

Session 1B

Procurement: "How to Guide" Pre-Launch

Speaker:

Richard Brooks, Anthony Collins Solicitors LLP

Paul Smith, FFT

Karen Weeks, FFT

Lee Maskell, FFT

Chaired by: Sonya Russell, FFT

Room: Room D

Wi-Fi Code: welcome



Slido QR Code

PA23 Procurement Guide

Speakers, authors and collaborators

Faithorn Farrell Timms – Lee Maskell, Paul Smith, Karen Weeks

Anthony Collins Solicitors – Richard Brooks, Sophie Mcfie-Hyland,
Andrew Millross

Rand Associates – David Miller

Participants – roundtable, questionnaire, readers panel



**Anthony
Collins**

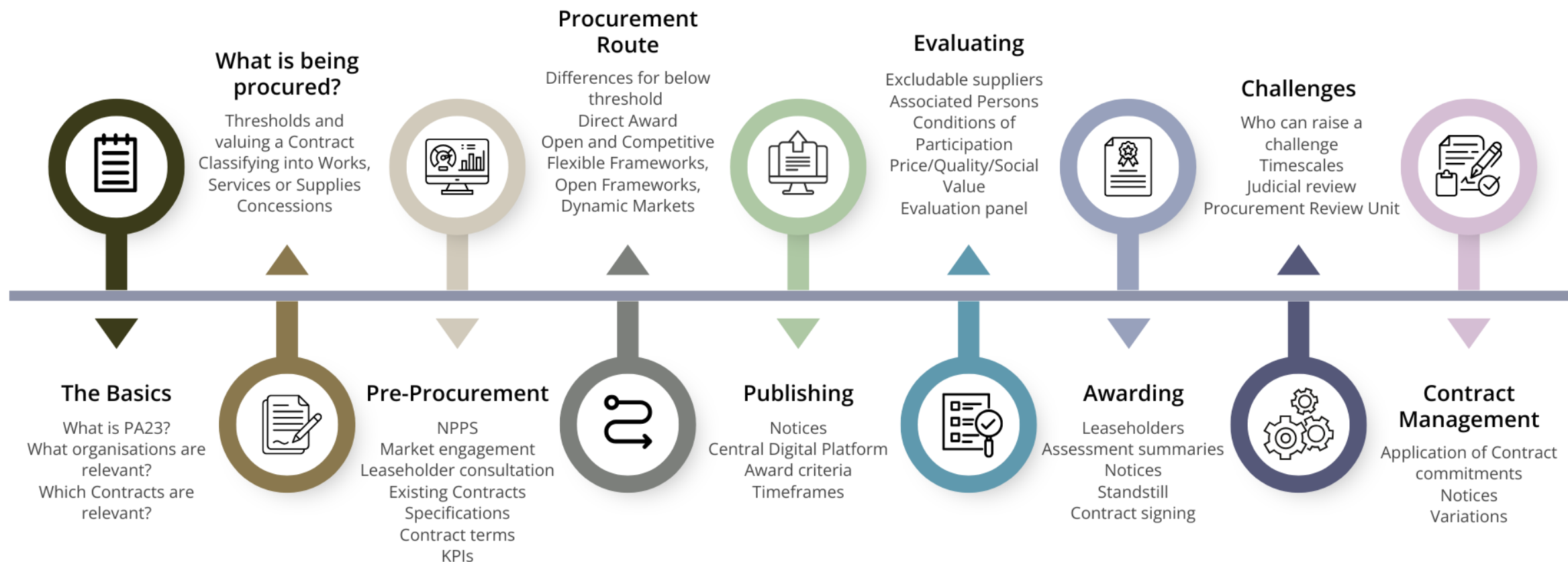


**NHMF
Maintenance
Conference
2026**

What already exists for reference

- Procurement Act 2023
- Procurement Regulations 2024
- Transforming Public Procurement Learning Manual / Cabinet Office Guidance Notes
- National Procurement Policy Statement (NPPS)
- Communities of Practice

The Procurement Lifecycle



Content

- Chapters – full content
- Pitfalls
- Best practice tips
- Scenarios
- Flowcharts
- Highlight below-threshold guidance and link to relevant sections

Chapters / Key Themes

- Classification
- Valuation of a contract
- Market engagement
- Leaseholder consultation
- Contract evaluation (lessons learnt)
- Specifications
- Contract terms
- KPIs
- Social Value
- Evaluation models
- Below threshold procurements
- Open Process
- Competitive Flexible
- Frameworks
- Open Frameworks
- Dynamic Markets
- Notices
- Award criteria
- Timeframes
- Assessment summaries/feedback
- Contract management - reporting

Format

- **Digital document** (regular updates)
- **Visual and layered** (summary, detailed content, appendices)
- **Searchable index** and hyperlinks for easy navigation.
- **Interactive Roadmap** (dip in where you need to)
- **User friendly language** – not jargon

Sneak Peek

Preliminary Market Engagement Notice

A Preliminary Engagement Notice (UK2) is intended to either:

- invite the market to participate in market engagement or
- notify the market that engagement has taken place.

Publishing a preliminary market engagement notice does not commit a Contracting Authority to undertake the subsequent procurement.

More than one Preliminary Engagement Notice can be published for each procurement, if required.

If market engagement has taken place, a Preliminary Engagement Notice is mandatory (above threshold contracts). If no Preliminary Engagement Notice is published, then the Tender Notice will need to reference that market engagement has not taken place (not applicable to below threshold Notices).

Sneak Peak – KPI Pitfalls

- Ensure your systems are able to report on data - If it can't, is the KPI going to be practical to report on?
- Is there any grey area in how the formula will be applied?
- Will Suppliers be able to meet the targets?
- Failure to align the rating system with targets could cause for confusion during the life of the Contract.
- Always ensure the KPI ratings and targets align with the mechanisms set out in the Form of Contract.

Sneak Peak – Technical Assessment Methodology Pitfalls

- If using a standard template scoring matrix, ensure it is fit-for-purpose for the questions being asked.
- Is there clear differentiation between the scores that can be awarded within your scoring matrix? E.g., is it transparent as to what the difference between a 4 and a 5 is.
- Does your scoring matrix in combination with your questions back your assessment panel into a corner? E.g., if a score requires “all the requirements of the question” to be met to reach a 4 and the response exceeds requirements on almost everything but missed one element, how is it scored.

Sneak Peak – Price Evaluation Pitfalls

- Make sure you do not rely on your award criteria if you believe a tender is unsustainably low or incorrect. Contracting Authorities should clarify under the price evaluation stage and if appropriate, reject a tender as abnormally low or non-compliant.
- Ensure the specification makes it clear what is to be priced for, to ensure tenders can be evaluated on a like-for-like basis.
- Ensure prices are evaluated by people who are subject area experts and have a good understanding of the rates being tendered.

Sneak Peak – Price Evaluation Pitfall Example

Pitched Roof Coverings	Tenderer 1 Price (m2)	Tenderer 2 Price (m2)	Tenderer 3 Price (m2)	Tenderer 4 Price (m2)
Concrete Interlocking	£105.00	£120.00	£175.00	£95.00
Plain Clay	£150.00	£160.00	£200.00	£170.00
Natural Slates	£225.00	£250.00	£35.00	£260.00
Fibreous Slates	£125.00	£120.00	£150.00	£135.00
Total	£605.00	£650.00	£560.00	£660.00

Sneak Peak – Price Evaluation Pitfall Example

The tenderer achieving the highest price score was tenderer 3, but tenderer 3 had priced the tender on the basis that the majority of roof coverings would exclude natural slates.

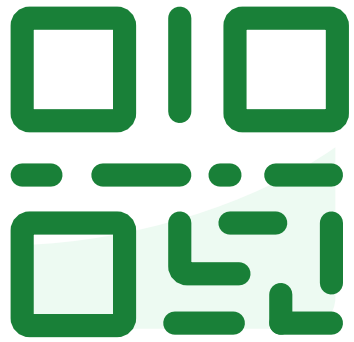
As such, one rate was incredibly low with all other rates being high, resulting in tenderer 3 being the most expensive in practice, when taking into account volumes.

This was challenged by another tenderer when they received their feedback and had to be re-tendered.

Hot Topics

- **Pre-market engagement:** Practical tips, what works well, how to design processes, avoid tokenistic engagement. Section 20.
- **Evaluation:** Guidance on price/quality balance, interviews, social value scoring, innovative evaluation models (presentations).
- **Contract Management:** Strong emphasis on ongoing management, KPIs, and collaboration.
- **Social Value:** Needs clarity, proportionality, and relevance to contract subject matter.
- **Open Frameworks & Dynamic Markets:** Opportunities and challenges; need for worked examples.
- **Below Threshold Procurement:** Best practice guidance and pitfalls.
- **Compliance vs Value:** Avoid box-ticking culture; focus on driving value for money.
- **KPI Challenges:** Realistic targets, publication implications, flexibility mid-contract.
- **Resident Engagement:** Increasing trend; practical advice needed.
- **Risk Management:** Unquantifiable risks, contract clauses, liability caps.

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Who are you representing?



When thinking of a practitioner's user-friendly guide, which part of your organisation would this be relevant to?



Which of these key areas are you most interested in being included?



What are your hot topics?

Next steps



Thank you.

See you at the
next conference!



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