

Private sector bidder

Procurement and contracting support

Hempsons' dedicated Procurement team provides expert procurement and contracting support to bidders when bidding for contracts with, and in contracting with, the public sector, funders and partners. We utilise our significant experience of acting for the public sector in buying goods and services to assist with delivering your requirements. We also provide support to private entities who are in receipt of grant funding to ensure compliance with relevant grant requirements.

Bidding and contracting for contracts tendered by public authorities

Understanding the legal framework under which public authorities operate:

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

Improving your chances of success when bidding for contracts:

- What are the key elements to get right during the tender process and what are the potential, common pitfalls as a bidder?
- Analysing the bid opportunity and maximising your chances of success.
- How to bid effectively – how does the evaluator think? What are they likely to focus on?
- Clarification questions – what are the issues to look out for? How to elicit key information.
- When can you challenge, when *should* you challenge and what information do you need to gather during the process to enable you to challenge decisively?
- How to structure consortium bids with partners, including considerations such as contractual joint ventures vs corporate (SPV) structures.
- How to document consortium bids appropriately, including considerations such as confidentiality and exclusivity agreements, heads of terms and consortium bidding agreements.
- Engaging with public authorities in the run-up to a tender opportunity effectively.
- How to obtain useful debrief information if you are successful or unsuccessful, including through use of the Freedom of Information Act.

For more information, please contact: Andrew Daly (01423 724015 or a.daly@hempsons.co.uk) or Deborah Ramshaw (0191 2306046 or d.ramshaw@hempsons.co.uk)

