



THE INSTITUTE OF
BUSINESS CONSULTING



To committee.finance&personnel@niassembly.gov.uk

February 23rd 2009

Re: INQUIRY INTO PUBLIC PROCUREMENT POLICY AND
PRACTICE IN NORTHERN IRELAND

To Whom It May Concern:

Thank you for your recent call for comments regarding the Central Procurement Directorate (CPD) on the end-user experience of Small and Medium Enterprises and Social Economy Enterprises in tendering for and delivering public contracts.

I write to offer the comments and opinions of the recently formed Independent Consultant Adviser Group in Northern Ireland (www.icagni.co.uk). ICAGNI is a group within Institute of Business Consulting focused on serving the needs of members that are independent consultants or work within small consultancy practices. ICAGNI already has almost 60 participants representing a broad experience of SME, not for profit and enterprise work.

The recommendations of ICAG NI are given against the following 3 headings:

1. Terms of reference and responses to invitations to tender
2. Format of outward and inward communications
3. Transparency of process and information

1.1 Terms of reference and responses to invitations to tender:

- 1.1.1 The terms of reference for projects must define the outcomes required as well as the specific skillset needed for projects. There should be a list of the minimum requirements / qualifications for certain consultancy roles e.g. for Business Mentoring, business experience could be sufficient or a specific qualification might be required e.g. SFEDI or other Business Advice certificates
- 1.1.2 The terms of reference shall also specify details regarding the timings of payments and the method of payment. End-loading of payments to successful service providers should be replaced with staged payments at agreed milestones in line with delivery and importantly prompt payment of approved invoices.
- 1.1.3 Responses to invitations to tender must specify the names and personal experience of individuals who are to work on the project and not the overall experience of the practice
- 1.1.4 Responses to invitations to tender shall map the specific personal experience as stated above to the skillset and outcomes defined in the terms of reference. Tenderers should submit references who can be contacted to comment on previous work by the tenderer. This feedback should play a part in the assessment process. There will also allow authentication of proposers' capability.

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- 1.1.5 It shall no longer be a requirement to show public sector experience in order to be considered for invitations to tender. Instead relevant and demonstrably applicable transferrable experience will have equal value. Invitations to tender shall state this facility and the assessment process will attribute equal value to such experience. It is likely that a 'mapping' template will be needed to quantify this exchange process.
- 1.1.6 As smaller practices are often quite specialised, they are better able to compete for small tightly focused projects that might otherwise be rolled up with other work in a large project for which they could not expect to compete. Purchasers are therefore asked to identify specialised components of projects and consider tendering them separately where appropriate.
- 1.1.7 Framework 'panels' should have regular reviews (annual) which allow new applicants.
- 1.1.8 The assessment process shall be described in the terms of reference including the date for a decision, the format and date of communications to all respondents to the invitation to tender.

1.2 Format of outward and inward communications

- 1.2.1 Standardised invitations to tender will be freely available for download and review from a web-based portal like www.etenders.gov.ie but without the need for subscription or user name. CPD's existing e-Sourcing NI portal (<https://e-sourcingni.bravosolution.com>) would serve this need if it included all tenders in the NI Public Sector and if there was an alerts service.
- 1.2.2 Pre-qualification questionnaires will be limited to projects which are valued at over £50,000.
- 1.2.3 All respondent organisations or affiliations of individuals will be welcomed and considered, whether the participating individuals have worked together before or not.
- 1.2.4 All respondent organisations or affiliations of individuals will be welcomed and considered, whether the participating individuals have worked with the CPD before or not.

1.3 Transparency of process and information

- 1.3.1 The name or names of the successful contractor(s) / organisation(s) shall be published within 30 days of the selection being made using the same open subscription-free web-based portal as mentioned in item 1.2.1 above.
- 1.3.2 The evaluation and the assessment process of responses to tender shall be open to outside scrutiny and specific reasons will be recorded for each assessment point a respondent earns or loses during the assessment process.
- 1.3.3 The above confidential feedback on a respondent's own tender will be provided to that respondent if they ask for it.

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- 1.3.4 General feedback shall be amalgamated and published on the general reasons why contract was awarded and also general reasons why unsuccessful responses failed. This is expected to feed into and inform future CPD's tendering masterclass / workshop content.
- 1.3.5 There is merit in publishing a regular (e.g. annual) 'Lessons Learned' on what made for successful tenders Vs unsuccessful tenders.

We thank you for the opportunity to present our observations and recommendations and look forward to reading your conclusions



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Chair - Independent Consultant Adviser Group NI

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