



Higher National Unit specification: general information

Unit title: The Tendering Process and Contract Award for Care Services

Unit code: H392 35

Superclass: PA

Publication date: February 2013

Source: Scottish Qualifications Authority

Version: 02

Unit purpose

The purpose of this Unit is to provide candidates with the skills and knowledge required to organise and manage a tendering process.

On completion of the Unit the candidate should be able to:

- 1 Advertise contract opportunities and issue tender documents.
- 2 Plan and complete the evaluation of responses to invitations to tender.
- 3 Implement the contract.

Recommended prior knowledge and skills

It is recommended that candidates should have received training in EU procurement law and project management and tuition on the fundamentals of the law of contract prior to commencement of this Unit.

Candidates should be able to demonstrate an understanding of procurement and financial governance as it applies to the public sector.

Experience of electronic tendering/procurement systems available to public sector procurement professionals would be advantageous. Prior knowledge of the Scottish Government's procurement journey and relevant national guidance/policy manuals on procurement would be desirable.

Candidates should have good communication skills both written and oral, and numeracy skills.

General information (cont)

Credit points and level

1 Higher National Unit credit at SCQF level 8: (8 SCQF credit points at SCQF level 8*)

**SCQF credit points are used to allocate credit to qualifications in the Scottish Credit and Qualifications Framework (SCQF). Each qualification in the Framework is allocated a number of SCQF credit points at an SCQF level. There are 12 SCQF levels, ranging from Access 1 to Doctorates.*

Core Skills

Opportunities to develop aspects of Core Skills are highlighted in the support notes of this Unit specification.

There is no automatic certification of Core Skills or Core Skill components in this Unit.

Context for delivery

If this Unit is delivered as part of a Group Award, it is recommended that it should be taught and assessed within the subject area of the Group Award to which it contributes.

Higher National Unit specification: statement of standards

Unit title: The Tendering Process and Contract Award for Care Services

Unit code: H392 35

The sections of the Unit stating the Outcomes, Knowledge and/or Skills, and Evidence Requirements are mandatory.

Outcome 1

Advertise contract opportunities and issue tender documents.

Knowledge and/or Skills

- ◆ EU Procurement rules and guidance on advertising
- ◆ Methods of advertising
- ◆ Selection and pre-qualification
- ◆ Management of the tender period

Evidence Requirements

Candidates will need to provide evidence to demonstrate their Knowledge and/or Skills by showing that they can:

- ◆ demonstrate an understanding of EU Procurement rules in relation to advertising.
- ◆ explain the benefits of electronic and non-electronic methods of advertising.
- ◆ critically evaluate the use of pre-qualification questionnaires to select final tender lists.
- ◆ demonstrate an understanding of the management of tender periods.

Higher National Unit specification: statement of standards (cont)

Unit title: The Tendering Process and Contract Award for Care Services

Outcome 2

Plan and complete the evaluation of responses to invitations to tender.

Knowledge and/or Skills

- ◆ Selection and award criteria
- ◆ Tender evaluation
- ◆ e-Auctions
- ◆ Post tender clarifications
- ◆ Post tender negotiations
- ◆ Award decision
- ◆ Notification of contract

Evidence Requirements

Candidates will need to provide evidence to demonstrate their Knowledge and/or Skills by showing that they can:

- ◆ identify selection and award criteria.
- ◆ prepare tender assessment plans that set out tender evaluation processes.
- ◆ explain tender evaluation models appropriate to the complexity and value of the service requirement.
- ◆ critically evaluate why e-auctions are unsuitable for the evaluation of tenders for care and support service contracts explain the value in liaising with service users and carers during tender evaluation and on the nomination of preferred service providers.
- ◆ examine the importance of tender evaluation to recommendations for contract award or otherwise.
- ◆ prepare draft forms of contract in conjunction with legal and care professionals and issue contracts to the successful tenderer/service provider.

Higher National Unit specification: statement of standards (cont)

Unit title: The Tendering Process and Contract Award for Care Services

Outcome 3

Implement the contract.

Knowledge and/or Skills

- ◆ Communications to stakeholders
- ◆ Transition arrangements
- ◆ Legislative, regulatory and operational considerations

Evidence Requirements

Candidates will need to provide evidence to demonstrate their Knowledge and/or Skills by showing that they can:

- ◆ examine how to effectively communicate details of the availability of a new contract for service delivery to relevant and interested stakeholders.
- ◆ describe the significance of systems that allow the tracking of benefits expected from the new contract.
- ◆ evaluate the importance and significance of effective contract mobilisation.
- ◆ prepare a contract implementation strategy pre-award.
- ◆ examine the criticality of the legislative, regulatory and operational considerations of awarding a new contract for care services.

Higher National Unit specification: support notes

Unit title: The Tendering Process and Contract Award for Care Services

This part of the Unit specification is offered as guidance. The support notes are not mandatory.

While the exact time allocated to this Unit is at the discretion of the centre, the notional design length is 40 hours.

Guidance on the content and context for this Unit

This Unit 4 is part of a PDA which has been designed to support the implementation of the Scottish Government's Guidance on the Procurement of Care and Support Services. The Unit aligns to Stage 3 (Doing) of the Guidance Document.

It offers learning on the stage of the procurement process for care services that manages the tendering exercise for a specified service delivery initiated via an advertisement for service provision, up to the mobilisation of contracts to deliver services.

The instigation of a tender exercise would be recommended in a procurement plan that has also considered a range of options including provision of in-house service delivery, shared services, grant funding or consideration of a contract extension or a renewal without competition.

The Unit should consider the role of Service User and Carers throughout the process of tendering and awarding contracts and candidates should demonstrate that the views of service users and carers are considered in key decisions on the appointment of a service provider(s).

Key components of this Unit will include:

- ◆ The advertising of the requirement and selecting potential service providers for inclusion on the final tender list.
- ◆ Service provider engagement whereby service providers are invited to comment on the requirement and clarify how the pre-qualification and tendering process will operate.
- ◆ The selection (or pre-qualification) process typically initiated via use of a Pre-Qualification Questionnaire (PQQ).
- ◆ The tendering process, incorporating:
 - the issue of invitation to tender documents to service providers
 - the receipt and opening of tenders
 - the management of communications during the tender return period, and after tenders have been submitted
 - the use of electronic and paper based tendering systems.
- ◆ Tender evaluation models and the appropriateness of using electronic auctions for care services contracts.
- ◆ The scoring of tenders both technically and financially.
- ◆ The process for authorising and awarding contracts.
- ◆ The relevance of Standstill Periods to the procurement of care services and the management of supplier de-briefing sessions.
- ◆ Transitional arrangements following contract award.

Higher National Unit specification: support notes (cont)

Unit title: The Tendering Process and Contract Award for Care Services

This Unit is part of a Professional Development Award in Commissioning, Procurement and Contracting for Care Services at SCQF level 8.

It is expected that this Award will be taught on a sequential basis from Unit 1 through to Unit 5 and that this Unit is completed following completion of Unit 3 'Procurement Planning'.

Units 1 and 5 however could be taught as stand-alone for candidates who have a specific developmental need for learning on the policy, legal and commissioning context (covered by Unit 1) and the management of care and support contracts (covered in Unit 5).

Guidance on the delivery of this Unit

This Unit should be delivered as part of the Group Award, it is recommended that it should be taught and assessed within the subject area of the Group Award, to which it contributes.

It is strongly recommended that this Unit is undertaken fourth in a sequence of five.

It is recommended that delivery will be a mixture of face to face teaching supplemented with distance learning giving a blended approach.

Outcome 1

This is made up of four Knowledge and/or Skills and starts the journey of advertising contract opportunities for the procurement of care services.

- (a) Here candidates need to review and understand what they are allowed to undertake and the manner in which they undertake the advertisement of their procurement as laid out under the current EU Procurement Directive.
- (b) Here candidates need to understand the range of options available to them to advertise their procurement requirements and how to go about selecting the most appropriate for the given tendering opportunity for care services they are currently looking at.
- (c) Here candidates will explore the importance of choosing appropriate selection criteria and pre-qualification criteria as appropriate and this is where brainstorming and sharing ideas and examples will be very useful and then to appreciate how through choosing appropriate selection criteria a more robust tendering process can then take place.
- (d) Here candidates will learn about 'best practice' principles of effective tendering.

Higher National Unit specification: support notes (cont)

Unit title: The Tendering Process and Contract Award for Care Services

Outcome 2

This is made up of seven Knowledge and/or Skills and looks specifically at the evaluation of tenders received for the procurement of care services.

- (a) Here candidates will learn to select the right option for selection and award criteria for the procurement of care services including the use of tender assessment plans; what they should contain and the process their use in the effective procurement of care services.
- (b) Here candidates will review appropriate tender evaluation models.
- (c) Candidates will reflect on the inappropriateness of e auctions in the procurement of care and support services
- (d) Here candidates will understand the term post-tender clarification its extent and purpose to the effective decision making process of tender evaluation.
- (e) Here candidates will understand the theory and application of post-tender negotiation.
- (f) Review the best practice associated with making effective award decisions.
- (g) Review and understand what is allowed for under the EU Procurement Directions as to Award Notifications/Decisions. Further to then take a final holistic overview of the evaluation of tenders in line with the requirements of the Remedies Directive which was reviewed in Outcome 1 of Unit 3 of this PDA.

Outcome 3

This is made up of three Knowledge and/or Skills and looks specifically at the implementation of contracts for the procurement of care services.

- (a) Candidates will understand and apply 'best practice' principles on how to effectively **communicate** details of the availability of a new contract for service delivery to relevant and interested stakeholders.
- (b) Understand firstly the concept of Benefits Tracking and its usefulness to understanding the impact and suitability of the contract award for care services.
- (c) Understand all the considerations that need to be taken into account when you undertake contract mobilisation and to understand the importance of that phase to the Contract Management Lifecycle.
- (d) Understand the value of and content detail of an effective contract implementation strategy for care services, prior to the final award of the contract.

Higher National Unit specification: support notes (cont)

Unit title: The Tendering Process and Contract Award for Care Services

- (e) Re-examine the criticality of the legislative, regulatory and operational considerations, taken from previous Units within this PDA and linking that into the awarding of a new contract for care services.

Guidance on the assessment of this Unit

Each assessment opportunity will involve the given scenario as set up from **Phase 1** and **Phase 2** of the Project Portfolio under completion from **Unit 2** and **Unit 3** and will be its natural follow on.

Candidates will be advised, only at the time of assessment which elements are to be incorporated into what will be **Phase 3 of their Project Portfolio**.

Key to any assessment will be for the candidate to fully demonstrate an understanding of both theory, and its relation to practice, Assessment must therefore include both the requirement to discuss issues, and the opportunity to relate these to current practices adopted in the management of the supply chain and the scenario as outlined in **Phase 2**.

If this is not feasible, then hypothetical examples can be used, but in line with the hypothetical situation outlined in **Phase 1 and 2** for the purposes of consistency.

Account will also be taken of the SVQ Units chosen to be part of the overall assessment of this PDA.

Phase 3 of the Project Portfolio

Assessment of the range of Learning Outcomes should relate to the chosen scenarios already followed within the Project Portfolio for Units 2 and 3 (ie a specific service required for a specific client group. For the purposes of the theme running through the assessment of each of the Units, it should be assumed that the Invitation to Tender Pack produced for Unit 3 is to be advertised.

Outcome 1

Prepare a Briefing Paper for the stakeholder group that details your understanding of the process that goes into advertising contract opportunities, issuing tenders and the management of the tender period. The Briefing Paper should be 500 words +/- 10%

Outcome 2

The Project Portfolio should contain a set of tender submissions aligned to the scenario under its review taken from **Phase 1 and 2**.

The candidate then must produce an explanation of how they arrived at their conclusions and evaluation. The document should also contain how they are going to proceed with the award notification process.

Higher National Unit specification: support notes (cont)

Unit title: The Tendering Process and Contract Award for Care Services

No word count advised but must be sufficiently comprehensive. All such sensitive information will be held in confidence however in the event of this being unacceptable individuals arrangements will be made to try to get around this difficulty which the student will be required to agree to in advance of submission.

Additionally add in a narrative that clearly explains (a) the appropriateness of e-auctions for care contracts (500 words +/-10%) and (b) the significance of award notifications (500 words +/-10%)

Outcome 3

Candidates could prepare a presentation with Support Notes for the stakeholder group following the successful completion of the tendering exercise; that explains how the new arrangements will be communicated to all stakeholders; what transitional arrangements may be required; any de-commissioning or termination of existing services or contracts.

Additionally candidates could produce a narrative that clearly explains (a) an overview of the TUPE Regulations and its potential impacts (500 words +/-10%) and (b) the significance and importance of Benefits Tracking. (500 words +/-10%)

Online and Distance Learning

The emphasis for delivery of this Unit should be on tuition that includes options for distance learning, delivery/support by video conferencing, e-learning and classroom learning within SQA approved centres.

To meet the needs of the commissioning, procurement and contracting workforce this Professional Development Award should be offered via a range of delivery options including a part-time flexible basis of learning,

Opportunities for developing Core Skills

Assessment of this Unit will assume the development of Core Skills necessary in the performance of work tasks at this level. For example the assessment includes the need to use appropriate information technology and the demonstration of skills to undertake written presentations which will include the use of complex information.

Candidates will have the opportunity to develop the following Core Skills:

Communication: Written communications will be developed through candidates producing written work in their assessment; oral communication will be developed through discussion, debate and evidence of engagement with other internal stakeholders in the preparation of their Report for the assessment of this Unit.

Higher National Unit specification: support notes (cont)

Unit title: The Tendering Process and Contract Award for Care Services

Numeracy: Candidates will develop their numeracy skills through the assessment of a service provider's financial status when computing accounting ratios and scoring responses to pre-qualification questionnaires and invitations to tenders. The use of graphical information will be enhanced during tender assessment and preparation of conclusions on the tender evaluation.

Working with Others: Will be developed as a natural consequence of working in the field of procurement as candidates to be effective will be required to work collaboratively with colleagues from their own function as well as other key functions within the organisation, particularly during tender assessment. This is further enhanced with the need to engage with other third parties within the supply chain and external to their organisation, in the preparation and research for their assignment.

Information and Communication Technology (ICT): Candidates will develop their *ICT* skills through development of tender evaluation spreadsheets, the use of electronic tendering systems and research on Internet based systems to advertise requirements.

Problem Solving: *Problem Solving* will be developed when candidates consider scenarios associated with the development of tender evaluation models and transition arrangements associated with switching from current to new service providers.

Disabled candidates and/or those with additional support needs

The additional support needs of individual candidates should be taken into account when planning learning experiences, selecting assessment instruments, or considering whether any reasonable adjustments may be required. Further advice can be found on our website www.sqa.org.uk/assessmentarrangements

History of changes to Unit

Version	Description of change	Date
02	Support notes updated to reflect changes in EU legislation	July 2016

© Scottish Qualifications Authority 2013, 2016

This publication may be reproduced in whole or in part for educational purposes provided that no profit is derived from reproduction and that, if reproduced in part, the source is acknowledged.

Additional copies of this Unit specification can be purchased from the Scottish Qualifications Authority. Please contact the Business Development and Customer Support team, telephone 0303 333 0330.

General information for candidates

Unit title: The Tendering Process and Contract Award for Care Services

This Unit supports stage 3 of the procurement process for care services as set out in Joint Strategic Commissioning Guidance and Scottish Government Guidance on the procurement of care and support services.

It is important for you to understand that in the context of the procurement process for care services decisions on whether or not to proceed with a tendering exercise will depend on the outcome of procurement planning taught within Unit 3 of this Professional Development Award which considers other options for service delivery including:

- ◆ Service delivery in-house
- ◆ Services delivered through shared services arrangements
- ◆ Services secured through grant funding
- ◆ Consideration of an extension to an existing contract
- ◆ Consideration of a contract award with or without competition

Decisions on conducting a tendering exercise will require consideration of the benefits and risks of advertising the requirement and awarding a contract or framework agreement by competition. This should involve an assessment of the impact that any change in service provision or provider will have on:

- ◆ Service users and carers
- ◆ The continuation of care
- ◆ The quality of service and outcomes to be delivered
- ◆ The cost of the service
- ◆ The e market for care services provision
- ◆ The workforce

Of particular importance is the need to consult with, and inform service users and carers during the management of a tender exercise.

Any decision to award a contract or framework agreement with or without competition must take account of regulations set out in EU Procurement Directives.

General information for candidates (cont)

Unit title: The Tendering Process and Contract Award for Care Services

If a procurement plan decides that a tendering exercise is required then this should be delivered according to Stage 3 of the Scottish Government's Guidance Document 'Procurement of Care and Support Services'. The Scottish Government's Procurement Journey is also a good point of reference for delivering a contract or framework agreement.

In undertaking this Unit you will be given opportunities to develop the Core Skills of *Communication, Information and Communication Technology (ICT), Working with Others, Problem Solving* and *Numeracy* at SCQF level 6 in this Unit although there is no automatic certification of Core Skills or Core Skills components.

Recommended Reading (applicable at time of writing this Unit):

Candidates should refer to the most recent policy, legislation, directives, guidance and SSPNs at <http://www.gov.scot/Topics/Government/Procurement/policy/ProcurementReform> and <http://www.gov.scot/Topics/Health/Policy/Adult-Health-SocialCare-Integration> for further reading.

Scottish Government Procurement Information Systems (applicable at time of writing this Unit)

1 The Scottish Procurement Information Hub (the Spikes Cavell Observatory)

Provides public sector organisations with information on:

- ◆ How much they are spending on external goods and services from third party suppliers.
- ◆ Who their key suppliers are.
- ◆ How many transactions were made with each supplier.
- ◆ Where the suppliers and spend categories are used in common.

2 Public Contracts Scotland (National Advertising Portal)

This internet based system provides suppliers/service providers with free access to essential information on public sector contract opportunities.

3 Public Contracts Scotland (Tenders)

This electronic tendering system provides procurement professionals and suppliers/service providers with the means to conduct procurement exercises electronically.

The system allows buyers to securely publish tender documents (and receive responses from suppliers), to conduct on-line tender evaluations, and mount electronic reverse auctions, if required.

General information for candidates (cont)

Unit title: The Tendering Process and Contract Award for Care Services

4 PECOS P2P

Pecos is an electronic tool that supports a 'Purchase-to-Pay (P2P)' process that encompasses all the steps in the procurement cycle incorporating:

- ◆ The time someone orders a product/service that they need
- ◆ The authorisation process
- ◆ The issuing of a purchase order to a supplier
- ◆ The receipt of products/services
- ◆ The payment of a suppliers invoice

5 Scottish Government Procurement Journey

The Procurement Journey a web based guidance portal that facilitates best practice and consistency across the public sector.

Its processes, templates and guides allow procurement professionals to concentrate on the higher value, higher risk areas in which they can add value and deliver value for money.

There are also simplified processes, templates and guidance to support individuals with authority to procure lower value, lower risk procurements.

6 Scottish Government Supplier Journey

The Supplier Journey is a web based guidance portal that:

- ◆ Explains to suppliers the process of awarding a public sector contract in straightforward terms.
- ◆ Sets out what buyers expect suppliers to do at each stage in that process.
- ◆ Gives practical information on how suppliers can find out about business opportunities, how to bid for business, and what to expect when delivering the contract.
- ◆ Tells suppliers what support is available to help you win business, and what you can do if you are unsuccessful.

The Journey is structured to mirror the various 'Zones' (stages) associated with the Scottish Government's Procurement Journey.