

SCOTTISH PROCUREMENT

Procurement Reform Bill

Stimulating Consultation Responses

BASE CONFERENCE

TBC Sep 2012

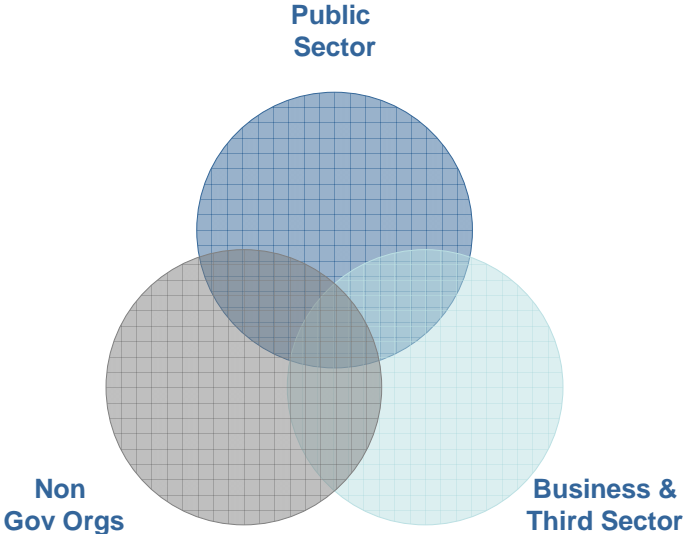
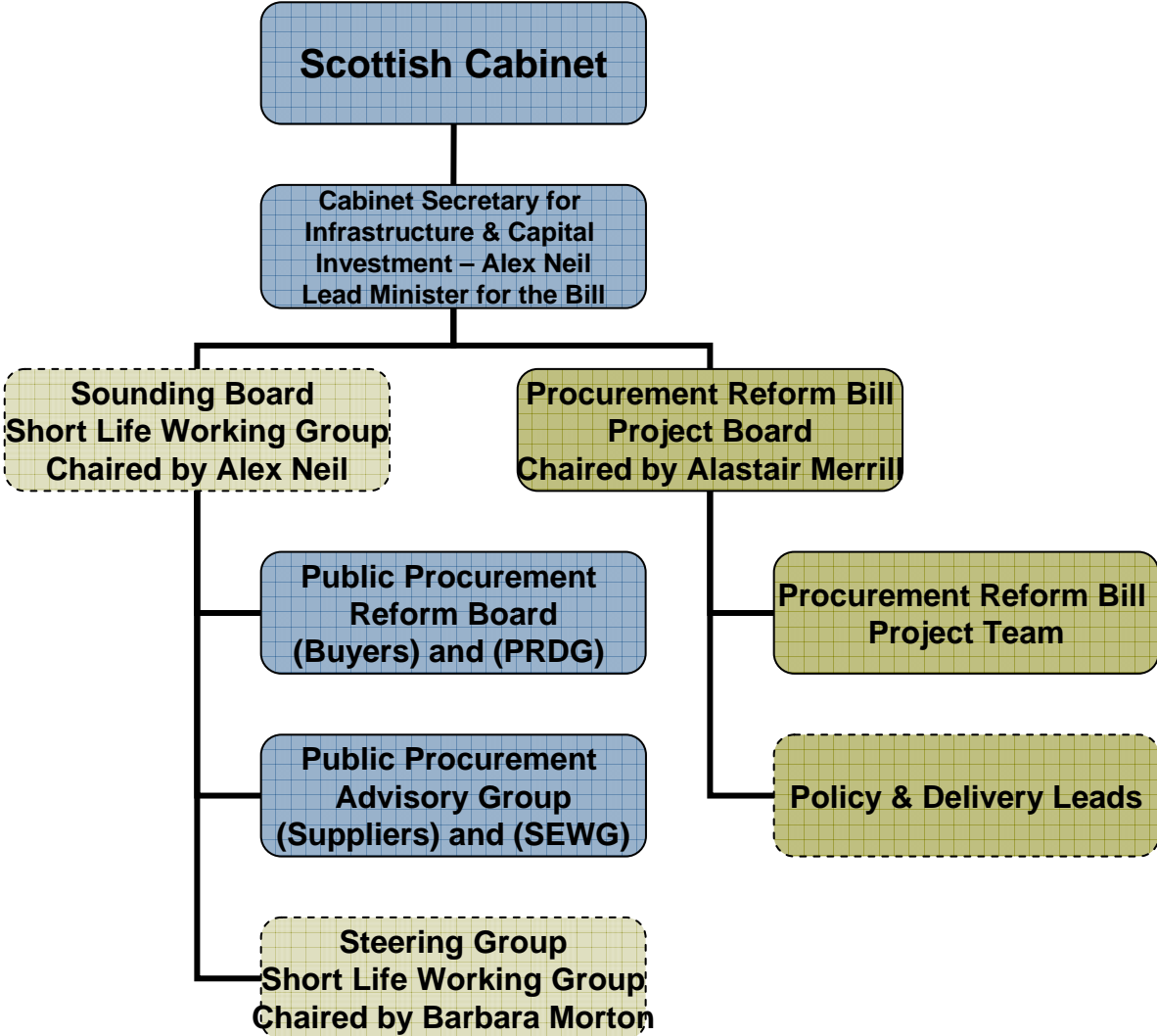
Summary

- **Our journey to date**
- **Where we are now**
- **What happens next...**
- **How you can get involved?**

Our journey to date – understanding the background

- **Scottish Government Purpose**
- **Government's Economic Strategy**
- **Public Procurement Reform Programme**
- **2011 Manifesto commitment**
- **Procurement Reform Bill**

Our journey to date – establishing the structure

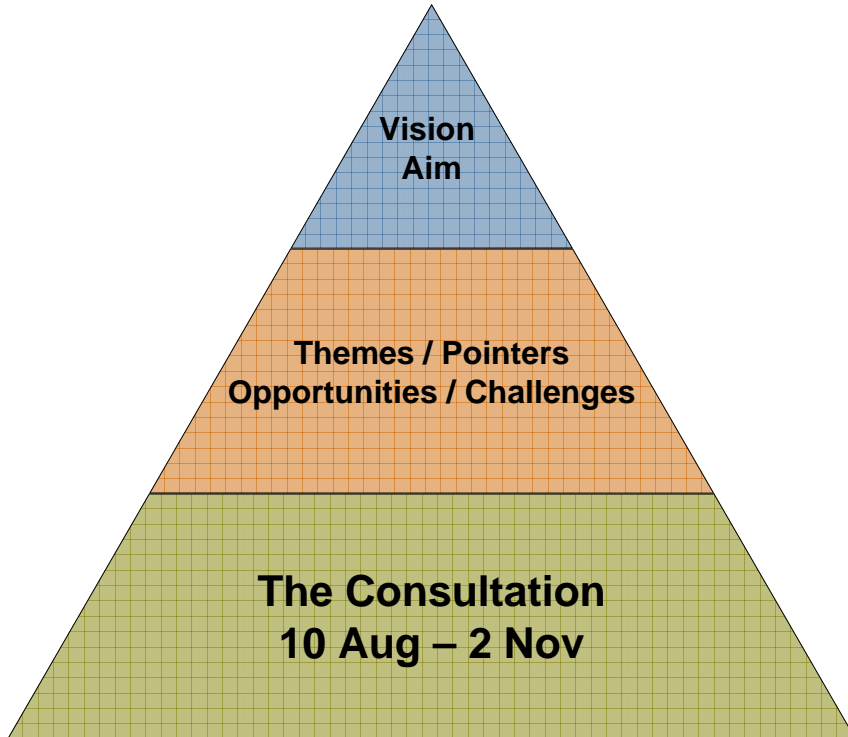


Our journey to date – engaging stakeholders

- Maximising PPRB stakeholder structure
 - A discussion paper re a number of key themes to generate debate, ideas and suggestions
 - Informal consultation with key stakeholder by attending a number of valuable informal consultation events
- PPRB & PRDG
 - PPAG & SEWG
 - Sounding Board
 - Policy & Delivery Leads
 - Centres of Expertise
 - Policy Forum
 - Whitehall
 - SG colleagues
 - Other Stakeholders

Where we are now – The Consultation

Proposed AIM *“To establish a national legislative framework for sustainable public procurement that supports Scotland's economic growth by delivering social and environmental benefits including community benefits, supporting innovation and promoting public procurement processes and systems which are transparent, streamlined, standardised, proportionate, fair and business-friendly.”*



PART I – Public Procurement processes are transparent streamlined, proportionate, standardised and business-friendly

PART II – Making it easier for business, particularly newer business, SME's and the third sector, to access public contract opportunities and sub-contracting requirements.

PART III – Smarter use of Public Procurement to encourage innovation and growth

PART IV – Taking account of social and environmental sustainability issues through public procurement

PART V – Dealing with inappropriate conduct and poor performing suppliers

PART VI – Application and compliance

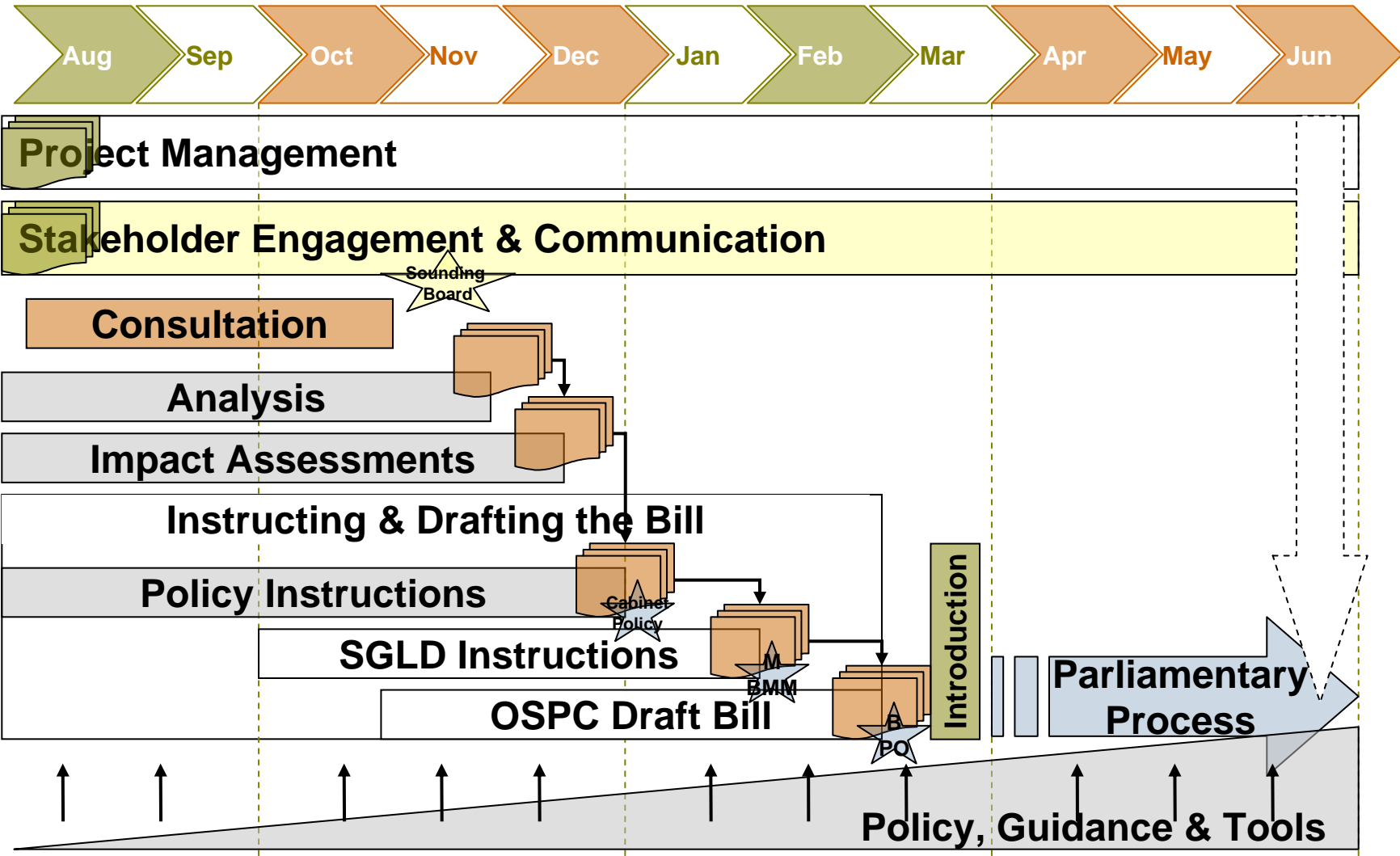
Where we are now – The Consultation – Policy content

I – PUBLIC PROCUREMENT PROCESSES ARE TRANSPARENT, STREAMLINED, PROPORTIONATE, STANDARDISED AND BUSINESS-FRIENDLY	<ul style="list-style-type: none">• Conduct procurement in an effective, transparent and proportionate manner• Annual strategic procurement plans• Specified standard prequalification system• Limits on minimum standard (minimum)• Provision of debrief information• Prohibiting charges being levied for the issue of tender documents
II – MAKING IT EASIER FOR BUSINESS, PARTICULARLY NEWER BUSINESSES, SMEs AND THE THIRD SECTOR, TO ACCESS PUBLIC CONTRACT OPPORTUNITIES AND SUB-CONTRACTING REQUIREMENTS	<ul style="list-style-type: none">• Duty to consider how specification and procurement process impacts / facilitates access to new businesses, SMEs and Third Sector organisations to compete / access• Conducting the procurement process acts to facilitate access by newer businesses, SME's and Third Sector organisations.• Use of specified online portal to advertise and award inc below threshold / sub-contracts “major contracts”• Publication of contract documentation / contract registers• Subcontracting opportunities
III – SMARTER USE OF PUBLIC PROCUREMENT TO ENCOURAGE INNOVATION AND GROWTH	<ul style="list-style-type: none">• How help businesses develop and commercialise new or novel goods, services and works for internal and international markets.• How stimulate new businesses opportunities and inward investment in facilities to provide new, sustainable products and services for the public sector.• Requirement that purchasers must permit the submission of variant bids

Where we are now – The Consultation – Policy content

IV – TAKING ACCOUNT OF SOCIAL AND ENVIRONMENTAL SUSTAINABILITY ISSUES THROUGH PUBLIC PROCUREMENT	<ul style="list-style-type: none">• Community benefits clauses (consider / consult / outcomes / jobs and training / publish details / sub-contracts)• Publish training and apprenticeship plans for major contracts• Promote / consider greater use of supported businesses (at least one contract / have champion)• Demonstrate the extent to which what is being procured will promote or improve the economic, social, health and environmental well-being of the relevant area and secure that.
V – DEALING WITH INAPPROPRIATE CONDUCT AND POOR PERFORMING SUPPLIERS	<ul style="list-style-type: none">• Measures to deal appropriately with contractor's poor performance and poor standards of business ethics.• Contractors that fail to adhere to appropriate standards of conduct; performance and business ethics be excluded from competing for public contracts.
VI – APPLICATION AND COMPLIANCE	<ul style="list-style-type: none">• Application / exemptions / additional provisions for the proposals to health and social services• Single Point of Inquiry has a role in relation to enforcement of the provisions of the Bill. (on the basis of statutory powers)
Annex A	<ul style="list-style-type: none">• Living Wage through Procurement (not a proposal for legislation)

What happens next...the latest high level plan (070812)



How you can get involved?

- Formally respond to Consultation
- Encourage others to respond
- Early responses appreciated
- SG Web – <http://www.scotland.gov.uk/consultations>
- Responses – procurementbillconsultation@scotland.gsi.gov.uk
- Scottish Procurement web pages - <http://www.scotland.gov.uk/procurement>

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