

CIPFA Procurement Event

Part of the New Procurement Act 2023 Support - Are you ready?

Give it a Go! - Designing your Bespoke Competitive Flexible Procedure

Zoom Event

9 May 2024

8 July 2024

(Limited to 40 delegates per event – additional dates may be scheduled, subject to demand)

Purpose

This event has been developed to support Contracting Authorities understand and design the new competitive flexible procedure to comply with new obligations in the Procurement Act 2023 and Procurement Regulations 2024. Practitioners have been used to following process driven procedures for the last few decades, however, the new Act/ Regulations require a transformative change in how procurement exercises are undertaken. It will be welcomed by CAs as it offers greater flexibility to design procedures that meet local requirements. The catch however is that organisations will have to operate within the overarching principles and objectives. In addition, the procedure will have to be clearly documented and linked to the transparency obligations in the legislation to create certainty for all parties and avoid legal challenges.

To avoid getting caught out and speculative clashes with bidders, this event has been scheduled to support practitioners. It will focus on the competitive flexible procedure and provide support and offer guidance to CAs to start their own design and format.

Learning Outcomes

Key learning outcomes include: -

- Practical explanation of how CAs can make the most of the new flexibilities and freedoms.
- Detail the scope and parameters to design your own procedure under the PA23.
- Understand how the principles and objectives will apply to the procedure.
- Update on refinements to the old favourites Open Procedure and LTR.
- Clarification on the level of engagement and negotiations allowed with suppliers.
- Importance of having clear and documented processes to avoid disputes.
- Why it is essential to create internal guidance to provide clarity for staff.

Who Will Benefit?

The event will support heads of procurement, senior finance, procurement lawyers, project managers, senior auditors and contract managers with strategic responsibility of the procurement function. It will also benefit other practitioners who are responsible for delivering better procurement outcomes and innovative service delivery.

Programme

09.15 – 09.30

Join the Webinar

09.30 – 09.40

Welcome, Introductions and Overview of the Event Mohamed Hans, Manager CIPFA Procurement & Commissioning Network

09.40 – 11.10

Procuring in the Future - Faster, Fairer and Effective?

A key part of the procurement reforms is to replace the current 8 procurement procedures with a limited number of routes. This session will set the scene and explore the new ways:

- Overview of why the PA23 introduces changes to the procedures
 - The updated open procedure in outline
 - Are these changes material?
 - Application of procurement principles and objectives
 - What is included in the New Light Touch Contract?
 - Planning stage notices to get started
 - Conflicts of Interest Assessment
 - What to discuss during preliminary market engagement?
 - Setting out your draft KPI's during early engagement
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11.10 – 11.25

Comfort Break

11.25 - 12.40

Competitive Flexible Procedure – Blank sheet of paper or more of what we did before?

This session will set the scene and explain the key rules governing the operation of the new DIY “procedure”. It will cover the parameters CAs will have to comply with in designing a procedure which works best for the specific procurement. The session will cover:

- Extent of flexibilities to design your procedure
 - Use of lots and providing reasons/ conditions in the Tender Notice.
 - Including option to have multiple stages
 - Use of negotiations and presentations
 - Where does innovation fit in?
 - Setting out your conditions of participation
 - Tendering without conditions of participation
 - Assessing sub-contractors (associated and connected persons)
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12.40 – 13.20

Lunch Break

13.20 – 14.20

Putting Details into the Procedure Requirements

This session will provide details on what information is required to allow suppliers to prepare their tender responses. In the future, the role of the Tender Notice is going to be very important:

- Proving sufficient and clear details of goods, services or works
 - Complying with rules on technical specifications
 - Setting the Award Criteria - MAT
 - Refining award criteria during the procurement process.
 - Compiling the Associated Procurement Documents
 - Tender notices: competitive flexible procedure
 - Variation of Tender Notices
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14.20 – 14.35

Comfort Break

14.35 - 15.30

Undertaking the Procurement under the Competitive Flexible Procedure

This session will cover practical tips, flexibilities and rules relating to the conduct of the actual procurement, tender evaluation and award formalities .

- Excluding suppliers for procedural breach
- Issuing the Assessment Summary
- Contract Award Notice, Standstill and Contract Details Notice.
- Open session to review learning and consider how CAs can tailor their CFP.

15.30 – 15.40

Discussion, Questions, Next Steps & Close



CIPFA Sustainability Policy

CIPFA is delivering all of our training courses, workshops and seminars in accordance with our sustainability strategy. We do not provide hardcopy course materials to delegates and these are now distributed by email in advance of the event. We are striving to reduce our carbon footprint in every way that we can, and we hope that we can count on your support.