

Selection Stage Issues

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What are the current practical trends and issues in the selection stage?

How is the ESPD working in practice, and how can selection be used as an innovative tool and not just a procedural step?

Current Practical Trends



1. Reducing the hurdles
2. Wider objectives
3. Information Availability
4. Simplification



1. Reducing the hurdles

- Increased emphasis on widening competition and encouraging SME participation
- Lotting:
 - Obligation to consider use of lotting
 - Ability to restrict number of lots awarded to one contractor
- Limits on financial thresholds

2. Wider objectives

- Supply chain management
 - Modern slavery
 - Steel sourcing
 - Poor past performance
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3. Information Availability



- All procurement documents to be available – not a new concept:

Contracting authorities shall, by means of the internet, offer unrestricted and full direct access free of charge to the procurement documents from the date of the publication in the Official Journal of a notice sent in accordance with regulation 51 or the date on which an invitation to confirm interest is sent.

- BUT...Protective Approach

4. Simplification

- Use of standardised selection stage documents:
 - England – standard Selection Questionnaire
 - Scotland – Scottish ESPD
 - Northern Ireland – CPD standard templates
- Self-certification

- Robust Financial Assessment
 - Procedural lethargy
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Robust financial assessment



What went wrong?



10 July profit warning

17 July wins £1.3bn contract to help build HS2.

18 July wins £158m contracts for military services.

24 August wins £300m Manchester property contract.

29 September issues second profit warning.

6 November wins 2 Network Rail contracts.

17 November issues third profit warning.

15 January 2018 goes into liquidation.

Procedural Lethargy



- A race to the next stage?



So what are the options?

- What is the ESPD?
 - Self-declaration of a businesses' financial status, abilities and suitability for a public procurement procedure.
 - In a more integrated system, the intention is that the ESPD will link to the relevant Government registers – providing the basis for buyers to check information directly (along with eCertis).
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How is it working?



- UK = fully incorporated
- In practice = actual experience is very limited
- Most bidders still completing project specific questionnaires
- EC Report in May 2017

How can selection be used as an
innovative step?

Not just a process



- Reduce the administrative burden
- Shape the process to the market
- Use lots

Not just a process



- Use innovative criterion and indicators
- Don't over-specify
- Encourage consortiums



Thank You

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