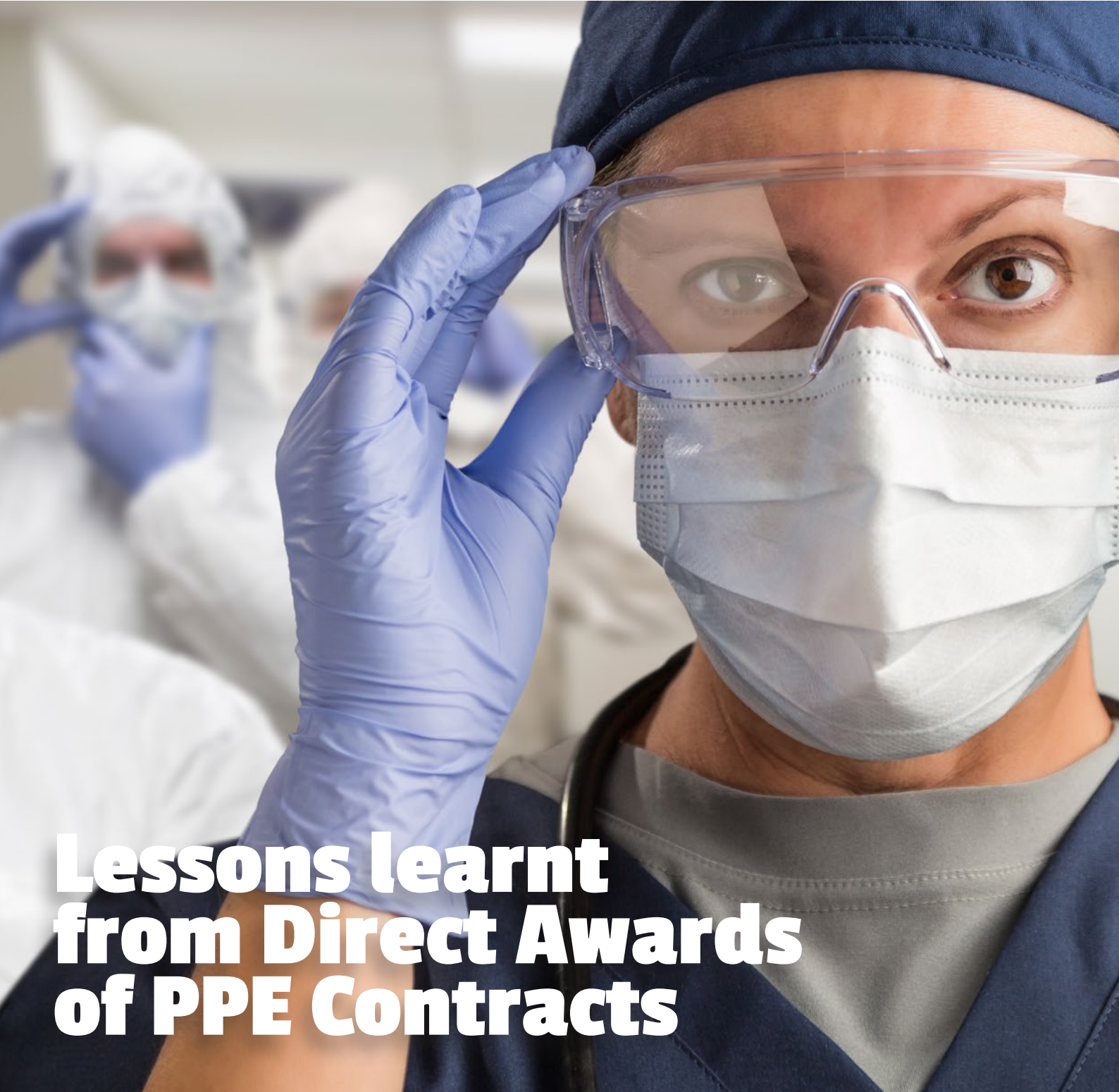


# Linked

SPRING 2021



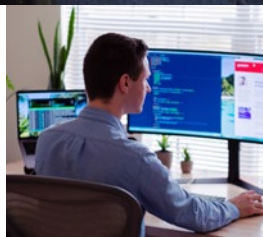
THE MAGAZINE FOR LUPC MEMBERS AND SUPPLIERS



## Lessons learnt from Direct Awards of PPE Contracts



**ADDRESSING  
CARBON FOOTPRINTS  
IN INTERNATIONAL  
FIELD TRIPS**



**REALITIES OF  
POST-C19  
WORKING  
LIFE REVEALED**

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System management and development; collection, analysis and reporting of member and supplier data

# Welcome

Welcome to the Spring edition of Linked magazine!

With the arrival of Spring and the roll-out of the vaccine continuing at pace, things are definitely looking up. We, like many of our members, are busy planning our return to the office and what that will look like from a flexible working perspective.

We are very much looking forward to the annual LUPC and SUPC conference and exhibition, which will be held as a virtual event on Thursday 20 May. We hope you can join us for an exciting online event with focused networking. We really encourage you to treat this as if it is a day out of the office, switch off your emails and focus on making the most of the learning on offer and catching up with colleagues and suppliers. If you haven't already registered, please do so here.

This edition of Linked contains a lead article on the lessons learnt from the direct awards of PPE contracts. We also have a timely article on tackling carbon

footprints in international field trips, in preparation for international travel resuming. Additionally, we have included some interesting insight on how organisations' workplace behaviour has changed over the last year.

We continue to work hard on our responsible procurement practices, an area we are very committed to.

We have adopted and fully support the national Sustain Code of Conduct which is now included in all our tendering activity. The LUPC team are doing our bit too - we have switched our default search engine to Ecosia, which is a social enterprise donating 80% of its profits to not-profit organisations that focus on deforestation. You should give it a try!

I know it has been a difficult year for many of us. As we return to a semblance of normality, we will continue to support you in any way we can with your procurement needs. We cannot wait until we can meet in person again!



**www.glasdon.com**

Framework Supplier on the national Recycling Bins & Street Furniture (JAN3044 NW) framework agreement

**COLLABORATION IN ACTION**  
 LUPC & SUPC CONFERENCE 2021

20  
 MAY  
 2021

**FEATURING:**

- LIVE WEBINARS
- VIRTUAL EXHIBITION
- NETWORKING SESSIONS

MEMBERS BOOK NOW

#LUPCSUPC21

# LUPC & SUPC's Conference on 20 May 2021



Don't forget **to book** for our joint conference and exhibition

MEMBERS and suppliers are invited to join us for an exciting **free** online event including webinar sessions and focused networking with colleagues and exhibiting suppliers. The conference will provide:

- Topical webinars:
  - What's Next? How to Thrive in the Changing World of Public Procurement
  - Procurement Transformation: Case Studies from The University of Cambridge and Aberystwyth University
  - Measuring Social Value – Sector TOMS group
  - Mental Health: Supporting Ourselves and Our Communities
- a number of recorded category updates with the facility to participate in category Q&A
- adhoc or pre-arranged meetings with our exhibiting framework suppliers with the opportunity to attend live-streamed talks given

by them during the allocated exhibition time

- a randomly-generated delegate-2-delegate networking session to simulate those chance encounters at physical conferences
- the ability to contact other member delegates via the conference app either via messaging or video call
- Access to the conference platform and further information will be provided in the lead up to the day to ensure that your experience is as valuable as it possibly can be.

[Register now to secure your place.](#)

Our event website will be regularly updated with the latest information on the agenda, exhibitors and speakers.

**SUPPLIERS – It's not too late to sign up as an exhibitor for our conference, we have a small number of exhibitor booths remaining. You can find full details [here](#) and [book](#) via our online booking form.**

## Responses to the Green paper on transforming public procurement

LUPC, on behalf of its members, submitted its [formal consultation response](#) to the Green paper. Additionally, UK Universities Purchasing Consortia (UKUPC) provided a [collective response](#) representing the Higher Education sector and UKUPC members.

Thank you to all our members who provided feedback for this process.

## LUPC Corporate Strategy 2021-24

We are currently considering our new corporate strategy for 2021-24 to follow on from our current one, [Adding Value Responsible Procurement](#). If members wish to contribute any ideas for this, please contact [Don Bowman](#).

# UKUPC Impact statement 2019/20

This year's UKUPC Impact Statement is now available, highlighting how LUPC members have benefitted through consortia collaboration. Here are a few highlights:

- Members spent £1.4BN through consortia frameworks and achieved £74.8M in cashable savings and £118.6M in non-cashable/process savings.
- Members had access to over 150 agreements covering a wide range of strategic spend areas for your institution.
- Members accessed risk assessments and best practice guides, along with guidance and support to address significant challenges such as COVID-19, Brexit and the responsible procurement agenda.



## Our latest member: the CMA



We welcome the [Competition and Markets Authority \(CMA\)](#), the latest organisation to join LUPC. The CMA is a non-ministerial body that works to promote competition for the benefit of consumers, both within and outside the UK.

## LUPC Annual Review 2019-20 published

Our [Annual Review 2019-20](#) made available in February. It highlights category and responsible procurement activity, provides an overview of our 2019-20 financial position and a progress update on our corporate strategy, Adding Value through Responsible Procurement.

## New Framework Agreements

### Software Licence Resellers Agreement (SLRA)

LUPC members can now access the re-tendered [Software Licence Resellers Agreement \(SLRA\)](#) for their student and staff software needs. The agreement provides a compliant route to market to purchase Microsoft, Adobe, VMWare, other software and software services. Framework highlights can be found in this [brief overview presentation](#).

### National Education Printer Agreement 2 (NEPA2)

The [National Education Printer Agreement 2](#)

([Nepa2](#)) covers the complete provision of print equipment and associated finishing options; office document print hardware, multi-functional devices, print production hardware, print management solutions and services (including Industry Print software solution if required) and additional peripheral hardware to enable fulfilment of managed print services i.e. user authentication hardware and money loaders.

### Removals and Relocations Services framework agreement

This [agreement](#) covers a wider range of commercial removals and relocations, including specialist moving services.

# Upcoming tenders

- **Virtual Learning Environment (VLE) and Associated Services** (expected to go live April 2021).
- **White Goods - National** (expected to go live June 2021)
- **Legal Services – National** Expected to go live end May 2021.
- **General Laboratory Equipment, Supply, Delivery, Installation and Post Installation Services** Expected to go live end May 2021.
- **Apple** (expected to go live end July 2021)
- **IT equipment disposal** (expected to go live Summer 2021)
- **Insurance brokerage** (expected to go live September 2021)
- **Estates and Facilities Management Services (incorporating estates maintenance and minor works, cleaning services and security services) - Regional (Invitation to tender expected to be published on EU Supply/Mercell by end April 2021 )** Expected to go live September 2021.
- **Catering Consultancy - National** (Invitation to tender expected to be published by the end of April 2021). Expected to go live September 2021
- **Servers, Storage & Solutions National Agreement (SSSNA)** (expected to go live Autumn 2021).
- **Gases (IUPC) - National** (Invitation to tender expected to be published by the end of April 2021). Expected to go live end October 2021.

Follow us on Twitter @lupcconsortium

## Continued support for members' staff to work from home

Over a year on from the start of the pandemic, we know that the majority of our members' staff are still working from home and are likely to continue to do so, albeit on a partial basis, moving forwards. The suppliers to [Lot 1 of the Furniture Supply and Installation Framework](#) are committed to supporting institution's 'office at home' requirements and **have confirmed, without exception, that they are able to deliver to home addresses.** Read [here](#) for more information.

# Member benefits Infograph

We have created an [infograph](#) which summarises all the services and benefits we offer to members. Please review, as there may be some services you aren't fully aware of. For further information, read about our [member benefits in detail](#).

Company monitoring through CreditSafe Never before has contract management been so important. The dual impacts of Brexit and Covid both on and for businesses have pushed to the front the need for more awareness, advice and support around the monitoring of risks throughout the supply chain. To



support you with some of this activity, LUPC offers the use of Creditsafe, **free for our full members.** Find out more information [here](#).

## Dates for your diary

**Heads of Procurement**  
last Friday of every month  
30 April, 28 May, 25 June

**LUPC & SUPC Joint Responsible Procurement event** 5 May

**LUPC & SUPC Virtual Conference and Exhibition**  
20 May 2021

Integration & Asset Management system now being used by CDEC

# Welcome to a Modern Workflow Management Solution to help manage complex integrations

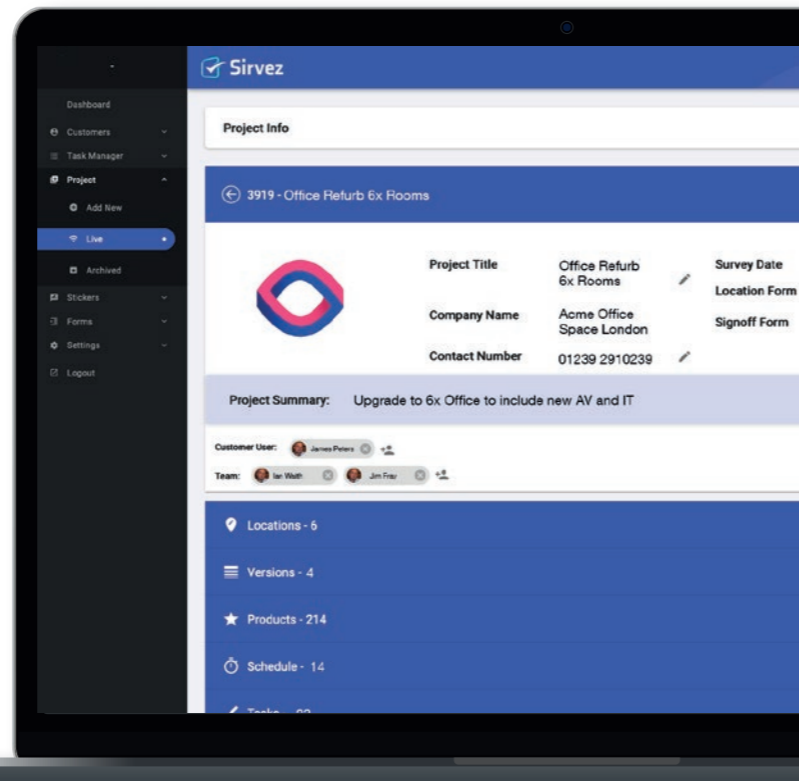
From site survey through to sign off and beyond, Sirvez enhances communication, creates accountability and keeps you informed. Track users, sites, locations and products all from one intuitive, simple to use Integration Management System.

## Customer and Stakeholder Portal

- Receive live project updates
- Intuitive graphical user interface displaying site floor plans with click-able rooms for more info
- Access product information on a room by room/ site by site basis

## Asset management

- List products installed with unique data including testing & commissioning plus product brochures and tech specs
- Warranty, see warranty remaining on a product by product basis, details added by the integrator
- Add product labels to filter out categories of products for reporting purposes

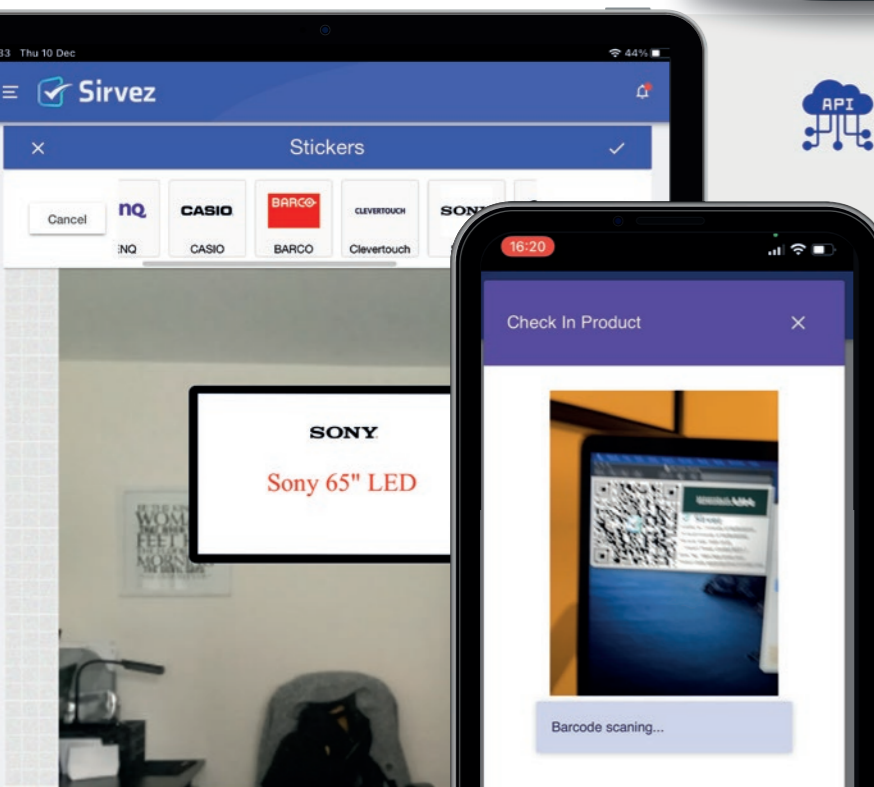


## Progressive Web App

- Scan asset QR codes and collect product data on the fly with option to send data to help desk
- Snagging on live projects including uploading images / documents and assigning to users
- Offline working, no internet no problem!
- Stickers, create instant visuals of proposed kit in-situ

Book a demo today | go to [www.sirvez.com](http://www.sirvez.com)

[info@sirvez.com](mailto:info@sirvez.com) [@SirvezIMS](https://twitter.com/SirvezIMS)



## Responsible Procurement updates Spring 2021

### LUPC's responsible procurement activity over the last quarter

Marisol Bernal,  
LUPC's Responsible Procurement Lead



Follow us on Twitter  
[@lupcconsortium](https://twitter.com/lupcconsortium)



'The search engine that plants trees'

The LUPC team have switched their default search engine to [Ecosia](https://www.ecosia.com/), which is a social enterprise donating 80% of its profits to not-for-profit organisations that focus on deforestation. The Ecosia strapline is "Plant trees while you search the web" and they use the profit they make from searches to plant trees where they are needed the most. Have a look at their [website](https://www.ecosia.com/) for more information – will you make the change?

### Sustain Code of Conduct

LUPC understands the continued importance of working in partnership with our members, suppliers and other consortia to ensure sustainable and responsibly considered

procurement is embedded across all aspects of the procurement process. As such, we have adopted and fully support the national [Sustain Code of Conduct](#) which is now included in all our tendering activity.

### My top tips to help members with their responsible procurement activity

I have now completed 12 week work placements with three of our members: London School of Economics and Political Science (LSE), the Natural History Museum and the Royal College of Physicians, helping each with responsible procurement related projects. Here are my top tips:

- Make the most of any benefits you have from your membership of organisations like Electronics Watch and HEPA. Both have so many tools and resources which you can use to help you procure responsibly.
- It is not enough to just embed sustainability in your own organisation; you need to try to educate others in your supply chain, encourage them to commit to responsible practices and share good practice. Keep spreading the message to those in your supply chain who may not have access to the sustainability resources that you do.
- Regularly review your procedures and policies to include the relevant ethical,

social, and environmental aspects into every step of the procurement process.

- Provide procurement staff with training on sustainable procurement and modern slavery. LUPC has free modern slavery training and HEPA has free training on sustainable procurement for those who have membership.
- Consider assessing your organisation against the ISO 20400 standards for Sustainable Procurement. ISO20400 is the first international standard to provide guidance on delivering sustainability objectives through its supply chain. You can start this process by self-assessing your organisation's progress towards alignment with ISO 20400 and you can also benchmark your scores against your peers. To take the assessment click [here](#).
- Engage with LUPC. We have dedicated resources and events on responsible procurement. All consortia collaborate to align processes, share best practice and develop resources for members.

### LUPC & SUPC joint Responsible Procurement Group meeting

LUPC & SUPC held their first joint Responsible Procurement meeting on 4 February. Representatives from The London School of Economics presented their Sustainability Strategic Plan. If you missed it you can access the recording

[here](#), both LUPC and SUPC also gave an update on their respective responsible procurement activity. The Terms of Reference for the group can be found [here](#). The next meeting will take place on 5 May and you can register [here](#).

**Welcome to Martina Trusgnach** We would like to introduce Martina Trusgnach, who is undertaking her PhD in the Business, Human Rights and Environment (BHRE) Research Group at the University of Greenwich, in collaboration with LUPC. Martina's PhD will examine the impact of COVID-19 on public procurement supply chains; it will explore how best to use International Human Rights law and due diligence processes to prevent public buyers from contributing to future human rights violations in times of crisis, and remedies to the ones which have already taken place. Martina has been supporting our wider responsible procurement work, and we are grateful for her contribution to the team.

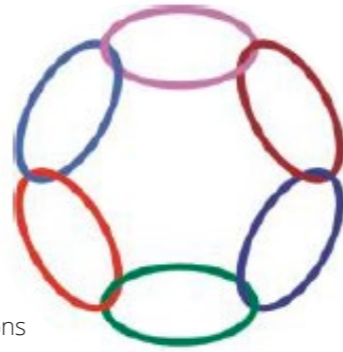
## UKUPC Responsible Procurement Network

The UKUPC Responsible Procurement Network is a group made up of representatives from HE Consortia, meeting once a month, with the aim of achieving a consistent approach across the consortia to responsible procurement throughout our activities. The group reviews and promotes good responsible procurement practice across our combined membership, aiding both consortia procurement professionals and our members to embed best practice within their procurement operations. Take a look at [the Responsible Procurement section of the UKUPC website](#) for resources the group has developed:

- The [Responsible Procurement glossary](#) which brings clarity to some of the terms we use and is a live document, which we will be adding to as required.
- The Sustainable Development Goals (SDGs)

tender and call-off questions, which provides a set of questions and model answers that can be used at framework or call-off level to further investigate potential suppliers' commitments and plans to manage their organisations and supply chains in accordance with the [UN Sustainable Development Goals](#). This set of questions will allow suppliers to report on what they have achieved so far, what they are committing to do in the future and how they can make positive changes to their organisations through their supply chains.

If you would like to see some model answers to the question or if you have any questions, please contact [Marisol Bernal](#).



### Paper on wage rates in public procurement contracts

LUPC is proud to be a [Living Wage](#) employer, it means we have made a commitment to pay the independently calculated [Living Wage rates](#) to all staff in London. Recently we developed a [paper](#) which explores the different wage options in the United Kingdom and the considerations that should be made when procuring goods and services.. The paper sets out some questions you can ask regarding a supplier's stance on paying the living wage and other practical issues to help you in your procurement activities.

**HEPA initiatives to reduce packaging in higher education institutions.** Over the last 12 months, members of the Higher Education Procurement Association (HEPA) Responsible Procurement Group have developed a plan to provide resources and activities to support teams in reducing packaging, increasing recycled content, and reducing deliveries. Click [here](#) for more information.

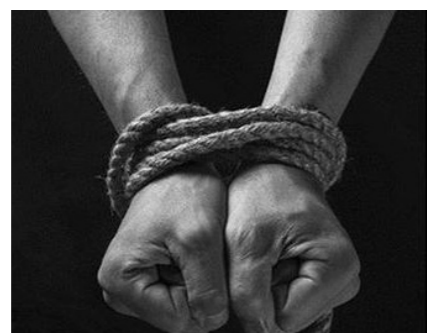
### External News

## UK Government Modern Slavery Statement registry

The Home Office has launched the [Government modern slavery statement registry](#) which brings together statements in one place, making it easier for consumers, investors, NGOs and others to search for statements and scrutinise the action organisations are taking to identify and address modern slavery risks in their operations and supply chains.

In future, it will be mandatory for organisations in scope of section 54 of the Modern Slavery Act 2015 to submit their statement to the registry.

LUPC are proud of our commitment to identify and address risks in supply chains, we have uploaded our statement to the register.



## Updated HMRC advice on supply chain due diligence

HM Revenue and Customs has updated their advice on applying supply chain due diligence principles to assure your labour supply chains. Full details are available [here](#).

The Government has also published [guidance](#) for businesses with supply chains in China, which includes information on the specific human rights risks faced by companies with links to China as well as underlining the challenges to conduct due diligence.



## ADDRESSING CARBON FOOTPRINTS IN INTERNATIONAL FIELD TRIPS

Sunny Hirani, Account Manager at StudyLink Tours, explains how universities can tackle Scope 3 emissions in their field trip provisions.

**T**he recently released Climate Action Toolkit for the higher education sector recognises UK universities' huge strides in responding to climate change. It also offers a valuable resource for building on your university's sustainability strategy, alongside practical advice on how you can achieve net-zero for scope 1 and 2 carbon emissions, with significant reductions in scope 3 emissions by 2030.

Whilst the pandemic has reduced carbon emissions across most areas, it has also provided a period of reflection on how we can operate better, with increased focus on the sustainability issues that affect us all. So, when it comes to your university's field trip provision, you may be starting to think about how you can restart this, whilst simultaneously putting measures in place to address your university's carbon footprint.

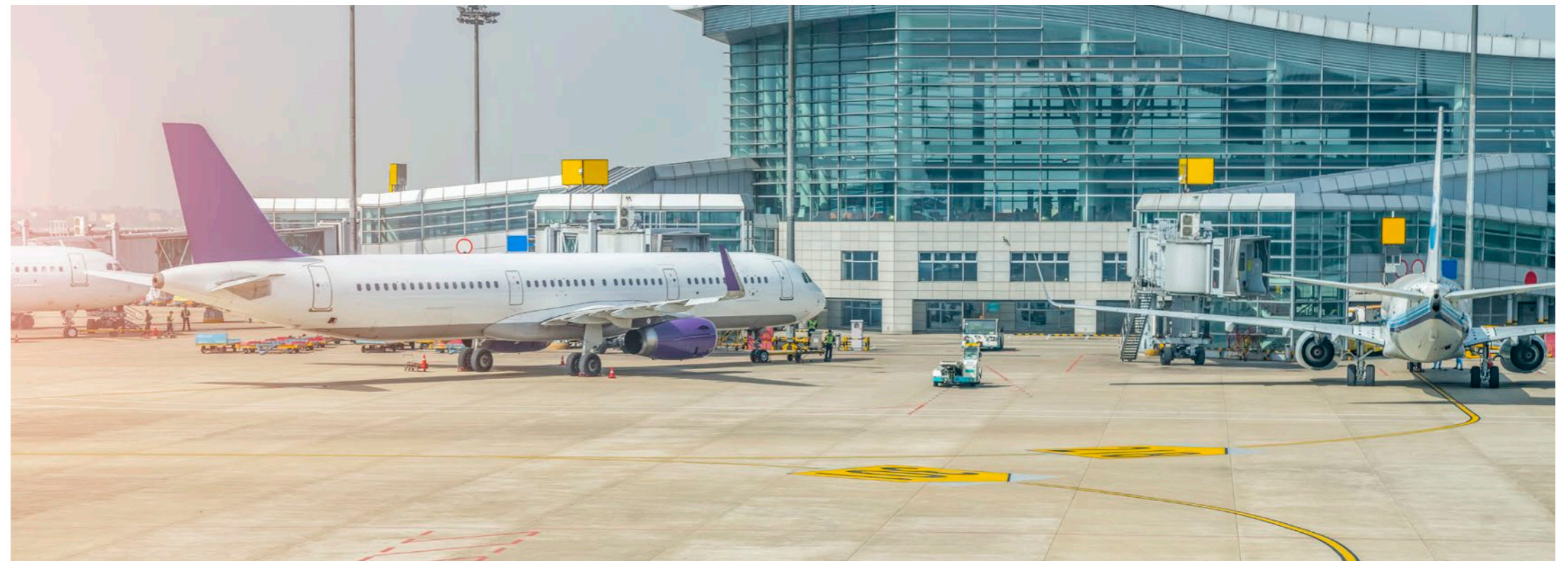
The benefits of international experiences have been well-reported, with mobile students getting better degree results and being more likely to be in graduate-level jobs six months after graduating, than their non-mobile peers. As a student group travel company, StudyLink Tours is committed to

**///** *Your travel management company should also be able to provide you with a breakdown of greenhouse gas emissions at the initial quote stage.*

working with our university customers to deliver sustainable educational experiences that give lasting benefits to students.

So, how do you balance the life-changing benefits of outward student mobility with your commitment to sustainability and reaching your net-zero targets?

To begin with, it is crucial for your university to work collaboratively with suppliers to measure and report



**A GREAT WORKING DAY. DELIVERED.**



Lyreco are an award-winning, socially, and environmentally responsible workplace solutions provider.

We can support you as you measure and reduce your carbon emissions:



We have been awarded a Platinum rating by EcoVadis. Lyreco ranks again in the top 1% of the 65,000 companies worldwide.



Our Carbon Footprint Calculator, based on ISO 14064 criteria, can help assess the CO2 emissions produced by deliveries. We can then work in partnership with you to identify areas for improvement, throughout your supply chain and beyond, helping you reduce your overall carbon emissions.



Our environmentally preferred product assessment complies with ISO 14020 standards, the highest level of ISO Environment Claims.



As of December 2020 our UK sites became energy carbon neutral through our REGO accredited electricity contract and our 13,860 rooftop Solar PV system producing enough renewable energy to offset our gas emissions.

To find out how Lyreco can support your workplace, contact Toni da Silva [toni.da-silva@lyreco.com](mailto:toni.da-silva@lyreco.com) or visit us at [www.wearelyreco.com](http://www.wearelyreco.com)



**COLLABORATION IN ACTION**  
LUPC & SUPC CONFERENCE 2021

We'll be attending the digital convention 20th May 2021. Why not come along for a chat and learn how we can support your sustainability goals.

Members can register at: [https://whova.com/web/lasac\\_202106/](https://whova.com/web/lasac_202106/)

on scope 3 emissions, with the long-term target of bringing those emissions down to net-zero. Working with an experienced student group travel company can provide you with tailored carbon reporting giving you an essential overview of the current level of greenhouse gas emissions from student field trips. Additionally, your travel management company (TMC) should also be able to provide you with a breakdown of greenhouse gas emissions for each tour, at the initial quote stage.

This information is designed to enable your university's key stakeholders to make informed decisions on destination and transport options, whilst also considering key factors such as price, learning objectives and sustainability. Furthermore, by working with your TMC to deliver carbon literacy training to teaching and non-teaching staff, it will further embed sustainability into your outward student mobility plans.

Your university's chosen TMC should have their own environmental targets and practices that support your overall sustainability strategy. As an example, StudyLink Tours has been partnered with Carbon Footprint since 2019, with an ongoing commitment to planting one tree and offsetting an additional tonne of CO<sub>2</sub> emissions for every trip booked with us. Since the start of this partnership, we have been proud to plant a combined 1300 trees in the UK and the Peruvian rainforest, along with offsetting an additional 1300 tonnes of CO<sub>2</sub> emissions. We have

specifically chosen to support these projects as we recognise the enormous benefits they provide to local communities, and their contribution towards the UN's Sustainable Development Goals, including providing decent work & economic growth, sustainable cities & communities, and life on land.

We recognise that as part of your strategy, you may wish to make further contributions to your preferred Carbon Footprint project. So, for every tour quote we send across; a link is provided for your university's travel bookers to make optional additional offsets, which can be utilised to bring your overall tour emissions down to net-zero.

The Climate Action Toolkit also provides guidance on ensuring that staff and students understand the UN's Sustainable Development Goals (SDGs). With the recommendation that all courses embed sustainability into the course modules, it is vital that your TMC understands how to provide visits, accommodation and transport that meet these criteria. Whilst embedding sustainability into courses might be challenging, it is important to work with a TMC that focusses on understanding the key learning objectives for each field trip and can match these, and SDGs to suitable destinations and visits. This means that your short-term mobility programmes ultimately deliver long-lasting benefits both to your students and to the host country's economy and local communities.

**StudyLink Tours is a supplier on the following framework agreement: Travel Management Services 2019 - Lot 2 - Student Group Travel PFB4039SU.**

Lyreco is a supplier on the following framework agreements:  
Office, Computer and Library Supplies - OFF3068 NW  
Cleaning and Janitorial Supplies - JAN2004 NE



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## DIRECT AWARDS OF PPE CONTRACTS – WHAT ARE THE LESSONS LEARNT?

Following the recent National Audit Office (NAO) report and challenge by the Good Law Project into government procurement during COVID-19, VWV's Procurement Lawyer, Stephanie Rickard, discusses the pitfalls of direct awards and the circumstances in which they can be made, as well as sharing the key lessons to be learnt for LUPC members.

Procurement has come under intense pressure as a result of the COVID-19 pandemic. The procurement rules seek to ensure public bodies adhere to fair and reasonable timetables and procedures, encourage open competition and

transparency and deliver best value.

However, the time it takes to run a procurement procedure is often a constraining factor. One of the challenges over the last twelve months has been managing procurement activity in the face of an ongoing pandemic. Critical and

urgent procurements, together with other procurements which may not have started as urgent, have become priorities, due to the volume of additional work created by the pandemic.

### The Law

The [public procurement](#) rules recognise there are certain circumstances when public bodies, including universities, can derogate from the general principle of advertising and tendering contract opportunities and directly award a contract. The two key derogations relate to the direct award of new contracts and modifying existing contracts. These are narrowly interpreted.

The most common grounds for direct awards of new contracts under Regulation 32 (use of the negotiated procedure without prior publication) of the Public Contracts Regulations 2015 include where:

- No tenders or suitable tenders have been submitted in a previously

advertised open or restricted procedure. This is subject to the condition that there are no material changes to the requirement and any subsequent award is made on substantially the same terms.

- The requirements can only be met by a single provider. The threshold for relying on this ground is high – a contracting authority needs to be able to show there is only one provider in the relevant market supported by market studies, not simply that other suppliers would be more expensive or would face economic or technical difficulties in meeting the requirements.
- There is extreme urgency coupled with unforeseeable events (not attributable to the contracting authority) and the accelerated timescales for going out to tender using the open or restricted procedures cannot be complied with. Prior to the COVID-19 pandemic, this ground had been argued but had rarely, if at all, been successful. The use of this ground

## The NAO investigation into government procurement during the COVID-19 pandemic<sup>1</sup>, makes for uncomfortable reading.

to address the COVID-19 pandemic has been confirmed by the Cabinet Office in its Procurement Policy Notes 1/20 and 1/21 but only after public bodies have satisfied themselves that there are no other alternative routes and have taken steps to address some of the commercial risks associated with direct awards - such as lack of competitive tension or risk of conflict of interest. Moreover, the use of the direct award process should only be used to address public health risks or to react to a current situation that is a genuine emergency. In practice, this will be a high standard to meet. The latter might cover, for example putting in place essential IT contracts in response to lockdowns announced at short notice in order for universities to be able to carry on their teaching work.

Importantly for [universities](#), there is an additional ground under Regulation 32(5) where products are manufactured for research, experimentation, study or development purposes only and not for commercialisation.

The maximum duration for contracts directly awarded under Regulation 32 is stated to be three years (Regulation 32(6)).

For contracts that have already been awarded, Regulation 72 (modifications of contracts during their term) provides greater flexibility permitting modifications to contracts brought about by the unforeseen nature of the pandemic, provided that the overall nature of the contract is not altered. This permits the scope of the contract to be increased by up to 50% of the original value of the contract.

If a contracting authority is using any of these derogations, in all cases there is a requirement for a contract award notice to

be published not later than 30 days after the award<sup>1</sup>.

There have been a couple of important recent cases looking at how these rules have been applied in practice.

### Case Law

The NAO investigation into government procurement during the COVID-19 pandemic<sup>2</sup>, commissioned as a result of the enormous volumes of goods, services and works procured during the first lockdown with extreme urgency, makes uncomfortable reading.

The report found that by 31 July 2020, the government has entered into £10.5 billion worth of new contracts by direct award (not including call offs under framework agreements) and a further £0.7bn through amendments or extensions to existing contracts.

The report identified a number of shortcomings in the process for awarding direct contracts:

- It was not always clear how particular suppliers invited to bid had been selected and the criteria and rationale for selection
- Insufficient due diligence of potential suppliers was undertaken potentially putting the government at risk of poor contract performance
- Steps were not taken to mitigate the risks of potential conflict of interest
- Some contracts were awarded retrospectively
- Lack of a clear audit trail
- Failure to publish contract award notices in a timely manner or at all.

At paragraph 15 of its report, NAO concludes that "Without competition in the procurement process, it becomes even more important that public bodies document their procurement decisions and

<sup>1</sup> Regulation 50

<sup>2</sup> HC959 Session 2019-2021 18 November 2020

# The High Court held the SoS had failed to comply with procurement regulations and government policy requiring the publication of tender and contract documents when awarding contracts during the COVID-19 pandemic.

actions fully, publish their contract notices in a timely manner and manage conflicts of interests effectively. These actions help to maintain the public trust in these processes and to prevent procurement decisions being the subject of challenge”.

The failure to publish contract award notice in a timely manner or at all has also been the subject of a legal challenge in R (Good Law Project Ltd) v Secretary of State for Health and Social Care [2021<sup>3</sup>]. The challenge was brought against the Secretary of State for Health and Social Care (SoS) in respect of contracts for services awarded in the COVID-19 pandemic.

The High Court held the SoS had failed to comply with procurement regulations and government policy requiring the publication of tender and contract documents when awarding contracts during the COVID-19 pandemic.

## Application to LUPC members (contracting authorities)

The legal consequences for contracting authorities of a direct award, which is successfully challenged as falling outside the scope of the derogations, is that the contract can be set aside for ineffectiveness and the contracting authority fined together with damages claims.

This risk might be mitigated to some extent by publication of a voluntary transparency notice before the award of the contract.

A real time audit trail setting out the need for a direct award, the steps considered to procure the requirement, the rationale

for the route adopted and an explanation of how suppliers have been chosen may assist the contracting authority in ensuring its decision is robust and may also help defend any subsequent challenge.

If urgency is being used as the basis for the award, this should be carefully scrutinised to ensure that it meets the test of a genuine emergency. This is likely to be harder for non-NHS contracting authorities to demonstrate unless the nature of the contract is for public health. One of the proposals under the Cabinet

Office’s Green Paper on ‘Transforming public procurement’ is to widen the scope for direct or limited tendering to include a government declared crisis to make this easier.

As part of its business case for a direct award, contracting authorities should also consider what steps they can take to ensure best value, for example, through ensuring that suppliers meet minimum financial checks and where possible, negotiating with more than one supplier.

And lastly issue a Contract Award Notice! **VWV are a supplier on the Legal Services Framework.**

*Disclaimer: This article does not constitute as legal advice and should not be relied upon as a substitute for obtaining legal advice from a qualified lawyer. You should not act upon any such information without first seeking qualified professional counsel on your specific matter. The hiring of a lawyer is an important decision that should not be based solely upon VWV marketing content.*



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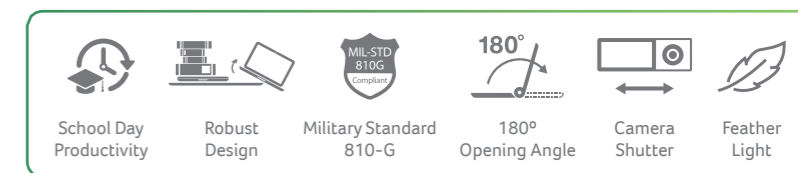
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Acer is a supplier on the NDNA Framework – Lot 2 Notebook (Mobile Devices)

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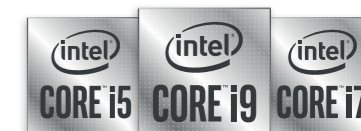
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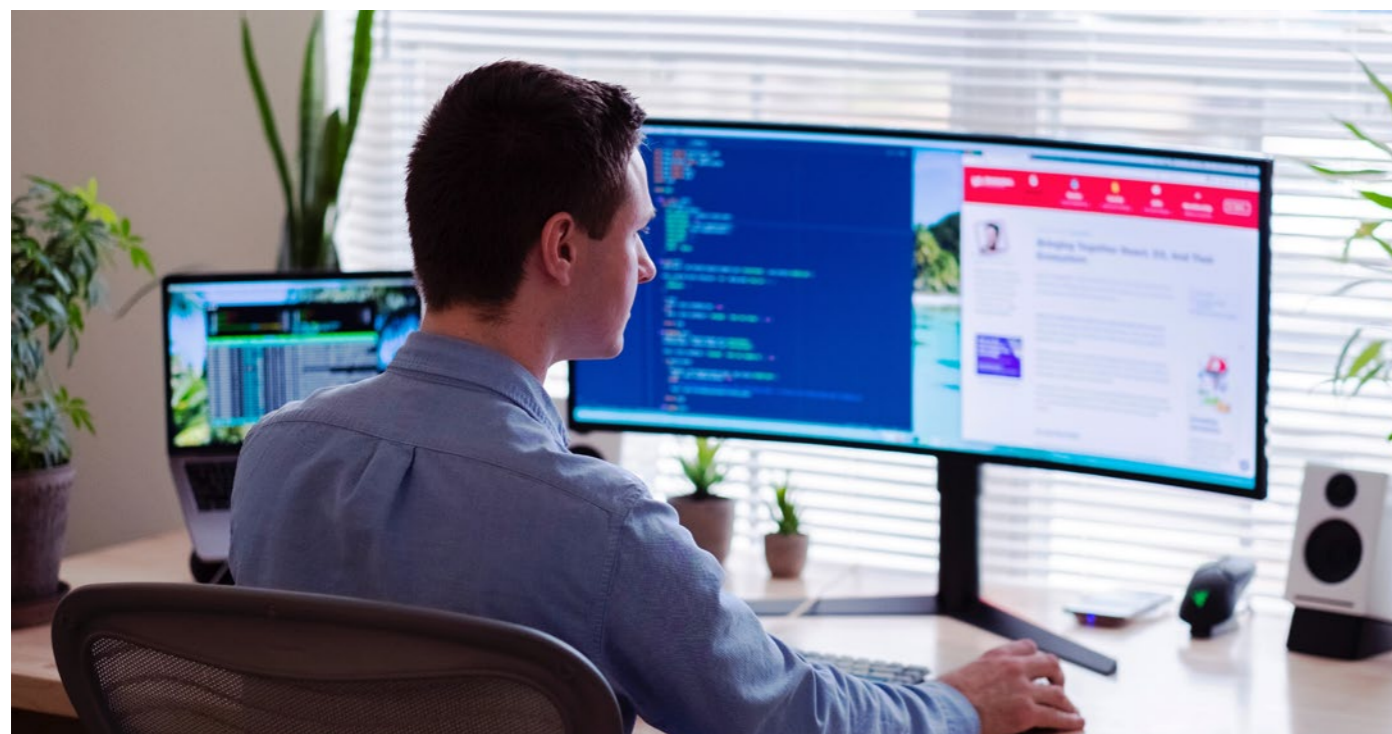
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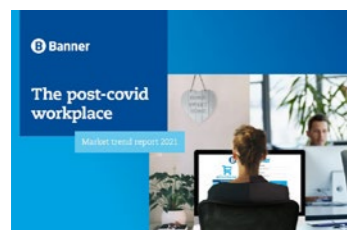
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## REALITIES OF POST-C19 WORKING LIFE REVEALED

The seismic shift in working life is reflected in a NEW Post-COVID-19 Workplace Market Report released by Banner, the UK's largest workplace supplies and services provider.



**B**anner has analysed their vast reams of sales data from 2020 to identify changing patterns in UK organisations' workplace behaviour.

It shows a 2,000% increase in headsets, and laptop sales outperforming desktop computers by 512% as people flocked to work from home. Monitors make it into the top selling list, following employer observations that dual monitors increase productivity by up to 25%.

Meanwhile, companies driven to better ventilate their offices prompted a 622% rise in doorstep sales.

Sales of general cleaning products rose by 987% and demand for facemasks and hand sanitiser shot up by 3626%. Organisations are now looking for innovative solutions to help safeguard the workplace, and these can be sector specific. For example, standalone hand washing stations with foot operated taps, have been popular in the education sector as they can be installed outside and allow the frequent hand washing now necessary without the congregation of children in small spaces inside.

When it comes to providing the right tech for students and staff, but not breaking the bank, the report highlights that the pandemic has turbocharged the

rise of the subscription economy – such as for laser printer services - which is projected to rise 3600% in five years. The report not only charts the dramatic impact of COVID-19 on the UK's workplace supplies and services but identifies trends which Banner's experts predict will continue for the long-term.

Craig Varey, Managing Director at Banner, comments: "As a leading fulfilment partner to public and private sectors, Banner is well placed to see the shape of reactions across businesses, sectors and industries, and identify the trends that signify a permanent shift in the way we are working.

The turbulence of 2020 has brought some significant trends in workplace behaviour and management to the fore which we expect to impact the products we provide over the coming year. Interestingly we had seen these trends emerging prior to the Coronavirus pandemic, but like COVID's impact on everything, the effect on these developments has been unprecedented."

To access the full report: Click [here](#)  
**Banner is a supplier on the LUPC Cleaning and Janitorial Supplies, Office, Computer & Library Supplies, Printers and Managed Print Services (Nepa2) and Promotional Merchandise frameworks.**



## TRAIN YOUR BUYING TEAM WITHOUT COST USING THE APPRENTICESHIP LEVY

Dr David Morton, Programme Director at Central Business School explains what the Apprenticeships levy is and how employees and employers can benefit.

**A**pprenticeships provide an exciting opportunity for organisations to train team members and provide them with the skills, knowledge and behaviour they need to succeed in their job role. They are for both new and existing members of staff undertaking who wish to enhance and develop their skills and provide a means for employers to upskill their staff members using government funding through the apprenticeship levy.

### What is the apprenticeship levy and can my organisation use it?

The apprenticeship levy is a compulsory tax on UK employers with annual pay bills over £3 million and helps to fund the development and delivery of apprenticeships. The amount payable is 0.5% of an organisation's wage bill. All employers get a £15,000 allowance to offset against the amount they have to pay. If an employer has an annual paybill of over £3 million, the payments go into their [Digital Apprenticeship Service Account](#) which lets organisations manage their apprenticeship funding and delivery. If the annual paybill is below this, they are still only required to contribute to 10% of the training fees.

LUPC members looking to train procurement staff are able to do so through Central Business School (CBS), who has experience of delivering the Diploma element of the Level 4 Apprenticeship in Procurement and Supply in partnership with its OFSTED 'outstanding' rated Apprenticeship Provider, Fareport Training.

### What are the costs?

The Level 4 Procurement Apprenticeship is made up of the CIPS Level 4 Diploma course (Year 1) followed by a case study report and End Point Assessment (Year 2). Employers can use the levy to pay for their purchasing, supply chain, contract management and buying teams to study for Procurement apprenticeship. This effectively means they can offer the CIPS Level 4 Diploma without any cost.

### Where does this course run?

CBS tutors the CIPS Level 4 element of the apprenticeship through a range of face to face and virtual delivery options including weekly two-hour day release classes

and intensive whole day classes. If an organisation has a group of six or more staff signing up for the Apprenticeship and their office is in the South East of England, then CBS can usually deliver the course on the client's site.

### Will the levy pay for CIPS level 5 and 6?

It is expected that the CIPS Level 5 and level 6 apprenticeship standards are currently being developed for later this year. Organisations will, therefore, likely be able to use their levy to pay for all three levels and enable their delegates to progress all the way through to MCIPS (Level 6), funded by the levy. The CIPS Level 4, 5 & 6 course is equivalent to a three-year degree.

Central Business School delivers CIPS Apprenticeships Level 4, as well as CIPS professional level 4, 5 & 6 for LUPC members at agreed costs. LUPC has committed to pay for the CIPS textbooks for each module for employees of LUPC Full Members undertaking CIPS courses through Central Business School. For more information, please see the CIPS Study Courses section on the [Member Benefits](#) page of the LUPC website.



## Case Study

# Jisc shares its experience of Mercell UK's Complete Tender Management platform

Chris Hallahan, Senior Procurement Coordinator at Jisc talks to LUPC's Reema Shah about why he would recommend Mercell UK's Complete Tender Management (CTM) system.

Jisc is a LUPC member and a registered charity working on behalf of UK higher education, further education and skills to champion the use of digital technologies.

Mercell UK is a leading source-to-contract eProcurement platform provider in Europe. Their Complete Tender Management (CTM) eSourcing platform is used by hundreds of public sector organisations in the UK, running thousands of tenders and with over 80,000 registered UK suppliers. CTM is an intuitive and easy to use platform allowing for Public Contracts Regulations 2015 compliant, below threshold, and outside regulations tenders.

Jisc has been using CTM since May 2020 for all of its tendering activity and has recently begun utilising the contract management module.

### What made you choose Mercell UK?

We chose CTM as the best combination of user experience, functionality and price on the market. Looking at each aspect individually, we noted that there are competitive products on the market, but not all tied up in a single package.

### What makes the platform so useful to you as a manager?

The platform is user friendly, so colleagues have been able to adopt it without any significant issues. Because of that, we have been able to channel all of our tendering activity through it, whereas before, only significant tenders were issued through an eTendering portal. In turn, this gives us peace of mind that the fair and transparent processes we have always

used is being documented accurately.

### What was your experience of the technical side of the implementation process?

This was surprisingly smooth. We always expect some snags with a change of this scope, but the problems we encountered were pretty minor, and quickly rectified. The training we were given was comprehensive without being overly detailed, assistance with supplier migration was well-judged and the ongoing support has been very responsive – we've never had to wait long for an answer to a query.

### Is the system intuitive?

Yes. We found that once the initial setup was completed, and the template processes had been created to match our processes, day to day use has been very straightforward. However, CTM also allows plenty of scope for tweaking and optimising, and this has been easily done without needing direct support from Mercell UK.



Jisc

### What is your favourite feature? What feature do you make the most use of?

It almost seems a minor benefit on the surface of it, but CTM allows you to publish notices within a tender process. In fact, you can publish to two separate places e.g. Contracts Finder, and Find a Tender service integral to your tender. Previously we were publishing contract and award notices directly on those sites; not only do we now no longer have to worry about sorting separate logins, the paperwork is kept within one location, which is excellent.

### CTM was developed by procurement experts. Is this evident? Does it speak the same language as the user?

Yes – and I think this probably applies to the private as well as public sector. I think we found this most evident during the implementation of CTM, where our needs seemed to be easily translated by the team at Mercell UK.

### Does the platform create spare capacity in your team by devolving tactical low value procurement to operational departments, allowing your team to focus on strategy?

We're not at this stage yet, but we see no reason why this couldn't happen. Procurement colleagues have found the system straightforward to use, and we know processes can be controlled which will prevent breaches of protocol, so it's something we will consider.

### Are there any other benefits of CTM you wish to highlight that make your teams' jobs easier?

We've recently decided to use the contract management module to house all of our contract information. Whereas before we used two separate systems – one for high-level details, and the other for documentation – we will use CTM as a single repository. So, when a tender process is completed and an award made, this will now flow into the contract management module, providing a seamless and clear picture of the activity, and more easily allowing the team to see when a re-procurement is due.

Mercell UK is the sole supplier on LUPC's eProcurement System Agreement.

# SOURCE TO CONTRACT

## Easy eTendering with Mercell CTM

Mercell UK is the eProcurement System supplier on the LUPC Framework Agreement ITS5058 LU. [We are proud to be the headline sponsor of the LUPC & SUPC conference on 20 May. Stop by our virtual booth for a chat!](#)

## COMPLETE TENDER MANAGEMENT (CTM)

Mercell UK, formerly EU Supply is part of Mercell Group, one of Europe's leading electronic e-tendering and procurement platform provider.

From low value quotes to complex framework or DPS contracts, CTM allows universities to run procurement from source to contract in a structured and transparent way.

## THE DIFFICULT WAY OF PURCHASING

Are you still using emails to manage your tenders or spreadsheets to manage your contracts? Or are you struggling with managing and evaluating a large number of supplier responses? Or all of these?

## THE SMART WAY WITH CTM

CTM is an easy-to-use eSourcing platform which helps you run all procurement workflows using clear "to-do" checklists. CTM allows you to set up tenders quickly and publish notices to Contracts Finder and FTS directly from your checklist.

### SOURCING WITH EASE

- Access over 80K suppliers
- Easy to use
- Predefined templates
- Live in 2 weeks

### CONTRACT MANAGEMENT

- Single source of truth
- Custom fields for reports
- Transparency & clarity
- Public Contract Register

## WHAT OUR CUSTOMERS SAY

*"The CTM system is so easy to use and does what we want and more." - University*

*"It is easy to advise colleagues on a system you like to use yourself." - LUPC Member*

Contact us today

- Book a call
- Learn more
- Follow us



# Commodity Updates

This section will give you an update on any new agreements in place, or news on existing agreements. Please note this is not the full list of available agreements, just those where there is some news to report. For the full list of agreements and for further information on any of the agreements listed here, please visit the HE Contracts (HEC) [site](#)



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Other useful contacts:



JISC  
<http://www.jisc.ac.uk>



TUCO  
<http://www.tuco.org/>



TEC  
<http://www.tec.ac.uk/>

## Audio Visual

### Audio Visual Supplies, System Design, **MK** Installation and Maintenance - National

Non-group reviews were held with the contracted suppliers in early March to assess the first six months of the agreement and recent matters arising including Brexit. Group reviews are likely to take place this autumn and include member-related feedback through a survey or similar process.

## Estates & FM

### Air Filters-NW **JK**

The lead consortium, NWUPC, has made the decision not to re-tender this agreement when it ends due to low uptake. LUPC is investigating the need for a regional replacement.

### Catering- Outsourced Services- National **JG**

The final extension for this agreement has been communicated to all suppliers. The re-tender will be planned to start in late 2021.

### Cleaning Services- Regional **JG**

A new NEC4 total facilities management model form of contract is due to be launched imminently and LUPC has taken the opportunity to incorporate that into this agreement to provide the best terms for its members. The inclusion of these new terms has meant a slight delay to the new tender process; draft documentation is currently with the tender working party and the Find a Tender notice is due to be published at the end of the month.

The new agreement will commence in early September.

### Estates Maintenance and Minor Works - Regional **JG**

A new NEC4 total facilities management model form of contract is

due to be launched imminently and LUPC has taken the opportunity to incorporate that into this agreement to provide the best terms for its members. The inclusion of these new terms has meant a slight delay to the new tender process; draft documentation is currently with the tender working party and the Find a Tender notice is due to be published at the end of the month.

The new agreement will commence in early September.

### Furniture Supply and Installation - National **AR**

Planning has commenced in preparation for the retender of this framework, and we anticipate the ITT will be published in late May or Early June 2021. At this early stage we anticipate the framework will continue to cover the requirements available in the current agreement, although a reconfiguration of the current lotting structure is being considered. Once the TWP is assembled, a couple of changes will be considered. These include considering the inclusion of furniture re-use and recycling as a discrete lot, and potentially a new lot for internal workplace design consultancy. The LUPC will be providing the specifications for Museum Furniture (both display and storage) and Laboratory Furniture lots, and several stakeholders across our membership have been interviewed for this purpose.

In the aftermath of the Suez canal blockage, a survey to all framework suppliers was carried out by the contract manager, and all suppliers advised that the framework has been unaffected by this.

### Lifts - Consultancy, Maintenance and Refurbishment - National **JG**

NEUPC are finalising the tender evaluation. The award is scheduled for late April.

### Mail Services - National **JG**

Evaluation has been completed; some details being finalised.

NEUPC are looking to award w/c 12/4/21

### Removals and Relocation **JK**

The new agreement is in place. It is for 4 years without any extension, giving members and suppliers opportunity to maximise the services available through this agreement. Agreement is divided in 2 lots. Lot-1 Regional, Lot-2 National. Suppliers' details and further documents are [available](#)

### Security Services (Guarding and Reception)- Regional **JG**

A new NEC4 total facilities management model form of contract is due to be launched imminently and LUPC has taken the opportunity to incorporate that into this agreement to provide the best terms for its members. The inclusion of these new terms has meant a slight delay to the new tender process; draft documentation is currently with the tender working party and the Find a Tender notice is due to be published at the end of the month.

The new agreement will commence in early September.

### Washroom Services JAN3074 NW- National **JG**

NWUPC have completed evaluation and are due to award on 20th April with a start date 1st May 2021

### Water Quality Management Services- National **JG**

APUC are currently in the progress of drafting tender documentation. The Find a Tender notice is due to be published on 20th April with an agreement start date scheduled for 6th August.

### White Goods - National **JG**

OJEU notice was published on 24th November 2020 with a tender return date of 8th January 2021. The current agreement has been extended until the end May 2021

The scheduled 'go live' date for this agreement is 1st June 2021

## ICT and Telecoms

### Computing- Data Centre Management Equipment and Infrastructure- National **MK**

Spend is now picking up on the agreement although not yet with the new suppliers awarded to the agreement. FEL Group have provided a presentation on data efficiency within the Data Centre Environment, which is hosted on the NEUPC website and available on request.

### Computing- Desktop and Notebook Agreement - National ('NDNA') **MK**

The finalised minutes from January's seven Teams-held review meetings as well as the sales and service MI up to and including Q2 2020/21 has been shared with the working party and the suppliers as well as hosted on HEC for institution visibility.

The NDNA benchmark modelling continues to be updated with new supplier models and price changes including March's price falls from Dynabook. An internal NDNA meeting has agreed several of the key strategy points ahead of the next tender due this calendar year. The draft timetable for this was presented to the group at the meeting and agreed; the information subsequently included in the latest NDNA Buyers' Guide. Following the required publication of an OJEU modification notice, NDNA extension letters have now been issued to all suppliers, which takes the framework end date to 31 July 2022 with the new agreement planned to advertise late November 2021 for commencement 1 July 2022. Any remaining action point follow-ups from January's reviews were covered within the same communication.

An inter-review meeting with Lenovo was held on 13 April. Lenovo's manager for social and environmental management will hopefully be granted a slot to present at the LUPC/SUPC responsible procurement group meeting on 5 May.

There are several large notebook procurements in the planning stage; members are reminded that notebook CTO lead-times from the Far East remain in the order of 6-8 weeks although there is stock of various units in the channel for those with that flexibility. Dynabook for example are having to buy slightly different components to try and keep supply going, which means seeing changes in part numbers but no changes in price where the spec is equivalent.

An updated contact list for the Dell frontline team supporting the NDNA contract has been added to HEC in advance of their new Buyers' Guide, which is expected very shortly and a whole host of new Elite and ProBook G7 and G8 models have been added to the HP portal for ordering.

Supply chain impact calls were held with Lenovo and HP further to the recent Suez Canal blockage. Aside for perhaps a minor delay within certain monitors, neither have been advised on any UKI orders being delayed due to the issue. It is likely that there could be a short-term impact with ships presently not in their planned places and the UK could see some in-port delays due to congestion.

Acer have completed a tier-1 Electronics Watch factory disclosure form for their TravelMate P6, P2 and P4 notebook series. The agreement lead is talking with HQ in Taipei about sending the factory compliance findings / summary reports and the remainder of disclosures and we are looking to finalize a time for a video call with their team ASAP.

### Computing - ITRAP (IT Related Accessories and Parts) - National **MK**

The agreement is performing well. Review meetings will be organised shortly with plans for a member survey ahead of the discussions.

### Computing - National Education Printer Agreement 'NEPA' (Provision of Print Equipment and Managed Print Services) - National **MK**

The new NEPA2 framework agreement commenced at the start of March and an overview presentation will be issued shortly. All suppliers have either signed contracts or are in the final stages of arranging contract signature with Ricoh and Canon the two still to sign but in receipt of final contracts and expected to sign this week. Xerox did not bid for this framework, otherwise, the major Manufacturers and resellers are well represented.

The lot structure is:

Lot 1: Non-Managed Print Equipment Only. In addition to the general specification requirements for the framework, Lot 1 suppliers must supply an approved range of print equipment and associated options for ordering institutions to manage themselves.

Lot 2: Managed Print Equipment and Services Only (Including MFDs). 'Managed Print' will encompass any requirement involving supply of additional service elements following supply of equipment.

Lot 3: Production Print Only

Lot 4: One Stop Shop for Managed and Production Print Equipment and Services, which includes all products and services

described in lots two and three and designed to provide capacity for a full end to end service or a combination of any of the products and services as described.

### Computing - Networking Supplies and Services – National **MK**

The agreement is currently extended to the end of September 2021 and a business case is being prepared asking for approval to extend. A strategy for the new agreement will be prepared and a tender working party request issued to the Consortia. One area to consider is the lotting, potentially dropping the over/under £1m option.

### Computing PCs with Apple Operating Systems – National **MK**

The new agreement was advertised to the Find a Tender Service on 31 March with a tender response date of 14 May. HEPCW is working to a go live date of 30 July however, this may be brought forward depending on the timing and outcome of the award.

Agreement reseller Academia is hosting a joint LUPC/SUPC webinar on Tuesday 11 May at 1400 in partnership with device management specialists Jamf. The webinar will be open to all members.

### Computing - Server, Storage and Solutions National Agreement (“SSSNA”) **MK**

Mark Lewis is looking to re-convene the tender working party shortly. A PIN will be issued w/c 12 April together with a compliant modification to extend the current SSSNA to 30 April 2022. Formal SSSNA framework agreement extension notices are presently being drafted.

### eProcurement System **AR**

LUPC arranged a bespoke eContract Management training session, delivered on 9th of February, for circa 45 attendees, and attendee feedback was very positive, both for the system and for LUPC in arranging the session.

Mercell ( EU Supply) has been arranging open demos to the membership, which they were advertising via Linked In and their website.

### Jisc Network Equipment Framework **MK**

Service reviews covering the Nov 20 - Jan 21 quarter were held in February with each of the 28 suppliers, which covered performance, reporting/invoicing and framework usage. The uptake on the framework continues to be healthy, including an increase from just over £886k in February to over £2.8m in March. A total of 118 different organisations have made purchases via the framework to date.

The next scheduled service reviews are due to take place in May to cover the Feb - Apr 21 quarter.

### Jisc Simulated Phishing Service and Associated Training Framework **MK**

The new iteration is a single supplier framework with Khipu Networks Limited. The first monthly reporting is due from the supplier on 10/05/21.

### Jisc SMS Framework **MK**

The Jisc SMS framework continues to be well used. Orders for January were 65 and 52 in February with the March figures expected shortly.

### Jisc Telecommunications Framework **MK**

A total of 32 different customers have placed orders amounting to £1.6m in total since the start of the framework. To note, the total order figure has reduced since the previous quarter due to a supplier declaring orders that were orders not placed through this framework.

Service reviews for the Nov 20 - Apr 21 period are due to take place in May.

### Jisc Vulnerability Assessment Services (VAS) Framework **MK**

There have been 14 orders so far on the framework with a total spend of just over £216k by 13 different organisations. Service reviews covering the Nov 20 – Apr 21 period will be held in May.

### Jisc Web Filtering & Monitoring Framework **MK**

There have been two confirmed orders so far on the framework with a total spend of just above £4k.

Service reviews covering the Sep 20 - Feb 21 period were held with suppliers during March.

### Software License Resellers (SLRA) – National **MK**

The new agreement went live in February and provides a compliant route to market to purchase Microsoft, Adobe, VMWare, other software and software services.

The following suppliers have been awarded to the agreement under five lots:

Lot	Awarded Suppliers
Lot 1- Microsoft and Associated Services	Softcat, Phoenix, Civica, Insight, XMA, CDW, SoftwareOne, Bytes, Trust-marque and Pugh
Lot 2A – Adobe Enterprise Term Licence Agreement (ETLA)	Academia, CDW, Softcat, SoftwareOne, Phoenix, Bytes
Lot 2B – Adobe Cumulative Licencing Program (CLP) Agreements	Academia, Softcat, CDW, Phoenix, Insight, Bytes
Lot 3 – VMware	Academia, SoftwareOne, XMA, CDW, Phoenix, Softcat
Lot 4 – Other	Academia, Softcat, Phoenix, XMA, CDW, SoftwareOne, Civica, Pugh
Lot 5 – Software Services	Academia, CDW, Civica, XMA, Insight, Phoenix

An online launch event was held 25 March in support of the new agreement with each of the suppliers given separate sessions on 25, 26 and 29 March.

Following member feedback, shortened versions of the call-off Ts & Cs have been drafted and are under review. Once completed, these will be shared with suppliers and made available on HEC.

### Computing – General Matters not covered elsewhere

The National ICT Group continues to convene every three to four weeks with the last meeting held in conjunction with the Jisc Cloud Services team on 30 March. The next meeting has been arranged for 7 May.

ITS1024AP Online Streaming and Training Services is now fully live on HEC including the Buyers Guide. A series of supplier webinars were held and the recordings are available on request.

ITS1040AP Virtual Learning Environment (VLE) and Associated Services Lot 1 has completed the standstill period however, contract signing delays are presently being resolved ahead of its notification to members. Lot 2 (Moodle) will be awarded in late April.

APUC is currently working on a re-let for Similarity Detection Software, which was planned for commencement for 31 August.

There has been a recent market announcement that Turnitin will acquire Ouriginal, the only other competitor on the existing agreement. The takeover has not yet been approved but will affect the tender process. APUC is researching the current market conditions, in conjunction with the Teaching and Learning technology user group.

The Jisc-led Global Education Access Framework, which commenced 4 September 2020, has had 15 orders worth just over £295k by 15 different institutions to date.

NWUPC issued draft IT Recycling tender documentation to the tender working party (TWP) on 9 April and this is presently being reviewed ahead of a TWP meeting later this month.

The Open Clouds for Research Environments (OCRE) project consortium was created to accelerate cloud adoption in the European education and research community. The latest OJEU-tendered agreement, which is open to all LUPC members, runs for four years from 1 December 2020 and has an expanded scope covering IaaS, PaaS and associated SaaS Cloud-based services. To assist in implementation there are €3.7 million (Euro) adoption funds available to researchers for services included in the OCRE Cloud Framework. Jisc is responsible for administering OCRE in the UK, providing support, documentation and guidance as well as promoting the framework via webinars, workshops and supported supplier-led events. There are 17 separate suppliers representing the 17 available cloud platforms, which include AWS, Azure and Google CP amongst others. Jisc will shortly be announcing three workshop days on 11th, 12th and 13th May to enable suppliers to showcase their service offerings to members and answer any questions. Further information including a Buyers' Guide can be found on the following dedicated web page: <https://www.jisc.ac.uk/ocre-cloud-framework>. A copy of Jisc's recent National ICT Group presentation and a 'Selection by Needs' tool to assist institutions in selecting which cloud platform best suits their requirements for Direct Awards is available from Mike Kilner on request.

A joint Electronics Watch/RBA webinar was held on 15 April to discuss the new Terms of Engagement and to introduce the organizations and their methods to respective memberships. A copy of the presentation materials are available on request.

## Insurance

### Insurance – Regional **MK**

The minutes from December's service reviews were issued to the full Insurance Group in January. A set of follow-up meetings between the ITSG and the four principal providers were held 25 March to review and update progress on previous actions together with any new matters arising. The draft minutes from these are expected to be issued shortly.

The Insurance Brokerage tender was issued to the Find a Tender Service on 31 March following completion of the paperwork. Responses are due back by 10 May and several expressions of interest have been received, which was assisted by the holding a series of 1:1 pre-tender engagement meetings.

The LUPC Travel Risk Management Project Working Party has convened throughout 2021 to agree on the content for the online training module. The last meeting was held 13 April.

## Laboratories and STEMEd

### Gases (IUPC) – National **AR**

The incumbent framework has been extended until the 31/10/21 via an OJEU Modification of Contract notice citing COVID-19 under

Regulation 72 (1) (c). The intention is to publish the ITT in early Spring 2021 and for the framework to be in place by the summer. A tender working party has already been assembled and work on the ITT documentation has begun.

Some of the incumbent suppliers have been requesting price increases, citing rising supply chain costs. These increase requests are being fielded by the Contract Manager.

### General Laboratory Equipment, Supply/Installation – National **AR**

The response deadline for this tender opportunity was extended by 1 week from the original date and concluded on 8th of March.

The bids were pre-qualified by LUPC and then distributed to the tender evaluation panel on 12 March for evaluation.

### Laboratory – Life Sciences – Antibodies and Sera **AR**

This framework is currently being retendered. The ITT was published on the 12th of February, and the response deadline was on the 26th of March.

The tender questionnaires were distributed to the Evaluation Panel on the 1st of April and are currently being scored.

### Personal Protection Equipment, Clothing and Uniforms (PPE) **AR**

Since late January 2021, the contract manager has been sending across a weekly sourcing and lead time update document. This is published and refreshed weekly on the LUPC's dedicated COVID-19 Updates web page, to enable members to view the availability of stock across lines that are in high demand, particularly in response to COVID.

### Other Laboratory – Updates

On 23 February, the LUPC hosted a national STEMEd Brexit Delays networking session, in response to recent concerns from members, who had been experiencing significant delivery delays of key biological products, being held as customs due to post Brexit disruption and step changes in import process. We were joined by 19 members and by David Miller, Director of the consultancy Customs People, who offered expert advice on the subject.

In the aftermath of the Suez Canal blockage, LUPC surveyed the top 3 key laboratory equipment suppliers (by spend) to understand if the delivery of any products destined for our membership would be compromised. All suppliers responded quickly, and at first pass advised that no shipments were immediately traced to the vessel. However, as this exercise was carried out only a few days after the accident, delays to customers were not entirely ruled out. All suppliers provided robust reassurance and mitigations should any of their stock be help up by these events.

It has come to our attention that some STEMEd and labs framework suppliers have indicated that some items might see slight Brexit related price increases, due to the Rules of Origin tariff. This tariff can affect suppliers who are unable to provide certification at customs for every individual product they import. We are monitoring this.

## Library

### Books, E-Books, Standing Orders and Related Material **RD** – Inter-regional Agreement (SUPC-led)

ITT expected to be issued in Q1 2021. Supplier engagement event completed December 2020.

## Commodity Updates

SUPC are currently working with a tender working party to develop the specification.

### Serials, Periodicals and Associated Services Joint Consortia Agreement **RD**

– Inter-regional Agreement (SUPC led)

The extension option is being taken by SUPC to extend for one year.

LM Information have been acquired by Prenax (also a supplier to this agreement) and trade under the new name of LM Prenax OY UK. SUPC are currently arranging for the novation of the agreement and HE Contracts documents and templates to be updated.

### Office Supplies & equipment

#### Office Supplies – National **JK**

Supplier review meetings were arranged and undertaken in March for Lots 1 and 2

### Professional Services

#### Debt Recovery Services– National **RD**

A review of the agreement with suppliers is currently taking place, the framework agreement will be extended to the fourth year

#### Executive and Senior Strategic Search and Recruitment Services **RD**

APUC are now starting the process of reviewing the current framework and expect the tender to be published during the summer. It is expected that this will include a change to the lot strategy.

APUC are interested in feedback and input from LUPC members. Any members interested in joining the tender working party should contact Roy Dennis.

#### Global Mobility Support Services – National (NWUPC Led) **RD**

The new iteration of the framework will go live on 30th April 2021. Current LUPC members have been contacted and made aware.

Further information on the current agreement is available here.

#### Intellectual Property Rights Services – PFB2003 NE **RD**

NEUPC continues to review of the framework to assess whether the option of extending will be taken as this framework has low uptake.

#### Legal Services – National **RD**

The tender working party is currently evaluating bids. The new framework is scheduled to go live at the end of May 2021.

In 2021 we have introduced a monthly legal services events listing providing a hand-picked selection of supplier-led events that may be of interest to LUPC members. This is available on the LUPC website and shared in our E-bulletin.

Further information on the agreement can be found here. If you have any feedback, please contact Roy Dennis

#### Occupational Health and Wellbeing for Students and Staff – National **RD**

The current framework has been extended to its fourth year.

### Travel

#### Travel Management Services – National (SUPC led) **JK**

A travel webinar is arranged for LUPC members, with Clarity Business Travel Management on Thursday 29th April at 10.30am. The webinar covers two topics:

**Part 1** – To Mandate or not to Mandate – Pat McDonagh, Clarity CEO

**Part 2** – The Immediate future of Travel

An email has sent out with Registration details.

No further updates since last report, due to travel restrictions and current situation.

### Utilities

#### The Energy Consortium – TEC

The latest news on all TEC agreements can be found at <http://www.tec.ac.uk/news>

### Other Activities

#### Publications

The Annual Review 2019-20 was issued in mid-February 2021.

E-bulletins reverted to being circulated monthly from January 2021 and are issued around the 15th of each month.

Linked magazine is published quarterly at the end of every January, April, July, and October.

#### Upcoming Events

LUPC Member Induction – 29 April

Monthly Heads of Procurement Meeting – last Friday of the month, 30 April, 28 May, 25 June, 30 July

LUPC SUPC Responsible Procurement Meeting 4th May

LUPC & SUPC Conference and Exhibition – 20 May

Quarterly Operational Procurement Network Meeting – 8 July

For further information and to register, please see the events page on our website

#### Website

LUPC is currently tendering for the design and implementation of a new website which is scheduled to be in place by the end of August 2021. The new website will have a modern, fresh feel, be easy to navigate, and provide a member-only section to enhance user experience.

Full details of all agreements are available at [lupc.ac.uk](http://lupc.ac.uk)



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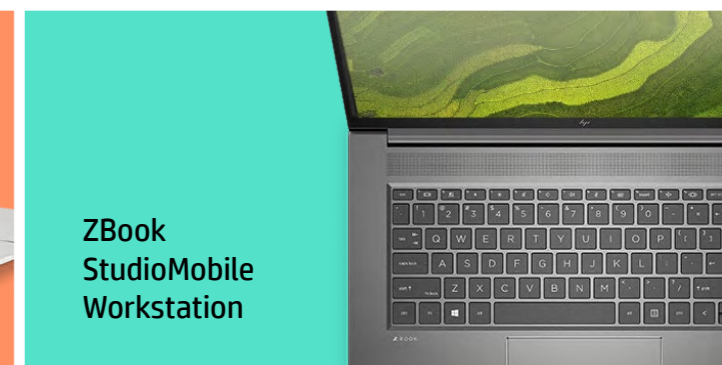
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Find out more about our sustainability story so far at [www.HP.com/sustainability](http://www.HP.com/sustainability)



## Let's talk....

In this edition, we catch up with Andy Davies, Procurement Manager at the Natural History Museum.

**How long have you worked at your organisation?** Two-and-a-bit years now. It's been great fun so far and very rewarding.

**How did you get into procurement?** I was studying architecture in London and realised I wasn't going to be an architect! So, I went to a graduate open day at London Regional Transport and applied for the supplies management training scheme. I thought it would earn me some cash for a couple of years while I decided what I really wanted to do. That was in 1987 - and I'm still deciding!

**What do you most enjoy about your job?** Working at the Natural History Museum is my dream job, and hopefully my last. There's so much variety - one day it'll be buying marketing services, the next a new software application for managing our collection of 80m specimens and the next a brand-new heat and power generating service for the Museum.

**What's the worst thing that happened in your career and how did you**

**overcome it?** It would have to be buying £36m worth of natural gas for a power station 25 years ago, then weeks later knowing I could have got the same amount for £12m less, had I waited.

That hurt. But I learnt how to pick myself up, dust myself down and go and do the next deal.

**If you weren't in procurement, what would you be doing?** I'd be an architectural historian.

**What's the most interesting item or service you've had to buy?** I bought a new concert hall organ for the Royal College of Music, that's taken some beating, but I think it's been pipped by buying a bronze cast of Dippy, our world-famous diplodocus!

**In your view, what value can working with the Procurement team bring to other areas in Estates, IT etc.?** We are risk managers. Buying is a risky

business - negotiating terms, managing supplier relationships and performance, protecting the interests of the organisation - in the end, these matter much more than saving a few bob year-on-year.

**What advice would you give to people new to the sector?** If you are low on resources, make sure you look after what's really important. Do the high-spend stuff, yes, but also the high-risk stuff. Don't be distracted by spending your time on matters that don't really matter.

**What do you think have been the main benefits of joining LUPC?** Personally, as one of its erstwhile employees, it was nine years of sheer enjoyment. I loved working there. But as a member, it's comforting to know that the best-managed deals in public procurement mean that I can concentrate on the things that really matter.

**What are the key challenges ahead for your institution, especially after the outbreak of COVID-19?** The Museum welcomed 5.4 million visitors in 2019, 70% of them from overseas. Getting those visitors back - with the income they bring - will take a good while, and financial surety will be vital.

But the biggest challenge will be helping turn people's attention back to the planetary emergency, helping to create a future where people and planet thrive.



**What achievement are you most proud of (and why)?** It would be building LUPC up to be recognised as a brand associated with leading responsible procurement practice, which I'm happy to say I have seen carry on, onwards and upwards!

**What would be your favourite book and film?** That's easy. I read Kenneth Grahame's *The Wind in the Willows* every year. And Billy Wilder's Oscar-winning comedy *The Apartment* (1960) is still the sharpest script ever written for the screen. **Thank you!**

## PROCUREMENT 101: CONTRACTS FINDER

Antonio Ramirez, Senior Category Manager at LUPC, explains what Contracts Finder is and how to ensure you are compliant.

Launched in 2011, Contracts Finder is the government's online portal that publishes both forthcoming public sector opportunities as well as awarded contracts.

The obligation to publish on Contracts Finder means that central government agencies, non-departmental public bodies and wider public sector bodies (such as local authorities and NHS Trusts) must ensure the market is made aware of commercial opportunities that in some way, shape or form, are funded by the public purse.

Publication ensures the tenets of transparency and equal treatment are maintained with both above and below threshold opportunities made available to the supply market. This is particularly valuable to smaller companies, who may lack the resources or capacity to bid for tenders at Public Procurement thresholds and above, as per the Government Procurement Agreement (GPA) thresholds, which replaced OJEU on 1st January 2021.

### So, what exactly is it?

Published as Regulation 108 (1) (b) of PCR 2015, the regulations state that all opportunities and contact wards above £10,000 (for central government authorities) and £25,000 (for the wider public sector) must be made public, and organisations usually obliged by publishing this information on their external websites as well as on the official [Contracts Finder page](#).

Whilst most client and purchasing departments will think these thresholds are too low, potential suppliers and advocates will agree that they are necessary to build an inclusive and transparent culture in the public sector, which in turn will foster healthy competition and benefit society as a whole.

### Don't get caught out

In the daily cut and thrust of a busy procurement department, it can be quite easy to forget to advertise opportunities and



## Procurement 101

**“ Procurement departments and managers will find it challenging to be completely aware of all spend activity that goes on, particularly at low spend levels.”**

awards on the portal. A small tactical 'below threshold' job or purchase might very easily and reasonably 'budget creep' its way over threshold without anyone noticing, much less remembering to publish it. This is often the case with low value devolved procurement. Other times, exchanges between stakeholders, buyers and suppliers finalising the finer details of an agreement can increase a risk of forgetting to publish the award outcome.

### Managing risk

Larger organisations will typically address this strategically by building processes between Procurement, Data Protection, External Comms and sometimes even Accounts Payable teams, to collaborate in the publication of in-scope activity on their external websites, as well as on the official Contracts Finder site.

However, whether large, small or 'standalone', procurement departments and managers will find it challenging to be aware of all spend activity that goes on, particularly at these low spend levels. Departments may have good reason to be loath to share their activity at these granular levels when more pressing, high profile work demands take precedence.

Teams must work together to reduce the overall risk of non-compliance with this regulation, which not only affects Procurement, but can prevent customers from getting what they need, for example, through formal challenges made available through the Remedies directive.

This is why constant communication with client departments, as well as senior management level support, will help manage the risk of complaints from transparency watchdogs and advocates, or worse, from eagle-eyed suppliers claiming 'potential financial loss' if challenging the contracting authority.

### Things you can do to help yourself and your colleagues

- Speak to your Data Protection or Data Assurance colleagues to understand if there is already a strategy or a process in place to mitigate these risks.
- Address the issue with your Legal departments or colleagues, to demonstrate your awareness, and to document your department's concern for being compliant.
- Find out if there is an opportunity to use this Regulation to increase communication and collaboration with



your stakeholders.

- Speak to your Head of Procurement to discuss how to strategically utilise this obligation to increase contract compliance, reduce leakage, and bolster your wider category management strategies and plans.
- Speak to your eProcurement platform provider to see how they can help, for example, by configuring the system to automatically output or publish all relevant opportunities and awards, when drafting official notices or setting up tenders.

### Finally, a note on Frameworks

A Framework is a great instrument in any Procurement toolbox, offering a quick and compliant route to market, often greatly reducing the timescales and resources needed to comply with the regulations.

A reminder however, that even Framework call off contract awards must be published on Contracts Finder, and at the very least, the name of the contractor, the contract value and the commencement date must be detailed.

If you would like to discuss any of the above, please get in touch with [Antonio Ramirez](#), Senior Category Manager, LUPC



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