

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 of instructions required to make computers work and communicate. A number of different programmes 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 of 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 on a permanent or temporary basis, except executive search services. The services may be supplied to the potential employer or to the prospective employee and may involve the formulation of 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