

Extract from Submission to Department of Finance, Sep 2010 re public tendering procedures

Regarding areas for joint consultant / client action

1. Ensure clarity in mutual roles and expectations, particularly at pre-tender and start up stages.
2. Evaluate project performance; while larger projects may be evaluated externally – C&AG, EU, etc – adoption of the discipline generally will lead to improved project performance and learning.
3. This could progress to benefits sharing / performance based fees on suitable projects but this requires such a process to be understood by both parties.

Regarding areas for review by tendering bodies

1. Meet consultant teams, possibly a shortlist, before contract award to ensure the chemistry is right between both parties; this can be critical to success.
2. Foster innovation – while ITT specifications must be priced, tenderers should be encouraged to suggest alternative approaches and price them separately.
3. Recognise quality assurance processes such as CMC accreditation in consultant teams.
4. Review the practice of awarding a zero score to the highest tender, maximum score under 'cost' to the lowest tender and pro rata to others - increases the significance of cost vs. other criteria.
5. Provide tenderers with an indication of scale, in budget or input terms, to reduce abortive work.
6. Use deficiency notices rather than disqualification for minor non-compliances.
7. Accept email tenders – delivery of hard copy / CD / memory stick tenders increases costs and limits the benefits of electronic tendering.
8. Apply consistent PII levels across tenders, with thresholds which reflect the degree of real risk – these can be a real barrier to entry where they are unnecessarily high.
9. Accept online tax compliance checks instead of requesting certificate copies.
10. Consider reduction / abolition of Withholding Tax on fees - non-compliance is much less of an issue now and it is tedious to operate for clients and consultants. Cease applying to expenses - travel, subsistence, etc.