

HAMPSHIRE COUNTY COUNCIL

**THE DYNAMIC PURCHASING SYSTEM FOR THE PROVISION OF
PASSENGER TRANSPORT SERVICES
2023 – 2033**

(ET16643)

GOVERNANCE DOCUMENT

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INTRODUCTION

The purpose of this guide is to provide a simple introduction to the operating principles of the DPS for the provision of Passenger Transport Services. It covers the DPS Governance, Management Processes, and mechanisms for call-off competitions.

The DPS is an electronic tendering process which the Council uses to tender its Passenger Transport Services. The Council uses In-Tend to publish information and tendering opportunities relating to this DPS.

To tender for these opportunities, a supplier will first need to be accepted on to the DPS by meeting the standards as set out in the DPS Invitation to Tender and Selection Questionnaire. Only Suppliers on the DPS, and who can meet the DPS specification requirements, will be eligible to tender for call-off contracts.

New suppliers may be added to the DPS during its operating period, this includes subsequent applications from suppliers who are initially unsuccessful in a previous application. These suppliers will still need to meet the standards as set out in the DPS Invitation to Tender and Selection Questionnaire.

Being admitted to the DPS does not guarantee the award of any contract(s). All contracts will be procured under the DPS as either a mini-competition, electronic auction, quick quote, or telephone/email quote as set out within this guide.

SERVICE SUMMARY

Hampshire County Council (HCC) provides passenger transport services for a wide range of purposes. These include but are not limited to:

- Adult Social Care Transport
- Children's Social Care Transport
- Community Transport Services
- Subsidised Public Bus Services
- Taxishares and Carshares
- Home to school transport for both mainstream and SEN schools
- Emerging areas of ongoing transportation requirements from Education and Adult and Children's services e.g., Academics
- General transportation services e.g. school trips

Please see Appendix 1 for full details.

Coverage of the DPS

Most journeys procured through the DPS, where the commissioning authority is Hampshire County Council, will be within Hampshire. On occasions these routes can start in Hampshire but travel out of the county, or vice versa, to neighbouring counties. The starting point of the route will be clearly highlighted within the call-off contract specification that will be supplied as part of the tendering process. On occasion, a journey may be required to a destination which is a significant distance away from Hampshire, within another part of the UK, e.g. where SEN pupil placements are out of the county.

Other bodies, including some other Local Authorities, may also tender journeys through this DPS. These journeys are likely to be to, from or within their own authority areas. Authorities that may access this DPS are listed in Appendix 2.

DPS GOVERNANCE

Hampshire County Council's Passenger Transport Group (PTG) will be the Commissioning Authority (owner), responsible for the governance and management of the DPS for the provision of Passenger Transport Services 2023-2033.

The HCC DPS Management Team will be the first point of contact for Supplier and/or Participating Authority personnel in matters relating to framework performance and governance. Although the performance of individual contracts will be managed by the relevant teams/contract owners, a supplier's compliance with the DPS agreement will be monitored by the Community Transport and Contracts Team, in partnership with those who are managing contracts procured through the DPS.

Competitions by external bodies

All public sector organisations (Appendix 2) wishing to make use of the DPS will be required to sign a "DPS Access Agreement", Competitions will be run via HCC's Intend system.

Call-off contracts for the delivery of services will be formed directly between the Participating Authority named in the call-off competition documents and the winning Supplier.

The Participating Authority will take full ownership/responsibility (including contract management arrangements) with the appointed Supplier.

Under this DPS, Participating Authorities may also purchase their requirement as part of or in addition to a service procured by HCC. In these circumstances HCC and the Participating Authority will have formed a separate agreement regarding the joint funding arrangement. In this situation HCC will be the contracting party.

DPS CATEGORIES AND FLAGS

When a Supplier joins the DPS, they will join one or more categories as outlined below:

Category 1- Suppliers operating vehicle(s) of eight seated passenger capacity or less under a Hackney Carriage or Private Hire Licence.

Category 2- Suppliers operating vehicle(s) with nine or more seated passenger capacity under a PSV licence, Section 19, or Section 22 permit.

Category 3- Suppliers that are CQC registered to provide transport Services under Care Quality Commission (CQC) registration.

Suppliers will be able to view all tenders which could be provided by their category, where an additional specific need covered by one of the flags below has not been identified.

Flags

Suppliers may also qualify to hold additional flags which will identify them as a supplier that is able to meet our minimum standards in a specialist area or as a supplier that can meet a specific requirement of a specific call-off contract.

Where a call-off contract has a requirement covered by a flag then only suppliers who have joined that flag will be able to view the tender.

If a supplier's eligibility to hold a flag changes, HCC must be informed immediately.

After acceptance onto the DPS, suppliers may apply to hold additional flags or categories if they subsequently meet criteria for flags or categories for which they did not originally apply.

Flag A- Applying to operate Public Bus services

For suppliers who meet the minimum requirements to operate a Public Bus or Community Bus Service.

Flag B- Can provide Wheelchair Accessible Vehicle(s)

For suppliers who meet the minimum requirements to operate a wheelchair accessible vehicle(s) excluding Public Bus services.

Flag C- Can operate Enhanced Quality contracts

For suppliers who meet the minimum requirements to operate enhanced quality services such as Home to School Transport bundled routes where multiple journeys are required to a single destination or Community Transport Services such as demand responsive door to door accessible transport for those who cannot use Public Bus services and Minibus Hire for local community organisations.

Flag D- Can provide a Passenger Transport Assistant/ Escort.

For suppliers who meet the minimum requirements to provide their own Passenger Transport Assistant/ Escort

Flag E- Can provide Female Drivers.

In some circumstances, a passenger may reasonably object to a male driver and require transport with a female driver. For example, if a passenger feels persecuted or vulnerable in the presence of males (mental health, past experience or perception) or a passenger has a history of behaving inappropriately in the company of males. This flag is for information only and no further assessment is required.

Flag F-Can supply drivers who can provide specialist assistance to Passengers

For suppliers who can provide drivers who have undertaken training to enhance their customer service skills, such as a MiDAS certificate or the equivalent, allowing suppliers to tender for transport contracts where a passenger requires specialist assistance.

Flag G- Can choose to receive notification of tenders which involve pickups from individual home address

It is mandatory for Category 2 suppliers to respond to this Flag as part of their initial application to join the DPS. This Flag allows suppliers operating under a PSV licence, Section 19 permit, or Section 22 permit to choose whether or not to receive tender notifications for transport contracts which involve individual home address pickups. Please note, joining this Flag will increase the number of tendering opportunities a supplier can receive and bid for.

Exclusions and Suspensions of Suppliers from a Category or Flag

If a supplier ceases to meet the original exclusion or selection criteria during the life of the DPS it is likely that they may be excluded or suspended from taking part in any Tendering Process, for a determined or unlimited period at the discretion of the Council. Suppliers may be required to demonstrate they meet all requirements of the DPS prior to any exclusion or suspension being lifted.

All Suppliers will be expected to maintain and meet the original exclusion or selection criteria during the life of the DPS. Suppliers must immediately notify the Council of

any changes to their original response to the Selection Questionnaire and will be excluded if they subsequently fail one of the mandatory grounds. The Supplier may be asked to re-confirm that they still meet some or all selection criteria at any point during the life of the DPS.

Suppliers should note that in some circumstances under a call-off contract awarded, the Council may at its sole discretion, suspend or exclude a Supplier from the DPS for certain instances of breach of contract as set out in the DPS Agreement.

If a Supplier is suspended from the DPS this means that they will not be able to bid for any tenders until the suspension is lifted.

In cases where a Supplier has previously been excluded from the DPS for reasons which relate to the safeguarding of passengers, the Supplier may have any subsequent DPS application rejected on the grounds of prior contract performance.

Privacy notice

Personal information provided as part of a supplier's application to join the DPS Passenger Transport Services will be used and stored as outlined on this [privacy notice](#).

CALL-OFF CONTRACTS

DPS –Tendering Process

The tendering processes that the Participating Authority will use are outlined below. Call-off contracts awarded under the DPS will be awarded based on Lowest Price or take into account both price and quality elements, which will be given a weighted score, as outlined in the individual call-off tendering documentation.

Pricing will be specified in the call-off process and may vary from tender to tender for example the price submitted may be on an annual or daily rate and details will be fully explained on the order form.

Details of the route requirements, along with any special conditions or considerations will be included in the documents issued as part of the tender.

Budget Release

The Participating Authority reserves the right to choose to release within the tender documentation a maximum route budget. This is the maximum price that the Participating Authority would be willing to pay for the route. Tenderers are not to exceed the maximum budget and must be able to provide the service as outlined in the call-off order form / specification.

Options for Tendering

The operational nature of passenger transport requires a variety of tendering options to be permissible under this DPS Passenger Transport Services. The Participating

Authority is required to tender using the mechanism that enables it to meet its operational requirements and timescales whilst seeking to minimise barriers to tendering opportunities for Suppliers on the DPS.

All options are outlined below.

Standard Options for Tendering

Mini Competition

Mini competitions will be processed through the Council's In-Tend electronic tendering system.

The route, along with any specific journey, passenger, vehicle, or personnel requirements, will be outlined within the mini competition document set in addition to those outlined in the category and flag specification. This will be visible to suppliers joined the category/qualified for the flag under which the call-off contract is issued.

Where operationally possible, or where tenders are evaluated on both price and quality, mini competitions will remain open for a minimum of 10 days. Where the operational needs of the business require transport to be operational sooner than a 10-day mini-competition period would allow, mini-competitions will be open for a shorter time period, for no less than 72 hours (minimum).

Electronic Auctions

Electronic auctions (e-auctions) will be used where the Participating Authority deems this to be the most appropriate method of tendering for price only call-off contracts. Full training and guidance on how to complete the e-auction is available here [In-Tend eAuctions Demo.mp4 \(sharepoint.com\)](#) Please also see the e-auction guidance document attached to the Invitation to Tender.

E-auctions will usually be open for a minimum of two days. The route, along with any specific journey /passenger /vehicle /personnel requirements, in addition to those outlined in the category and flag specification, will be outlined within the e-auction document set to ensure suppliers have all the information required to make an informed decision on participation in the e-auction.

Failed Tenders- Direct Award

A direct award is permitted to be made directly to a single supplier where no tender prices have been received via either one of the two processes outlined above (mini-competition and E-auction)

Urgent Options for Tendering

Short notice tenders will run for less than the above timescales where there is an urgent short notice requirement. This process enables tenders and quotes to be sought in situations whereby there is insufficient time to run a mini competition or e-auction for the minimum timescales outlined above. Responses will be collected within a reduced timescale, which will be confirmed in the document set and be determined by the urgent requirement timescales.

Short Notice Mini- Competition

Short notice mini-competitions follow the same procedure as for a normal mini-competition however due to the urgency of securing a service these short notice mini-competitions will be run for less than 72 hours.

Competitions awarded under this short notice process will be valid for up-to one year following date of award.

Short Notice e-auction

The e-auction function may be used as an alternate way to compete price only tenders for urgent requirements. Due to the urgency of securing a service, these short notice e-auctions may only be live for a day or even hours.

Competitions awarded under this short notice process will be valid for up-to one year following date of award.

Quick Quotes In-Tend function, Telephone or Email Quotes

The Quick Quote function on In-Tend or Telephone or Email may be used as an alternate way to compete quality and price or price only criteria for an urgent requirement.

At least three suppliers would be selected from suppliers, who have joined/qualified for the category and/or flag required by the call-off. If the number of suitable suppliers is limited or only one or two responses are received, then the contract will be awarded on the basis of price and/or the tender which best meets the route requirements.

Competitions awarded under this process will be valid for up-to four months following date of award to allow time to run a full e-auction or mini-competition. Typically, this permits the retendered contract to be in place for the current or following school term.

Urgent Direct Award

A direct award is permitted where, in the reasonable opinion of the authority, there is an urgent transport requirement that if not delivered will have a detrimental impact on a passenger's wellbeing and this is required within the next two working days.

Where a direct award is made the contract will be valid for up-to four months following date of award.

Contract Variations

Where a call-off contract is awarded under a flag, and the requirements of the contract change, the contract may be varied to operate as if awarded under an alternative flag or no flag. For example, a contract awarded to a Category 1 supplier who holds no flags now has a requirement for a wheelchair accessible vehicle to be used to transport this passenger. If the supplier can provide this service, the contract will be varied to include this new requirement and will not be retendered under flag B until the original contract expiry date. If the supplier can no longer meet the needs of

the passenger, a new tender will be issued, which may be under urgent short notice requirements.

The Transfer of Undertakings (Protection of Employment) Regulations (TUPE) 2006 (as amended).

Where TUPE may apply this will be stated within the document set, and TUPE information will be supplied upon request.

Notification of Award

On determining the outcome of a tender, the Council will notify the successful supplier(s) in writing and will publish an Award Notice on the Find A Tender service or any equivalent successor service, in accordance with the Public Contracts Regulations 2015. An Award Notice shall be grouped on a quarterly basis and submitted for publication within 30 days of the end of each quarter.

Where successor legislation requires a different format for notification of contract awards under the DPS this will be notified to existing suppliers and documentation updated.

PLANNED MODIFICATIONS TO THE DPS

Planned modifications are incorporated into the specification and provide for;

Changes for new and emerging work

Throughout the duration of the DPS, new requirements for transportation services may emerge and be sought.

Existing members of the DPS will be notified of any updates to documents, terms and conditions and service requirements.

Reduction on the impact on the environment

Changes may be required to account for policies and guidance relating to environmental impact and climate change. To facilitate objectives of meeting carbon reduction and Net Zero by 2050, Participating Authorities may introduce new requirements to facilitate objectives of reducing or mitigating carbon usage or responding to updates in public policy. This may for example include but not be limited to complying with new or expanded low emission zones.

At some point in the life of the DPS, the following may be introduced:

- A limitation on the vehicle size for lower passenger numbers, by making a tender visible only to Category 1 suppliers, if at a later point when more data is available this will make a discernible difference on emissions.
- Provision of a mechanism to prioritise the use of electric vehicles to encourage a switch to electric vehicles to reduce overall emissions from the DPS.
- Any additional measures that meet the above objectives.

Other potential reasons for changes

- Changes as a result of grant funding changes.
- Changes as a result of links with other local transport authorities.
- Changes as a result of council decisions which results in utilising the DPS differently.

APPENDIX 1- SERVICE TYPE DESCRIPTIONS

A description of each of these Services is detailed as follows:

Mainstream Home to School Transport Services

The Passenger Transport Group's Public Bus and Home to School Transport Team procures transport for approximately 9,300 mainstream school pupils, aged 4 – 16, across Hampshire attending Primary and Secondary education establishments, as well as more specialist destinations such as Educational Inclusion Service Units. Students may be picked up from home or walk to a pickup point close to their home. Whilst the majority of these journeys are on vehicles with more than 16 passenger seats, a small portion of these require smaller vehicles. Many of Hampshire's schools and academies now provide their own home to school transport service for students who are not entitled to free transport assistance. The County Council may tender these services, on behalf of those schools, but it is the school that will be responsible for all aspects of managing the contract and Hampshire County Council will not be the contracting party. In addition to the home to school transport service, many schools also require transport for taking students on educational and recreational trips and the County Council may also tender these services on behalf of the schools. These may be one off journeys or regular trips i.e., taking students swimming each week.

In some circumstances routes may be grouped together for example several school routes or Public Bus routes. Where routes are grouped with a single Supplier to provide transport to a single School or centre then the Supplier may be required to provide route planning and additional administration services as part of the contract. Full details of which will be set out in the call-off contract.

Special Needs School Transport

The Special Education Needs Team procures vehicles and arranges transport for around 3,300 pupils, aged 3 – 25, who have a range of special needs to enable them to attend various special schools and colleges in Hampshire but also some out of the County destinations. These educational establishments provide education for pupils with a wide range of special needs from physical disabilities, moderate and severe learning difficulties, autism, through to hearing, sight, and language impairment. It may be necessary for an adult to travel with the pupil. This adult will be a Passenger Transport Assistant or Escort, who has received appropriate training and is responsible for the pupils whilst they are travelling to school. Students with special needs are more likely to be picked up from their home. When pupils require the support of an escort, the escort may be provided by HCC or alternatively operators may be asked to supply their own.

Community Transport Services

The Community Transport team procures specialised door-to-door demand-responsive transport services for anyone who finds it difficult or impossible to use ordinary bus services. Some of these services may also be used by those who live

more than 400 metres from an available bus service/stop or who do not have access to a car and do not have access to a bus service. These services are provided with wheelchair accessible vehicles. Wheelchair accessible vehicles may be provided by Hampshire County Council as part of the contract or operators may be required to supply an appropriate vehicle. Passengers need to pre-register and book in advance to use these services. The Community Transport Team also procure other Community Transport services including Minibus Group Hire Services and Community Buses. The Minibus Group Hire Services provide a pool of wheelchair accessible vehicles which are available for long and short-term hire by voluntary and community groups to support wellbeing in their local community. Community Buses operated under a Section 22 permit are an alternative form of public transport services. The Service requirements and minimum passenger capacity will be identified by the Service Purchaser during the tender process.

Children Social Care Services

Transport services are arranged for children who are under the care of Hampshire County Council Children's Services Department. This can include home to school transport for both mainstream and special needs pupils. Vulnerable Children are described as children and young people who are Looked After Children (LAC) or assessed as being Children in Need (CIN). These children and young people may have a significant disability and/or additional needs that impact upon their daily lives. The Service may require a range of vehicle sizes including cars, people carriers, minibuses as well as wheelchair-accessible vehicles. Some children require transport outside of school hours for after school clubs or contact meetings with family members. When pupils require the support of an escort, the escort may be provided by HCC or alternatively operators may be asked to supply their own. Due to the nature of the care arrangements for looked after children, there are frequent and often last-minute changes to travel requirements. To ensure safeguards are in place, all changes and cancellations are processed by a social care transport team and at the end of each trip children must be passed into the care of a responsible adult. The nature of Children's Social Care Transport is a combination of regular on-going trips and one-off journeys. The type of Service and requirements will be identified by the Service Purchaser during the tender process.

Adult Social Care

Transport services are made available to Hampshire residents aged 18 years and above who are under the care of and supported by Hampshire County Council Adults Services Department. This enables people to attend college, clubs, churches, and day centres, among other activities and destinations, usually on weekdays, thereby enhancing the quality of their lives. Day Centres in Hampshire provide support to adults who have a wide range of needs from physical disabilities, moderate and severe learning difficulties, autism, through to hearing, sight, and language impairment. Clients sometimes require transport to respite breaks or hospital appointments. The Service may require a range of vehicle sizes including cars, people carriers, minibuses as well as wheelchair-accessible vehicles.

Passenger Assistants/Escorts may also be required on some routes to provide support to Service Users who have additional needs. Some clients require escorts to travel with them. When clients require the support of an escort, the escort may be provided by HCC or alternatively, operators may be asked to supply their own. Other clients will require a lower level of assistance, for example help in and out of the vehicle. Adult Social Care Transport is a combination of regular on-going trips and one-off journeys. Vulnerable adults may need to be placed into the care of a carer or responsible adult at the end of each trip. The type of Service and requirements will be identified by the Service Purchaser during the tender process.

Taxishare/Carshare Services

A Taxishare or Carshare (depending on whether the operator is licensed as private hire or hackney carriage) is like a bus service where passengers' book in advance and are picked up by a taxi or private hire vehicle. Services run to a set timetable, just like a bus but passengers must register in advance and book with the operator. The service will only run if someone books to travel. Passengers get picked up from their nearest bus stop or in some cases from their home address, depending on the particular Taxishare/Carshare service. Passengers will then be taken to the designated drop off point, as per the timetable. Most services are available to anyone who needs to travel within the service operating area, however, to use some services, passengers need to meet extra criteria. Taxishare/Carshare services are usually operated in a vehicle with capacity to carry up to four passengers, with a larger second vehicle or minibus which might be needed to allow further passengers to travel. The type of Service and requirements will be identified by the Service Purchaser during the tender process.

Public Bus services

Hampshire County Council provides subsidised local bus services across Hampshire on routes or at times where there is no commercial (non-subsidised) bus service available. These services operate in urban and rural areas of Hampshire and on inter-urban routes. They may run on any day of the week, daytime, or evening, but currently priority is given towards subsidising services during Monday to Friday daytime. The Authority may also tender these services on behalf of other local authorities; in certain cases, the other authority may be responsible for all aspects of managing the contract. Some services convey students to and from school on behalf of Hampshire County Council for which the cost of carriage may be required to be included in the price(s) tendered. In addition to long-term regular local bus services, there may be shorter-period services or one-offs, e.g., due to road closures or special events.

APPENDIX 2- CONTRACTING AUTHORITIES

The DPS main user is Hampshire County Council.

Other Participating Authorities may include local Schools for which HCC is the Local Education Authority together with, Hampshire and Isle of Wight Fire and Rescue Service, Portsmouth City Council, Southampton City Council.

In the interest of efficient public procurement, the contract will be accessible (by agreement) to those Local Authorities that are within the County of Hampshire or geographically neighbour the County of Hampshire. Including District and Borough Councils, Parish and Town Councils, Unitary Authorities, Local Enterprise Partnerships, other bodies formed through joint working by the authorities listed above, Police Authorities and NHS organisations, as well as Integrated Care Board (ICB) and Integrated Care Partnership (ICP) or any successor.

Also included within this geographical area are other educational establishments (such as other LEA schools; school governing bodies; voluntary aided schools; foundation schools; any faith educational establishments including the Roman Catholic Dioceses and Anglican Dioceses; academies; free schools, foundation partnerships; publicly funded schools, universities, colleges, further education establishments; higher education establishments and other similar educational establishments).

Organisations wishing to use this service will need to enter into an Access Agreement with Hampshire County Council. The organisations listed above will be the contracting party under any tendering process issued on their behalf.

For details pertaining to the Access Agreement, please contact the Community Transport and Contracts Team. Email:

passenger.transport.tenders@hants.gov.uk or telephone: 01962 846785