



Tendering for Public Contracts

A Guide for Small Businesses

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A guide for small businesses in England

About this guide

The public sector spends a huge amount each year and is always looking for new suppliers. However small your business, there are always opportunities to be a supplier to this market. Even if you are already supplying one part of the public sector, it is worth looking for opportunities in other areas.

If you work in a small business, this guide aims to help you in three ways. Firstly, it will tell you where to find opportunities within the public sector. Secondly, it will explain how you can bid for work. Thirdly, it will give you advice on the further contacts you may need to make. This guide is specifically aimed at small businesses in England, but you may still find it helpful if you are based in a different part of the UK.

We, the Small Business Service (SBS) have produced this guide jointly with the Office of Government Commerce (OGC). We were set up in April 2000 and are an agency of the Department of Trade and Industry. We have a simple vision - we want the UK to be the best place in the world to start a business and help it grow. We are dedicated to helping small firms and representing their interests. The OGC is an office of HM Treasury, and was also set up in April 2000 to help the public sector achieve efficiency, provide value for money in

their business activities and improve their success in delivering programmes and projects.

At the end of this guide you can find contact details for all the public-sector organisations and documents we mention.

What is the public sector?

The public sector employs more than 25% of the workforce in the UK and includes:

- central government departments and agencies;
- the NHS and its local trusts;
- the Ministry of Defence;
- the Northern Ireland Assembly, the National Assembly for Wales and the Scottish Executive;
- local authorities;
- universities; and
- colleges.

Whatever your business, there may be a market for it somewhere within the public sector, whether through a direct contract or by becoming a subcontractor.



What are the benefits to you?

Public-sector organisations are good customers. They have to be fair, honest and professional in the way they choose suppliers and in any dealings with them. Most are also long-standing, stable customers, and have to pay in good time and in line with agreed contract terms. Public-sector organisations have to pay within 30 days (or any other agreed period) of receiving a valid bill or invoice. You will find more information on this later in this guide.

You may also find that trading successfully with the public sector can make your business a real option for private-sector customers.

All public-sector organisations buying in goods and services must get the best value for money. This means they must choose the bid that offers 'the optimum combination of whole-life costs and quality (or fitness for purpose) to meet users' requirement'. So it is important to realise that bids for public-sector contracts will not be considered just on the lowest price quoted.

What are the benefits to the public sector?

The Government is committed to helping small and medium-sized businesses because it believes that helping them to compete for government contracts gives better value for money for the public sector. Small firms can offer:

- greater competition;
- lower costs;
- new ideas;
- responsiveness;
- flexibility;
- quality of service; and
- specialisation.

All of this can mean better value for money for the public sector. More information about the added benefits of using small businesses are given in the guide 'Smaller Supplier...Better Value'.

You may also find it useful to read the 'Small Business Concordat Good Practice Guide'. This gives more details of the steps buyers can take to make sure that all kinds of suppliers are treated equally.

EU 'procurement directives'

The Treaty of Rome, which covers all public-sector contracts for buying in goods and services within the European Union, sets down principles of non-discrimination, equal treatment and openness. The new EU procurement directives, which became part of UK law on 31 January 2006, support the Treaty's principles with detailed provisions relating to specifications (detailed descriptions) of the goods or services to be bought, and how to choose contractors and award contracts above certain thresholds. The new public procurement directive builds upon and strengthens the previous goods, works and services directives.

The way in

Do small businesses really have a chance of winning public-sector contracts?

The simple answer is yes. In 2004/2005, small and medium-sized business won 59% of the total value of local-authority contracts and 22% of central-government contracts. Even if your firm is a 'micro' (has 10 employees or fewer), you can still be successful. 16% of all the businesses that have ever won European Union (EU) contracts are micros.

Where are opportunities advertised?

Opportunities for contracts with the public sector are advertised in a variety of places. Information on contracts below the value set in the EU procurement directives is available at www.supply2.gov.uk and in advertisements in trade journals and national or regional newspapers.

Some public-sector organisations may not advertise lower-value contracts at all. You may benefit from identifying the appropriate person in an organisation and start by giving them information about your business.

Supply2.gov.uk

Launched in April 2006, supply2.gov.uk (also known as Supply to Government) is a government-backed internet site with access to other sites that you can use to search for lower-value contracts, typically under £100,000. All public-sector organisations, including central and local government, are encouraged to publicise their contracts on the site. The aim is to open up this market to all businesses, especially small firms, and make it easier for businesses to work with public-sector organisations.

You can use supply2.gov.uk to search for contracts opportunities in your local area, or the area you do business in, for free. If you pay a small subscription, you can also get access to contract notices in larger regions or

nationally. You can browse for contract opportunities or, to save time, you can register for a free daily e-mail alert that will send you notices relevant to your business.

As well as contracts advertised by government departments, you can get access to research and development contracts from the Small Business Research Initiative and you can use a link to Constructionline, the Government's national register of pre-qualified construction and construction-related suppliers (Pre-qualified means that certain information about you has already been checked.) Together, Constructionline and Supply2gov help buyers by providing a link between advertised contract opportunities and a list of pre-qualified construction suppliers, reducing the need for them to gather this information. This saves you the cost of repeatedly supplying information to registered buyers.

At its launch in June 2006, the site included or had links to more than 2120 lower-value contracts. This is expected to increase. Each contract notice contains a work description, the date it was put on the site, the closing date for bids, details of the organisation offering the contract, a unique reference number, the approximate value (in pounds sterling) of the contract and contact details, including a named person.

On the site you can also create a profile of your business and put it on the supplier information database. This is a free service and it allows you to promote your business direct to thousands of buyers.

To help you win business, you can use the Supply2.gov.uk resource centre. This gives you information on everything you need to know about tendering (competing for) for public-sector contracts.

Supply2.gov.uk was developed by us with support from the OGC. It is managed by BiP Solutions. The services are available at www.supply2.gov.uk and www.businesslink.gov.uk.

Official Journal of the European Union (OJEU, previously called OJEC)

Almost all public-sector contracts worth more than the value set in the EU procurement directives must be published in the daily supplement to OJEU. This provides information on the current requirements and invites suppliers to express an interest, or to tender directly in some cases, depending on the contract procedure. It also sets out information about contracts that have been awarded.

There are many exceptions to this rule, including a number of services that do not need to be advertised. However, some departments have made it their policy to advertise more widely in OJEU than they have to.

There are several ways of getting access to OJEU.

- Tenders Electronic Daily (TED) is the on-line version of OJEU. It uses subject and country codes to give you direct access to notices that may interest you. Although this site may appear a bit intimidating at first, once you have found a search that returns the type of contracts you need you can save the search criteria for future use. However, many businesses find it easier to use the tender alert services offered by Supply2.gov, Business Link, Euro Info Centres or through commercial organisations. There is a charge for many of these services.
- You can get copies of OJEU (on a CD-ROM) by paying a subscription or you can buy a copy from The Stationery Office.
- The Stationery Office also has a Scanfax Service that is one of a number of OJEU scanning services that will fax you specific extracts from OJEU.

Selling within the EU

If you want to sell to other countries in the EU, the first step is to assess which markets are open to you and whether or not you can meet their needs. As well as looking in OJEU, UK Trade & Investment has a wide range of market information ranging from country profiles to report on individual sectors (for

more details, see their website or contact Business Link).

Business Link

Business Link provides the information, advice and support you need to start and maintain your business, and help it to grow. Whatever your business issues, they can put you in touch with the expert help you need. Advisers in your local area deliver the Business Link service and are supported by a national website (www.businesslink.gov.uk) and a national phone line (0845 600 9 006).

Similar services are offered through Business Gateway and Highlands and Islands Enterprise in Scotland, Business Eye in Wales, and Invest in Northern Ireland.

Government departments

Government departments and their agencies must follow the EU directives and advertise contracts over a certain threshold in OJEU. These thresholds (limits) change over time so to find out the up-to-date value that applies to the contracts you want to get, please visit the OGC website. As a rough guide, this value tends to be around £100,000 for central-government contracts. Remember that these values are for the life of the contract - so a contract of £100,000 over three years may be worth only £33,000.

However, if you are looking for contracts below this value, or your product or service is particularly original, you can use Supply2.gov.uk to search for contract opportunities. Alternatively, some departments have 'selling to' pages on their websites, or you could choose a department or a number of departments and contact them directly. You can find the contact names for government departments in the insert enclosed with this guide.

Euro Info Centres

The European Commission has set up Euro Info Centres (EIC) throughout the UK to provide information and services for businesses. These include a full library service of OJEU and an alerting service for Tenders Electronic Daily (TED). Most centres have been set up within other organisations including, for example, business development agencies, such as Business Link, university libraries and regional Chambers of Commerce. You can find your local EIC by visiting the EIC website.

Small Business Research Initiative (SBRI)

This initiative is designed to:

- encourage and increase the demand for research and development from small businesses; and
- give them the opportunity to show that they can carry out and deliver high-quality

research and development in response to the needs of the Government.

The Chancellor has instructed government departments to take part in this initiative, and will aim to buy in at least 2.5% of their research and development requirements from smaller businesses. The UK Research Councils are taking part in their own arrangements. For more information on this initiative, visit the SBRI page on www.supply2.gov.uk.

What if I have an idea I want to sell to the Government?

The OGC and DTI are currently working together to decide how Government can choose and buy new ideas. This may end up being one or more websites. You can also visit the websites of Government departments, some of which ask you for your ideas.

Other routes in

Subcontracting opportunities

Many of the highest-value government contracts go to large companies. However, small companies can still play a part in these contracts, perhaps as subcontractors or by forming consortium (associations) with other companies. There is no single way of finding out about subcontracting opportunities, although OGC has worked with larger

suppliers to government departments to make the process of subcontracting more transparent. Public-sector organisations may give you information about their main contractors on their websites, or you might identify and contact a supplier who has won a major contract (for example, through OJEU).

In recent years Public Private Partnership (PPP) and Private Finance Initiative (PFI) contracts have become more popular. Although it may not be appropriate for small and new businesses to take on these high-value and long-term contracts, there are many opportunities for subcontracting and consultancy work. You can get guidance on both PPP and PFI from the Office of Government Commerce and from HM Treasury.

Approved supplier lists and accreditation

Many public-sector organisations (in particular local authorities) hold lists of potential suppliers for certain types of work, usually for lower-value contracts below the value set in the EU procurement directives. If an organisation has such a list, it must still advertise any contract above the relevant EU value. The nature of these lists varies between organisations. However, the lists should be regularly reviewed to include new suppliers and to make sure that the existing suppliers continue to provide good value for money. If your firm is accepted onto a list, it does not necessarily mean that you will be

invited to tender for contracts straight away. To find out about lists held by specific public-sector organisations, you could contact your local authority or the organisations listed at the end of the guide. If a buyer uses a third party to accredit suppliers, you may have to pay a fee for becoming an approved supplier. These fees can vary.

The Government promotes the use of Constructionline to public-sector organisations, to reduce resources and time wasted by both suppliers and buyers at the pre-qualification stage of tendering.

OGCbuying.solutions

- *Framework agreements* – A framework agreement is a general term for agreements with buyers. They set out terms and conditions under which specific purchases (call-offs) can be made throughout the term of the agreement. The OGC's trading agency, OGCbuying.solutions, offers framework agreements in six main areas - business solutions, consultancy services, facilities support, information technology, payment cards and resourcing services. A number of 'managed services' are also provided covering the supply of energy, a managed telephone service (MTS), 'eProcurement' Solutions and the Government's secure intranet (internal websites). Further details are available on their website.

Framework agreements are available to use within government departments and the whole public sector to use. These framework agreements are offered and awarded through an open competition, which starts with an advertisement in the Official Journal of the European Union (OJEU), and are managed in line with the EU procurement directives. Certain goods or services do not need to be advertised in OJEU (for example, legal services). With these, OGCbuying.solutions will advertise in at least one relevant publication. Any potential supplier can show an interest by responding to an advertisement. Framework agreements are awarded for a fixed period.

During the life of the framework agreement other suppliers cannot be added to the list.

- *Small businesses* – Framework agreements do not prevent small businesses from getting public-sector contracts – small businesses currently make up around 50% of the suppliers who have framework agreements with OGCbuying.solutions. Many more small businesses are successful subcontractors to other framework-agreement holders.

Constructionline

The Government encourages public-sector organisations to use suppliers accredited by Constructionline for all construction-related contracts. Constructionline is the Government's national register of pre-qualified construction and construction-related suppliers. Buyers using Constructionline helps contractors and consultants by reducing the need to keep providing the same information and by putting their information at the fingertips of over 1,500 buyers.

Constructionline reduces the need for you to fill in pre-qualification forms for every tender. You fill in one application form when joining Constructionline and then send in updates when necessary and renew your registration every year. Constructionline gathers over 95% of the standard pre-qualification information public-sector buyers need so you can focus on other areas of the tendering process.

Over half of all the 12,500 or more firms registered with Constructionline have a turnover of less than £1 million a year, so the service can help small firms. Sole traders or small firms can join together and register as one supplier to bid for contracts which need combined skills. This helps you to get access to and make a valuable contribution to larger supply chains. There is an advice line on presenting your skills in your registration information, and there is help for new start-

up businesses. Registration fees are on a sliding scale, depending on the size of your firm, and begin at £70 a year.

Why register with Constructionline?

- Over 1,500 public- and private-sector buyers can get your details.
- It reduces your paperwork and administration. Buyers using Constructionline commit to ask you only for your Constructionline reference number and any non-standard information relating to the contract they are offering.
- If you meet the buyer's standards, it puts you on a level playing field with larger organisations.

To register with Constructionline, go to their website and click on the 'apply' button.

Increasing your chances

Although there are clear benefits from doing business with the public sector, it is important to realise that bidding procedures are tough. This is because the public sector must award contracts on the basis of getting value for money for the taxpayer.

In this section we explain some of the issues and give advice, which you may find useful in preparing a bid.

You can see a typical procurement process on the centre pages of this guide.

At each stage of the tendering procedure there are issues you should consider. We have explained some of these issues below. Some of the advice is obvious, however we have still included it in this guide because it is not always followed.

The advertisement

In most cases you will have found out about the contract in OJEU, at Supply2.gov.uk, on a 'selling to' website or from a trade journal. This is likely to be your first stage in the procedure and will give you an opportunity to decide whether the contract is suitable for your business. Contracts listed at Supply2.gov.uk will have a named contact. If there is a contact name or number in the advert, you can contact the buyer to check that you understand what they expect. This could be useful, as the advert alone may not give all the relevant information. OJEU adverts are limited to a certain number of words and you may need to get extra information.

A typical bidding process

The following diagram shows a typical bidding process for contracts within the public sector. It is likely that low-value contracts will go through a simplified version of that described below.



Evaluating and refining tenders

The public-sector organisation assesses the bid against set criteria relating to value for money. This process can include a period of getting more details on the bid before it is accepted.

Awarding the contract

The public-sector organisation then announces who it intends to award the contract to. This will be the supplier whose bid offers best value for money. There will then follow a 'standstill' period where suppliers can ask for feedback on the award decision and, finally, the contract is awarded to the supplier whose bid offered the best value for money.

Putting the contract in place

Everyone involved works together to put things in place for the contract.

Contracts, terms and conditions

Most government contracts are based around model documents that may differ between organisations. These should be included in the invitation to tender, so you know the terms before you decide to bid. You should not bid for a contract if you cannot meet the terms and conditions of contracts. So it is important for you to fully understand the responsibilities both sides have under the contract.

Managing the contract

You and the buyer manage the contract and your performance is checked and monitored by the buyer.

Review and testing

The contract will be reviewed regularly and after a set period of time, the contract may be advertised again.

Feedback

Whatever the outcome of the bidding process, you should ask for feedback on your bid and how you presented it. Under the EU procurement directives, a public-sector organisation has to provide feedback to you, within 15 days, if you have asked for this information. You can get feedback quicker if you ask for it in the first two days of the 10-day standstill period. Not winning one contract does not mean you will be unsuccessful in future. You should use the feedback to help with any future bids.

Tips

Register on Supply2.gov, search for lower-value contracts and publish your 'supplier profile'.

Don't be shy about asking public-sector organisations about the contracts available.

Look out for news and events in the magazines and publications in your business sector.

Investigate your sector (for example, construction firms), register with Constructionline, check your account regularly and follow up any contact made by clients.

Explore the internet for 'selling to' sites.

Feel free to market your products and services to the public sector just as you would to private firms.

Contact your local training provider (for example, Business Link) to see if they provide training on preparing bids and selling to the public sector.

abilities. This can include information about when your company was formed, what experiences you have had providing the items the contract is for, details of where the buyer can get references from, and details of your company's finances. If your company is new and you have not got a set of audited accounts, there are other documents you can provide to prove your financial standing. Ask the buyer what documents they will accept.

Tips

Only bid for work that you are sure you can do.

Always provide the information you are asked for. If you cannot do so, check whether your bid will be acceptable before you send it back.

Make sure you accurately answer all the questions.

Plan your bid around the timetable the buyer gives you to make sure you can meet all deadlines.

If you are not sure of anything, ask the buyer in good time. Do not miss the given deadline.

If your bid is unclear and the buyer asks you to explain something, you must give your explanation by the original deadline, unless they tell you otherwise.

Your bid

Providing information

Buyers may ask you to fill in a questionnaire to give them information about your company's financial position and technical

Timing

When tendering for a public-sector contract, you will be given deadlines for providing information and documents to the buyer. These deadlines are important and you should make sure you meet all requests on time.

Patience

Be patient, as the procedure from the first advert to awarding the contract can take months.

Practicalities

Make sure you know, early on in the procedure, what format you will have to use to fill in the buyer's documents. You also need to know what timescales you are working to and whether interviews will be likely.

Quality assurance

Public-sector organisations may want to assess your company against certain quality-assurance standards. If you are in an industry where external assessments are normal, or are becoming normal, and if the assessment is appropriate to the contract, you may need to provide evidence that you meet certain standards or their equivalents.

Tip

Know about any quality-assurance standards that affect your industry. (For example, if you are registered on Constructionline, this will display information on your firm's skills and quality achievements, such as whether you are TrustMark registered).

The ISO 9000 system sets international quality standards. The standards are published in the UK by the British Standards Institution as BS EN ISO 9000. If your firm has and follows an ISO 9000 system, you should be able to guarantee that your products or services will meet a consistent standard. For this reason, a number of buyers, including some government agencies, encourage their suppliers to use the system. You can also gain added confidence if you have the system assessed independently.

Tip

Ask the buyer about any policies they have on quality assurance when awarding contracts.

Public-sector procurement policies

Some public-sector organisations are beginning to buy in goods and services to help them meet their wider aims. (For example, to boost the region's economy or improve the steps they take towards environmental issues.) If this is the case, it may be worth looking into the 'added value' your bid may have to the buyer. If you can show that you have thought about the effect of your company's involvement, and developed relevant policies, this may be looked upon favourably.

Sustainability and environmental policies

Issues of sustainability (giving everyone, now and in the future, a better quality of life) and the environment are seen as increasingly important when buying in goods and services.

Buyers may ask you to supply details of your sustainability policy - such a policy should reflect the Government's position to produce an innovative and productive economy that delivers high levels of employment over the long-term. You can see the five sustainable development principles which all UK Government policies are based on at the OGC website.

Businesses have a legal and moral duty to make sure that their processes do not pollute the environment. A good environmental

management system (EMS) could help you manage any work that could affect the environment. Its purpose is to:

- review the effect your businesses' work has on the environment;
- assess how significant the effects on the environment are; and
- produce a register of the effects of your business.

The benefits of a good EMS include:

- helping you to reduce the effect your business has on the environment;
- saving on costs;
- improving your public image; and
- helping you meet environmental law.

ISO14001 and EMAS

EMS standards, such as ISO14001 or EMAS (Eco-Management and Audit Scheme), are a way of showing your business's commitment to reducing its effect on the environment. Taking part in either standard is voluntary. For more information on environmental management systems, see the NetRegs Management Guidelines.

Racial equality

By law, public authorities must take account of racial equality when awarding contracts.

As a result, you should make sure that you are acting within the law, and that your policies and practices do not discriminate. You can get more information from the Commission for Racial Equality's document 'Race Equality and Public Procurement.'

Laws relating to sex and disability will be coming into force soon. Always keep in mind how your business affects and interacts with members of the public, and make sure you can show that you are committed to treating everyone equally.

Diversity

Many local authorities have a vision to value the different people and businesses in their communities, promote a society that involves everyone and tackle all forms of discrimination (whether or not it is intentional). You should contact the relevant buyer and ask if there are any particular diversity issues you need to include in your bid in order to be considered.

Health and safety

If you employ five or more people, you must have a written safety policy. Your safety policy should:

- set out your business's commitment to managing risks and meeting legal duties for safety;

- tell people in your business what their duties are for health and safety; and
- explain the steps that staff need to take to meet their duties.

You may be asked to provide copies of this document with your tender application.

Electronic trading

Government departments and agencies have targets aimed at increasing their levels of electronic business. One of OGC's priorities is to help departments and agencies achieve these targets by using the internet in the procurement process. If your business is on-line, you will find more opportunities and quicker and easier methods of doing business.

You may find it useful to know about some recent government initiatives including Government Procurement Cards, the Supply2gov internet site, eSourcing, the Electronic Government Marketplace 'Zanzibar' and eAuctions.

- *Government Procurement Cards* – The Government Procurement Card (GPC) is a branded Visa card which can cut out the need to send out purchase orders or deal in paper-based payment systems. Buyers place orders directly with suppliers, by phone, fax or e-mail, over the internet, through an electronic ordering processor by visiting them. Once the order is

accepted, approval to release the goods or service is given and a delivery is made. The GPC has been introduced across central government and the wider public sector and has been traditionally used to buy low-value goods and services directly from suppliers, although the value of contracts is steadily increasing. The advantage to you when public-sector organisations use GPC is that it removes a lot of the paperwork and associated costs because not only do you receive faster payment, your credit-control can reduce. There is a reduction in invoice queries and the need for duplicated invoices. Payment is usually made within two to four days.

- *Supplier route to government* - www.supply2.gov.uk – Supply2.gov.uk, launched in April 2006, is a Government-backed internet site with access to other sites advertising lower-value public-sector contracts.
- *eSourcing* – OGCBuying.solutions' eSourcing service allows public-sector organisations to advertise opportunities to suppliers on-line and conduct secure tender processes. This system can reduce your costs of making a bid as you should not need to print and courier tender documents to buyers. You can register to take part in these opportunities as long as you have an internet connection and an e-mail address.

- *Zanzibar, the electronic government marketplace* – The Zanzibar Managed Service is a 'purchase-to-pay' system and an on-line marketplace that allows public-sector buyers and their suppliers to exchange quotations, orders and invoices over the internet. To trade on Zanzibar, you need to be invited to register by a public-sector buyer who wants to work with you and is using the Zanzibar system. You will also need an internet connection and an e-mail address.
- *eAuctions* – OGCBuying.solutions eAuctions (Electronic Reverse Auctions) Framework allow buyers to negotiate securely with suppliers over the internet. You will need an internet connection and an e-mail address.

Paying on time

The Government has introduced laws to give all businesses (no matter what their size) and public-sector organisations a legal right to claim interest if another business or public-sector organisation pays its bills late. You can find more information in a guide called 'Better payment practice - your guide to paying and being paid on time', available from DTI Publications or Business Link.

Government Procurement Code of Good Practice

OGC have developed a code of good practice which sets out the Government's values for working with suppliers. It is aimed at being a code of conduct for government staff, and a commitment to suppliers. The code is built around four central values - fairness, honesty, efficiency and professionalism. Each value includes specific actions and standards of business behaviour. You can see the code on the OGC website.

Tips

Make sure that you know the code of practice and can follow it.

Investigate whether the local authority you are doing business with has adopted the Small Business Concordat, and note whether they are following its principles.

Make sure you know about and can follow any further specific industry codes (for example, the IT Supplier Code of Best Practice).

Small Business Concordat

All local authorities have been asked to adopt the Small Business Concordat.

The concordat is a voluntary code of practice that sets out the actions local authorities will

take to make their contracts more accessible to small and medium-size businesses. The main commitments of the concordat ask authorities to:

- publish a corporate procurement strategy;
- publish guidance on how suppliers should do business with their council;
- advertise contracts using a range of publications to encourage diversity and competition;
- apply their tendering processes fairly; and
- offer meaningful feedback to suppliers after the procurement process.

The concordat, good practice guide and a list of the authorities that have adopted it are available on the SBS website.

Debriefing

Debriefing is giving positive, constructive feedback to competing suppliers on their performance at certain stages of a procurement. So debriefing gives you the opportunity to improve your performance in the future. It can also help the buyer as it brings their attention to problems that may have arisen during the procurement process and gives them the opportunity to improve their procedures.

Feedback must be given for all contracts with a value over the limits set by the EU procurement directives. For contracts under those values, debriefing is encouraged as good practice, and is needed under the Government Procurement Code of Practice.

Debriefing can be written, take the form of a face-to-face meeting with senior company representatives, or be as simple as a phone call.

Freedom of Information Act

The Freedom of Information Act gives a person or organisation the right to ask for any information held by a public authority. The public authority must tell the person or organisation (normally within 20 working days) whether it holds the information. If so, the authority must supply it (unless the act does not apply to the information), and in the way the person or organisation has asked for it (if possible). Your request must be in writing (letter or e-mail), give a name and address for correspondence, and describe the information you want. It is worth noting that the act gives people the right to recorded information, but the public authority does not have to create information in response to a request. You can get more information on the act, including what information it does not apply to, on the Information Commissioner's website.

Debriefing for buyer-value contracts

Under the EU procurement directives, buyers must debrief suppliers after they have made a bid. If your bid for a contract is not successful, you can contact the buyer and ask why. The buyer then has 15 days to provide those reasons.

Under new rules, contracting authorities must let 10 days pass before officially signing a contract with a supplier. Feedback asked for in the first two days of this period must be given before the 10 days is up. Feedback asked for on the third day onwards will be answered within the normal 15 days.

Under these new rules, if your bid is not successful, the public authority must let you know who they are going to offer the contract to and why (this may appear in the form of a score sheet).

Tip

If you have put in a bid for any public-sector contract, you should always ask for feedback even if your bid is successful.

Complaints

Once you have signed a contract, you should refer to OGC's Dispute Resolution Guidance if you need to complain.

Anyone who has put in a tender can challenge the public authority's decision on awarding the contract, within the 10-day 'standstill' period, in the High Court (in Scotland the Court of Session) if they think they have not kept to the EU procurement directives (because the directives have been included in UK law as a number of regulations).

Informal complaints procedure for EU contracts

The Public Procurement Network has been set up to help businesses facing problems with a procurement procedure abroad. It is aimed at suppliers who are familiar with trading in the EU and those bidding for an overseas contract for the first time. You can get more details on the network on the OGC website.

Guidance on sorting out disputes

OGC's Dispute Resolution Guidance gives a summary of your main options if you are in dispute with your customer.

Website addresses, contact details and publication links

Web addresses for all government departments and local authorities can be found at www.tagish.co.uk/links.

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Small Business Service home page:
www.sbs.gov.uk

Department of Trade and Industry home page:
www.dti.gov.uk

Department of Trade and Industry
Procurement pages:
www.dti.gov.uk/about/procurement

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Office of Government Commerce
Service Desk
Phone: 0845 000 4999
E-mail: ServiceDesk@ogc.gov.uk
Website: www.ogc.gov.uk

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Guidance on achieving value for money:
www.ogc.gov.uk/sdtoolkit/Reference/ogc_library/procurement/index.html

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Copies of Smaller Supplier...Better Value
Website: www.ogc.gov.uk/embedded_object.asp?docid=1004438

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Copies of the Small Business Concordat Good Practice Guide Website:
www.communities.gov.uk/index.asp?id=1136698

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EU procurement directive values are available at www.ogc.gov.uk/index.asp?id=1004560

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Supplier Route to Government
Small Business Service
1 Victoria Street
London SW1H 0ET
Phone: 0207 215 5000
E-mail: dti.enquiries@dti.gsi.gov.uk or
info@supply2.gov.uk
Website: www.supply2.gov.uk

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Tenders Electronic Daily (TED), the on-line version of OJEU
Website:
http://ted.europa.eu/info_newurl.html

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Official Journal of the European Union
Available from HM Stationery Office
Phone: 0870 600 5522
Scanfax Service phone: 020 7873 8372
Fax: 0870 600 5533
E-mail: customer.services@tso.co.uk

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Business Link Contact Centre
Phone: 0845 600 9006
Website: www.businesslink.gov.uk

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Business Gateway in Lowland Scotland
Phone: 0845 609 6611
Fax: 0141 228 2511
E-mail: network.helpline@scotent.co.uk
Website: www.bgateway.com

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Highlands and Islands Enterprise
Scotland Cowan House
Inverness Retail and Business Park
Inverness
Highland IV2 7GF
Phone: 01463 234171
Fax: 01463 244469
E-mail: hie.general@hient.co.uk
Website: www.hie.co.uk

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Business Eye in Wales
Phone: 0845 796 9798
Fax: 02920 815399
E-mail: assistance@businessseye.org.uk
Website: www.businessseye.org.uk

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Invest Northern Ireland
64 Chichester Street
Belfast BT1 4JX
Phone: 028 9023 9090
Fax: 028 9049 0490
E-mail: info@investni.com
Website: www.investni.com

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Euro Info Centres (EIC)
Website: www.euro-info.org.uk

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Small Business Research Initiative (SBRI)
Website: www.sbri.org.uk

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Information on Innovative Ideas
OGC website:
www.ogc.gov.uk/index.asp?docid=1002171

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HM Treasury PFI document
Website: www.hm-treasury.gov.uk/documents/public_private_partnerships/ppp_index.cfm

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OGCbuying.solutions Service Desk
Phone: 0870 268 2222
Website: www.ogcbuyingsolutions.gov.uk

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Constructionline
Phone: 0870 240 0152
Website: www.constructionline.co.uk

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TrustMark
Website: www.trustmark.org.uk

Page 11
British Standards Institution
Website: www.bsi-global.com

Page 11
Sustainability
Website:
www.ogc.gov.uk/index.asp?docid=1004473

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Commission for Racial Equality
St Dunstan's House
201-211 Borough High Street
London SE1 1GZ
Phone: 020 7939 0000
Website: www.cre.gov.uk

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The guide 'Race Equality and Public
Procurement'
Website: www.cre.gov.uk/duty_proc_pa.pdf

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Zanzibar
Website:
www.ogc.gov.uk/index.asp?id=1001430

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eAuctions Website:
www.ogc.gov.uk/index.asp?id=1001034

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Better payment practice
Better Payment Practice Group website:
www.payontime.co.uk

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Government Procurement Code of Good
Practice Website:
www.ogc.gov.uk/embedded_object.asp?docid=1004858

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Freedom of Information Act
Website: www.ico.gov.uk/eventual.aspx?id=33

Page 16
OGC's Dispute Resolution Guidance
Website:
www.ogc.gov.uk/index.asp?id=1003988

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Public Procurement Network Guidance

Website:

www.ogc.gov.uk/embedded_object.asp?docid=1003815

What next

If you are interested in finding out how Business Link can help you and your business, contact Business Link on-line at **www.businesslink.gov.uk** or by phone on 0845 600 9006.

