

## REPORT TO THE FIRE AUTHORITY

DATE: 30 June 2008

REFERENCE:

**SUBJECT: "How to Sell to Mid and West Wales Fire and Rescue Service" Guide**

### SUMMARY :

The attached document forms part of our ongoing commitment to the Welsh Assembly Government's "Opening Doors – the Charter for SME Friendly Procurement" to which we are signed up. The guide is designed to improve our relationship with suppliers/contractors by expelling the barriers that can exist between suppliers/contractors and the public sector. This will be achieved by not only providing comprehensive information which will enable suppliers/contractors to apply for tenders but also to clarify what legislation influences the Service's tendering processes. The emphasis is on supplier engagement and the fact that we are committed to working closely with suppliers/contractors in order to achieve sustainable procurement.

OBJECTIVES		IMPLICATIONS	
More than an Emergency Service		Operational Risk Management	
Trusted & Respected by our customers	X	Community Risk Reduction	
Saving Lives, Protecting Communities		Learning & Development	
Managing within Budget		Service Control	
Allocate Resources to Priorities		Civil Contingencies & Resilience	
Efficiency savings		Finance & Procurement	X
Alternative funding & resources		H.R.	
Managing People		ICT	
Risk Reduction Planning		CCMS	X
Partnership Working	X	Transport	
Effective & Empowered People		Health & Safety	
		Premises	
		Sustainability & Environment	X
		Welsh Language	
		Legal	
		Governance	
		Equality & Diversity	X

### COMMENTS/OBSERVATIONS ON THE ABOVE OBJECTIVES/IMPLICATIONS:

There will be positive implications for both the Service and suppliers/contractors as it will lead to closer working relationships which in the longer term will achieve sustainable supplier development thus benefiting both parties.

**RECOMMENDATIONS:**

That members of the Authority approve the Guide and that it is published as a corporate document and be made available both in hard copy format and via the external website.

**BACKGROUND PAPERS USED IN PREPARATION OF THIS REPORT:**

“Opening Doors – the Charter for SME Friendly Procurement”  
The Constitution  
Draft Welsh Fire and Rescue Procurement Strategy

Report Author(s) and Designation	Helen Rees – Procurement Officer
Telephone number/Extensions	4449

# How to Sell to Mid & West Wales Fire & Rescue Service

**A guide for  
Current and Potential Suppliers / Contractors**



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## INTRODUCTION

Mid & West Wales Fire Brigade was formed on April 1st 1996 when the former Dyfed, Powys and West Glamorgan Brigades amalgamated. The introduction of the Fire and Rescue Service Act in 2004 resulted in the Brigade's role expanding significantly, with activities such as community safety work, fire prevention and attending road traffic collisions and other emergencies being added to the traditional role of fire-fighting and on September 1st 2004 we changed our name to MAWWF&RS to reflect this.

Mid and West Wales Fire and Rescue Service is a public sector organisation which comes under the jurisdiction of the Welsh Assembly Government. Mid and West Wales Fire Authority acts as the main policy making body and governs the adoption of numerous working practices in line with statutory guidelines as laid down by the Welsh Assembly Government.

The Service area covers some 4,500 square miles and makes up almost two thirds of the landmass of Wales. A wide variety of risks are found within our operational area ranging from the petro-chemical industries in Milford Haven, Pembrokeshire and Briton Ferry, Neath, to the risks associated with heavily populated conurbations such as Swansea, Port Talbot and Llanelli. There are extensive farming communities and many other light industries throughout the area. These, together with an extensive coastline and inland waterways are some of the specialised risks within the Mid and West Wales region.

Mid and West Wales Fire and Rescue Service is organised into six County Commands, one each to cover the unitary authority areas of Carmarthenshire, Ceredigion, City and County of Swansea, Neath Port Talbot, Pembrokeshire and Powys. The central Headquarters is located in Carmarthen whilst the Fire Safety Headquarters is situated at Morrision, Swansea. Staffing within the Service comprises a mixture of wholtime, day crewed, retained and volunteer stations, which number 57 in total. The current complement of staff, both operational and support is approximately 1,400.

Mid and West Wales Fire and Rescue Service purchases supplies, services and works that range in value from a few pounds to many hundreds of thousands and it spends an estimated £14m per annum on the supply of goods, services and works. This provides a wide range of commercial opportunities for suppliers and contractors of all types and sizes.

The CFOA Welsh Fire and Rescue Service Procurement Strategy sets out the approach in Wales and the Mid and West Wales Fire and Rescue Service strategy complements this version. This strategy applies to all procurement e.g. goods, services (including consultancy and research), works and construction (including capital schemes). Grant aided expenditure falls within the same remit and there are no exceptions. In pursuit of the strategy individuals will act with integrity and honesty, secure value for money, encourage continuous improvement and seek innovative solutions where appropriate.

Mid and West Wales Fire and Rescue Service is committed to providing the best information possible about the opportunities that are available and the procedures that need to be followed to respond to tenders and requests for quotations in order to expel the barriers that can exist between suppliers/contractors and the public sector.

This guide is designed to show suppliers and contractors how to make the most of the opportunities that are available. It endeavours to provide information and guidance for current and potential suppliers and contractors to apply for the Service's contracts. It will also clarify what legislation influences the Service's tendering requirements and describe the procedures necessary to bid for work by:

- Clarifying the procurement rules that the Service must follow
- Outlining the Service's tendering thresholds
- Detailing how we advertise tenders and requests for quotations (RFQ's)
- Explaining how to bid for the Service's work

This guide forms part of our commitment to the Welsh Assembly Government's "Opening Doors – The Charter for SME Friendly Procurement" to which we are signed up to.

## **“OPENING DOORS – THE CHARTER FOR SME FRIENDLY PROCUREMENT”**

Mid and West Wales Fire and Rescue Service acknowledges that procurement is an ever-changing arena and it is important that SME's and the public sector understand each other's processes and expectations. As a result, Mid and West Wales Fire and Rescue Service has signed up to the Welsh Assembly Government's "Opening Doors – The Charter For SME Friendly Procurement". This Charter aims to set a minimum level of good practice for both sides. We as a Service are committed to:

- Becoming more familiar with the SME's in our region, and the services that they provide.
- Taking steps to discover what the barriers are to us doing business with appropriate SME's, and seeking to lower or remove them.
- Not assuming that large suppliers always offer better value for money.
- Publishing guidance, including on-line documents, and briefing SME's on our requirements, the opportunities that we have available, who to contact and how to tender for our business.
- Making it easier for SME's to talk to us.
- Ensuring all our processes create a level playing field for SME's.
- Looking for the best overall outcomes from our procurement activities using broad value for money criteria to make decisions.

- Ensuring genuine and fair competition that does not discriminate against SME's.
- More widely advertising our contracts and requests for quotations over the value of £5,000 by utilising the Sell2Wales website ([www.sell2wales.co.uk](http://www.sell2wales.co.uk)).
- Welcoming applications from new businesses.
- Actively encouraging our main suppliers to provide opportunities for SME's to deliver elements of appropriate contracts.
- Welcoming bids from small businesses that are collaborative or are on a consortia basis.
- Complying with all applicable EU and UK procurement legislation, in particular the principle of non-discrimination, and apply the rules to all tenderers in a fair and transparent manner.

We are also committed to sustainable development and have signed up to the Value Wales Sustainable Procurement Programme which means that we will:

- Use sustainable development criteria in determining value for money, including assessing the impact of economic, environmental and social factors.
- Also encourage SME's to embrace sustainable development.

We will endeavour to modernise our procurement processes to ensure that they are transparent and fair for all SME's. To achieve this we will:

- Ensure skilled and professionally qualified personnel manage the processes.
- Keep our tendering process as simple as possible to minimise cost.
- Look at the whole life cost, and not just the initial cost of the product/service when considering value for money.
- Explain our procurement processes to SME's and how they are influenced by the need to comply with EU and UK procurement law.
- Give SME's sufficient notice about changes in our processes to allow them time to adapt.
- Cut down on administration needed to tender, simplify our documents, provide clear briefs that identify all of our requirements and use plain language.
- Move towards a consistent all-Wales approach to pre-qualification and standardised contract documentation.
- Adopt e-procurement including e-auctions, procurement cards and electronic invoicing in order to improve efficiency where appropriate.
- Consider the most appropriate approach to achieve value for money and manage risk for each procurement.
- Package large contracts into separate elements or make use of regional lots if appropriate to ensure that SME's are not excluded from tendering.

- Give potential SME suppliers an opportunity to discuss the procurement, in order to understand our requirements and assess their own suitability.
- Inform SME's of the criteria we use to evaluate applications to tender and tenders.
- Decide what our financial qualification requirements are on a tender-by-tender basis, having assessed the risks involved.
- Where appropriate, not ask for more than two years audited accounts, and accept alternative information from newer businesses.
- Use output based specifications and consider alternative products or services SME's may wish to offer.
- Offer feedback to successful and unsuccessful tenderers to help SME's improve.
- Treat all SME's fairly, and pay within 30 days from receipt of an undisputed invoice.

In return we ask that SME's will be prepared to:

- Register on the National Procurement Website – [www.sell2wales.co.uk](http://www.sell2wales.co.uk).
- Provide further information when required so that we may understand their business.
- Take advantage of the opportunities we offer for them to meet with us.
- Ensure that they know what is required of them to meet our requirements, and if they do not know, seek advice.
- Actively seek tender opportunities, including via [www.sell2wales.co.uk](http://www.sell2wales.co.uk).
- Be realistic in assessing their own capability to deliver each contract.
- Take up e-procurement, and as a minimum become Internet capable and set up an e-mail address, to make sure they are not disadvantaged.
- Ensure all activities are conducted in an honest and responsible way.
- Continuously improve their business' contribution to sustainable development.
- Develop and work with their supply chains to include other SME's.
- Treat their suppliers fairly, and pay within 30 days from receipt of a correct invoice.
- Continuously update personnel skills and their business capability, seeking assistance from Business Support Agencies, if appropriate.
- Consider collaborating with other suppliers, if this makes their service more competitive or reduces risk.

## PROCUREMENT WITHIN THE SERVICE

Day-to-day procurement has been devolved within the organisation and budget managers are responsible for making purchases for their own departments, in line with Mid and West Wales Fire and Rescue Authority's scheme of financial delegation, and in accordance with contract standing orders, whereby budget managers have to ensure compliance.

There is also a central procurement department which is responsible for two functions, namely Corporate Procurement based at HQ in Carmarthen and Purchasing & Supplies based at Earlswood, Jersey Marine.

The Corporate Procurement function deals with all aspects of Purchasing and Supply from initial acquisition through to disposal, incorporating sustainable issues including economical, ethical and environmental factors. The Corporate Procurement function is committed to continuous development and delivery of Best Value in support of corporate objectives, aiming to manage change in the purchasing arena away from the traditional methods and providing innovative solutions in response to the ever increasing and diverse needs of the Service, whilst developing and implementing procurement strategy to deliver cost efficiency and savings.

Other areas of responsibility include:

- Managing a network of suppliers, policy makers, partnerships and collaborative arrangements.
- Establishing and developing purchasing arrangements and processes.
- Monitoring of procurement compliance within the Service.
- Managing various projects from the outset to completion.
- Overseeing strategically important contracts.
- Providing procurement advice and guidance where required.
- Providing contract management for certain areas of expenditure.

The Purchasing and Supply function is responsible for organising and managing the sourcing, purchasing, storage and distribution of mainly operational items required by the Service through Central Stores. The function operates on a "just in time" supply basis and makes weekly deliveries throughout the Service area.

The Service deals with contracts of varying types from one-off purchases to contracts for supplies, services or works that will last for a specific period before coming up for renewal. In letting contracts Mid and West Wales Fire and Rescue Service ensures that it obtains "best value for money" by choosing the bid or quotation that offers the optimum combination of whole life costs and benefits to meet the requirements of the Service.

Effective procurement supports the Service’s aim of providing high quality, value for money, sustainable services for the people of Mid and West Wales both now and in the future. However, not all our needs are met by purchasing directly ourselves. We also make use of collaborative contracts with other emergency services and other public sector organisations as well as entering into pre-tendered framework arrangements such as the Welsh Assembly Government’s Value Wales public sector frameworks, pan government frameworks (O.G.C. Buying Solutions), Firebuy, other consortia (e.g. Welsh Purchasing Consortium) or purchasing organisations etc.

## THE BENEFITS OF WORKING WITH US

Mid and West Wales Fire and Rescue Service aims to be fair, transparent and professional when dealing with its suppliers and contractors. This guide should provide them with sufficient information to decide whether or not to respond to our tenders and requests for quotations. However, as there is much competition for Mid and West Wales Fire and Rescue Service contracts this guide cannot assure individual companies of success.

This is part of a fresh, new and enthusiastic approach to procurement in the Fire and Rescue Service which aims to standardise its procurement methods, making opportunities visible and ensuring transparency in its processes.

## OUR TENDER LIMITS

We have in place procurement thresholds that dictate the basic method by which we procure goods, services and works. Our current tendering limits can be seen below.

<b>Contract Value</b>	<b>Method of Procurement</b>
£0 - £5,000	Minimum of 3 quotations which must be documented – does not have to be advertised
£5,001 - £30,000	Minimum of 3 formal written quotations – Request for Quotation via Sell2Wales website
£30,001 – EU Thresholds	Formal tendering via Sell2Wales with adverts in specialist periodicals, the Bluelight procurement portal ( <a href="http://www.bluelight.gov.uk">www.bluelight.gov.uk</a> ) or other specialist portals as appropriate

As Mid and West Wales Fire and Rescue Service is a public sector organisation we must follow European Law on Public Sector Purchasing and therefore must comply with current European Tendering Thresholds. The value of a purchasing arrangement for the purpose of these regulations is the whole-life value of the contract not just the annual value and must encompass all contracts for the same purpose (i.e. you cannot break down a purchasing requirement into small parts to get round the regulation). For further information please visit the OJEC website at [www.OJEC.com](http://www.OJEC.com) .

The EU procurement limits are reviewed every 2 years and amended if necessary on January 1<sup>st</sup>. Current European Tendering Thresholds, which came into effect on January 1<sup>st</sup> 2008, can be found in the table below:

<b>SUPPLIES</b>	<b>SERVICES</b>	<b>WORKS</b>
£139, 893	£139,893	£3,497,313

## **HOW TO FIND OUT ABOUT CONTRACT OR QUOTATION OPPORTUNITIES OFFERED BY US**

Where and how we advertise our contracts and requests for quotation is dependant upon the type, value and legal requirements for awarding such contracts. Our main method of advertising contract opportunities is via the National Procurement Website, Sell2Wales ([www.sell2wales.gov.uk](http://www.sell2wales.gov.uk)). Sell2Wales is a Welsh Assembly Government initiative that aims to help small and medium enterprises to work successfully with public sector organisations. The website lists all the public sector tenders published in Wales and registration is free for suppliers and contractors. Once suppliers are registered they can receive e-mail updates about tender opportunities as and when they arise. We encourage all current and potential suppliers and contractors to register on the site as the majority of our contract opportunities will be advertised via this portal.

Contracts above £5,000 but below European tendering thresholds will be advertised via the Sell2Wales website. Contracts between £5,001 and £30,000 will be advertised as Requests for Quotations whilst contracts between £30,001 and EU tendering limits will be advertised as formal Tenders.

Contracts which are above the EU tendering limits will be advertised via the Sell2Wales website as well as in the Official Journal of the European Union (OJEU). The purpose of advertising in OJEU is for all EC countries to be given equal opportunity to tender for contracts. The regulations require the Service to ensure that specifications do not include anything that may be discriminatory e.g. we cannot specify particular models or request only British applicants.

All contracts above the EU tendering limits must be open to all European providers.

Please be aware that some emergency service contracts may also be advertised in specialist periodicals or on fire and rescue sector specific portals such as the Bluelight portal ([www.bluelight.gov.uk](http://www.bluelight.gov.uk)) as appropriate. Registration on the Bluelight portal is free for suppliers.

Where contracts are advertised and your company would like to be considered you must always adhere to the application instructions detailed in the advertisement.

## THE TENDERING PROCESS

Tenders that are advertised usually follow either a restricted or open tendering procedure.

A **Restricted Tender** means that you will be asked to express an interest in tendering and you will be required to complete a Pre-Qualification Questionnaire (PQQ) in order to assess your suitability, experience and expertise. The assessment process looks at the following areas:

<b>Company</b>	Basic information about your company.
<b>Technical</b>	Your track record, which will include appropriate referee details.
<b>Financial</b>	You will be asked if you are able to provide audited accounts for three years (or for the period you have been trading if less).
<b>Quality Assurance</b>	For certain contracts organisations will be required to demonstrate that they have a suitable quality assurance system. This may be demonstrated by certification by an approved assessment company or by Mid and West Wales Fire and Rescue Service reviewing the company and accepting the organisation's quality manual.
<b>Equality</b>	You will be asked about your adherence to equality legislation, including the relevant Race Relations and Disability Discrimination Acts.
<b>Health &amp; Safety</b>	You will be asked to outline the Health and Safety arrangements within your company.
<b>Insurance</b>	You must carry Employers' (if applicable) and Public Liability Insurance. Depending on the nature of the contract you may need to have Product Liability and/or Professional Indemnity Insurance.
<b>Environmental &amp; Sustainability</b>	You will be asked to clarify your commitment to environmental matters.

Occasionally we may use an **Open Tender** procedure which means that any interested company can tender for the contract. You may still be asked to express your interest in the contract, but will automatically be invited to submit a tender. The pre-qualification questionnaire will then be considered at the same time as your tender bid.

The Estates department has separate tendering arrangements and operates an “Approved Contractor List” on Constructionline which is refreshed on an ongoing basis. Therefore, if a contractor wants to be added to the approved contractor list they will be asked to register on Constructionline, if they are not already registered, and will also be required to complete a short application form. Once accepted onto the “Approved Contractor List” the Estates department will then invite contractors to tender for projects on a rotational basis, thus providing all contractors on the approved list with an opportunity to tender at some stage.

When you have been accepted to tender for a project, the tender documentation will be sent to you from the relevant tendering department. The tender documents will normally contain the following information:-

- Invitation to tender part 1 (instructions to tenderers)
- Invitation to tender part 2 (forms to be completed and returned)
- Specification
- Drawings (if applicable)
- Contract conditions or conditions of purchase including relevant appendices such as Health & Safety guide etc
- Method statement requirements (if applicable) i.e. how we expect you to deliver the contract
- Pre-addressed tender return label
- Any relevant supporting information

Although tender documents are quite detailed and can be seen as being cumbersome by smaller suppliers and contractors they are not intended to discourage you from tendering for business. If you have any queries relating to the documents please do not hesitate to contact the person named as the point of contact in the tender documents.

You will be asked to complete and return your tender documents by a given time and date using the tender return label. When returning the tender please ensure that the tender envelope is not marked with a company postmark or any other information that identifies who it is from. The tender documents are all opened at the same time after the tender return date and this is done in the presence of two designated officers. Once opened, the tender documents are evaluated by an appropriate evaluation panel. If you fail to return your tender documents by the specified deadline your tender will be excluded from the evaluation process.

More and more public sector business is being conducted electronically and in the near future we will be aiming to conduct all tender transactions electronically i.e. all tenders will be sent out and returned electronically.

Should you currently be unable to conduct business in this way then we ask that you give it serious consideration for the future.

## **HOW TO BECOME AN APPROVED CONTRACTOR FOR THE ESTATES DEPARTMENT**

To be included on the Estates department's approved contractor list you will be required to register with Constructionline as well as complete a short application form. In line with our commitment to "Opening Doors – the Charter for SME Friendly Procurement" the list will be refreshed on an ongoing basis and contractors who have been accepted onto the list will be invited to tender on a rotational basis. This will ensure that all suppliers will be provided with the opportunity to tender for work at some stage.

## **CONTRACT AWARD**

A contract is awarded based upon the evaluation criteria used. For a standard routine purchase the contract may be awarded on price only. However, the usual criterion is "MEAT" (Most Economically Advantageous Tender). This allows the Service to take other factors, such as quality and sustainability, into account when making award decisions.

Contracts are evaluated using a quality/price matrix which allows us to measure a supplier's suitability against the pre-determined evaluation criteria and also enables us to take the tender price into consideration. Using this matrix allows us not only to weight the evaluation criteria according to their relevance and importance to specific contracts but it also ensures that all suppliers are evaluated in an equal and transparent way. Suppliers may also be required to deliver a presentation or attend a meeting as part of the evaluation process.

If the evaluation panel is satisfied that the highest scoring supplier or contractor can meet the requirements then they are the successful tenderer and will be awarded the contract.

The successful supplier or contractor will be notified in writing at the same time as the unsuccessful tenderers. In line with best practice we follow the Alcatel 10-day standstill period for all contracts whether they are above the European tender threshold or not. This means that we allow a 10-day period between the time that the successful supplier is notified and the time that they actually sign the contract documentation. This allows for any objections to be made known by the unsuccessful suppliers if they so wish. Contract documentation will follow within a reasonable period of time.

## **SEEKING POST-CONTRACT AWARD FEEDBACK**

If a supplier or contractor is unsuccessful and would like feedback they should contact the officer detailed in the tender documentation. They will be able to clarify why their tender was unsuccessful and possibly provide some advice on how they might improve their chance of success in the future.

## **PURCHASE ORDERS AND INVOICES**

Please be aware that Purchase Orders will be placed directly by end users located throughout the Mid and West Wales Fire and Rescue Service area. Suppliers and Contractors must not accept any instruction to supply goods or services to the Service without first receiving an official Purchase Order number. All orders are placed subject to the terms and conditions of Mid and West Wales Fire and Rescue Service which can be downloaded via [www.mawwfire.gov.uk](http://www.mawwfire.gov.uk). The relevant Purchase Order number must be quoted on any subsequent invoices submitted to the Service. Any invoices not quoting an official purchase order number (unless previously exempted with the Service's agreement) will be returned to the supplier.

Invoices can be accepted electronically via e-mail to [finance@mawwfire.gov.uk](mailto:finance@mawwfire.gov.uk). Invoices will normally be settled within 30 days unless they are in dispute, at which time the supplier will be duly informed of the nature of the dispute and what remedial action is required.

## **CONTRACT PERFORMANCE**

Procedures exist to monitor the performance of companies carrying out contracts on behalf of Mid and West Wales Fire and Rescue Service. Companies will be monitored to assess their compliance with pre-defined performance criteria. Your company must be capable of delivering the requirements of the contract and you should be aware that contract conditions will be strictly applied especially with regard to quality and general performance. We are continuously striving to improve our own performance and expect our contractors to do the same. The Service will seriously assess the position of any contractor who fails to perform to the required standards. Our contractors will be asked to comment on any performance issues reported.

Should you be dissatisfied with our performance as a customer then you should contact a member of the corporate procurement team who will arbitrate on your behalf. We strongly believe in working as a partnership and will do our utmost to ensure that suppliers are treated fairly.

However, you should be aware that serious instances of poor performance which have not been rectified are likely to disqualify your company from being considered for future business. The Service is not responsible for any effect that this may have on a company's business.

Examples of poor performance could include:

- Unacceptable quality of work.
- Lack of site supervision.
- Failure to meet deadlines.
- Inadequate control of sub-contractors.
- Poor health and safety practices.

## **DO'S AND DON'T'S**

The checklist below may assist you:

**Do** provide requested information on time and in the required format. Remember that the date given for a response is normally the last date that can be accepted and we are legally bound to disqualify late submissions.

**Do** study our advertisements carefully; they are the opportunity for you to decide whether your business can carry out the contract. There will usually be a contact name and telephone number for the lead officer who is responsible for the contract – it may be useful to phone them so that you can talk through and really understand the requirements of the contract. Doing this will avoid you wasting time and money tendering for a contract for which you cannot realistically compete.

**Do** provide any pre-qualification data accurately and in the format described.

**Do** ensure that you have proof of postage.

**Do** provide clear and concise contact details including telephone number, e-mail address and fax details.

**Do** review your policies on a regular basis to ensure that they comply with current legislation.

**Do** ensure that you comply with the Instructions to Tenderers and any other applicable regulations as failure to do so may disqualify you from the tender process.

**Do not** promise something which you know you will not realistically be able to deliver.

**Do not** leave it until the last minute to prepare and submit your tender.

**Do not** be afraid of asking questions as our aim is to ensure that you fully understand our requirements before you submit a tender.

## PROCUREMENT DEPARTMENT CONTACT DETAILS

Mr Lyn Jones  
Procurement Manager  
Mid and West Wales Fire and Rescue Service  
Headquarters  
Lime Grove Avenue  
Carmarthen  
SA31 1SP

Tel. 0870 6060699 Ext. 4448  
Direct Line 01267 226848  
E-mail [l.jones@mawwfire.gov.uk](mailto:l.jones@mawwfire.gov.uk)

Ms Helen Rees MCIPS  
Procurement Officer  
Mid and West Wales Fire and Rescue Service  
Headquarters  
Lime Grove Avenue  
Carmarthen  
SA31 1SP

Tel. 0870 6060699 Ext. 4449  
Direct Line 01267 226849  
E-mail [h.rees@mawwfire.gov.uk](mailto:h.rees@mawwfire.gov.uk)