

Public Sector Buyer

Procurement and contracting support

Hempsons' Corporate Commercial team provides expert procurement and contracting support to the public sector when buying goods, services and works and when bidding for contracts.

Buying goods, services and works

Procurement strategy:

- When are you required to run a tender process?
- When can you use the shared service exemption/in-house exemption to avoid running a tender process?
- How to choose the best procedure for your process; using the procedures under the Public Contracts Regulations 2015, including the new innovation partnership procedure.
- Using market engagement/consultation as part of your strategy.
- When and how are the Public Service (Social Value) Act and Equality Act relevant?
- Navigating the light touch regime.

Running defensible and robust procurement processes:

- Drafting procurement documents.
- Designing compliant evaluation methodologies.
- Drafting contracts to ensure delivery of what you want to buy.
- Defending procurement law challenges.
- Conflicts of interest and how to manage them.
- Confidentiality/Freedom of Information Act.

Bidding for contracts

Understanding the legal framework under which public sector buyers operate:

- What are the public sector's legal obligations under the Public Contracts Regulations 2015?
- In what circumstances can buyers award contracts to you without running a competitive procurement process?
- Contracting models available to buyers: alliance contracting, lead / sub-contractor arrangements.

Improving your chances of success when bidding for contracts:

- What do you need to get right in the bid process and what are the pitfalls as a bidder?
- When can you challenge, when *should* you challenge and what information do you need to gather during the process to allow you to challenge?
- How to structure consortium bids with partners: contractual joint ventures vs corporate (SPV) structures.
- How to document consortium bids: confidentiality and exclusivity agreements, head of terms and consortium agreement.

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