

Public procurement law: private sector perspectives

Public contracts demystified for suppliers

Course Leader: Kevin Calder, Partner, Technology & Commerce, Mills & Reeve LLP

Who is it for?

The training is aimed at private sector companies in the technology sector who bid (or are interested in bidding) for contracts with government or other public bodies.

Typical attendees include contract managers; bid team leaders; and commercial directors.

What is it about?

The training gives a user-friendly overview of public procurement law from the perspective of the private sector supplier.

How do you benefit?

By the end of the training, you'll understand:

- the steps in a typical public procurement – timescales, phases, documentation etc;
- the difference between the open, restricted, competitive dialogue and negotiated procurement procedures;
- how to maximize the chances of your bid succeeding;
- how to ensure that your business secrets are not disclosed by the public body to your competitors;
- when you might have grounds to challenge a public body over its conduct of a procurement;
- how to go about challenging a procurement decision by a public body.

The course will include a number of practical case studies drawn from the course leader's experience.

Course overview

- **Scope and application of the public procurement rules**
 - What are the "procurement rules"?
 - Who and what do they apply to?
 - Why are they relevant to suppliers?
- **The public procurement process**
 - The key principles
 - Public contracts and framework arrangements

- Stages of a procurement
 - Advertisement
 - PQQ
 - ITT and evaluation
 - Standstill and contract award
- The four public procurement selection procedures, and key differences
- **Responding to the procurement documents – practical tips for your bid**
 - How to maximise your chances of success
 - Clarification questions
 - Particular issues for SMEs
 - Lessons for suppliers from recent case law
- **Confidentiality in the procurement context**
 - Sources of confidentiality obligations and recent case law
 - The impact of the Freedom of Information Act 2000
 - New government transparency measures
- **Challenging a procurement decision**
 - The obligations of a public body in the conduct of a procurement
 - Typical areas where bidders challenge
 - Failure to disclose award criteria
 - Scoring errors
 - Specification issues
 - Renewal/extension of contracts
 - Three types of challenge
 - Automatic suspension following a claim during the standstill period
 - Damages claim
 - Claim for declaration of ineffectiveness
 - Time limits for raising a challenge
 - Timetable of a procurement claim
 - Impact of a challenge on the successful bidder

Course Leader

Since qualification as a lawyer, Kevin Calder has specialised in technology and commercial work, with a particular focus on large scale IT outsourcing contracts. His work involves advising both the public sector (including central government, NHS bodies, local authorities and universities) and the private sector (including both customers of technology and IT companies) on a wide range of outsourcing agreements, IT development contracts, software licensing arrangements and large scale procurements of goods and services.

Kevin regularly gives training for both public and private sector bodies on procurement law. Kevin recently launched procurementportal.com, a leading website on procurement law issues.

Venue	Intellect Conference Suite, Russell Square House
Max	25
Duration	One day
Time	10:00-16:00
Fee	Intellect members £295+VAT non-member £495+VAT