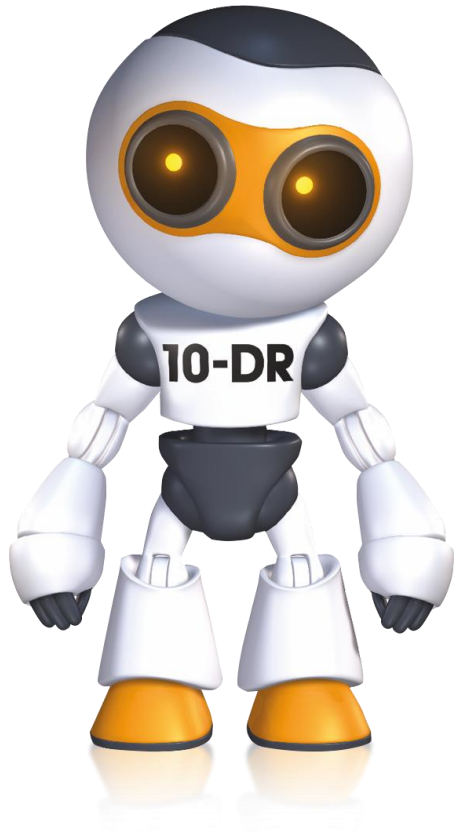


Supplier Development Programme

Helping You **Bid Better**



Introduction to Working with the Public Sector Module 2 - The Selection Process

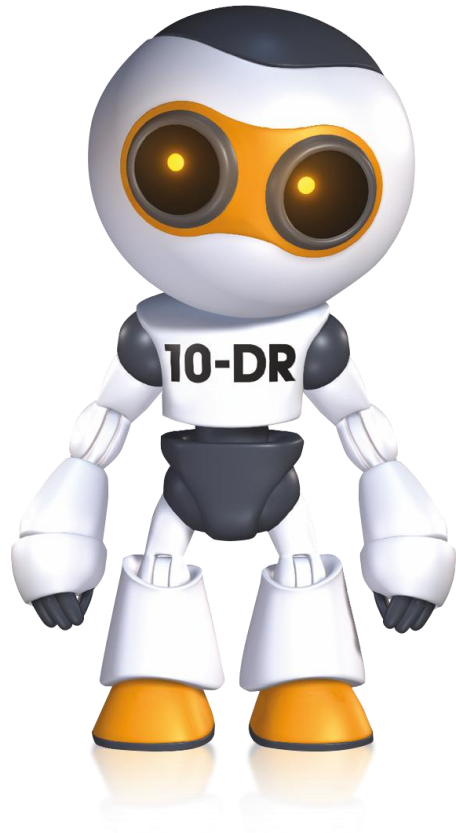


Non-OJEU Process

Non-OJEU Requirements

The principles of equal treatment and non-discrimination imply an obligation of transparency which consists in ensuring a degree of advertising sufficient to open the market up to competition.

The obligation also requires an authority that believes there is only one possible provider, to provide information regarding the contract, to the wider market, before it is awarded



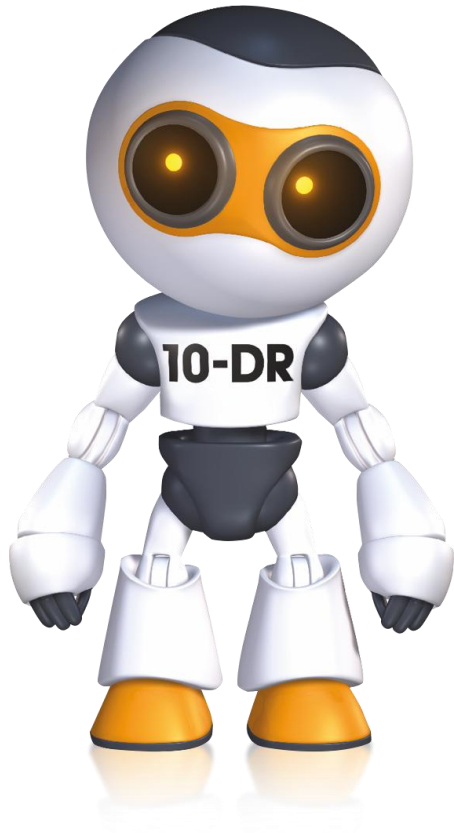
Procedures and Timescales

EU Procurement Procedures – Current

- Prior Information Notice
- Open
- Restricted
- Negotiated with or without a Call for Competition
- Competitive Dialogue
- Accelerated Restricted/Negotiated
- Contract Award Notice

Minimum Timescales

Procedure		PQQ	ITT
Open	One Stage Process	Not Applicable	52 days > 24 days
Restricted	Two Stage Process	37 days > 30 days	40 days > 31 days
Negotiated	Two Stage Process	37 days > 30 days	Not Applicable
Competitive Dialogue	Three Stage Process	37 days > 30 days	Not Applicable
Accelerated Restricted/Negotiated	Two Stage Process	15 days > 10 days	10 days



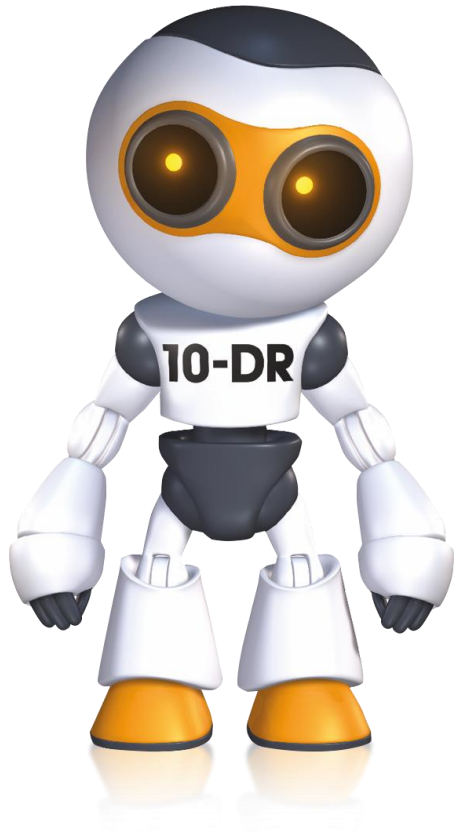
Exclusions

Mandatory Exclusion

- The award of public contracts to economic operators found guilty of
 - organised crime
 - corruption
 - fraud
 - money laundering
 - briberymust be avoided.

Optional Exclusions

- Bankruptcy/Administration/Sequestration/Winding up/etc.
- Guilty of grave professional or business misconduct
- Serious misrepresentation in supplying information
- Not fulfilled obligations relating to payment of social security contributions
- Not fulfilled obligations relating to payment of taxes
- Unlicensed to provide public services
- Unregistered on professional or trade registers
- Not authorised to pursue professional activity



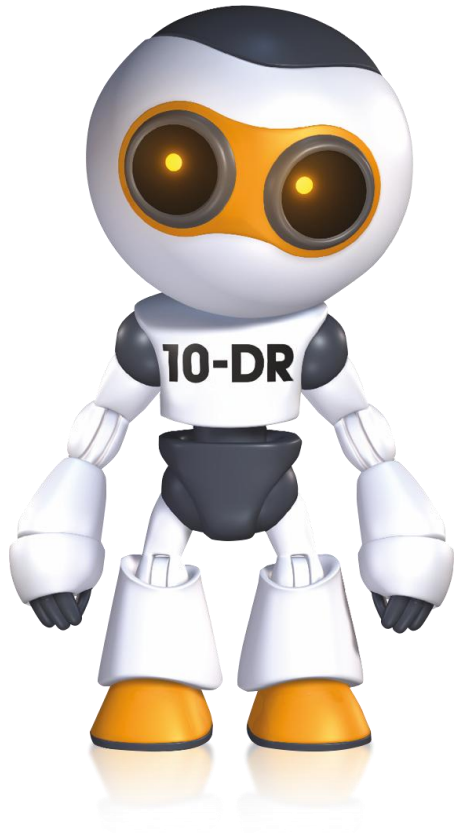
Technical Criteria

Economic and Financial Standing

- appropriate statements from bankers, or, where appropriate, evidence of relevant professional risk indemnity insurance
- or statements of accounts or extracts from those accounts
- or where appropriate a statement covering the last three financial years, of the overall turnover of the business and where appropriate the turnover in respect of the works, goods or services of a similar type to the subject matter of the contract.

Technical and Professional Ability

- The contracting authority may request
 - in the case of a contract requiring the sighting or installation of work, details of the economic operator's technical ability
 - a list of works carried out in the last five years together with, if the authority so chooses, certificates of satisfactory completion
 - a statement of the principal goods sold or services provided during the last three years

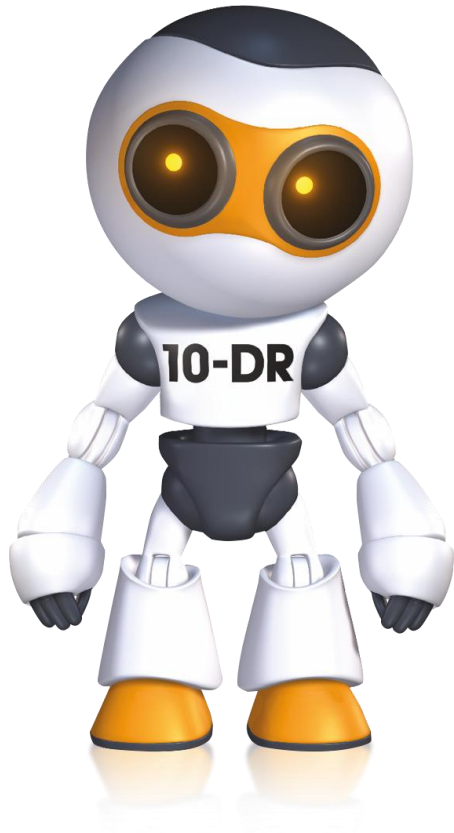


Means of Proof

Means of Proof

- A statement of the economic operator's technical facilities, measures for ensuring quality and any study and research facilities.
- A check may be carried out by, or on behalf of, the contracting authority, on the technical capacity of the economic operator.
- Details of educational and professional qualifications
- A statement of the economic operator's average number of staff and managerial staff for the last 3 years.

- A statement of the tools, plant and technical equipment available
- A statement of any proportion of the contract which may be subcontracted.
- Samples, descriptions and photographs may be requested



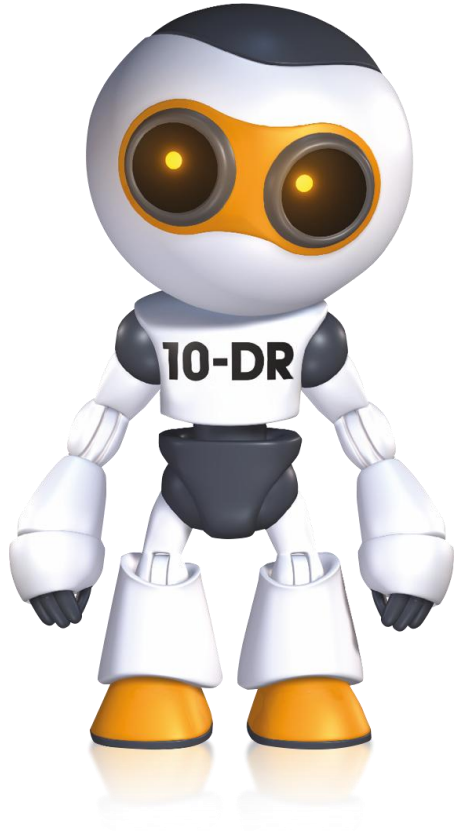
Terms and Conditions

Considering Terms and Conditions

- Terms and conditions should generally be specific to the nature of the contract.
- You may need to seek amendment to previously agreed terms and conditions dependent on the specific nature of the solution being offered.
- When considering whether to propose any amendment of the terms and conditions for any particular contract, you may wish to seek advice from a lawyer.

Terms of the Contract will normally include

- Contract timetable
- Level of service
- Means to measure performance
- Pricing mechanisms
- Payment terms
- Incentives
- Communication routes
- Escalation procedures
- Change control procedures
- Exit strategy
- Contract transfer
- All the other formal mechanisms that enable a contract to function



Evaluation

Critical Success Factors

Proposed supplier organisation and project staffing

- Your capability to meet the requirement has to be established at the selection stage.

Technical understanding

- Your in-depth understanding of the requirement.

Risk management and risk transfer

- Evaluation should probe your understanding of, and attitude towards risk.

Proposed management processes

- Focus on the management processes and structures that you have in place.

Supply chain management

- Your proposal should demonstrate how subcontractors and/or consortium members will be organised and managed.

Scoring

Section

Weighting

Organisation Details

N/A

Financial Information

Pass/Fail (Risk Based Assessment

Insurance

Pass/Fail

Business Activities

25%

Business Practices

30% (total)

[- Health and safety

10%]

[- Quality assurance

5%]

[- Environmental management

5%]

[- Equalities

10%]

Contract Specific Questions

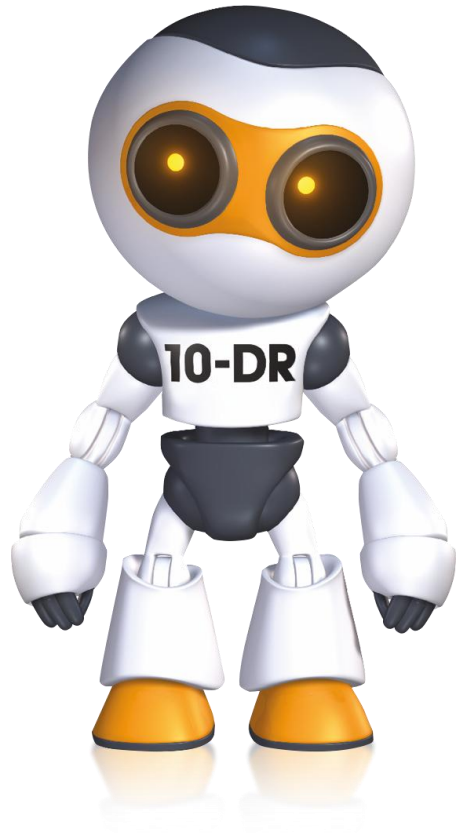
20%

Experience and References

25%

Professional and Business Standing

Pass/Fail

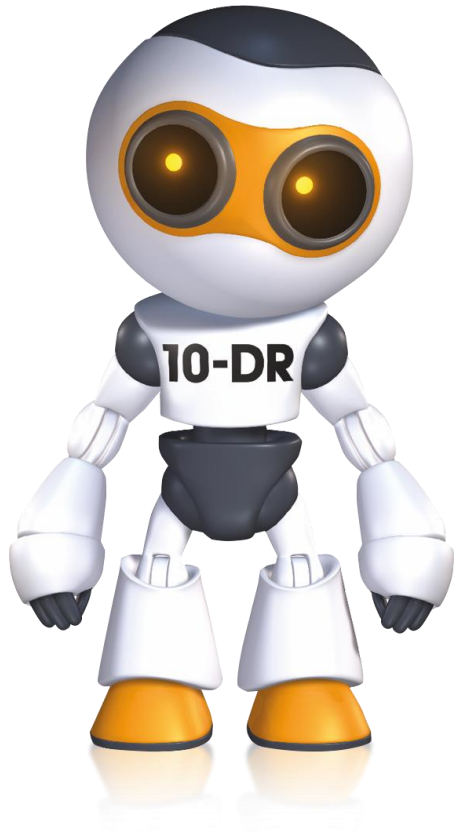


Debrief

Debriefing

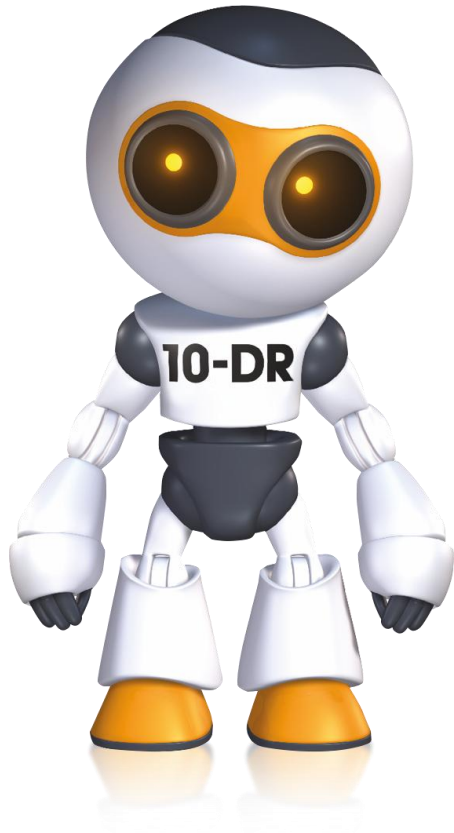
- On request from the party concerned, the contracting authority shall as quickly as possible and within 15 days of a written request inform:
 - any unsuccessful candidate of the reasons for the rejection of his application,

- There are no restrictions as to what you can ask at debrief, however, as a general rule, you are unlikely to be given details on
 - Commercially sensitive information
 - Other candidates' scores



Your next webinar...

Introduction to Working with the
Public Sector
Module 3 - Tender and Award



Thank You