



# **Telecommunications Framework**

## **Buyer's Guide**

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### 1. What is the scope of the framework?

This framework agreement has been set up by Jisc Services Ltd, referred to as JSL throughout the remainder of this Buyer's Guide for transmission services, including (but not limited to) leased circuits, dark fibre, wide area Ethernet and xDSL.

### 2. Who can use the framework?

The scope of the framework covers purchases by JSL, Higher Education institutions, Further Education and Specialist Colleges and Research Council establishments in the UK, and by any other bodies whose core purpose is the support or advancement of further or higher education or of research.

Many of the above bodies are members of higher and further education purchasing consortia. These are independent organisations that provide a wide range of collaborative purchase agreements to their member institutions through consensus and the common desire to maximise their purchasing power in the market place. Any member of one of these consortia will be eligible to purchase from this Service by virtue of its membership, as will members of any other similar purchasing consortium in higher or further education that might be formed during the lifetime of the Service.

Membership lists for existing higher and further education purchasing consortia may be found at:

<http://www.lupc.ac.uk/member-list>

<http://www.nwupc.ac.uk/our-members>

<http://www.neupc.ac.uk/our-members>

<http://www.hepcw.ac.uk/>

<http://www.apuc-scot.ac.uk/#!/members>

The individual organisations placing orders are referred to in this document as "the customer".

### 3. How does the framework operate?

The framework has been separated into two lots:

#### Lot 1: Managed Transmission Services

#### Lot 2: Dark Fibre

The suppliers that were considered to provide the most economically advantageous tender for each lot are:

- Lot 1: Pinacl Solutions UK Ltd
- Lot 2: MDNX Managed Services Ltd (trading as Easynet Global Services Ltd)

Customers may choose to:

- place orders directly with the supplier placed first on the relevant lot without reopening competition or
- select a supplier by running a mini-competition against its specific requirement with all capable suppliers on the framework in that lot. All mini competitions must be evaluated on MEAT principles (Most Economically Advantageous Tender).

### 4. What is the duration of the framework?

The framework runs for four years from 20<sup>th</sup> June 2014 to 19<sup>th</sup> June 2018.

**5. Which suppliers are on each lot?**

The suppliers on each lot are:

Supplier	Lot 1	Lot 2	Email contact
Adept	Yes	No	<a href="mailto:sales@adept-telecom.co.uk">sales@adept-telecom.co.uk</a>
BT	Yes	No	<a href="mailto:paul.c.nicholls@bt.com">paul.c.nicholls@bt.com</a>
Concept Solutions People	No	Yes	<a href="mailto:janet.request@conceptsolutionspeople.com">janet.request@conceptsolutionspeople.com</a>
Daisy Communications	Yes	No	<a href="mailto:enquiries@daisypublicsector.com">enquiries@daisypublicsector.com</a>
Exponential-e	Yes	No	<a href="mailto:publicsector@exponential-e.com">publicsector@exponential-e.com</a>
Gamma Telecom	No	Yes	<a href="mailto:Alexander.Muirhead@theloopmanchester.co.uk">Alexander.Muirhead@theloopmanchester.co.uk</a>
Kcom	Yes	Yes	<a href="mailto:janet.kcom@kcom.com">janet.kcom@kcom.com</a>
LUNS	Yes	No	<a href="mailto:sales@luns.net.uk">sales@luns.net.uk</a>
Interoute (formerly MDNX trading as Easynet)	Yes	Yes	<a href="mailto:john.rogula@interoute.com">john.rogula@interoute.com</a>
Onyx	Yes	No	<a href="mailto:janet@onyx.net">janet@onyx.net</a>
Pinacl	Yes	Yes	<a href="mailto:Janet@pinaclsolutions.com">Janet@pinaclsolutions.com</a>
Relish Networks (formerly Keycom)	Yes	No	<a href="mailto:Gill.Robson@rnplc.net">Gill.Robson@rnplc.net</a>
SSE	Yes	Yes	<a href="mailto:janet@sse.com">janet@sse.com</a>
Surf Telecom	Yes	Yes	<a href="mailto:surfsales@westernpower.co.uk">surfsales@westernpower.co.uk</a>
The Networking People (Northwest)	Yes	No	<a href="mailto:sales@tnp.net.uk">sales@tnp.net.uk</a>
Virgin Media	Yes	Yes	<a href="mailto:publicprocurement@virginmedia.co.uk">publicprocurement@virginmedia.co.uk</a>
Vodafone	Yes	Yes	<a href="mailto:public.provide@vodafone.com">public.provide@vodafone.com</a>
Westica	Yes	No	<a href="mailto:information@westica.co.uk">information@westica.co.uk</a>

**6. Was this framework tendered under EU procurement rules?**

Yes, this framework was advertised in OJEU on 28<sup>th</sup> March 2014 number 2014/S 065-111183 and tendered using the open procedure. A copy of the contract notice is available on the Jisc community site at:

<https://community.jisc.ac.uk/groups/telecommunications-framework/document/ojeu-notice>

The contract award notice is also available at:

<https://community.jisc.ac.uk/groups/telecommunications-framework/document/contract-award-notice-o>

The Operational Requirement document is available at:

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<https://community.jisc.ac.uk/groups/telecommunications-framework-20062014-19062018/document/telecoms-operational-requriment>

### What evaluation criteria/weighting was used?

The evaluation criteria were:

Marking	Item
Pass/Fail	The bidder's ability to meet the mandatory requirements. <b>If a bidder meets all of the mandatory requirements then it will be invited to be a bidder on the framework. If a bidder fails a mandatory requirement then it will not be invited to be a bidder on the framework.</b>
50% of total marks.	JSL's assessment of the bidder's technical merit and quality to enable it to provide the services described in this document on a timely basis based on the responses to the information requirements.
50% of total marks.	Charges – IR60 will be ranked using the formula: $\frac{\text{Lowest Price}}{\text{Price being evaluated}} \times 50$

The evaluation of the tenders for Lot 1 was based on the following weighting:

	Section	Percentage Score	Relevant IRs
50% of total marks	4.7 Lot 1 Managed Circuits only	20%	IR12, IR13, IR15, IR16, IR17, IR18
	4.10 Geography	Pass/Fail	
	4.11 Delivery/Provisioning Times	15%	IR38, IR39, IR40, IR42, IR44, IR45, IR46, IR49, IR51
	4.12 Fault Management	15%	IR53, IR54, IR56
50% of total marks	5 Charges	50%	IR60

The evaluation of the tenders for Lot 2 was based on the following weighting:

	Section	Percentage Score	Relevant IRs
50% of total marks	4.8 Lot 2 Dark Fibre only	20%	IR32, IR33, IR34, IR35
	4.10 Geography	Pass/Fail	
	4.11 Delivery/Provisioning Times	15%	IR38, IR39, IR40, IR42, IR44, IR45, IR46, IR49, IR51
	4.12 Fault Management	15%	IR53, IR54, IR56
50% of total marks	5 Charges	50%	IR60

## **7. Are there terms and conditions that must be used?**

The JSL framework agreement has been signed by JSL with each supplier. A copy of the generic agreement is available on the Jisc community pages at:

<https://community.jisc.ac.uk/groups/telecommunications-framework/document/telecoms-framework-agreement>

The framework agreement together with the supplier's individual terms and conditions will form the basis of any call off contract a customer awards with either the first place supplier on a lot or following a mini-competition. The terms and conditions for each supplier is available via the Jisc community pages on each individual supplier's web page.

## **8. How do I place a simple order for a circuit under this framework**

As in line with section 3, customers can either invite the supplier placed first on the relevant lot or run a mini-competition and invite all capable suppliers to quote for single circuit provisions. The invitation should include a clear return date for quotes and any late quotes should not be considered. JSL would recommend a maximum of 3 working days from the date of request for circuits less than 1 GB. Anything greater than this it will be a maximum of 20 working days. The customer should clearly state if any weighting has changed from JSL's original weighting. For instance customers may decide that price and lead-time for delivery are the most important criteria and weight these higher than other areas.

Should the customer wish to proceed and place an order with the chosen supplier, the customer must use the supplier's terms and conditions. Suppliers not chosen should be sent rejection correspondence.

## **9. How do I run a mini-competition under this framework for more complex orders?**

1. Establish the requirement.
2. Develop the mini-competition document:
  - a. Create a specification for the requirement.
  - b. Gather location information and installation dates, site requirements
  - c. Create evaluation criteria using the criteria published by JSL with any modification of the weighting. The customer may choose to use JSL scores. These are available on the Jisc community site.
  - d. Decide on a return date for tenders.
  - e. Decide who will be on the evaluation panel.
3. Decide which lot is appropriate.
4. Issue the mini-competition document to all capable suppliers on the relevant lot of the framework agreement.
5. Open tenders after the published deadline and evaluate tenders. A number of spreadsheets with instructions have been created to assist in the evaluation process, one where only the score for charges is modified and one where the scores for both charges and delivery are modified. These are available to registered users and the password for accessing them will be issued at the same time as the username and password for accessing the web site are issued.

The formula used to evaluate charges is:

Lowest price/price being evaluated \* 100 = Charges score for that bidder

6. Issue award or regret letters as appropriate to all bidders.
7. Place an order using the supplier's terms and conditions.

### **10. Are there any additional steps for above threshold orders?**

Yes. In addition to steps 1 – 6 in section 10, following the implementation of the remedies directive customers must include in the letter a summary of the reasons for the rejection of the tender, the characteristics and relative advantages of the tender selected and the name of the successful tender. The letter should also include a precise statement of the exact standstill period applicable. The standstill period must run for at least 10 calendar days between the date of despatch of this information and the date on which it proposes to enter into the contract (place the order).

### **11. What are the benefits of running a mini-competition?**

- Mini-competitions are faster and less onerous than a full tender process.
- There is no need to advertise the requirement in the European Journal (OJEU).
- Although the basic contract terms will have been established a mini-competition enables the customer to refine its exact requirement.
- Having a range of suppliers on the framework provides increased choice and competition for the customer and a better chance of achieving best value through the discount schemes offered under the framework agreement.
- JSL has already assessed the successful suppliers' capacity and capability using the selection criteria of personal situation of the candidate or tenderer, economic and financial standing, technical capability and experience. The customer should not assess these.
- The terms and conditions of the Agreement have already been established. There is no need for customers to negotiate on contract terms with suppliers.
- Following the guidelines below and elsewhere in this Buyers' Guide will help ensure that the customer adheres to EU procurement legislation.

### **12. What should the customer remember when running a mini-competition?**

- EU Treaty-based principles including equal treatment, transparency and non-discrimination still apply to mini-competitions and resulting call off contracts.
- Frameworks do not create any contractual obligations but a call-off does. By placing a call-off contract with a supplier from a framework the customer is making a commitment to purchase the specified goods/services from that supplier.
- By running a mini-competition the customer is allowed to define its requirements within the basic structure of the framework prior to making a call off, but the customer can't change the scope of the framework. This framework can't be used to purchase anything other than transmission services.
- Focus the mini-competition award criteria on the actual requirement (i.e. the service the customer requires, delivery timescales etc.). The customer is not permitted to evaluate suppliers on selection criteria: personal situation of the candidate or tenderer, economic and financial standing, technical capability and experience because these have already been evaluated by JSL at the framework selection stage.



- Set reasonable timeframes for responses that reflect the complexity of the requirement. JSL would recommend one week for a simple point-to-point circuit and four weeks for a more complex requirement including a number of circuits.
- Maintain confidentiality until after the closing date (i.e. ask for sealed bids from suppliers and only open bids after the tender deadline).
- The award criteria and weighting % applied to each order must be notified to the suppliers at the mini-competition stage. The customer should disclose to the suppliers every question and aspect the customer will evaluate and what points/percentage of points are available respectively.
- For call-offs under the framework that are above the threshold the ten-day mandatory standstill should be applied. The debrief for above threshold call-offs is the letter that is issued at the start of the standstill period that includes a summary of the reasons for the rejection of the tender, the characteristics and relative advantages of the tender selected and the name of the successful tender. The letter should also include a precise statement of the exact standstill period applicable.

### **13. How does a customer contact suppliers?**

Please see section 5 in this Buyers Guide for supplier's email contact information.

### **14. How does a customer contact JSL in connection with the telecommunications framework contract?**

Queries should be directed to [frameworkcontracts@jisc.ac.uk](mailto:frameworkcontracts@jisc.ac.uk).

### **15. How does a customer provide feedback about a supplier?**

Any comments should be raised directly with the supplier contact, and [frameworkcontracts@jisc.ac.uk](mailto:frameworkcontracts@jisc.ac.uk) should be copied so that the Jisc framework manager can check to ensure that it is resolved through the framework service reviews with the supplier.