1 desktop evaluations, the products supplied by each tenderer were evaluated to determine the best performing elements of an ensemble. The tunic and trousers were required to have had 5 washes prior to being provided for the trials. These scores did not form part of the main evaluation Matrix and they were only used for product selection based on the highest scoring product.

Through the product selection process, 5 wearers were unable to complete the process and their scores were not included in the product selection evaluation as they were unable to evaluate all products from all suppliers.

The product evaluations were carried out using methodology based upon BS 8469: 2007 'Personal Protective equipment for firefighters – Assessment of ergonomic performance and capability – Requirements and test methods'.

Following negotiations, the final tender documentation was issued to suppliers on 16th January 2017. All three suppliers responded to the final ITT and met the closing date of 17th February 2017.

4.4.3 Stage 3 – Final Ensemble Evaluations:

Following Stage 2 product evaluations, the best performing products from the evaluations were collated to make a final ensemble, for each supplier. The tunic, trousers, gloves and fire hoods for each wearer, were required to be laundered and the same kit returned ready for Stage 3 evaluations. The final 23 wearers that took part in this stage of the Evaluation Process represented 11 FRS and these were Gloucestershire, East Sussex, London, Cleveland, Durham and Darlington, Suffolk, Royal Berkshire, Northumberland, Tyne & Wear, Buckinghamshire and the West Midlands. Each pair of wearers was allocated an official recorder who observed them on the fire ground and noted any comments the wearers made whilst they were trialling the ensembles. The official recorders represented 11 FRS and these were London, West Sussex, Hertfordshire, Suffolk, Kent, Essex, Tyne & Wear, Durham & Darlington, East Sussex, Bedfordshire and the West Midlands.

Suppliers were required to re-submit their tenders with their best and final offer based on the final ensemble selected through Stage 2 and resubmit elements of their tender from discussions held at the negotiation sessions.

Each of the Contractor’s final ensembles were evaluated by the wearers using methodology based upon BS 8469: 2007 ‘Personal Protective equipment for firefighters – Assessment of ergonomic performance and capability – Requirements and test methods’. The scores were then inputted in the final evaluation matrix.

The tenders were evaluated on the basis of the criteria published in the tender document which was the most economically advantageous tender (MEAT) in terms of cost (40%) and quality (60%) using the model set out in Tables 1 and 2 below.

Table 1: Quality Evaluation Criteria for Framework Award (60%)

	Quality Criteria	Weighting
1	Service Specification	40%
2	User wearer and compatability trials	50%
3	Processes	10%
	TOTAL	100%

Table 2: Cost Evaluation Criteria for Framework Award (40%)

Within the table below, when adding the total percentage weighting it shows that the total score does not add up to 100%. This is due to the full decimal places not being visible within the tables below. The weightings have been rounded to the nearest figure which is the reason for the slight difference in the total weighting.

	Cost Criteria	Weighting
1	Structural Fully Managed Service	74%
2	Layered Jacket Fully Managed Service	4%
3	Rescue Jacket Fully Managed Service	4%
4	USAR Fully Managed Service	4%
5	Discount	10%
6	Adjustment under 5%	2.5%
	TOTAL	100%

Each suppliers bids were scored against the relevant quality and cost criteria. The full breakdown of scores awarded is provided in the Part Two report (Commercially Sensitive).

4.5 Framework Award Recommendation

That the Project Board recommends that the Authority agrees that;

The Commercial Lead, in consultation with the Project Board, be authorised to award the framework to Bristol Unifroms for the provision of Personal Protective Equipment for Fire Fighters for a period of four years (with an option for 8 year call off contracts to be raised allowing for an additional 1 year implementation period) in accordance with the terms and costs set out in the Part 2 report.

4.6 Final Ensemble Selected

4.6.1 Fire Fighters PPE

Item	Description
Helmet	Rosenbauer HEROS Titan
Hood	Bristol 28510
Tunic/Trouser Ensemble	Bristol 28493B & 28493BF Bristol 28493A & 28493AF
Layered Jacket	Bristol 28494C & 28494CF
Rescue Jacket	Bristol 28493E & 28493EF
Fire Glove	Seiz XFS

Rescue Glove	Vimpex EX1/RSQ
Leather Boot	Jolly 9306CA
Rubber Boot	Skellerup Extreme

4.6.2 USAR PPE

Item	Option & Description
Helmet	MSA F2 X-TREM
Rescue Glove	Seiz X-Rescue
USAR Boot	Jolly 9300GA
Chainsaw Boot	Jolly 9065GA
Trouser	28495A/AF
W/W Trouser	A112
Jacket	28495B/BF
W/W Jacket	FK25

4.7 Length of Framework Agreement

As per the adverts for this procurement and the information provided with the Invitation to Tender, the length of the Framework Agreement is as follows:

- Framework Agreement – 4 years from the date of signing the Framework Agreement
- Call Off Contracts – Can be put in place within the 4 year call off period and will be for a period of 8 years.

The Public Contract Regulations 2015 stipulate the following in relation to the term of a Framework Agreement – ‘The term of a framework agreement shall not exceed four years, save in exceptional cases duly justified, in particular by the subject-matter of the framework agreement’.

There will not be the option to extend the Framework Agreement beyond four years.

Section 5 – Risks and Benefits

5.1 Risks

A risk assessment took place throughout the Procurement Process. The risk that has been identified following the Framework Award is:

Risk Description	Control
<p>Commerical challenge under the Public Contract Regulations 2015, which may delay the award of the Framework Agreement or even require the procurement to be aborted and started again.</p>	<ul style="list-style-type: none"> • Legal advice has been sought on all elements of the process • A fair, transparent and compliant procurement process has been carried out with a full audit trail available • The evaluation was carried out as defined within the Invitation to Tender and full debrief information is available to each Supplier. • Full debrief information will also be supplied upon notification of the outcome for the tender, thereby ensuring that the process remains fully transparent. • There shall be a ten day standstill period between notification of the results and award of the Framework Agreement for unsuccessful suppliers to raise objections or directly challenge the decision, prior to filing a claim for a legal challenge.

It should be noted that there is no commitment given to the successful supplier upon the award of the Framework Agreement. Commitment is only formed upon the placement of a Call-Off Contract between the individual Contracting Authority and the successful supplier.

It is anticipated that the 20 FRS that signed an Inter Authority Agreement will report to their Authorities on award of the Framework Agreement, recommending to take the Framework.

5.2 Benefits

The following benefits of this Framework Agreement have been identified:

- Robust procurement process which is fair and transparent
- Audit/review by an external company of the process
- One centrally managed framework
- One comprehensive Risk Assessment
- Ensures compliance with Health and Safety requirement (PPE at Work Regs 1992)
- The items have been fully evaluated by wearers from across the country so removes the need for further trials to be completed
- Independent research and development of the selection methodology was carried out by the University of Portsmouth
- Bespoke and robust terms and conditions specific to the requirement
- A cost model which enables volume discounts, thereby optimising the collective buying power of the FRS and generating cashable savings, in addition to the cost avoidance

savings that FRS's will benefit from in terms of reduction in time and resource to place a call-off via this framework.

- No requirement for mini competitions or additional charges for FRS wishing to access the framework

Section 6 – Implementation Timescales

Milestones	Target Date	Owner
Issue Intention to Award Letters	By 8 th May 2017	Hannah Parfitt (KFRS)
10 day mandatory standstill period and respond to supplier communications	9 th to 19 th May 2017	Hannah Parfitt (KFRS)
Award of the Framework Agreement ((assuming no review (legal) process is initiated to challenge the award))	By 22nd May 2017	Hannah Parfitt (KFRS)
Signing of the Framework Agreement	8 th June 2017	Hannah Parfitt (KFRS)
Framework Agreement Go Live	8th June 2017	N/A
Commencement of Call-Off Contracts	From 8 th June 2017	Contracting Authority
Communication with Contracting Authorities and ongoing management of the Framework Agreement	From 8 th June 2017	Hannah Parfitt and Brett Egan (KFRS)

Section 7 – Approval

Project Board Approval

Role	Print Name	Signature	Date
Project Sponsor (KFRS)	Ann Millington		
Project Manager (KFRS)	Chris Colgan		
Commercial Lead (KFRS)	Hannah Parfitt		
Technical Lead (KFRS)	Brett Egan		
Commercial Advisor (LFB)	Nicol Thornton		
Commercial Advisor (WMFRS)	Mandy Beasley		
North East Representative	Robin Clow		
Legal Advisor (LFB)	Dara Vexter/Valerie Boomla		

Clothing Category Lead

Role	Print Name	Signature	Date
Head of Procurement KFRS	Tina Butler		

Legal

Role	Print Name	Signature	Date
Independent Legal Advisor	John Sharland		

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