

Southern Coastal Group and SCOPAC

COASTAL ENGINEERING

Minor Works Framework

User Guide – Lots 1 & 2
v2.1



Key Framework Details

<u>Key Framework Details</u>	Framework Administrator Contact Details
Term: Four years End Date: 1 st May 2026 Extension Option: None Find-a-Tender Notice: 2021/S 000-025521 Find-a-Tender Award Notice: TBC Maximum framework value: £9m Call-off values: IRO £20k - £150k+	coastal.team@havant.gov.uk

Version control

This table documents the latest amends made to the User Guide to help direct frequent users of the framework to any amends in operation since last using it.

Version	Date	Description of change
2.1	11.11.2022	Provision of clarity on access fees

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Summary

This Coastal Engineering Minor Works Framework Agreement, 'the Framework', has been established by Portsmouth City Council on behalf of the Southern Coastal Group (SCG) and SCOPAC (Standing Conference on Problem Associated with the Coast). On behalf of the groups, the Framework is managed by Coastal Partners.

This is a four-year, multi-contractor Framework split across two Lots;

- Lot 1: General Coastal Civil Engineering Works
- Lot 2: Specialist Beach Management Works

The Framework serves as the primary route for procuring coastal engineering minor works projects for Contracting Authorities in the [Southern Coastal Group](#) and SCOPAC areas.

This is an NEC4 Framework Agreement and all standard call-off contracts should use one of the identified NEC4 contracts for its operation and management.

Access to the Framework is included as part of the membership rights for Full and Associate SCG/SCOPAC Members. All other Contracting Authorities identified as being able to use the Framework but without the above-mentioned membership, will be charged a one-off administration fee of £2,500 to access the Framework for its duration.

Access Agreements are required by any Contracting Authority wishing to use the Framework. These are available as appendices to this User Guide. The relevant one must be completed and returned to the Framework Administrator prior to using the Framework.

Please take the time to read this User Guide fully. It provides key information about the Framework and practical guidance on how to use it. Together with its appendices, users should have everything they need to make a call-off from the Framework.

Any further questions that cannot be answered here should be directed to the Framework Administrator at coastal.team@havant.gov.uk.

1. Framework Overview

Framework Scope

The Scope of Work covered across the two Lots of the Framework is:

<p style="text-align: center;"><u>Lot 1</u></p> <p style="text-align: center;">General Coastal Civil Engineering Works</p>	<p style="text-align: center;"><u>Lot 2</u></p> <p style="text-align: center;">Specialist Beach Management Works</p>
<ul style="list-style-type: none"> • Drainage infrastructure. • Earth and flood embankments • Flood gates, boards and demountable defences. • Heritage works • H&S issues and emergency works response. • Incidental beach management works. • Marine and harbour works • Piling works • Precast and insitu concrete works • Rock works • Slipways, promenades, steps and access ramps. • Timber groyne & revetment works 	<ul style="list-style-type: none"> • Beach management works. • Excavation, haulage, deposition, profiling and screening of beach material. • Ground works associated with flood and coastal risk management. • H&S issues and emergency works response. • Incidental general coastal civil engineering works. • Land based importing of suitable beach material from external sources. • Slipways, promenades, steps and access ramps.

Lots 1 and 2 operate and are managed in the same way as each other and therefore the guidance and processes within this document are applicable to both.

'Standard' and 'Non-Standard' Works

'Standard Works' under the Framework are defined as non-complex and relatively low value (£20k-£150k) coastal and drainage civils and coastal maintenance works and will form the majority of call-offs from the Framework. They will typically be let using the mini-competition mechanism, leading to award of an NEC4 Engineering & Construction Short Contract, or Term Services Short Contract.

‘Non-Standard Works’ may include, but are not limited to:

- A complex scope, or of higher value (e.g. >£500k), or over longer periods (e.g. >6 months), potentially requiring a more comprehensive form of contract like the NEC4 Engineering and Construction Contract.
- Very simple or low value works (<£20k) via a purchase order
- Specialist work types and emergency works

Due to their nature, the quality evaluation criteria applied to mini-competitions for ‘Non-Standard Works’ may be more stringent or a Direct Award may be more appropriate. For very specialist works types, inviting competition from Suppliers across both Lots might be most beneficial, in which case a sifting brief process would be followed. More information on multi-Lot competition and sifting briefs can be found in the Framework Options section of this manual.

Framework Value

Although there is no commitment or guarantee of usage, the Framework value is estimated to be in the region of £6m over the 4-year period, based upon the likely requirements of SCG and SCOPAC members. To allow for headroom in the event of further schemes or take up by other Authorities across Southern England, the total value of the Framework is set at £9m.

Call-off values

The average value of commissions anticipated to be called-off via the Framework for both Lots is likely to range from £20k to £150k. However, there are likely to be commissions below £20k and on occasion, commissions above £150k.

Although it is unlikely that very high or very low value work will be procured via the agreement no upper or lower value constraints shall apply. This is the case for all call-off contracts, regardless of the mechanism used, i.e. mini-competition or direct award.

Whilst the Framework does not impose limits on call-off values, some Contracting Authorities may have policies that impose restrictions on call-off values and/or may require additional authorisations. Users are advised to check with the Contracting Authority’s Legal and/or Procurement teams for advice before proceeding.

Framework duration & right to extend

The Framework will be accessible for four years from 02 May 2022 to 01 May 2026, with no option to extend.

Call-off contracts let via the Framework may overrun the term of the Framework, as long as the award process is completed before the term of the Framework expires, and the length of the call-off contract is reasonable and proportionate to how the Framework has operated during its term.

Framework Access

The Framework is accessible to:

<u>Eligible Contracting Authorities</u> *	<u>Cost to access Framework</u>	<u>Access Agreement Required</u>
All Contracting Authorities with SCG and/or SCOPAC membership **	Free access to Framework included as part of SCG/SCOPAC membership rights for Full and Associate Members . Corresponding Members required to pay the non-member Access Fee set out below.	Yes
All Contracting Authorities, regardless of SCG/SCOPAC membership, situated within: <ul style="list-style-type: none"> • Hampshire • Dorset • West Sussex • East Sussex • Isle of Wight • Kent • Somerset • Wiltshire 	Contracting Authorities without SCG/SCOPAC membership (non-members) are required to pay a one-off administration fee of £2,500 to access the Framework for its duration. This will be due at the start of the call-off process. Please contact the Framework Administrator for details and to arrange payment.	Use Appendix A

* The term 'Contracting Authorities' is as defined in the Public Contracts Regulations 2015, and any replacement legislation.

** Up to date membership status is available at <https://southerncoastalgroup-scopac.org.uk/about/membership/>. Future iterations of the SCG and SCOPAC membership, which may include for changes in existing member status and/or addition of new members, will be able to access the Framework during its term. Please note that economic operators within SCG and/or SCOPAC cannot access the Framework.

Access Agreements are required from all Contracting Authorities before using the Framework. This only needs to be done once during the Framework term and not before each call-off.

If you wish to proceed with using the Framework, please complete and return a signed copy of the relevant Access Agreement, as identified in the table above, to the Framework Administrator at coastal.team@havant.gov.uk.

Upon receipt of a signed Access Agreement, the Framework Administrator will return a signed copy along with the remaining commercially sensitive Appendices not attached to the freely accessible User Guide.

2. Supplier Information

Framework Suppliers

Each Lot comprises four Suppliers each. Suppliers are **not ranked** on the Framework and are listed alphabetically below:

LOT 1 – Civil Engineering	LOT 2 – Beach Management
Avon Construction Ltd	Earlcoate Construction & Plant Hire Ltd
Earlcoate Construction & Plant Hire Ltd	JT Mackley & Co Ltd
JT Mackley & Co Ltd	Les Searle Plant Hire and Sales Ltd
Suttle Projects Ltd	Ovenden Earthmoving Co Ltd

All Suppliers are eligible for all call-offs from the Framework under any of the mini-competition or direct award mechanisms.

The Framework Manager maintains a live register of Suppliers throughout the Framework term. Any Contracting Authority seeking to use the Framework should ensure they refer to the latest User Guide and register of Suppliers before making a call-off.

Supplier contact details

Full and up-to-date contact details for each named Supplier are provided as **Appendix J**, which is available after signing the relevant Access Agreement.

Supplier Insurances & Liabilities

To be included on the Framework, Suppliers are required to maintain the following insurances:

- **Employer's Liability Insurance:**
£10m in respect of each claim, without limit to the number of claims
- **Public / Products Liability Insurance:**
£10m in respect of each claim, without limit to the number of claims
- **Professional Indemnity Insurance:**
Not required at Framework level as standard.

If Suppliers are required to increase insurance levels or obtain additional types of insurance (e.g. Professional Indemnity) for higher value / complexity / risk commissions, this must be clearly articulated within the call off documentation (i.e. within the Work Order template).

Whilst compliance is checked on an annual basis by the Framework Manager, it is the responsibility of the Contracting Authority to ensure that all insurances are in place and meet their requirements before entering into contract with a Supplier.

3. Pricing Information

Framework Pricing

NEC4 *fee percentages* for the Engineering and Construction Short Contract (ECSC) and the Term Service Short Contract (TSSC) are set at Framework level. These percentages must be honoured, on a meet or beat basis, for all call-offs during the term of the Framework Agreement.

All other rates and costs will be provided by Suppliers at the time of call-off.

Framework Pricing (**Appendix K**) will only be released to Contracting Authorities once the relevant Access Agreement has been signed, due to it containing commercially sensitive information.

Call-off Pricing

There is no Schedule of Rates set for the Framework and costs will be provided by Suppliers as requested via the nominated call-off process.

In respect of the approach to cost build up for call-offs, a number of approaches or combination of approaches can be taken:

- Where a phase of work can be clearly defined, a fixed fee for delivery or fixed rates and re-measurable options may be most suitable
- Where time is of the essence, the instruction may be let on an open book, capped, cost reimbursable basis for defined work packages
- Non-standard projects will have the flexibility to adopt an appropriate pricing strategy. This will be based on the options available from the NEC 4 suite of works contracts.

The approach chosen will need to be specified in the Contract Data for each Standard call-off and endorsed by the relevant approval process for each Contracting Authority responsible for the call-off contract.

For further information on Call-off Pricing, see **Appendix G** - Quotation Information.

4. Contract terms

Framework contract

The Framework is an NEC4 Framework Contract, June 2017 edition, incorporating additional conditions of contract. Framework Contract Data is provided as **Appendix E**.

In addition to the NEC4 Framework Contract, Suppliers have signed a Form of Agreement, provided as **Appendix F**, clarifying party responsibilities and Framework set-up.

On receipt of a signed Access Agreement, the Framework Manager will release the signed Framework Agreements for each of the Suppliers to the Contract Authority.

Call-off contracts / Work Orders

The full suite of NEC4 contracts can be used for call-off contracts, but most typically will be:

- NEC4 Engineering & Construction Short Contract (ECSC)
- NEC4 Term Service contract (TSC) / Term Short Service Contract (TSSC)

Very low value, non-complex works may also be awarded using the standard purchase order terms of the particular Contracting Authority commissioning the works, as appropriate.

The contract should be proportionate and relevant to the works which are being commissioned. No other forms of contract, other than those listed above, should be used for this Framework, for example JCT contracts.

Work Order templates for NEC4 ECSC and TSSC contracts are provided as **Appendix C and D** and should be used when calling-off from the Framework, when relevant.

Contracting Authorities are to satisfy themselves that call-offs and their associated Work Orders are compliant with this Framework, their own internal rules as well as all relevant procurement regulations. Advice from the Framework Manager should be sought if significant departures from the templates provided are being proposed.

Using NEC Contracts

The New Engineering Contract (NEC) is an industry standard contract and can be used across a wide range of contracts for goods, works and services. NEC is now in its fourth iteration and the Framework is using the latest NEC4 versions of the contracts.

Each Contracting Authority will need its own copy of the contract to be able to manage it.

To purchase a copy of the contract terms and conditions or to access guidance on how to prepare or manage an NEC contract, please visit necontract.com.

5. Call-off options and process

Mini-Competition

Mini-competition is the preferred route for the Framework for 'Standard Works' and is expected to be used for the majority of call-offs let under the Framework.

For a mini-competition, Contracting Authorities are required to produce and issue an Invitation to Bid document to all four Suppliers named on the Lot appropriate to the work scope. This document must clearly state the bid requirements, timescales, bid evaluation criteria, form of contract, and key performance indicators that will be used to monitor performance. These will be based on the completed Work Order templates, the stated framework KPI criteria and call-off options selected.

A complete specification together with supporting information such as drawings and surveys (if required) will also be included within the mini-competition pack.

The evaluation criteria will be applied on a project-by-project basis dependant on the nature of the works and the contracting strategy required. Contracting Authorities may choose to focus evaluation on cost only or include a mixture of cost and quality elements, as below:

Cost Only Bid	Cost and Quality Bid
<ul style="list-style-type: none"> • Project specific cost element makes up 100% of the evaluation • Quality elements may be asked for but assessed on a pass/fail basis <p>This approach is more likely to be appropriate for fully designed schemes awarded on a single-stage tender basis or where the work is very simple.</p>	<ul style="list-style-type: none"> • Evaluation is split between project specific cost and quality elements • Evaluation weightings are project specific and may differ from those used at Framework set-up <p>A greater emphasis on quality is more likely to be required on works that are more complex or where approaches to the work may significantly differ between Suppliers.</p>

Please remember that Suppliers have already demonstrated they meet certain quality standards and criteria as part of Framework set-up and therefore any additional quality elements within the mini-competition should be justifiable and project specific.

For information, Quality Assessment criteria used to establish Suppliers on the Framework are provided within **Appendix H**.

Direct Award

Direct Award options are not the preferred route for ‘Standard Works’ procured under the Framework but are sometimes appropriate, especially for ‘Non-Standard Works’, and can be used under the following three circumstances:

<p>Urgent or emergency basis</p>	<p>Where requirements are of a “time of the essence” or emergency basis.</p> <p>When selecting a Supplier, consideration should be given to their area of expertise, capacity, competency & past performance.</p> <p>If asked, you should be able to clearly justify why you feel the chosen Supplier is best placed to deliver best value appropriate to the type and size of work required under the circumstances.</p>
<p>Work development basis</p>	<p>In the event that any Framework Supplier has delivered an initial phase of work, either via this Framework or via another contracting route, future phases may be awarded to the same Supplier via a direct award.</p>
<p>Repeat specialist work basis</p>	<p>Where requirements are similar to specialist works already delivered by the Supplier for the Contracting Authority making the award.</p>

For a Direct Award, there is no competition and therefore no requirement for evaluation criteria or an Invitation to Bid document. However, a specification together with supporting information such as drawings and surveys (if required) and a completed Work Order template or Contract Data will still be required, along with any KPI criteria you wish monitor as part of the contract.

To initiate a Direct Award call-off, the Framework Administrator must first be informed, then the Contracting Authority can liaise directly with the chosen Supplier to confirm suitability and capacity to undertake the work. When an agreement is reached, the Contracting Authority completes the Contract Award as per the Framework call-off process.

Whilst, the Framework does not restrict the use of Direct Awards in terms of cost, complexity, or the subject of a Work Order, Direct Awards are used at the sole discretion of the Contracting Authority responsible for the call-off contract.

Call-off responsibilities

The Contracting Authority responsible for the call-off contract is responsible for all matters involved in the process of calling-off that contract, including communication with Suppliers, document preparation and issue, evaluation, and contract award.

Contracting Authorities should use their own named e-tendering system and supply all relevant information about the use of the system to the Suppliers.

Should a Contracting Authority wish to use an e-contracting package to manage contract delivery (for example CEMAR) no support training or software is provided by Portsmouth City Council or Coastal Partners and the Contracting Authority must supply all information about the use of the system to the Suppliers.

'Step-by-step' call-off process

A summary flow diagram of the steps below is provided as **Appendix B**. It is important to note that relevant approvals required by each Contracting Authority are sought at each step as per their requirements.

Step 1 – Right to access

- Ensure the Contracting Authority has signed the Framework Access Agreement and has a signed copy returned by the Framework Manager.
- If applicable, the £2,500 one-off access fee is now due. Please contact the Framework Administrator to arrange payment.

Step 2 – Notify intention to use

- Email the Framework Administrator advising that you intend to use the Framework. Please include:
 - Which Lot you intend to use
 - Overview of Works required
 - Location of Works
 - Estimated value and duration
 - Mini-competition or Direct Award
- Please do this for each call-off you intend to use the Framework for to help us keep a live track of how it's being used.
- Please do this regardless of SCG/SCOPAC membership and/or employment by Coastal Partners.
- If time allows, inform the relevant Suppliers of the upcoming opportunity so they can plan bidding resource.

Step 3 – Prepare documentation

- Prepare an Invitation to Bid document clearly stating the bid requirements, timescales, bid evaluation criteria, form of contract, and any KPIs that will be used.
- If the contract will be either ECSC or TSSC - complete the relevant Works Order template, otherwise ensure you have completed the Contract Data relevant to the contract selected.
- Gain any internal approvals required by the Contracting Authority before issue.

Step 4 – Supplier selection

Decide which call-off mechanism to use and follow the process:

- Mini-competition
 - Issue Invitation to Bid documentation to all Suppliers on the relevant Lot
 - Set a reasonable time for returns to be submitted – there is no prescribed time set by the Framework, but it should be proportionate to the scale of work required for the Supplier to bid and consider any holiday periods it may fall over
 - Evaluate returns and identify the winning Supplier
- Direct Award
 - Liaise directly with the chosen Supplier to confirm suitability and capacity to undertake the work
 - Issue documentation (minimum of Works of Template and Specification/drawings) with a return date to the chosen Supplier
 - Review return and either:
 - Accept return
 - Reject return and source another Supplier
 - Liaise further directly with the Supplier until acceptable

Step 5 – Contract Award

- Before informing Suppliers of the outcome, ensure all approvals and/or relevant permissions have been gained from the Contracting Authority
- Inform Supplier/s of the award decision
- A standstill period is not legally required for framework call-offs but can be voluntarily included at the discretion of the Contracting Authority
- Enter into contract with the selected Supplier - ensure that it is made clear within the contract that it is a call-off from this Framework

Managing a call-off contract

Once a call-off contract has been awarded under the Framework, it becomes a contract in its own right and should be managed by the Contracting Authority, as any other contract would be by that Contracting Authority.

Please see 'Using an NEC Contract' section of this User Guide if you are unfamiliar managing NEC contracts.

Any performance issues during the contract term should be managed between the Contracting Authority and the Supplier directly, in an attempt to resolve the issue. If the matter cannot be resolved, and you consider the Supplier's performance to be a breach of the requirements of the call-off contract, the Framework Manager should be advised for investigation and assistance in finding a resolution.

Completion of contract and client feedback

Upon completion of the call-off contract, it is the responsibility of the Contracting Authority to finalise accounts and payments and provide any project specific KPI feedback to the Supplier. This is the end of the contract between the Contracting Authority and the Supplier for that work.

To allow the Framework Manager to monitor live performance of the Framework and its Suppliers, the Contracting Authority should complete and return a Client Feedback Form (**Appendix I**) to the Framework Administrator after completion of each and every 'Standard Works' call-off.

This information is logged by the Framework Administrator and, if there are no serious issues raised regarding the performance of the Supplier or the Framework, no further action is required and the call-off is deemed complete.

Details of how client feedback is used in managing the Framework, please see the 'Performance Management' and 'KPI monitoring & management' sections of this User Guide.

6. Performance Management

Any performance issues during the term of a call-off contract should be managed between the Contracting Authority and the Supplier directly, in an attempt to resolve the issue.

Upon completion of each and every 'Standard Works' call-off, or after sectional completion for larger phased works, the Contracting Authority should award the Supplier one holistic KPI score by completing and returning the Client Feedback Form (**Appendix I**) to the Framework Administrator. High-level written feedback should accompany the KPI score.

KPI Scoring criteria:

0	Unacceptable Performance	Grounds for immediate suspension / removal from the framework.
1	Poor	Significant issues have arisen. May invoke review meeting with framework manager and temporary suspension unless significant and immediate improvements are implemented.
2	Fair	Works were generally undertaken to a satisfactory level however a significant number of smaller issues arose, or one significant issue occurred.
3	Satisfactory	Met the contractual obligation and performed within the range of expectation.
4	Good	Met and on occasion exceeded contractual expectations. Works undertaken to a high standard.
5	Excellent	Performed above general contracted requirement by bringing added value and exceeded expectations in multiple areas.

Where a Contracting Authority wishes to include KPI scoring for 'Non-Standard Works' (which is encouraged where appropriate), this should be stated within the call-off document, along with how this performance will be monitored. In most instances it would be reasonable to simply follow the same process and criteria as for 'Standard Works' call-offs.

Whilst 'Non-Standard Works' KPIs will not be used to score overall performance at Framework level, unacceptable performance could lead to termination from the Framework.

Where appropriate the Supplier will have the opportunity to meet and discuss any feedback with Contracting Authority and/or Framework Manager where clarification is required.

KPI scoring criteria and guidance for Contracting Authorities is provided within the Client Feedback Form (**Appendix I**).

7. Framework Management

Framework Team & Role

To optimise the efficiency, effectiveness, and economy of the Framework it will be managed by a Framework Team at Coastal Partners on behalf of SCG/SCOPAC and Portsmouth City Council.

The Team consists of:

- **Framework Manager** – responsible for the overall operation of the Framework and the primary point of contact throughout the duration of the Framework.
- **Framework Advisor** – may assist Framework Manager from time to time on more complex matters/call-offs related to the Framework.
- **Framework Administrator** – primarily manages access to the Framework and monitors usage, as well as any other administrative task delegated by the Framework Manager.
- On occasion representatives from Portsmouth City Council's ('the council') Procurement and/or Legal Services may engage with Suppliers or Contracting Authorities in relation to specific issues that may arise over the course of the Framework.

The management of the Framework will serve a number of key purposes, namely;

- To ensure framework compliance (accounts, insurance etc)
- Monitor and review Supplier performance
- Allow mutual feedback and seek continuous improvement
- Update Suppliers of future procurement opportunities via the Framework
- Provide Framework advice and consult with the council's procurement and/or legal, as required.

All queries regarding the Framework should be directed to the Framework Administrator at coastal.team@havant.gov.uk where your query will be directed to the most relevant member of the Team.

Framework Compliance

On an annual basis, on the anniversary of the Framework Contract date, Suppliers are required to update relevant current certification and confirm ongoing accreditations that they provided as part of their tender at Framework set-up. These will be checked by the Framework Manager that they meet the minimum requirements as set out by the Framework and include:

- Accounts
- Insurance (Public and Employers Liability only)
- Quality Assurance and Health & Safety (H&S) Accreditations
- Declaration of any H&S accidents or prosecutions over the last 12 months

The Framework Manager will also undertake an annual credit check on each Supplier and monitor financial stability of the company via Creditsafe on an ongoing basis.

If documentation is not provided by the Supplier at the relevant time or it does not meet the Framework's minimum requirements, the Supplier may be suspended from the Framework until such time as valid accounts/documents are received.

Should any concern be raised from the accounts, credit check or through Creditsafe monitoring further investigation into financial position of the Supplier may be undertaken. This may result in suspension of a Supplier pending investigation or reassurances. If serious financial concerns are found it may result in permanent removal of a Supplier from the Framework.

KPI monitoring & management

Key Performance Indicators (KPIs) will be managed by the Framework Team to:

- ensure Suppliers are incentivised throughout the term of the Framework
- ensure that the Framework remains competitive
- assess on-going performance of Suppliers over the lifetime of the Framework
- ensure value for money is being achieved for the works procured & standards met

Where a Supplier is displaying a pattern of poor performance through KPI monitoring, the Framework Manager may investigate the issues through further discussion with the relevant Contracting Authority and the Supplier.

If persistent poor performance is deemed the case by the Framework Manager, Suppliers may be required to review performance and their own processes and provide improvement plans outlining measures they will implement on subsequent projects to improve performance. If performance and KPI's do not improve over a sustained period the Framework Manager may undertake further investigation and where necessary may result in temporary suspension or permanent termination from the Framework.

Following a score of 0 or 1 the Framework manager will be informed, and the resulting score will be investigated. Dependent on the findings of the investigation, where performance issues are found to be of a serious nature and there is no satisfactory mitigating circumstances, the Framework Manager may take formal action in the form of:

- Written warning
- Improvement notice
- Suspension from the Framework
- Termination from the Framework



The action taken by the Framework Manager will be based upon the specifics of the issues, the seriousness of them, mitigating circumstances as well as measures taken by the Suppliers to mitigate further issues.

Where issues have potential to result in the temporary suspension or permanent termination from the Framework further advice from the council's Procurement and/or Legal Services will be sought.

At the end of each Framework year the Framework Manager will create a summary report detailing works awarded along with KPI scores of each Supplier on the Framework. This report will be shared annually with SCG/SCOPAC and will be available upon request to other Contracting Authorities to provide visibility of performance and effectiveness of the Framework.

Supplier management

Framework Review Meetings are held at least annually between the Framework Manager and Suppliers on a 1-2-1 basis. Framework Review Meetings will give the opportunity to discuss:

- Supplier performance
- Client performance (Framework management or Contracting Authority)
- Lessons learnt
- Upcoming works

Suppliers are encouraged to actively contribute to Southern Coastal Group and SCOPAC initiatives and those of the member authorities that make up the two groups and may be invited to attend group conferences, site visits, workshops or presentations.

Contracting Authorities can propose agenda items for all or individual Suppliers by contacting the Framework Manager.

As part of the annual Framework report, the Framework Manager will feed back discussions around lessons learnt to users of the Framework.

Forecast usage

On an annual basis, the Framework Manager will contact all SCG/SCOPAC members, and any other known users of the Framework, to discuss use and performance of the Framework over the previous 12 month period. At the same time the Framework Manager will request details of any works likely to go through the Framework over the next 12 month period.

Whilst summary information will be relayed to all relevant Suppliers on the Framework to help and will assist in resource planning and allow the possibility of combining works to realise potential efficiencies, it does not commit Contracting Authorities to using the Framework for these upcoming works.

Framework competitiveness

To ensure that the Framework continues to provide an effective route to market there is a 'requirement to bid' protocol incorporated within the Framework Agreement. The requirement applies to all Suppliers on both Lots but for 'Standard Works' call-offs only.

At the end of the Framework year, if Suppliers have been found to have bid on less than 60% of the mini-competition call-offs open to them, the Framework Manager will be informed and the issue investigated. Dependent on the findings of the investigation, and if there are no satisfactory mitigating circumstances, the Framework Manager may take formal action, as outlined in the KPI monitoring & management section.

Similarly, to ensure that tendering remains competitive, bids will be monitored throughout the duration of the Framework and any bid deemed excessively high will be investigated.

For the purpose of the Framework, an excessively high bid is defined as being in excess of 100% of the winning bid (unless the winning bid is considered exceptionally low or the majority of bids received are significantly higher than the winning bidder).

Where an excessively high bid is received a review of all bids received for that call-off will be undertaken to establish if there is any valid mitigation as to why it is high. If a bid is determined to be excessively high and it is felt that it has been submitted as a cover price to comply with the 'requirement to bid' protocol, a formal warning will be issued to the Supplier.

If 2 or more warnings are issued within a 12 month period, following investigation, the Framework Manager may take formal action, as outlined in the KPI monitoring & management section.

Social Value

In the initial setup of the Framework, 5% of Suppliers' overall tender score was based on their response to providing social value to Southern Coastal Group and SCOPAC and the wider local community.

In order to ensure that Suppliers adhere to their proposals and deliver social value, the social value demonstrated by each Supplier will be reviewed annually on the anniversary of the Framework Commencement Date and discussed at Framework Review Meetings as appropriate.

Suppliers will be required to submit a report/evidence against their initial social value responses provided at Framework set-up.

Suppliers will also have the opportunity to review their future proposal for social value with the ability to increase or decrease their commitment.

8. Framework Procurement

Procurement Process

Portsmouth City Council ('the council'), on behalf of the Southern Coastal Group (SCG) and SCOPAC (the Regional Coastal Group for central southern England), followed the Restricted Procedure as set out within the Public Contracts Regulations (2015) to successfully establish the multi-supplier Coastal Minor Works Framework Agreement.

On 12th October 2021, the council published Contract Notice [2021/S 000-025521](#) on Find-a-Tender inviting expressions of interest from potential Suppliers. In response, 8 Supplier Selection Questionnaires (SSQs) were received for Lot 1 Civils Work and 6 SSQs were received for Lot 2 Beach Management Works. Of these, the top 6 ranking suppliers for Lot 1 were taken through to the ITT stage and the top 5 for Lot 2.

The Framework intended to rank Suppliers according to their tender scores for each Lot and allocate the top ranking 4 Suppliers to a Delivery Tier and the remaining 2-3 Suppliers to a Reserve Tier. The Delivery Tier was to be used for all mini-competitions and the Reserve Tier would primarily be used as contingency resource and provide a larger pool of Suppliers for specialist works.

For each Lot, only 4 tender returns were received. All tender returns were accepted and allocated a place on the Delivery Tier for the relevant Lot. As there was space within the Delivery Tier for all successful Suppliers, it was decided there was no need for ranking and no Suppliers were placed in the Reserve Tier. As a result of this, all mention of "Delivery" and "Reserve" Tiers and ranking have been removed from the User Guide.

A procurement summary, including quality assessment criteria used to establish Suppliers on the Framework, is provided as **Appendix H**. If you require anything further or wish to see copies of tender documents, please email your request to the Framework Administrator.

The corresponding Contract Award Notice number is to follow.

Framework Options

Under exceptional circumstances, and with the approval of Portsmouth City Council and Framework Manager, mini-competitions may invite Suppliers to bid from across both Lots.

The process would require a sifting brief as part of the notification process to Suppliers, requiring them to submit project specific evidence of experience or other factors, which will then be assessed in order to draw up a new shortlist of 3-6 Suppliers. The resulting shortlist may be used for a single call-off, a programme of works or may run for the rest of the Framework duration as a new specialist sub-Lot.

Dependent upon the level of future access to the shortlist, the length of time in which sifting brief returns can be made will be increased or decreased accordingly.

9. APPENDICES

The following appendices accompany the 'freely available' User Guide in a zip file:

- Appendix A - Framework Access Agreement – All Users
- Appendix B - Call-off process flow chart
- Appendix C - NEC4 ECSC Work Order Template
- Appendix D - NEC4 TSSC Work Order Template
- Appendix E - Framework Contract Data
- Appendix F - Form of Agreement
- Appendix G - Quotation Information
- Appendix H - Framework Procurement Summary
- Appendix I - Client Feedback Form

The following appendices will be released to Contracting Authorities after the relevant Access Agreement has been signed and returned:

- Appendix J - Supplier Contacts Details
- Appendix K – Framework Pricing