

Intellect JESICA Group Key Procurement Issues in Relation to the Criminal Justice Sector

In December 2004, Intellect issued a questionnaire asking JESICA members to identify the three “burning issues” that they would like to see shape JESICA’s 2005 programme of work.

Procurement has been identified as one of the three “burning issues” of importance to suppliers and the whole criminal justice community. This short paper summarises the industry’s main concerns around procurement and the issues members would like addressed at the March meeting of the JESICA Group, which will focus on procurement.

Main issues around procurement

Below is a list of issues that JESICA’s work on procurement covers - these are the issues members consider to be crucial for the creation of a more mature procurement and delivery environment within the CJS market.

- Influencing the procurement in criminal justice sector to make it more effective for customers and suppliers, with the intention of seeking a consistent procurement approach across the criminal justice stakeholders.
- Emphasizing the need for commonality in process, rather than an incoherent and fragmented marketplace.
- Addressing the issue of poor specifications resulting in projects delivered late and not meeting needs and expectations.
- Creating an environment based on mutual openness and trust between suppliers and customers.
 - Providing suppliers with sufficient one-to-one access to senior *business* managers, including the SRO, both before and during the procurement process in order to help them understand customers’ business objectives, drivers, issues, etc and to discuss proposal options.
 - Encourage customers to move away from the "closed shop" situations which exclude many suppliers from the procurement.
 - Encourage customers to treat all suppliers equally
 - Customers may also have a role in assisting suppliers to get in touch with other suppliers with complimentary skills
- Addressing the lack of distrust and information sharing between suppliers and customers:
 - Importance of early involvement of suppliers and customers for achieving successful programmes and projects
 - How to overcome customers’ fear of future attacks from suppliers if they share information with them at an early stage, when things are not set out in stone.

- Promoting the Intellect Concept Viability initiative for larger / more complex procurements, very early in the programme.¹
- Ensuring effective programme and project management to assist suppliers identify and build relationships with key players.
- Addressing the issue of lack of feedback during the procurement process. Suppliers should be informed early on if they are unlikely to win a procurement. It would also be helpful for suppliers to receive feedback during the procurement on areas where their proposal is deficient so that these can be addressed accordingly.
- Encouraging customers to publish early in the project how they would like to see suppliers approach the project – (e.g. as a consortia, single supplier, single prime)
- With really major projects, potential to part fund short-listed suppliers bid costs could be stated up front.
- Re-opening the Public Sector market to proven technology and skills - addressing the increasing trend amongst some government departments and agencies to use full procurement exercises for relatively small purchases, which makes procurement more costly for both suppliers and customers alike.

Questions

Below is a list of specific issues for discussion at the JESICA Group's March meeting:

1. To what extent is there sufficient co-operation/collaboration between procurement departments and the customer department and also IT services - in getting the SoR correct and in following the best procurement route in the first place?
2. Is the status and management control of procurement people effective? Is it any better with Heads of IT and Heads of customer service departments?
3. G-CAT was designed as a vehicle for commodity items rather than complex (e.g. integrated) systems and support service solutions. To what extent is G-CAT being abused/misused? and where it is how can it be identified and stopped?
4. There is concern and many examples (public and private) where best value and most-appropriate solutions have not been obtained or problems have arisen because there has been inadequate preparation of the requirement, inadequate assessment of the best procurement route and inadequate real investigation of alternative suppliers to engage with. How can this be improved? Is there any real saving in time between following an OJEU route compared with a poorly managed framework (e.g. G-CAT/S-CAT) route?
5. Where can one find a comprehensive list of all currently available and easily accessible public-sector frameworks available for use by a buying department? E.g. are there frameworks/agreements available across different areas of public sector e.g. LG, NHS, Police, OGC, Treasury etc?
6. Why doesn't Government limit framework proliferation and put together a pre-qualification process for all public procurement below OJEU limits?

¹ Concept Viability is a new service offered by Intellect to the public sector. It enables public sector organisations to use industry as a 'sounding board'. Helping them to effectively assess the potential technological risks associated with specific public sector IT projects, before progressing from concept to delivery.

7. How can better feedback be obtained post contract award? For example are the following sensible and fair questions that should be answered and distributed as a matter of course once contract award decision has been made:

- a. Who was the winning bidder?
- b. How many bidders responded/were assessed?
- c. Who were the other bidders?
- d. What "overall" evaluation score/position did each bidder receive?
(can they tell us or can they only tell individuals their own score against average and median?)
- e. What was the "overall" price of each bid? Would this be seen as commercial confidentiality even if requested under FOI.

8. To what extent is OGCBuying.solutions too focused on revenue stream from small number of large deals under S-CAT and does it give too little attention to its value as a speedy procurement route for sub-OJEU-limit business?

9. To what extent do CJS/Emergency services organisations dislike using S-CAT because their favourite supplier is not in it?

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