Standardised tender documents

Summary

Standardised tender documents are model documents, typically editable document templates, used by contracting authorities in order to simplify their work, avoid errors and save time at different phases of the tendering process. The most frequently used types of standard documents are contract notices, tender specifications, contract award notices and contracts for all types of procurement procedures. Model contract clauses, pre-defined technical and evaluation criteria and declaration of honour templates, are also common. The main reason for creating standardised tender documents is to ensure that any procurer, be it more or less experienced, can conduct a public tender.

Usually, standardised tender documents are drawn up by the Public Procurement Office to ensure the information provided is verified and complies with relevant national and EU procurement rules. While some MS only recommend the use of standardised tender documents on a voluntary basis, other MS make their use mandatory by law. Good examples of editable tender templates allow users to quickly and easily identify the 'locked' sections of the document which are not meant to be changed, as well as the sections where user input is required. A number of ways exist to make this clear and intuitive. The document text may provide visual cues as to which text should not be changed, focusing the user's attention on text that should be replaced with specific information. Capital letters, italic and bold text, different font styles, special punctuation (e.g. brackets), highlighted or multicolour text can help enhance the readability and user-friendliness of the tender document preparation process.

Besides ready-to-use templates, another innovative way to help contracting authorities issuing calls for tender can be through the development of IT solutions that generate tender documentation with limited input from users, ensuring consistency and high quality. These 'tender generator' solutions are applicable for all types of procurement procedures and are mainly relevant for service procurements.

Input

Cost – €€
- For editable document templates – Medium set-up and low operation cost
- For the IT based solution – medium set-up and medium operation cost (software costs and legal expert fees)

Time – 6 to 12 months
- For editable document templates – less than 6 months
- For the IT based solution – 6 to 12 months (including testing phase and adjustments)

Complexity – Medium
- Inclusion of stakeholders for the design and review of templates
- For the IT based solution, the complexity stems from the need to find the right mix of expertise and to have an interoperable framework already in place

Good Practice Examples

- ✔ The Netherlands
- ✔ United Kingdom
- ✔ Croatia
- ✔ Cyprus
- ✔ Czech Republic
- ✔ Finland
- ✔ France
- ✔ Ireland
- ✔ Luxembourg
- ✔ Poland
- ✔ Romania
- ✔ Slovakia
- ✔ Spain
- ✔ Sweden
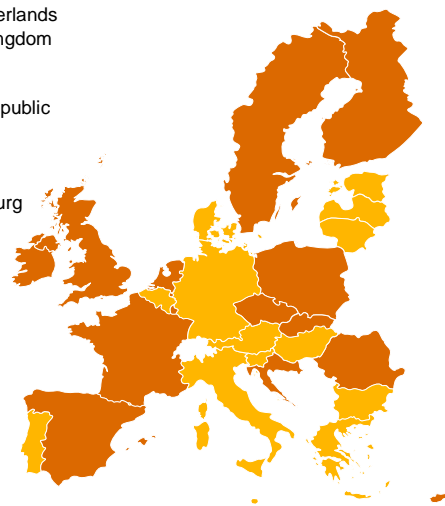
Impact

Reduce administrative burden

Standardised tender documents reduce the time and effort needed to conduct procurement procedures. Indeed, accessible, comprehensive, and clear templates and accompanying instructions are key to timely and successful tendering.

Tender generator solutions reduce the time to issue a tender even further. By answering a set of questions related, for instance, to the type of procurement procedure, the type of good, work or service purchased, the user obtains a tender document in less than 30 minutes, which includes pre-filled administrative and legal sections with the relevant information.

Enhance value for money

Standardised tender documents allow suppliers to better assess whether the works, services or goods they provide fit the tender specifications, and whether they meet all the selection and award criteria, thereby helping them better evaluate their chances. Ultimately, expectations from both sides are better aligned and value for money is achieved.

Ensure better compliance

Both standardised tender documents and tender generator solutions contribute to harmonising tender procedures and reducing errors, thereby increasing legal certainty and suppliers' confidence, which results in less frequent appeal cases.

Key success factors and potential pitfalls

Template documents should be editable and updated regularly
The electronic format in which the model document is made available should be user-friendly and widely used, therefore the use of editable documents from a commonly-used word processing software is recommended. In addition, model documents need to be up-to-date to reflect changes in the public procurement law.

Make sure templates are audit-proof
The legal soundness of standardised tender documents is essential given that they serve as templates for contracting authorities. Thus, audit authorities and national review bodies need to be consulted to ensure that templates are audit-proof.

Offer supporting material
Explanatory material, a library of technical criteria and clear instructions on how to use the standardised tender documents should also be developed in order to better support procurers in using templates and limit calls for clarification to the public procurement helpdesk.

Ensure sufficient flexibility
Allowing sufficient flexibility to reflect the specific needs of a contracting authority is critical to guaranteeing that templates are fit for purpose and used widely.

Provide feedback channels for users
Procurers should be able to give comments on their experience using standardised tender documents and make suggestions for improvement in order to align tender templates even better with their needs.

Secure the right expertise *(only for IT based solution)*
Creating an advanced tender generator tool requires two types of specific expertise. On the one hand, it takes a legal expert with thorough knowledge of the national public procurement law capable of defining the decision-making process for each type of procurement procedure. On the other hand, a business process mapping expert is needed to model the law and create a user-friendly application.

Take into account the cost of training *(only for IT based solution)*
In order for the IT-based solution to prove useful, contracting authorities, experienced and infrequent procurers need to know how to use all its functionalities. Therefore, training sessions with future users and training material need to be foreseen.

Avoid ineffective dissemination
Failure to properly inform contracting authorities of the existence of standardised tender documents or of the obligation to use them can lead to poor quality tenders, delays in the procedures or even sanctions.

Pilot test new templates before publication
A pilot testing period of the model document before making it available to procurers allows to verify its functionality and the usability of the format to detect potential errors, omissions or unclear indications that could lead to mistakes in the use of standardised tender documents.

Related Good Practices

- Targeted thematic guidance materials
- Helpdesk for contracting authorities

Case Studies (1)

Poland – Model documents

The Public Procurement Office (PPO) of Poland is the responsible body for drafting public procurement policies, and regulating and coordinating the national public procurement system. In addition, and according to the new law, the PPO is in charge of the preparation of standardised tender documents, as well as guidance material.

The PPO's website[1] offers a repository of knowledge section that provides an extensive amount of template documents and guidance material. A dozen model documents are already available and another dozen are planned to be elaborated. These templates range from model statements to be made for particular procedures, appeals procedures and complaints to a court, to model notices for technical dialogue, model contract clauses and model rules of procedure of a tender committee.

In the period January 2016 – February 2017, model rules for awarding contracts below EUR 30,000 were downloaded 17,984 times, statement on the lack of existing relationship between persons carrying out activities in contract award procedure were downloaded 22,569 times, and model of statement to be made in a procedure below the EU thresholds regarding the fulfilment of conditions for participating in a one-stage contract award procedure were downloaded 18,549 times. In comparison, model rules for conducting technical dialogue were only downloaded 2,049 times.[2]

The popularity of these template documents is primarily due to their user-friendliness and clarity. Indeed, sections that need to be filled in by contracting authorities are highlighted in yellow and are framed by brackets. This is consistent throughout all models and ensures that contracting authorities can easily work with different templates.

The PPO has an email address where contracting authorities can give feedback, express opinions and suggest improvements. This feedback channel is complemented by a working group made up of representatives of all departments within the PPO and contracting authorities who regularly discuss template model needs.

Luxembourg – Standardised tender documents generator*

The Business Process Management Office (BPMO) of the Luxembourg State IT Center (CTIE[3]) is established by law and its mandate is legally regulated. The BPMO works to bring efficiency in e government services, simplify administrative procedures, conduct public administration improvement projects and maintain a business process modelling (BPM) governance.[4] As part of this effort, BPMO developed a common central framework – the PROMETA (PROcesses and Modelling of the sTAte) framework – allowing the definition and description of common public administration processes and workflows. PROMETA is accessible to both by the CTIE and other administrations via NextGen – an enterprise business architecture and BPM portal.

Thanks to the PROMETA framework, BPMO created several centralised applications tools (Promet'Apps), accessible through NextGen, dedicated to supporting and facilitating the work of public administrations.

One of those application tools is the DocGen – Cahier des Charges application aimed at simplifying the drafting of the legal and administrative sections of tender documents, requests for service, proposals and service contracts. For tender documents, DocGen allows to generate a pre-filled version of the legal and administrative sections of the tender document when procuring services such as cleaning, security, audit or IT consultancy. The application is based on business process modelling of the Luxembourgish public procurement law into decision and work flows mapped into canvases specific to each type of procurement procedure. The canvases are then linked to an online questionnaire, which covers all the chapters of the tender document. By answering the questions, a user instructs the application to find the right canvas with the decision flow corresponding to the chosen procurement procedure. This allows the identification of the appropriate sections of the law, i.e. reference number and title, paragraph, articles, etc. that need to appear in the tender document and the automatic generation and input of this content in the tender document.

Another application developed by BPMO is Prometa Spec., which supports the elaboration of tender specifications for the procurement of IT systems. The app facilitates the modelling of requirements and capabilities, definition of constraints, use cases, test cases, creation of mock-ups, specification of web services, data and data lifecycle models required, definition of the IT landscape and workflows and processes into a single repository used to generate automatically the complete tender specifications.

The creation of these two applications was initiated after the leadership of BPMO became aware of the large savings potentials of automating tender document generation. Indeed, a key benefit of the solution is the substantial reduction in time in preparing tender documents. What was a process that previously took 3 days, is now an action taking no more than 15 min in the case of simple procurements and approximately 2 hours for issuing complex tender documents.

*Feasibility study on implementing a standardised tender document generator based on the case study in Luxembourg - available on the e-library of public procurement good practices.**

✉ Contact

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[1] See: https://www.uzp.gov.pl/baza-wiedzy/wzorcowe-dokumenty
[2] PPO's internal analysis
[3] See: http://www.fonction-publique.public.lu/fr/structure-organisationnelle/ctie/
[4] National Interoperability Framework Observatory, "PROMETA: the organisational interoperability framework for eService design in Luxembourg" (2015), see: https://joinup.ec.europa.eu/community/nifo/case/prometa-organisational-interoperability-framework-eservice-design-luxemburg