Courier Services Framework Agreement (RM3798)

Frequently Asked Questions







FREQUENTLY ASKED QUESTIONS

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How do I access the framework prices?

All public sector bodies who wish to view the framework prices are required to complete a Customer Access Agreement (CAA) that is specific to the framework agreement they wish to call off.

The CAA does not commit you to using RM3798 as a route to market but it requires you to acknowledge that any price schedules shared by CCS are commercially sensitive and are shared in strictest confidence. By signing the CAA you are confirming that you will not share any prices you received from CCS outside of your organisation.

The CAA can be downloaded from the **Documents** section of the framework webpage:

https://www.crowncommercial.gov.uk/agreements/RM3798

Once your CAA has been signed and completed, please return it by email to:

info@crowncommercial.gov.uk, or to postal.services@ypo.co.uk.

Price schedules will be sent by email from the category teams at CCS or YPO.

What is the duration of the framework agreement?

The Courier Services Framework Agreement (RM3798) was awarded for a 3 year initial term and has recently been extended to **16/08/2021**.

What is the maximum term that I can award a call off agreement for?

This is down to customer discretion, however CCS recommends that no call off agreement should extend 2 years beyond the framework expiry date.

Can I award a call off agreement after the expiry date of the framework (even if I started the competition before the framework expired)?

No, it is not possible to award a call off agreement after the expiry date of the framework agreement has passed. All call off agreements should be awarded prior to the framework expiry date.

You can award a call off contract on the last day the framework is live i.e. 15/08/2021.

Can I award a call off agreement during the framework extension period?

Yes. If RM3798 is extended for an additional 12 months, customers will be able to award call off agreements until the newly extended framework expiry date.

Can I extend my existing call off agreement after the expiry date of the framework agreement has passed?

Yes, a call off agreement may be extended if the over-arching framework agreement has expired, but **only if the contract was awarded with the option to extend**. If you are unsure if your call off

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agreement was awarded with the option to extend the contract term, section **1.2** of your **Call Off Order Form** will list the expiry date of initial period and any extension periods that you may have included as part of your call off contract.

Can I directly award a call off agreement on this framework, or do I have to conduct a further competition?

Customers can directly award a call off agreement on RM3798, but there are conditions to doing so:

- The award criteria for a directly awarded call off agreement on RM3798 should be 100% Price. As suppliers will not be providing quotes, the evaluation must be made solely on the maximum payable prices for the framework agreement, which are available on request from the category team.
- When directly awarding a call off agreement, framework users are not permitted to alter the call off terms and must award based on the standard terms for the framework.

What benefits are there to following the further competition over the direct award procedure?

Customers who intend to award following a further competition may include additional call off clauses to tailor the standard terms more to their specific requirement.

Framework suppliers are also encouraged to bid competitively at further competition, meaning that Customers awarding through this route will receive prices based on their actual requirements and forecast volumes. Prices received at further competition may therefore be more competitive than those maximum payable prices listed in the framework cost model.

Customers that have conducted a call off agreement following the further competition process have saved between 4% - 15%.

Can I use the short form terms and conditions?

No. You must award your competition using only the RM3798 Call Off Agreement. You can download a copy of the RM3798 Call Off Agreement from the framework webpage.

My requirement includes services from more than one lot of this framework agreement. Can I invite suppliers from more than one framework lot (conduct a multi-lot competition)?

Customers calling off RM3798 may conduct a further competition that invites suppliers from more than one framework lot, but there are some considerations and restrictions to doing so:

- **All suppliers** on the relevant lots must be invited to compete, e.g. if your competition spans services from Lots 1 and 2, then all suppliers from Lots 1 and 2 must be given the opportunity to compete but,

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- Suppliers may only bid for the elements of work that they have been awarded a framework agreement to provide services for. For example, if your competition invites suppliers from Lots 1 and 2:
    - Lot 1 suppliers may only bid for the services within scope of Lot 1
    - Lot 2 suppliers may only bid for the services within scope of Lot 2
    - Suppliers on both lots may bid for the whole requirement

When evaluating bids for multi-lot competitions, the different areas of the requirement should be evaluated separately. All Lot 1 responses should be evaluated together and all Lot 2 responses should be evaluated together. Where suppliers have responded with a bid for the combined requirement, the response should be evaluated by addressing the services for each framework lot in isolation. **Customers are not permitted to disadvantage suppliers because of their inability to provide a combined solution**.

Some evaluation questions may be applicable to both areas of the specification; where this is the case, all suppliers can be evaluated together for those questions to avoid duplication.

Customers should be aware that multi-lot competitions may result in multi-supplier / dual-supplier awards.

Do CCS provide template tender documents for this framework?

There are no template tender documents for this framework other than the template order form and standard terms and conditions.

How much time should I allow suppliers to provide a tender response?

There is no minimum or maximum further competition duration applicable to this framework. The length of time that Customers allow framework suppliers to provide responses to a tender is left to the discretion of the Customer.

Customer should be advised that suppliers may need longer to respond to a more complicated requirement and therefore should reflect this in their competition timescales.

CCS suggest Customers competing a standard requirement should allow a competition time of 6 to 8 weeks from publication of the Invitation to Quote (ITQ) to award; and longer for a more complicated competition.

How were supplier bids evaluated and does my call off competition need to follow the same criteria?

The evaluation criteria was 70 % Quality and 30 % Price at framework level.

Customers should evaluate further competition bids using the same evaluation criteria but can adjust that criteria ratio by 10% either way, e.g. 60% - 80% Quality to 20% - 40% Price.

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Can my incumbent supplier become a framework supplier?

No, new suppliers cannot be added to the framework supplier list. The framework supplier list was fixed at framework award and cannot be changed.

Are framework suppliers permitted to use sub-contractors?

Suppliers on RM3798 are permitted to use sub-contractors to fulfil the framework Services. Sub-contractors used to provide the services should be registered with CCS first, and there is a process in place for framework suppliers to request permission from CCS to add new sub-contractors.

Can I amend or make additions to the standard call off terms?

Customers may amend or add to the standard call off terms and conditions in order to make them more suitable to their own requirements. Please note that any changes should not alter the intent of the original terms.

All amendments or additions should originate from the Customer only.

Can I include service credits in my call off agreement?

Customers may add service credits to their call off agreements, and these would be payable by the Supplier to the Customer in respect of any failure by the Supplier to meet the relevant service level.

It should be noted that the objectives of Service Levels and any associated Service Credits are to:

- ensure that the Services are of a consistently high quality and meet the requirements of the call off agreement;
- provide a mechanism whereby the Customer can attain meaningful recognition of inconvenience and/or loss resulting from the Suppliers failure to deliver the level of service for which it has contracted to deliver; and
- incentivise the Supplier to comply with and to expeditiously remedy any failure to comply with the Service Levels.

Service credits are not intended to be used to punish a supplier and it is contrary to the intent of the call off contract for service credits to be used in this way.

Customers should be aware that Suppliers are required to model service credits and take them into consideration when setting the level of the call off contract charges. It is therefore possible that excessive use of service credits may negatively affect the competitiveness of the prices received at further competition.

What is the service level threshold?

The service level threshold is the point when service credits come into effect.

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What is the service credit cap

The service credit cap is the financial limit that the total value of service credits incurred may not exceed within any given year. If service failures have generated sufficient service credits to breach this maximum limit the supplier should be viewed as having incurred a Critical Service Failure.

How can I avoid duplicating evaluation criteria that was used at framework tender?

The Selection Questionnaire that was used to pre-qualify suppliers when this framework was evaluated is available for download from the framework webpage.

Do suppliers have to be ISO 27001 or Cyber Essentials compliant?

All suppliers on RM3798 are required to be compliant to the **Cyber Essentials Plus** scheme.

Suppliers on RM3798 are not required to be ISO 27001 accredited, but some of the suppliers on this framework agreement do have this accreditation.

Do I have to complete the Call Off Order Form before I begin my competition?

It is best practice to complete as much of the Order Form as possible prior to beginning your competition and to include it amongst the suite of tender documents provided to bidding suppliers.

By enabling the suppliers to view the Order Form alongside the other tender documents, there is no ambiguity around the terms of your requirement. Suppliers may also be asked to confirm their agreement to the terms as part of their bid response as a pass/fail question.

Suppliers should be advised that if they have any concerns about your terms they can raise these with you during the clarification period, enabling you to make any necessary changes to the Order Form or Terms whilst the competition is still ongoing.

Completing the Order Form post award places the awarded supplier in a greater position to negotiate terms and is not transparent practise.

What is the role of CCS on this framework agreement?

CCS conduct Supplier Management with all framework suppliers. CCS also act as an escalation point in the event that Customers are unable to resolve any concerns or disputes at a local level.

I need to make a change to my call off contract with my awarded supplier. How can I do this?

There is a template contract variation form in the standard terms of the RM3798 Call Off Agreement. The variation form is in Schedule 12 of the Call Off Agreement.

The Call Off Agreement can be downloaded from the framework webpage.

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Is volumetric pricing permitted on RM3798?

RM3798 cost models **do not** accommodate volumetric pricing.

If Customers choose to permit volumetric pricing, it must be clear exactly how, when and on what services such pricing will be applied. Volumetric pricing methodologies are materially different to the framework costing methodology and as such it will be difficult or impossible to compare supplier price proposals with the framework maximum payable prices.

Volumetric pricing is used widely in the courier industry and is usually employed when the dimensions of a package are inordinately larger than its actual weight.

Volumetric pricing is normally calculated using a formula similar to:

(Length (cm) x Height (cm) x Width (cm)) / 5,000* = volumetric weight

*The 5,000 figure may be different between providers.

Suppliers will not share their framework prices with me directly? Why?

Suppliers are aware that customers are requested to complete, sign and return a customer access agreement (CAA) to CCS before any pricing is provided to a customer.

The CAA is available for download from the CCS website framework webpage. Customers are required to complete and sign the CAA and return the document to CCS at info@crowncommercial.gov.uk before Framework pricing will be provided.

The CAA provides assurance to CCS and its suppliers that your organisation acknowledges the commercial sensitivity of the framework prices and that they will not be used in such a way to compromise the commercial interests of the framework and its suppliers.

Do I need to notify CCS when making an award on RM3798?

CCS request that all customers do notify us when awarding a call off agreement to a Framework Supplier. Doing so, helps CCS to understand which Suppliers are more successful in gaining business and to identify Suppliers that are not actively participating in competitions. Customers are not obligated to notify CCS when making a Call Off Agreement award, but doing so helps CCS to improve the standard of the Framework provision.

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