

RE: **Confidentiality in the BAF process**

Purpose: **To detail the provisions for ensuring confidentiality under the BAF**

Date: **August 2022**

1. Confidentiality

All procurements under this Framework shall be run, either by the United Utilities Sourcing Excellence team or an independent 3rd party. This Sourcing Excellence Team is not linked to any individual operational department and is the independent team responsible for the procurement of all goods, works and services which are competitively tendered by United Utilities Water Limited Find-a-Tender service.

Where a procurement is required, an assessment will be made to determine if there is risk that a conflict of interest may be inherent in the proposed process. Where the risk of a conflict of interest is low, then UU will lead the BAF process. However, where a potential conflict of interest is identified, then UU will engage an independent 3rd party to lead the procurement process.

United Utilities shall ensure that separate teams are responsible for the preparation and assessment of an InHouse Solution and that appropriate 'Chinese Walls' and information barriers are in place. The team responsible for the preparation of an In-House solution would at no time have access to the third party bid. Only this Sourcing Excellence or independent 3rd party to lead the procurement and the team responsible for assessment would be able to access third party bid information.

All information submitted as part of any procurement process shall be confidential and subject to individual confidentiality provisions within the applicable tender documentation.

Information will only be circulated within United Utilities to the extent it is required for the procurement process and the assessment of any submission provided. All information is retained and managed by the Sourcing Excellence Team or independent 3rd party to lead the procurement process and will be stored on the Electronic Procurement Portal.

Whilst the above measures are standard in all United Utilities' procurements already and written confidentiality obligations will always exist between each bidder and United Utilities, bidders can also be assured of the integrity and confidentiality of their data due to the licence modifications introduced in April 2019 covering restrictions on Water and Wastewater companies use of information submitted to them in relation to a bid for the provision of services in the new wholesale markets.

2. Conflicts of Interest and Confidentiality

As mentioned above, so as to ensure that no conflict of interest arises, or where one does arise it is effectively managed, all procurements under this Framework shall be run by either the Sourcing Excellence team, within the Commercial department of United Utilities or an independent 3rd party procurement team.

Actual or potential conflicts of interest, where it be within United Utilities' own team or with any third party must be promptly raised in accordance with United Utilities' conflicts of interest policy (a copy of which will be included within the Procurement Documents for each process run under this Framework).

This policy requires conflicts to be raised, reviewed and a record stored centrally.

Bid Assessment Framework

Confidentiality Document



Water for the North West

Where a conflict is raised measures must be proposed which would prevent or mitigate the conflict from impacting the impartiality of the individual or party involved, such as information barriers, Chinese walls etc. Where such measures cannot be put in place to prevent or mitigate the conflict, the person or party so conflicted will be removed from the process and replaced.

For completeness, United Utilities confirms that none of its associated companies will be able to bid under this Framework to provide water resources, demand management or leakage services.

The combination of embedded standard procedures, written mutual confidentiality obligations and express licence terms governing the use of bidders data provides, we believe, a robust framework of measures so as to ensure any data provided is only used for its intended purpose and only disclosed so far as is necessary to enable that purpose, being the operation of the competitive processes under this Framework.

3. Contact details

Any queries in relation to this Framework or United Utilities' procurement generally should be directed to:

Supply Chain Manager - Sourcing
United Utilities Water Limited
Grasmere House
Lingley Mere
Warrington
WA5 3LP

Email: SourcingExcellence@uuplc.co.uk