

## **APMP UK Event Review**

**Title of Event:** Recent Changes to Public Sector Procurement Rules  
**Presenters:** Andrew Haigh and Peter Lobl  
**Date:** Thursday 9<sup>th</sup> July 2015  
**Venue:** International Society, William Kay House, Manchester

Andrew and Peter provided a very informative and entertaining evening as they took their audience through the recent changes to public procurement rules. Their emphasis being that developing a thorough knowledge and understanding of the new rules could be very advantageous to those of us who regularly bid for contracts with public bodies such as local councils, the NHS and central government. A brief summary is provided below:

The bases of procurement across the EU are:

1. Non-discrimination
2. Equal treatment
3. Transparency
4. Proportionality

These principles are reflected in the changes made to UK regulation.

### **Changes to Procedures**

Whilst the existing procedures remain in place 2 new ones have been added:

#### **Competitive Procedure with Negotiation (CPN)**

Minimum 3 bidders, an initial tender is submitted, negotiated and then resubmitted. Once the client has found a tender which meets their requirements they can stop the procedure.

#### **Innovation Partnership**

If a public body has invested money and time in having something developed for them they can just buy it instead of then having to put it out to tender.

#### **Time Periods**

Minimum time periods have been shortened, e.g. can set a time limit of as little as 10 days for full submission in a Restricted Procedure process.

#### **Tender Documents**

The ITT documents must now be available as soon as the contract is advertised.

#### **Better SME Access**

The process has been simplified with a ban on the use of PQQs in certain circumstances, encouragement of the use of lots and limitations on the requirements for economic and financial standing.

One outcome of this has been a total change on the way tenders are priced and in essence means that being cheapest is not necessarily the way to approach all tenders for contracts divided into lots.

**Contracts Finder**

All contracts which have been let must now be posted on Contracts Finder together with the proposal. Local Authorities have to use this for anything over £25k in value.

**M.E.A.T.**

Public bodies can now include criteria such as staffing of the contract, technical competence and social impact. Any central government contract over £50m must include evaluation of what skills contribution/development a potential bidder will make.

**Abnormally Low Tenders**

These must now be investigated whether the body intends to accept one or not.

**Extension of Existing Contracts**

The rules have now been clarified on when this can be done.

**Grounds for Exclusion**

There are now opportunities to offer mitigation. However, C.C.S. are going to be building a database of companies with prior poor performance on public contracts.

**Conclusion**

Essentially Andrew and Peter demonstrated that it is now vitally important that relationships with clients who are public bodies are developed as early as possible rather than just responding to Contract Notices as they are issued with no prior knowledge of or contact with the procurement team/department concerned in the tender.

**And finally....**

Our evening was rounded off with a very entertaining quiz, just to check we were all listening! With fingers poised over noisy buzzers and prizes to be won, we all entered enthusiastically into the contest with the Chickens coming out on top, (and if you want to know why chickens then I suggest you attend the next session of this very entertaining and informative presentation).

I happily recommend attendance the next time Andy and Peter give this talk and many thanks to them for their time, (and for battling across London in the tube strike), and to everyone who attended.