

Guidance Note for Authorities Considering making a Direct Award to a Framework Supplier

In response to a number of enquiries from Contracting Authorities in relation to the ability to Direct Award under the Cyber Security Pen Testing Framework, we have prepared the following note which will hopefully clarify the position.

Schedule 5 of the Framework Agreement specifies the circumstances under which an Authority may Direct Award to a Supplier on the Framework:

1.1. If a Contracting Authority can determine that:

- 1.1.1. *its requirements can be met by the Available Services (defined as the Service Requirements in Schedule 1 and/or the Supplier Solution in Schedule 8); and*
- 1.1.2. *all of the terms of the proposed (Call-Off) contract are laid down in this Framework Agreement and the Call-Off Terms and Conditions do not require material amendment, then*

3.1 The Contracting Authority may order the Available Services without a further competition and shall:

- 3.1.1 *notify the Company (PDS) that it is considering an award for the Available Services to a Framework Supplier and receive a Company reference number for the order;*
- 3.1.2 *identify the Framework Suppliers capable of meeting the Contracting Authority's statement of requirements;*
- 3.1.3 *once the successful Framework Supplier is chosen by the Contracting Authority (and subject to the other terms of this Ordering Procedure), the Contracting Authority and the Supplier shall enter into an Order Form with the successful Framework Supplier following completion of the scoping exercise set out in the Service Requirements and in accordance with paragraphs 6 and 7, which:*

- (a) *states its statement of requirements and ordered Available Services;*
- (b) *states the price payable in accordance with the Framework Pricing; and*

incorporates and attaches the applicable set of Call-Off Terms and Conditions.

In summary therefore, Contracting Authorities can make a Direct Award without further competition to a Supplier on the Framework providing it's requirements are within the scope of the Available Services as defined in Schedules 1 and 8 of the Framework Agreement.

If you have further queries in relation to the Ordering Procedure, please contact us at commercial@pds.police.uk