Tenders

When public bodies make high value or complex purchases (typically of or over £50,000 excluding VAT for goods and services), strict procedures and rules apply.

The following substations in this section contain further information on the procurement procedures and processes that buyers use and the key elements for you to consider when bidding for a tender.

Further details of how buyers approach procurement procedures is available from the Procurement Journey.

How are tenders requested?

A tender will be advertised through Public Contracts Scotland (PCS) if the contract value is over £50k excluding VAT for goods and services contracts (although many buyers will also use PCS for lower value tenders).

The buyer can publish the tender information and documents either through PCS or PCS-Tender (on-line procurement tools). More information on these tools is provided in the Public Contracts Scotland and the PCS-T stations.

Buyers will state in their Contract Notice whether bidders have to respond to the tender via PCS or PCS-T, or by other means, and how to access the invitation to tender documents. You should follow the instructions provided in the Contract Notice to find out more about the tender opportunity and to gain access to all of the tender documents.

If you are interested in the tender opportunity then you need to complete the required details and submit your tender bid using the secure electronic post-box in either PCS or PCS-T. There is a full electronic audit trail.

Selection and Award Criteria

Your tender bid will be assessed against a number of set criteria. These criteria will be given to you in the tender documents so that you can see clearly what the buyer is looking for and how your bid will be scored. These criteria cannot be

changed or waived throughout the procurement process by the buyer.

Buyers will always be looking for the most economically advantageous tender, which is a combination of price and quality/technical criteria.

The criteria used by the buyer will be Selection and Award Criteria.

Buyers must ensure that the Selection Criteria and Award criteria used are relevant and proportionate to the subject matter of the contract

Exclusion Grounds

Sometimes there are grounds when a bidder must be excluded from the procurement process i.e. a **Mandatory Exclusion Ground**, and sometimes there are grounds which the buyer can consider on a case by case basis whether the bidder can be included i.e. a **Discretionary Exclusion Ground**. In all cases the bidder can provide evidence to prove they have undertaken appropriate remedial action.

Mandatory Exclusion Grounds for above higher value regulated procurement thresholds include criminal convictions and blacklisting questions.

The Single Procurement Document (SPD) is used to ask for Selection Criteria and Exclusion Ground questions from bidders.

Selection Criteria

Selection Criteria are used to confirm if you are capable and suitable to perform the contract.

Selection Criteria focus on the bidder and asks for past or existing bidder information. Some examples of the information that could be asked for are:

- confirmation that your organisation holds specific accreditations/qualifications
- what level and type of insurance cover your organisation holds and, if it does not meet the level required for this particular contract, would you be prepared to obtain the insurance level required?
- whether or not you have similar previous experience providing the goods and/or services being requested for this contract
- information on your organisation’s economic or financial standing
- information on your organisation's climate change/net zero capability
- your standard payment terms, your payment performance in line with those terms and if necessary, an improvement plan on how you will to achieve good payment performance.

Award Criteria

Award Criteria are focussed on “the bid” for the specific contract. Here you will be asked questions on how you will deliver the particular contract, including price or costs, and you will be scored based on the responses given.

Some examples of the information that could be asked for are:

- what maintenance and support will be provided throughout the life of the contract?
- how long is the order lead time? i.e. the time taken from placing an order to receiving the product
- what is the total cost? i.e. for the service or product including: purchase price; operating costs; consumables; repair and maintenance; disposal/recycle costs
- what Community Benefits will be provided as part of the contract?

One Stage or Two Stage Process

In the Contract Notice the er will specify whether the procurement procebuyss is a one stage process or a two stage process i.e. all selection and award criteria are evaluated in one stage or there is a selection stage first which determines how suitable the bidder is. For a two stage process only those bidders deemed suitable will then move on to be included in the next stage of the procurement exercise.

Whether the tender is a one stage or two stage process will affect the tender documents you see and when. For example::

- for a one stage process you will normally receive all of the tender documents at the one time i.e. the specification; the Single Procurement Document (SPD); buyer terms and conditions; the (award) questions that you will be scored on
- for a two stage process you will need to complete the Single Procurement Document (SPD) first to confirm your ability and capacity to perform the contract. If you are successful at this first stage, you will then receive all of the remaining invitation to tender documents.

Timescales

The buyer should clearly set out the timescales for tenders. The deadline for responses will depend on how complex the tender and the procurement

procedure being used are and should allow you to make a considered response.

In exceptional circumstances the buyer may choose to extend the deadline. If this happens, the buyer will communicate this to all interested suppliers.

It is your responsibility to ensure that your bid is submitted on time.

What are Buyers Looking For?

Your bid will be assessed against a number of set criteria. These criteria will be given to you in the tender documents so that you can clearly see what the buyer is looking for. Buyers will always be looking for the most economically advantageous tender which is a combination of price and quality/technical criteria.

You should ensure that you read the invitation to tender documents in detail to ensure that you understand the information that is being asked of you. For example:

- as part of the Selection stage (SPD) you could be asked to confirm that your organisation: holds specific accreditations/qualifications, insurance certificates, has similar previous experience to the goods and services being requested in the tender, etc.
- as part of the Award Stage you will be asked specific questions about how your will meet the requirements of the contract e.g. asked for project plans, how will the contract be supported etc.

During an evaluation, buyers are Looking to Ensure that you:

- have the skills required
- have adequate resources
- are reliable
- offer a competitive price.

You should therefore make sure that your tender response demonstrates this as clearly as possible.

Can I ask the Buyer Questions?

Yes! You may ask the buyer questions about their tender. This can be done by using the on-line post-box facility in either PCS or PCS-T (whichever on-line system the buyer is using for the tender).

Please note that normally, when responding to the question raised by a bidder, the buyer will send their response to all bidders: this is to ensure that all bidders have access to the same

information and that the tender process is fair and transparent. As a result you should avoid including any commercially sensitive or specific information regarding your organisation in your question.

Can the Buyer Ask Me Questions?

Yes. Once you have submitted your bid, if there is anything in your bid that the buyer is unsure about then they can ask you a question (also known as a Tender Clarification) in writing asking for confirmation. The buyer will include timescales by which you must respond to the clarification(s) sent: you must ensure that you respond in writing by the deadline provided.

You cannot change your original bid details, you can only clarify the question(s) being asked. If you have made an error in your pricing the pricing cannot be changed: you must either agree to stand by your original price quotation or withdraw your bid.

Can I Meet the Buyer?

Occasionally, a buyer will interview you or invite you to give a presentation to help evaluate your bid. The buyer should include such requirements in the original invitation to tender documents, including whether and how this part of the process will be scored. All suppliers will be treated equally and records of the interviews/presentations will be kept by the buyer for audit purposes.

Quickfire Guide

Quickfire Guide

Preparing a Bid - Points to Remember

- provide a breakdown of the requirements as you understand them - this is to ensure that any misunderstanding is identified and clarified as soon as possible
- describe how you have the skills and experience to deliver the requirements
- offer practical details of how you will meet the requirements
- state any guarantees, after sales service, or warranty period
- detail your price.