GUIDE TO FRAMEWORK AGREEMENTS

Government Procurement Services
Government of Montserrat

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Table of Contents

Document Information and Revisions 2
Table of Contents 3
List of Acronyms 4
PART A: INTRODUCTION 5
1 Introduction 6
1.1 Purpose of guide 6
1.2 Legal framework 6
1.3 Application 6
PART B: OVERVIEW OF FRAMEWORK AGREEMENTS 7
2 Overview of framework agreements 8
2.1 What is a framework agreement? 8
2.2 When to use a framework agreement? 9
PART C: PLANNING FOR FRAMEWORK AGREEMENTS 10
3 Planning for framework agreements 11
3.1 How to design a framework agreement 11
PART D: PROCUREMENT OF FRAMEWORK AGREEMENTS 13
4 Procurement of framework agreements 14
4.1 Procurement method 14
4.2 Description of requirements 14
4.3 Tender or RFP document 15
4.4 Tendering process 17
4.5 Evaluation 17
4.6 Award of framework agreements 18
PART E: MANAGEMENT AND USE OF FRAMEWORK AGREEMENTS 19
5 Management and use of framework agreements 20
5.1 Management of framework agreements 20
5.2 Use of framework agreements 20
5.3 Awarding call-off contracts without second-stage competition 20
5.4 Second stage competition to award call-off contracts 21

List of Acronyms

Acronym	Definition
DPC	Departmental Procurement Committee
GOM	Government of Montserrat
GPS	Government Procurement Services
PE	Procuring Entity
PPB	Public Procurement Board
RFP	Request for Proposals
STDs	Standard Tender Documents

PART A: INTRODUCTION

1 Introduction

1.1 Purpose of guide

This guide is designed to provide public officers with easy-to-follow guidance on how to award, manage and use manage framework agreements.

A framework agreement is a mechanism for pre-agreeing the terms of future purchases, without committing to those purchases. It allows orders (call-off contracts) to be placed later, without running a full procurement process, based on the pre-agreed terms.

This guide explains:

- the purpose of framework agreements and when to use them;
- how to plan for a framework agreement;
- how to run the procurement process to award a framework agreement; and
- how to manage framework agreements and use them to award call-off contracts.

1.2 Legal framework

Public procurement in Montserrat is governed by:

- the Public Procurement Act 2025 (the “Act”); and
- the Public Procurement Regulations 2025 (the “Regulations”).

This guide is issued by Government Procurement Services (GPS) under section 10 of the Act to provide procuring entities (PEs) with the necessary guidance and direction to award and manage framework agreements.

GPS has issued separate guides which provide an overview of the public procurement system and guidance on procurement planning, each different method of procurement and contract award and management.

GPS has also adopted standard tender documents (STDs), contract forms and other procurement forms and templates. The use of these documents is mandatory and this guide provides advice on which documents should be used for framework agreements.

The Act and Regulations can be downloaded from https://tenders.gov.ms/publications. All other documents are available from GPS by emailing procurement@gov.ms.

In the event of any discrepancies, the Act and Regulations take precedence over this guide and the standard documents. Any queries or suggestions for updates to this guide or the standard documents should be addressed to the Head of GPS.

1.3 Application

The Act, Regulations and this guide apply to all PEs, including ministries, departments, units and subdivisions of the Government of Montserrat (GOM) that engage in procurement.

Government owned entities are required to follow this guide, unless they have their own procurement rules or regulations, approved by the Cabinet on the recommendation of the Public Procurement Board (PPB).

For guidance on donor funded procurement and exemptions to the Act, refer to the Guide to the Public Procurement System.

PART B: OVERVIEW OF FRAMEWORK AGREEMENTS

2 Overview of framework agreements

2.1 What is a framework agreement?

A framework agreement is a buying arrangement that establishes the terms and conditions under which future contracts will be awarded, without committing to specific purchases in advance.

It allows GOM to run a single procurement process to pre-agree terms with suppliers and then issue multiple orders under the framework at later dates. It saves the time and effort of managing multiple separate procurement processes, while giving the flexibility to award contracts quickly, as and when needed.

References and templates:

- Sections 23(8)-(9) of the Public Procurement Act 2025
- Regulation 31(3)(c) of the Public Procurement Regulations 2025
- Standard tender documents for framework agreements for goods, works, services and consulting services

The **framework agreement** defines the goods, works, services or consulting services which may be purchased and sets the overarching terms and conditions which will apply to future purchases made under the framework agreement. It does not commit GOM to purchase anything but provides a framework to govern future contracts over a specified period of time.

Call-off contracts are issued under the framework agreement when GOM wishes to purchase a specific quantity of goods, works, services or consulting services. Call-off contracts commit GOM to the purchase specified in the call-off and the supplier to the agreed terms for delivery or performance.

Framework agreements can be designed in different ways, depending on needs

A framework agreement may be:

- used by one or more PEs;
- awarded to one or more suppliers;
- valid for up to four years; and
- used to award call-off contracts with or without further competition among framework suppliers.

See section 3 of this guide for more information on how to plan and design a framework agreement.

Procurement for framework agreements is conducted in two stages:

- The **first stage** follows a standard procurement process using open tendering or request for proposals (RFP). It results in the award of a **framework agreement**

between one or more procuring entities and one or more suppliers. The framework agreement will establish some or most of the terms and conditions of future call-off contracts.

- Under the **second stage**, a **call-off contract** is awarded to a supplier, based on the terms and conditions of the framework agreement and any additional terms relevant to the specific purchase. The call-off contract may be awarded directly to the supplier (or one of the suppliers) or there may be a second-stage competition to determine which supplier should be awarded the call-off contract.

The framework agreement will establish the mechanism for issuing call-off contracts, including the approach for any second-stage competitions required. Whatever the approach, a framework agreement enables GOM to issue call-off contracts quickly and efficiently, without the need for a full, open procurement process.

2.2 When to use a framework agreement?

Consider using a framework agreement when you have a recurrent need for the same or similar requirements but cannot define the precise nature, quantity or timing of requirements in advance. Precise requirements can be defined in each call-off contract, without having to run repeated procurement processes.

Framework agreements are useful for:

- goods, works, services or consulting services required frequently e.g. office supplies, pharmaceuticals, spare parts or maintenance and repair services;
- goods, works, services or consulting services commonly required by several PEs, where requirements could be consolidated for greater efficiency and value for money, but with each PE awarding call-off contracts for its own needs e.g. office suppliers or equipment or training; and
- goods, works, services or consulting services which are likely to be required following an emergency. If a framework is established in advance, call-off contracts can be awarded quickly in an emergency situation.

Consider the need for a framework agreement during procurement planning!

When preparing your annual procurement plan, identify similar, repeated purchases which could be combined into a single framework agreement.

Also consider the use of framework agreements as part of emergency preparedness.

➔ See the **Guide to Procurement Planning** for more information.

PART C: PLANNING FOR FRAMEWORK AGREEMENTS

3 Planning for framework agreements

3.1 How to design a framework agreement

Effective planning is needed to design a framework agreement in the optimum way. The table below lists the factors that should be consider when planning for a framework agreement.

Factor	Considerations
Who will use the framework?	Framework agreements may be used by one or more PE. Where appropriate, GPS will establish framework agreements which may be used by any part of GOM.
How many suppliers?	Framework agreements may be awarded to one or more suppliers. Consider whether more than one supplier is needed to obtain the required quantities, ensure security of supply or support competition in the market. A framework with a single supplier is easier to manage, but may undermine competition in the market or be unable to reliably meet all of your needs.
Duration	Framework agreements may have a duration of up to four years. A longer duration avoids the need for repeated procurement processes, but limits opportunities for new suppliers to be awarded framework agreements. A longer duration may attract suppliers, but it may be difficult to fix prices for this long.
Description of requirements	Consider whether requirements can be defined in sufficient detail for prices and other terms to be fixed in the framework. Identify elements of the requirement which may need to be defined during the second stage.
Estimated quantities	Estimate quantities where possible as this helps suppliers to give their best prices. Where relevant, consolidate estimated quantities across GOM. The cost estimate in the annual procurement plan should be the value of all anticipated call-off contracts
Approach to awarding call-off contracts	Consider which terms will need to be defined during the second stage and whether further competition will be needed to do this.

	If framework agreements will be awarded to more than one supplier, consider whether call-offs will be awarded following competition or in another way. See section 5 for different approaches to awarding call-offs.

GPS will establish framework agreements which may be used by any part of GOM.

Consult GPS where you identify a need for a framework agreement!

PART D: PROCUREMENT OF FRAMEWORK AGREEMENTS

4 Procurement of framework agreements

4.1 Procurement method

The first stage of the procurement to award a framework agreement follows a normal procurement process.

- Use **open tendering** for procurement of a framework agreement for goods, works or services.
- Use **request for proposals** for procurement of a framework agreement for consulting services.

Follow the normal rules for open tendering or request for proposals to award a framework agreement, subject to the additional guidance in this section!

➔ See the **Guide to Open and Restricted Tendering** for goods, works and services.

➔ See the **Guide to Request for Proposals** for consulting services.

4.2 Description of requirements

Consider whether:

- technical requirements can be fully defined in the first stage procurement and specified in the framework agreement; or
- some details will need to be defined during the second stage procurement and specified in the call-off contract.

Where possible, include a full description of requirements in the tender or RFP document. Where some technical details cannot be defined in advance, include a broad description which indicates the type or range of goods, works, services or consulting services required, with sufficient detail to enable tenderers to determine whether they are able to submit a tender.

How to specify quantities in a framework agreement

Framework agreements will not include definite quantities of goods, works, services or consulting services. The quantity required will be defined in each call-off contract.

During the procurement process for a framework agreement, you may:

- include **estimated quantities over the duration of the framework agreement:** this helps tenderers to price their tenders and an indication of higher quantities should result in better prices;

- include **indicative quantities for a typical call-off contract:** this helps tenderers to understand whether they have the capacity to meet requirements and helps them to price their tenders;
- not specify any quantities but request **unit prices**: this approach may result in higher unit prices, but may be used where it is not possible to estimate quantities or typical call-offs.

In all cases, the framework agreement will state that GOM does not commit to purchase any specific quantities.

Check that financial evaluation criteria are consistent with the quantities specified!

Precise dates for delivery or performance will not be specified in the framework. You may specify the expected period for delivery or performance as a number of days or weeks, where relevant. Alternatively, this can be specified during the second stage procurement.

4.3 Tender or RFP document

GPS has issued STDs for framework agreements for goods, works services and consulting services. Select the appropriate **STD for framework agreements** to prepare your tender or RFP document.

As with all STDs, some parts of the document are standard and must not be changed. Others need information specific to the tendering process to be completed before issuing the tender or RFP document:

- Follow the guidance notes in *[green italics]* to insert relevant information or delete parts that are not needed
- Do not change standard text in black font
- **Remember to delete all guidance notes before issuing the document** to tenderers.

The STDs for framework agreements have a similar structure to the main STDs. The following table shows how to use each section of the STDs for framework agreements:

Section	Guidance on use
Section 1: Instructions to Tenderers (or Consultants)	This section provides standard text on the rules of the procurement process and how to prepare tenders. Do not change any text in this section!
Section 2: (Tender) Data Sheet	The clauses in the Tender Data Sheet provide additional information to supplement the Instructions to Tenderers. Enter text relevant to your first stage procurement process e.g. details of any pre-tender meeting and the date and time of the tender deadline.
Section 3: Evaluation and	The STDs contains standard criteria which typically apply e.g. criteria to evaluate substantial responsiveness of tenders and eligibility of tenderers. They also contain suggested text for optional criteria.

Section	Guidance on use
Qualification Criteria	Add, edit or delete the standard text to include criteria relevant to your tender. Most criteria are similar to those used for non-framework tenders. Key differences are: • whether financial evaluation will be based on estimated or indicative prices or unit prices; and • how tenderers for framework agreement(s) will be selected i.e. award of a single framework agreement to the most advantageous tender, award of a number of framework agreements to the highest ranked tenderers or award of framework agreements to all substantially responsive tenderers.
Section 4: Schedule of Requirements for Framework Agreement	Insert technical requirements for the goods, works, services or consulting services to be included in the framework agreement. Additional details for a specific-call offs (e.g. precise quantities and dates for delivery or completion) may be included during a second stage procurement process.
Section 5: Framework Agreement	This section contains the framework agreement and associated framework agreement conditions. It provides many standard clauses, but specific details must be added where indicated in *[green italics].* Enter text relevant to the proposed framework agreement and framework agreement conditions. Most conditions should be drafted before issue of the tender document including the approach to secondary procurement and award of call-off contracts. Final details (e.g. supplier name and address) will be added at framework agreement award stage.
Section 6: Framework Agreement Appendices	Appendices for the schedule of requirements and price schedule will be completed at framework agreement award stage. The advance payment security form is standard but may be deleted where no advance payments will be permitted. All STDs for framework agreements also include forms for the second stage procurement. Delete any which are not required. Complete any details which are already known at tendering stage, including proposed call-off contract conditions such as payment terms.
Section 7: Tender (or Proposal) Forms	These forms are to be used by tenderers to prepare their tenders. Most are standard and should not be changed. Edit as required e.g. delete information that is not required in the tender submission form, such as delivery or completion periods and edit the price schedule as required. Add any additional forms required or delete any forms not required.

4.4 Tendering process

The identification of tenderers and tendering process for framework agreements is the same as for any other contract.

Following the normal rules for open tendering or request for proposals to publish notices, determine minimum tendering periods, approve and issue tender documents, issue clarifications or modifications to the tender, receive tenders and hold a public opening.

Make sure that any invitation notice refers to a framework agreement!

When preparing a tender notice, prequalification notice or invitation to express interest notice, make sure that the notice states:

- that the procurement process will result in the award of one or more framework agreements;
- the duration of the framework agreement(s); and
- that GOM does not commit to purchase any specific quantities of goods, works, services or consulting services.

4.5 Evaluation

The evaluation process for a framework agreement follows the same stages as evaluation for any other contract. Following the normal rules for determining substantial responsiveness, awarding technical scores where applicable and requesting clarifications. Use the same evaluation report templates.

Evaluation criteria will be similar to those used for any other contract. However, depending on the design of the framework agreement, some evaluation criteria may only be applied during the second stage procurement to award call-off contracts. For example:

- in a framework agreement for goods, substantial responsiveness to the technical specifications may be evaluated during the first stage, while the delivery period is evaluated for each call-off contract during the second stage; or
- in a framework agreement for consulting services, consulting firms' methodologies for performing the services may be evaluated during the first stage, while the CVs of key experts proposed for a specific assignment may be evaluated during the second stage.

Use the criteria listed in **section 3 of the tender or RFP document** for each stage of the evaluation**.**

Financial evaluation may be based on estimated quantities, indicative quantities for a typical call-off or unit prices. See section 4.2 for further guidance. Prices may also be evaluated during the second stage procurement where appropriate.

How to select the tenderer(s) to be awarded a framework agreement

The approach to determining the most advantageous tender(s) depends on whether one or more framework agreements will be awarded. Follow the approach defined in **section 3 of the tender or RFP document**, which may be:

- **award of a single framework agreement to the most advantageous tender**: where only one framework is awarded, the approach to determining the most advantageous tender will be similar to any other procurement;
- **award of a number of framework agreements to the highest ranked tenderers**: where the tender document indicates a maximum number of framework agreements to be awarded, rank tenders by evaluated price or total score and award to the highest ranked tenders;
- **award of framework agreements to all tenders which are substantially responsive** or meet any minimum technical threshold; this approach may be used where GOM wishes to maximise the number of potential suppliers and/or evaluate price or other factors during the second stage.

Where tenderers are permitted to tender for one or more of the items requested in the tender or RFP document, sufficient framework agreements should be awarded to cover all items.

The number of framework agreements to be awarded and the approach to selecting tenderers must be determined when planning for the framework and drafting the tender or RFP document!

4.6 Award of framework agreements

Following the normal rules for award of contracts. You are required to:

- obtain approval of the award(s) from the PPB or Departmental Procurement Committee (DPC);
- issue a notice of intention to award to all tenderers who submitted a tender and wait for the expiry of the standstill period;
- debrief tenderers on request;
- issue framework agreement(s) to the successful tenderer(s), using the draft framework agreement in sections 5-6 of the tender document; and
- publish a contract award notice.

➔ See the **Guide to Contract Award and Management** for more detailed guidance.

PART E: MANAGEMENT AND USE OF FRAMEWORK AGREEMENTS

5 Management and use of framework agreements

5.1 Management of framework agreements

As for any other type of contract, the PE must designate a contract manager for each framework agreement. The contract manager is responsible for ensuring that both the supplier and GOM comply with the terms of the framework agreement, keeping contract management records and all other usual contract management tasks.

➔ See the **Guide to Contract Award and Management** for further guidance.

The contract manager for the framework agreement should also:

- monitor usage of the framework, ensuring compliance to its terms and conditions, including those related to the management of secondary procurement processes and award of call-off contracts; and
- collect and maintain data on usage of the framework (e.g. number and value of call-off contracts awarded), to ensure effective management and to support planning for future framework agreements.

Where a framework agreement may be used by more than one PE, individual PEs may award call-off contracts and be responsible for managing these call-offs. Any person responsible for managing a call-off must provide information to the overall contract manager as required. This may include details of call-off contracts awarded and information on the supplier's performance.

5.2 Use of framework agreements

Framework agreements are used by awarding call-off contracts under a secondary procurement process.

Where a **framework agreement was awarded to a single supplier**, issue call-off contracts directly to the supplier, in accordance with the terms of the framework agreement. Where appropriate, ask the supplier to quote for any additional costs not included in the framework prices before awarding the call-off contract. For example, the supplier may need to quote additional costs for inland transportation of goods to their final destination.

Where **framework agreements were awarded to more than one supplier**, follow the secondary procurement process defined in the framework agreement conditions. The process may involve issuing a call-off directly to one of the suppliers or a second-stage competition to determine which supplier should be awarded the call-off contract.

5.3 Awarding call-off contracts without second-stage competition

The table below shows different approaches to awarding call-off contracts, without further competition. These are examples only and you must follow the approach defined in the framework agreement.

Approach	Guidance
Direct purchase	The call-off is awarded to the supplier offering the most advantageous call-off, based on prices and/or other terms included in the framework. The most advantageous call-off may vary depending on the items and quantities required or other factors such as delivery requirements, as not all suppliers may offer or meet all requirements.
Ranked	The call-off is awarded to the supplier ranked first during evaluation, with other suppliers used if the first ranked supplier is not able to fulfil the contract. This approach provides security of supply and greater supplier capacity, but lower ranked suppliers may never receive a call-off contract.
Rotation	Call-offs are awarded to different suppliers in turn, starting with the supplier ranked first during evaluation. This approach supports a competitive market as all suppliers are likely to receive some call-offs. Contract management must ensure that call-offs are rotated fairly.

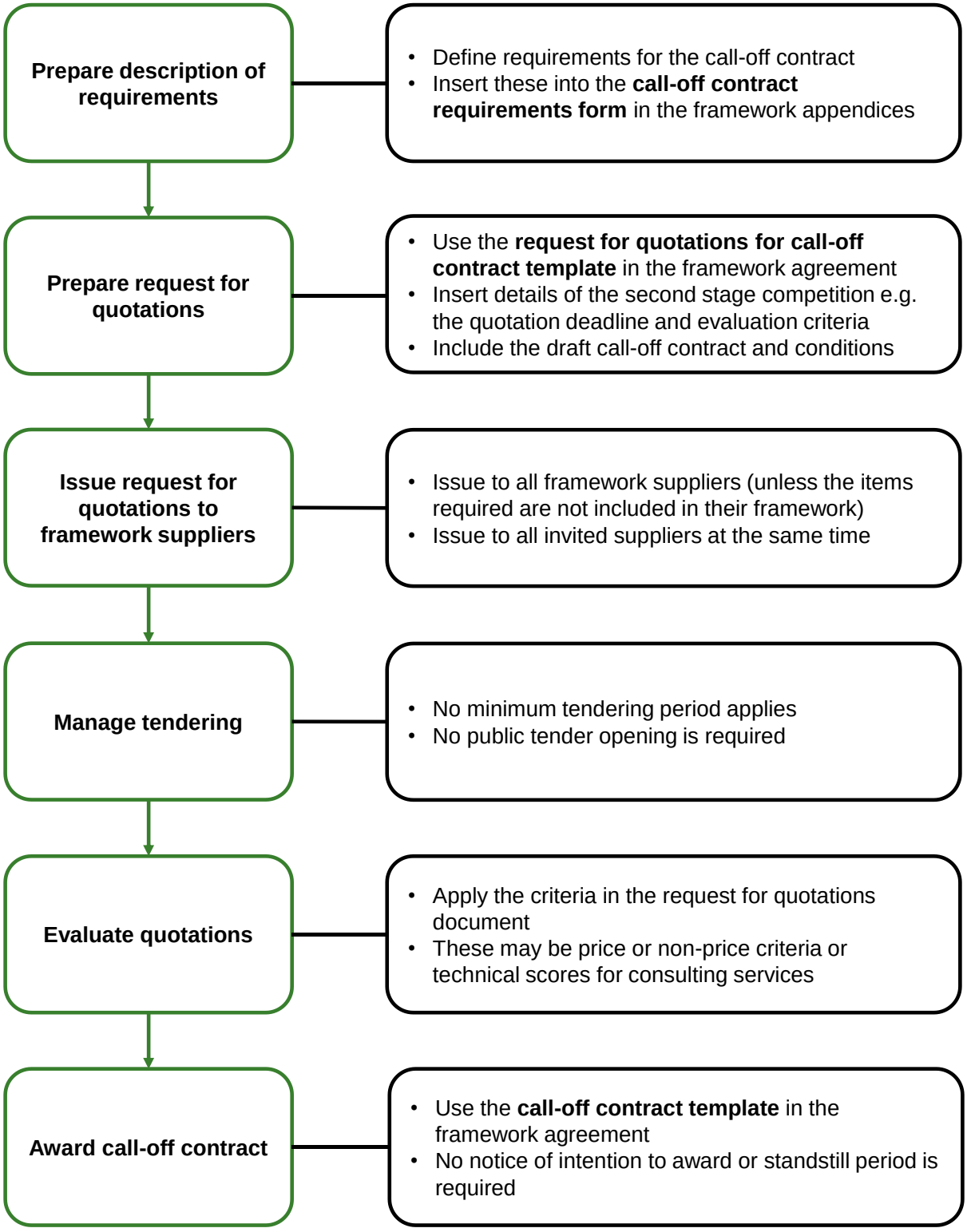
5.4 Second stage competition to award call-off contracts

Use a second-stage competition where it is not possible to determine all terms in the framework agreement and/or it would be beneficial to have further competition.

Guidance on using second-stage competition under a framework agreement

- You may only use a second-stage competition where this was specified in the framework agreement.
- Follow the process defined in the framework agreement.
- Use the secondary procurement forms included in the appendix to the framework agreement.
- Make sure that evaluation criteria are consistent with the framework agreement.
- You must not renegotiate terms or conditions which are already fixed in the framework agreement.

The flowchart below shows the process for a second stage competition under a framework agreement.


Prepare description of requirements
• Define requirements for the call-off contract
• Insert these into the call-off contract requirements form in the framework appendices
Prepare request for quotations
• Use the request for quotations for call-off contract template in the framework agreement
• Insert details of the second stage competition e.g. the quotation deadline and evaluation criteria
• Include the draft call-off contract and conditions
Issue request for quotations to framework suppliers
• Issue to all framework suppliers (unless the items required are not included in their framework)
• Issue to all invited suppliers at the same time
Manage tendering
• No minimum tendering period applies
• No public tender opening is required
Evaluate quotations
• Apply the criteria in the request for quotations document
• These may be price or non-price criteria or technical scores for consulting services
Award call-off contract
• Use the call-off contract template in the framework agreement
• No notice of intention to award or standstill period is required