COMPETITIVE DIALOGUE

Reg 31 of the Public Contracts (Scotland) Regulations 2015

RULES/REQUIREMENTS Remaining number of solutions must be sufficient On assessment of the qualitative selection for genuine competition insofar as there are enough Aim is to identify and define the solutions or qualified candidates. information, the Contracting means best suited to satisfying Authority may limit the Contracting Authority's needs. number of suitable The contract notice must set out the candidates to be invited, The Contracting Authority: Contracting Authority's needs and provided: Standstill letter must include: (a) the award criteria; (b) where requirements. practicable, the score obtained by the economic operator which is to may discuss all aspects of the Request must the limitation was receive the notice; (c) the name of and, where practicable, the score procurement with participating The contract notice and/or descriptive indicated in the contract obtained by the successful party; (d) in the case of an unsuccessful Economic Operators; accompanied by document must: notice; This can only be done if tenderer/candidate, a summary of the reasons why they were information for the Contracting Authority unsuccessful and the characteristics and relative advantages of the must ensure equal treatment of qualitative define those needs and requirements; there are at least three has indicated in the successful tender; and (f) a precise statement of the effect of the participants; selection (in the candidates invited; standstill period. contract notice that it is form of the set out and define both the criteria for proceeding this way. must not provide information in Single qualitative selection and the award there are sufficient a discriminatory manner; Procurement criteria; candidates to ensure Only the award criteria Document) genuine competition. specified in the contract must not disclose solutions or set out an indicative timeframe confidential information of one notice and/or descriptive document can be used to participating Economic Operator Evaluation against award Final tenders may be clarified, reduce the number of to another without its agreement criteria to identify the most specified and optimised at the solutions to be discussed. Contracting Authority's request, but economically must not involve changes to advantageous tender STAGE ("MEAT"), on the basis of the essential aspects of the tender best price - quality ratio. or the procurement. A Contracting Authority may conduct a competitive dialogue in successive stages, in Dialogue between order to reduce the Economic Operator Contracting Authority and Contract notice number of solutions to be Negotiations may be conducted Contracting Authority submits request to those Economic Operators with the MEAT tenderer to confirm discussed during the issued by invites Economic participate who were invited to Contracting Authority dialogue stage financial commitments or other Operators to participate participate terms contained in the tender in order to finalise the terms of the contract, but must not involve changes to the essential aspects of the tender or the procurement. Once the Contracting Authority identifies the solution(s) which meet(s) its needs: it declares the dialogue is concluded; and informs remaining tenderers and invites them Submission of final tenders Contracting Authority issues notice (known as Contracting the "Standstill Authority enters Letter") to all Contract award TIMEFRAME into contract tenderers and Decision to notice published on candidates Public Contracts award informing them contract Scotland of its decision Minimum period for receipt of requests to participate is 30 days from date of publication of contract notice. A "standstill period" must be allowed between the date that a (compliant) Standstill Letter is sent and the date of Notice must be issued as soon as entry into the contract: Not later than possible after the 30 days after decision is made. where the notice is sent the award of electronically, the standstill period is contract. 10 days; otherwise, the standstill period is 15

days.