

**INVITATION TO TENDER
(OPEN PROCEDURE)**

FOR

Appointment of Design Agencies (Open Framework 2025)

Open Framework Guidance for Bidders

Reference Only

Reference: NMRNO.2025.010

Introduction to the Open Framework Guidance

- The National Museum of the Royal Navy (as NMRN Operations) invites you to bid in this open framework competition as referenced in the cover page of this guidance document. Make sure to read all guidance below, the full detail can be found here; [Guidance: Frameworks \(HTML\) - GOV.UK](#)
- Make sure you **read all attachments, and the contract documents, these are available by either emailing tenders@nmrn.org.uk or by going on the Find a Tender Gov.UK website; [Find a Tender](#)**
- Suppliers that wish to participate in this Procurement are responsible for ensuring that the Central Digital Platform, which can be found here:**

<https://www.find-tender.service.gov.uk/>
- It contains complete, accurate and up-to-date information about their organisation and any Associated Suppliers which are relevant for the purposes of this Procurement.**
- Suppliers must notify the Authority immediately if it is unable to register on the Central Digital Platform and/or provide accurate and up-to-date information via the Central Digital Platform.
- Where the NMRN have specified for certain documents to be completed and submitted, this must be adhered to.

Organisation details

Organisation name
Supplier type
Registered address
Postal address
VAT number
Website address
Email address
Organisation type
Supplier operation type
Registered legal form
Law registered
Registration date

Supplier information

Other registries

Registry Number	Public procurement organisation number (PPON)
Registry Number	Companies House number

People connected to your organisation

First name
Last name
Nationality
Date of birth
Type
Category
Registered address
Registration date
Control conditions
Individual trustee information:
First name
Last name
Nationality
Date of birth
Control conditions

Any general qualifications your organisation holds

None apply

WHAT YOU NEED TO KNOW

What 'we' and 'you' means

- When we use "NMRN", "we", "us" or "our" we mean the National Museum for the Royal Navy as NMRN Operations (the Customer); When we use "you" or "your" we mean your organisation, or the organisation you represent, in this competition also referred to as bidder or applicant.

Who are 'buyers'?

- Buyers are the organisations named in the published contract notice as those able to place call-off orders for the deliverables via this framework. They will do this in line with the 4 requirements to be applied for the award of Call-Off Contracts. Final decision to award for further detail as to what will happen once the framework has been awarded

What is a 'lot'?

- A lot is a sub-division of the deliverables which are the subject of this competition as described in the published contract notice

What do we mean by 'deliverables'?

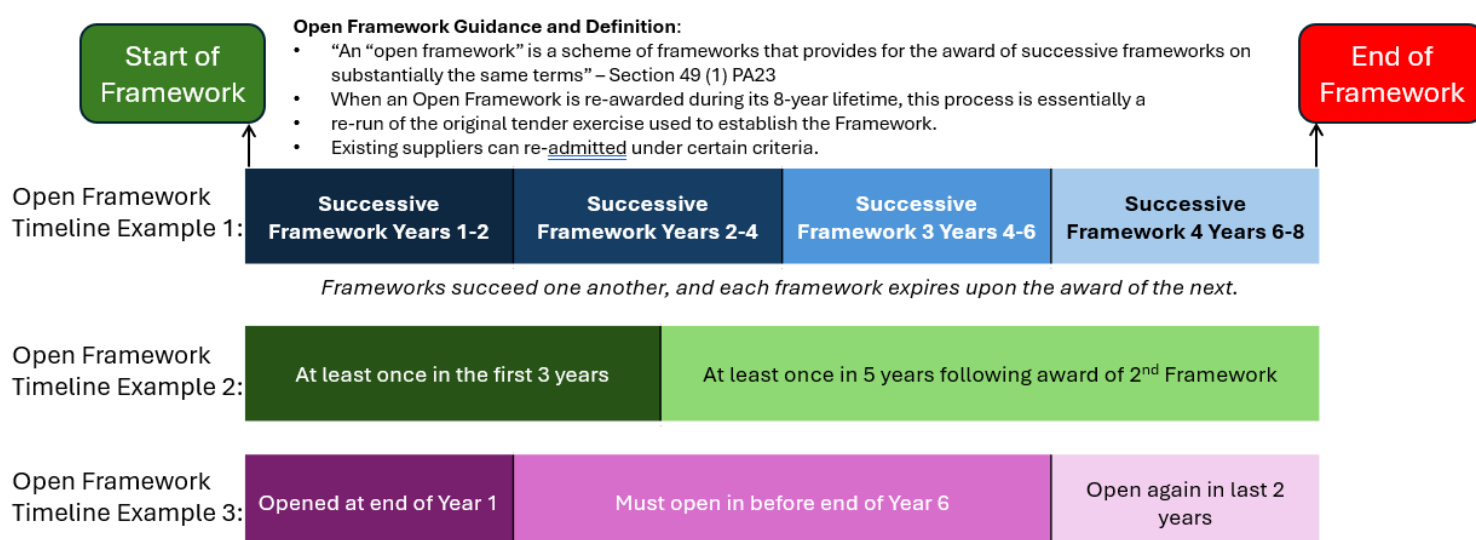
- Deliverables are the goods and/or services that will be provided under this Framework Agreement as set out in Framework Agreement Schedule 2 (Goods and/or Services Information and Key Performance Indicators).

The Opportunity

- The NMRN (as NMRN Operations), as the Contracting Authority, is putting in place an Open Framework Agreement for use by themselves for the requirement for Design and Production Agencies as set out in this Open Framework Guidance, Instructions for Bidders and Annex A- Scope of Requirement documents respectively.

What is an Open Framework?

- The “Open Framework” is a major change with the Procurement Act 2023 legislation, offering new opportunities for contracting authorities.
- The Procurement Act 2023 (Act) defines a framework as a: ‘contract between a contracting authority and one or more suppliers that provides for the future award of contracts by a contracting authority to the supplier or suppliers.’ (section 45(2)). This means that a framework sets out the provisions under which future contracts for the supply of goods, services and/or works are to be awarded.
- An “open framework” is a scheme of frameworks that provides for the award of successive frameworks on substantially the same terms over the contract’s length.
- An example of the different timelines that could be used within the 8 year contract length of an Open Framework is as follows;



- Sections 45-49 ([Procurement Act 2023](#)- Chapter 4) of the Act explain what a framework is and set out the rules that govern both the framework itself and call-off contracts awarded under it. Sections 45, 46 and 48 generally apply to all frameworks; section 47 does not apply to open frameworks, and section 49 applies only to open frameworks.
- Previously under the Public Contract Regulations there was only “closed frameworks” whereby once suppliers were appointed the framework was ‘closed’ until its conclusion, with no opportunity for new entrants to be accepted.
- Under an open framework it may reopen at set points for new suppliers to join
- The open framework must award the framework (contract), at least once (this could be more often e.g. have 4 x 2-year frameworks run concurrently) during the period of three years beginning with the award of the first framework in the scheme, and at least once during each period of five years beginning with the award of the second framework in the scheme. This means they could run for a maximum of eight years
- The preceding framework will expire with the contracting of the new one.
- To assist you there are useful videos online such as; “What are Open Frameworks Summary” by Tussell-[What are Open Frameworks? \(Procurement Act 2023\) - YouTube](#)

Transparency Obligations

- Each time a Contracting Authority (CA) re-opens an Open Framework to new entrants; the Act refers to this as the award of a new Framework on the same terms as CA originally set out.
- This means that a Tender Notice, a Contract Award Notice and a Contract Details Notice must be published each time CA re-awards an Open Framework.
- The tender and framework must set out the 'Core Terms' of the framework and what each Lot entails and the mechanisms for award, such as mini competitions or direct award.
- When an Open Framework is re-awarded during its 8-year lifetime, this process is essentially a re-run of the original tender exercise used to establish the Framework, except that suppliers which were already on the Framework may automatically be readmitted if the authority chooses.
- As an Open Framework can be open for a maximum of 8 years, the PA23 Act sets out different timeline options an Open Framework can open for the NMRN to consider, and subsequent openings within this 8-year contract term, for example;
- The diagram above serves as an illustrative example of the various 'openings' within the 8-year duration of the Open Framework contract. The specific opening relevant to this tender opportunity will be detailed within the ITT tender documentation
- There is no limit on the number of suppliers you can have on a framework; however, it is on the understanding that they are not guaranteed any work or payment under the core terms of the Framework.
- For suppliers to be admitted to an Open Framework requires a Competitive Selection Process such as an Open Procedure to open it every time. Unlike traditional Frameworks, no direct award mechanism is permitted to admit suppliers onto the chosen framework and its respective lots – Section 49 (10) PA2
- Each time the Framework is opened to new entrants, the Act refers to this as the award of a new Framework on the same terms as the original framework set out.
- All suppliers on a framework must be informed that whilst they've been successful on being accepted onto the framework there is no guarantee of work when assigned onto the framework.
- Where suppliers appointed onto the first phase of the Open Framework, there is no requirement for the supplier to re-submit when it re-opens if they do not wish to update their initial offer. Which the NMRN will consider at our discretion if we wish to admit or request to re-apply based on performance.

Awarding Framework

- The awarding of the framework will be detailed within the tender documentation alongside this guidance, this includes the proposed 'openings' of the framework through the 8-year contract.
- The term of each framework in the scheme must be set out in each framework (section 45(5)(e)). Whilst it isn't expressly required by the Act or the regulations, it is recommended that the open framework sets out the indicative term of each framework in the scheme (i.e. when the framework is anticipated to be re-opened); this is to ensure transparency and to allow suppliers to understand how the open framework will operate, but at the same time it gives some flexibility.

Awarding Call Off Contracts

- Call-off contracts may be awarded with or without competition between suppliers on the framework. A 'competitive selection process' is used where contracting authorities carry out a competition for the award of a public contract (section 45(3) and section 46). The selection process for awarding public contracts must be set out in the framework (section 45(5)(d)).
- However, there is some flexibility in that whilst the selection process must be set out, the level of detail is not specified in the Act and this may be in high level or more detailed terms. For example, a contracting authority may provide that a framework allows contracting authorities using the framework to include conditions of participation to assess suppliers' technical ability to perform the contract as part of the competitive selection

process for public contracts and leave it up to the contracting authorities to determine these, taking into account their own particular circumstances. Alternatively, the contracting authority may set out high level conditions of participation in the framework and allow contracting authorities using the framework to only add further detail to those already set out.

- There are implied terms in PA23 S48 the NMRN reserve the right to disqualify a supplier or suppliers if they become excluded or excludable in the duration of the contract awarded at any time of the Open Framework.
- In a competitive selection process, any assessment of suppliers' proposals must be based only on some or all of the award criteria that were used to assess tenders when the framework was awarded. Section 46(9) allows for these criteria to be refined, for example, additional sub-criteria may be included or the criteria explained further, in accordance with s24 of the Act.
- These can be the following mechanisms;

Call-Off Award Criteria- Example

This is an example for the purpose of this guidance document.

Option 1: Price only

Criteria Number	Criteria	Percentage Weighting
1	Price	100%
2	Quality (based on the stated Award Criteria already seen by the Suppliers as part of the ITT)	0%

Option 2: Price and Quality

Criteria Number	Criteria	Percentage Weighting
1	Price	25% - 75%
2	Quality (based on the stated Award Criteria already seen by the Suppliers as part of the ITT)	25% - 75%

- The call off will be done by the NMRN and Supplier completing a Call-off Order Term which can be seen within the contract sample, it will be a form to summarise the call off, the quote/brief/proposal required and the price for this based upon the quote from the supplier. With any further notes added such delivery to which site, which Lot it is for etc.
- Sections 45(3-4) provide that unless there is only one supplier on the framework, a contracting authority can only award a contract without competition when the framework sets out an objective mechanism for supplier selection and the core terms of the call-off contracts to be awarded. The core terms set out in the framework cannot be amended unless amended under section 74 and include, for example, deliverables (i.e. the basic requirements regarding what the supplier has to deliver under the call-off contract, such as compliance with the authority's requirements the supplier's framework tender, standards, policies and timeliness), warranties, charges and pricing mechanism, record keeping, indemnities, termination provisions, variation mechanism.
- An objective mechanism for supplier selection may, for example, be a 'taxi-rank' system where call-off contracts are awarded on a rotational basis, or a 'highest ranking' system with a limitation on the number or value of call-off contracts to be awarded to any one supplier. Once the supplier submitting the highest-ranking

tender reaches the cap, the next call-off contract would be awarded to the supplier that submitted the next highest scoring tender.

Further Mini Competition

- For mini-competitions under this Framework Agreement the Contracting Authority shall:
 - a) invite tenders by conducting a mini-competition for its requirements in accordance with the Regulations and Guidance and in particular:
 - I. provide a Specification, and invite the framework suppliers to submit a specific tender offer;
 - II. set a time limit for the receipt of tender offer which takes into account factors such as the complexity of the Specification; and
 - III. keep each supplemental tender confidential until the expiry of the time limit for the receipt by it of the supplemental tenders;
 - b) apply the Award Criteria to any compliant tenders submitted through the mini-competition; and
 - c) notify the successful/unsuccessful Framework Provider about the outcome of the evaluation process
 - d) place an Order with the successful Framework Provider.
- The Supplier agrees that all tenders submitted by the Supplier in relation to a mini-competition held pursuant to this clause 2 shall remain open for acceptance for 30 days- unless stated otherwise.
- All orders placed will be subject to the terms and conditions of the framework agreement.
- Notwithstanding the fact that the Contracting Authority has followed the procedure set out, the Contracting Authority may cancel, postpone, delay or end the procedure without placing an Order or awarding a Contract. Nothing in this Framework Agreement shall oblige any Contracting Authority to place any Orders.

Awarding Frameworks to Suppliers When Re-Opening the Framework

- Section 49(4) and section 49(5) set out how contracting authorities may award contracts to 'existing suppliers'. Section 49(8) provides that an existing supplier is a supplier that is party to a framework under an open framework - this reference to a framework under an open framework means the framework in existence immediately prior to the next framework in the scheme being awarded.
- Section 49(4) provides that where a framework places no limit on the number of suppliers that can be party to the framework, an existing supplier can be appointed to the new framework based on, at its choice, one of the following:
 - the fact that the supplier has previously been awarded a framework in the scheme i.e. there is no requirement for the supplier to submit a new tender if it does not wish to update its offer. For this option to be available, the supplier must be a party to the framework in existence immediately prior to the framework being awarded. Where the supplier chooses this option, the contracting authority does not re-assess the earlier tender and the supplier simply remains on the open framework;
 - the re-assessment of a tender relating to an earlier award; or
 - the assessment of a new tender relating to the new framework.
- The contracting authority should set out the procedure for re-opening the open framework and awarding successive frameworks in the associated tender documents for the new framework to be awarded in the scheme. This should include the options available to and what is required of existing suppliers if they wish to participate in the award of the new framework. For example, setting out that they are required to formally declare on what basis they wish to participate, for example, based on the fact that they have previously been awarded a framework under the scheme (where relevant), whether they wish a tender relating to an earlier award to be assessed or whether they have submitted a new tender for assessment.

Appointment of Design and Production Services (Open Framework 2025)- How the Framework Is Structured

- The open framework for this opportunity is structured as follows, including the first timed opening of the framework;

Timeline	Notes
Awarding of Open Framework	December 2025
Proposed Re-Opening of Framework in Year 3	Tender re-advertised Summer 2028, with award in Autumn 2028.
Further Re-Openings of Framework Between Years 4-8	Tender Re-Advertised in Summer of that year with the award in the Autumn of the same year.
End of Open Framework	November/December 2033

Frameworks succeed one another, and each framework expires upon the award of the next.

Open Framework
Timeline

At least once in the first 3 years

At least once in 5 years following award of 2nd Framework

- The framework will have 15 lots which will be as follows;

Lot	
Section A- Design Lots	Ownership of Lot
Lot 1- Print Design	NMRN & PHD Operations
Lot 2- Digital Design	NMRN & PHD Operations
Lot 3- Website Design	NMRN Only
Lot 4- Animation and Illustration	NMRN & PHD Operations
Lot 5- Display Graphics Design	NMRN & PHD Operations
Lot 6- Signage and Wayfinding	NMRN Only
Lot 7- Uniform Design (NMRN Only)	NMRN Only
Lot 8- Advertising and Brand Campaign Ideation and Design	NMRN Only
Lot 9- Artworking (NMRN & PHD Operations)	NMRN & PHD Operations
Lot 10- Product Design (NMRN Only)	NMRN Only
Lot 11- Corporate Design (NMRN Only)	NMRN Only
Section B- Production Lots	
Lot 12- Print Production	NMRN & PHD Operations
Lot 13- Digital Production	
Lot 14- Signage Production	
Lot 15- Large Format Printing	

You can bid for all lots, or only one or two, and there is no limit on the number of successful suppliers on each lot.

Introduction

- This brief is issued by the National Museum of the Royal Navy Operations (NMRN Operations) for design and production services across the museum group.
- We require experienced and specialist suppliers to support our business-as-usual work in marketing and design and production needs of the business. Alongside our regular work we are also running a long-term project to implement a new brand across all aspects of the business including but not limited to uniforms, signage, letterhead, corporate communications and website.
- The NMRN are open to national and regional suppliers to bid on the respective lots within this tender opportunity. We welcome regional suppliers close to our sites across the Great Britain and Northern Ireland. Any questions relating to the Open Framework or tender documents please contact tenders@nmrn.org.uk
- The Open Framework allows for a maximum contract duration of eight years. Suppliers awarded a place on the framework acknowledge that inclusion does not guarantee any work during this period. The allocation of work will depend entirely on the NMRN's requirements and the volume of activity over the course of the framework.
- The full scope of requirement for this Open Framework is located in the Scope of Requirement,

WHO CAN BID

- We are running this competition using the 'open procedure'. This means that anyone can submit a bid in response to the published contract notice. You can submit a bid as a single legal entity. Alternatively, you can take one or both of the following options:
 - work with other legal entities to form a consortium. If you do, we ask the consortium to choose a lead member who will submit the bid on behalf of the consortium.
 - bid with named key subcontractors to deliver parts of the requirements.
- This applies whether you are bidding as a single legal entity or as a consortium. We recognise that subcontracting and consortium plans can change. You must tell us about any changes to the proposed subcontracting or to the consortium as soon as you know. If you do not, you may be excluded from this competition.
- The full information for this framework in regards to the timeline for submissions can be found in the main Invitation to Tender (ITT) documents split as Instructions for Tenderers and Response to Quality Criteria documents, these also include how to ask questions in relation to this opportunity.
- We run our competitions so that they are fair and transparent for all bidders/applicants.
- We will not share any information from your bid which you have identified as being confidential or commercially sensitive with third parties, apart from other central government bodies (and their related bodies).
- You must comply with these competition rules and the instructions in this ITT pack and any other instructions given by us. You must also ensure members of your consortium, key subcontractors or advisers comply.
- Tenderer's should describe how they will approach the performance of this contract with particular regard to the requirements outlined in the Specification / Schedule of Requirements provided.
- Tenderer's should outline their proposals for on-going quality control during the project and how they will remedy any failures.
- Tenderers should describe the resources they would deploy if awarded the contract, including details on the background and expertise of key personnel who would be involved in delivering the services.
- Explain any sub-contract arrangements that you will depend on to deliver the contract (known as Associated Persons under the Act) and explain how you will manage this/these relationships with other stakeholders (if any). Any Lead Times between award of Contract and start of Services should be highlighted.
- Your bid must remain valid for **90 days** after the bid submission deadline.
- The NMRN are not proposing to limit the number of suppliers per lot, the selection of the suppliers will be done a quality assessment basis as stated in the ITT Instructions and Evaluation Annex.

Involvement in multiple bids

- If you are connected with another bid for the same requirement, we may make further enquiries. For example, where you submit a bid:
 - in your own name and as a key subcontractor and/or a member of a consortium connected with a separate bid;
 - in your own name which is similar to a separate bid from another bidder/ applicant within your group of companies;
- This is so we can be sure that your involvement does not cause:
 - potential or actual conflicts of interest; or
 - supplier capacity problems; or
 - restrictions or distortions in competition
- We may require you to amend or withdraw all or part of your bid if, in our reasonable opinion, any of the above issues have arisen or may arise.

Collusive behaviour

- You must not, and you must make sure that your directors, employees, subcontractors, key subcontractors, advisors, companies within your group or members of your consortia do not:
 - fix or adjust any part of your bid by agreement or arrangement with any other person, except where, getting quotes necessary for your bid or to get any necessary security
 - communicate with any person other than us the value, price or rates set out in your bid or information which would enable the precise or approximate value, price or rates to be calculated by any other person except where such communication is undertaken with persons who are also participants in your bid submission, namely those where disclosure to such person is made in confidence in order to obtain quotes necessary for your bid or to get any necessary security
 - enter into any agreement or arrangement with any other bidder or applicant, so that bidder/applicant does not submit a bid
 - share, permit or disclose to another person, access to any information relating to your bid submission (or another bid submission to which you are party)
 - offer or agree to pay or give any sum or sums of money, inducement or valuable consideration directly or indirectly to any other person for doing or having done or causing or having caused to be done in relation to its bid submission
- If you do breach this paragraph, we may (without prejudice to any other criminal or civil remedies available to it) disqualify you from further participation in this competition.
- We may require you to put in place any procedures or undertake any such action(s) that we in our sole discretion consider necessary to prevent or stop any collusive behaviour
- Only you or, as applicable, your key subcontractors (as set out in your bid) or consortium members can provide the deliverables through the Framework Agreement.

Bidder/applicants conduct and conflicts of interest

- You must not attempt to influence the contract award process. For example, you must not directly or indirectly at any time:
 - collude with others over the content and submission of bids. However, you may work in good faith with a proposed partner, supplier, consortium member or provider of finance;
 - canvass any Minister, officer, public sector employee, member or agent our staff or advisors in relation to this competition; or
 - try to obtain information from any of our staff or advisors about another bidder/ applicant or bid.

Confidentiality and Freedom of Information

- You must keep the contents of this ITT pack confidential unless it is already in the public domain, you must keep the fact you have received it confidential. This obligation does not apply to anything you have to do to:
 - submit a bid; or
 - comply with a legal obligation.
- The NMRN is not defined as a Public Authority under Schedule 1 of the Freedom of Information Act and we are not required to respond to your information requests.

Publicity

- You must not make statements to the media regarding any bid or its contents. You are not allowed to publicise the outcome of the competition unless the NMRN have given you written consent.
- Suppliers must not take part in any publicity activities with any part of the media about this Procurement without obtaining the express prior written agreement of the NMRN. When requesting prior written agreement, Suppliers are required to detail the proposed media coverage including format and content of any publicity.

Modifying the Procurement

- Neither the Tender Notice, this document nor any information given as part of the Procurement shall be regarded as a commitment or representation on the part of the Authority (or any other person) to enter into a contractual agreement.
- The Authority reserves the right to cancel the Procurement at any point and/or to choose not to award any contract as a result of this Procurement. [Any decision by the Authority not to award a lot does not prevent the Authority from awarding the remaining lots].
- Suppliers will remain responsible for all costs and expenses incurred by them, their staff, and their advisers or by any third party acting under their instructions in connection with this Procurement. For the avoidance of doubt, the Authority is not liable for any costs or expenditure resulting from any cancellation or amendment of this Procurement.
- The Authority reserves the right at any time:
 - a) to issue amendments, modifications or additional information to any documentation which forms part of this Procurement, including the Procurement terms and conditions contained in this Appendix A, following clarifications;
 - b) to require a Supplier to clarify their proposal(s) and/or tender submission in writing and/or provide additional information – failure by a Supplier to respond adequately may result in their tender submission being rejected
 - c) The NMRN reserves the right to Direct Award a procurement should the procurement process result in only one Applicant submit an acceptable tender or for a particular Lot, in accordance with s49(6).
 - d) To undertake competitive procurement opportunities outside of the Framework where it is applicable such as large marketing campaigns for example. The NMRN will endeavour to notify all relevant parties on the framework to offer the opportunity to take part.

How the Framework is Structured

- Following evaluation of Tenders in accordance with the evaluation process set out in this ITT, those Applicants who have submitted Applications which meet the criteria set out in the Supplier Declaration and who have submitted at least one service in accordance with the instructions in this ITT will be awarded a Framework Agreement.
- The NMRN will inform all Applicants of its intention to award a Framework Agreement and which Lot(s) each supplier has been successful for. Those successful and unsuccessful will receive the following;

1. **Contract Assessment Summary** - This sets out the winning bidders score against the maximum score; the winning bidder requires to acknowledge the outcome to issue all remaining assessment summaries to the unsuccessful bidders.
The Unsuccessful bidders receive their feedback with scoring AND the winning bidders score and feedback alongside this.
 2. **Contract Award Notice**- This notice sets out information regarding the standstill period, when it begins, and when it concludes.
- Following an 8-working-day Standstill Period and subject to there being no substantive challenge to that intention, a Framework Agreement will be formally awarded, subject to contract, to the successful Applicant.
 - The conclusion of a Framework Agreement is subject to contract (including the satisfaction of any conditions precedent).

WHEN THE FRAMEWORK AGREEMENT IS AWARDED

- If your application is successful, your service and company details will be available to the NMRN team and will enable them to place either a **Direct Award (Call Off)** order or a **Further Competition** order where a formal procedure is required.
- The Framework Agreement is just an umbrella agreement which allows orders to be placed, therefore each Call-Off order is in itself a 'mini contract' against which you will be expected to deliver the requirements. Those admitted to the Open Framework will acknowledge that there is no guarantee of spend throughout the eight years of this framework.
- The contract will set out the Lot you have been awarded for, as well as having the relevant call off and further competition forms within the contract itself. The NMRN have set KPIs that are proportionate to the requirements of these tenders to monitor suppliers and their performance when call off or further competition work is awarded.
- The re-opening of the Open Framework after the first initial three years will present an opportunity for new suppliers to be evaluated and awarded. Suppliers are welcome to bid on other lots in this window and apply for other lots they either did not submit to the initial opening of the framework, or were unsuccessful.

Document Number	Name of Document	Required to be Submitted?
1	1. NMRN ITT- Instructions for Tenderers_DesignProductionAgency	No
2	2a. NMRN ITT- Response Forms Guidance- DesignProductionAgencyOPF	No
3	2b. NMRN ITT- Annex F-G-H- Response Forms- DesignProductionAgencyOPF	Yes
4	3. NMRN ITT- DesignProduction- Open Framework Guidance	No
5	4. NMRN Open Framework- v2- Contract Sample	No
6	5.NMRN DesignProductionAgency- Response Forms- All Lots.zip <i>If not available on the Central Digital Platform website, it can be sent by request by emailing tenders@nmrn.org.uk</i>	Yes
7	Annex 1 Design and Production Services Scope	No
8	Annex 2 - NMRN and PHD Audiences	No
9	PHD 2020 Guidelines 130820 2	No