

NPS EVENTS GUIDE

Conferences, exhibitions and seminars aimed at procurement professionals.

MARCH-JUNE 2005

PASS – HOW TO LET COMPLIANT PUBLIC CONTRACTS

22 Mar Edinburgh 13 May Belfast
19 Apr North London 17 May Birmingham
24 May Leeds
14 Jun London
email: events@bipsolutions.com

MARCH-JUNE 2005

PASS – GET READY FOR CHANGE

10 Mar Bristol 18 May Birmingham
23 Mar Edinburgh 25 May Leeds
20 Apr London 22 Jun London
10 May Belfast 23 Jun Cardiff
email: events@bipsolutions.com

MARCH-JUNE 2005

PASS – THE NEW EU PROCUREMENT DIRECTIVE 2004/18/EC PROCEDURES

24 Mar Edinburgh 19 May Birmingham
21 Apr London 11 May Belfast
09 Jun London
email: events@bipsolutions.com

MARCH-MAY 2005

PASS – COMPLETING THE EU PROFORMAS

11 Mar Bristol 22 Apr London
30 Mar Glasgow 20 May Birmingham
email: events@bipsolutions.com

MARCH-JUNE 2005

PASS – HOW TO WIN TENDERS

09 Mar Birmingham 11 May Belfast
24 Mar London 15 Jun London
10 May London
email: events@bipsolutions.com

9 MARCH 2005

SELLING TO GOVERNMENT

London Heathrow
email: events@bipsolutions.com

MARCH-JUNE 2005

PASS – PREPARING PERFECT TENDERS

10 Mar London 26 May Leeds
13 Apr Birmingham 08 Jun Bristol
27 Apr Glasgow 16 Jun London
email: events@bipsolutions.com

MARCH-JUNE 2005

PASS – DELIVERING SOCIAL, ENVIRONMENTAL AND SUSTAINABLE PROCUREMENT

15 Mar London 17 May Manchester
28 Apr Glasgow 07 Jun London
email: events@bipsolutions.com

MARCH-JUNE 2005

PASS – COMPLIANT APPLICATION OF EC PUBLIC PROCUREMENT DIRECTIVES BY REGISTERED SOCIAL LANDLORDS

16 Mar London 09 Jun London
12 May Birmingham
email: events@bipsolutions.com

17 MARCH 2005

CENTRAL BUYING CONSORTIUM (CBC) ANNUAL CONFERENCE 2005

One Great George Street
Westminster, London
email: events@bipsolutions.com

19 APRIL 2005

LONDON CONTRACTS AND SUPPLIES GROUP (LCSG) ANNUAL CONFERENCE 2005

London Marriott, Grosvenor Square
email: events@bipsolutions.com

APRIL-JUNE 2005

PASS – CONTRACTING UNDER THE FREEDOM OF INFORMATION ACT

14 Apr Birmingham 12 May Belfast
15 Apr Cardiff 18 May Manchester
20 Apr London 07 Jun London
26 Apr Glasgow
email: events@bipsolutions.com

To register online for the above events please

visit www.bipsolutions.com/events

For further information contact our Events Team at BiP on 0845 270 7095 or email events@bipsolutions.com

March's Top Tip: Open to competition



YOU WILL not stray far from compliance with EU public procurement rules if you make the maxim 'we must not restrict, distort or prevent competition' central to your procurement strategy.

Public procurement is not just about adhering to the processes and procedures dictated by the EU public procurement Directives; more importantly it is about compliance with the fundamental principles of the EU Treaty. These principles are, with regards to public procurement, often defined as ensuring that a public authority does not in any way through its tendering strategy restrict, distort or prevent competition.

The European Court of Justice has already ruled that to comply with EU Treaty principles, open competition must be undertaken, even for public sector contract opportunities not covered by the procurement Directives – this includes low-value contracts.

To ensure compliance with the principles of the EU Treaty public authorities should not, therefore, operate their procurement within a closed-market environment which restricts tender opportunities, no matter

what value. Also, public authorities only using pre-registered suppliers on their own or another's select list could potentially distort competition, or even cause discrimination.

An interested supplier should always be free to express their interest in a tender opportunity, regardless of whether they have pre-registered on a public authority's list. Any such potential contract opportunity should be openly and clearly advertised; the simplest way of doing this is through being listed on the contracting authority's own website.

Care should also be taken to ensure that the level of assessment that a supplier must be subject to for entry to a select list or contract opportunity is appropriate to the specific contract in question and its value; and don't forget to ensure that the award criteria specified are clearly linked to the subject matter of the contract.

For specialist advice on this and other related topics contact BiP's **Procurement Advice & Support Service** on 0845 270 7055, email pass@bipsolutions.com or visit www.bipsolutions.com/pass



Getting it on the



WITH THE public sector struggling under the weight of so many new regulatory burdens there has never been a more pressing need for timely and accurate information to help lift the load.

Government Opportunities (GO) magazine covers all the issues that buyers and suppliers should be aware of. Every month, *GO* provides insightful analysis and commentary on the government marketplace, as well as all the most up-to-date information on the big contracts hitting the headlines.

More timely than an Invitation to Tender, *GO* arms both buyers and suppliers with all the information they need to confidently go forth and engage in the public sector procurement process.

The *GO* editorial team is keen to see best practice spread to every corner of the UK, and is inviting *NPS* readers who don't currently receive the magazine to apply for a sample copy. Requests, including your name, position and address, should be made to bip@govopps.co.uk with the words 'sample copy' in the subject field of your email.

NPS readers can also be part of *GO*'s success and the collegial spirit of sharing best practice by contributing features and stories to the publication. Proposed feature ideas should be sent to bip@govopps.co.uk with the words 'proposed feature' in the title.

IN APRIL'S ...



- **Constitutional Affairs Minister Baroness Ashton** talks to *GO* Assistant Editor Gary Atkinson about how the public sector is coping with the Freedom of Information Act and the implications for supplier information.
- **Louise Townsend** from Pinsent Masons writes on how buyers and suppliers will need to work together to make the most of the Freedom of Information Act's exemptions.
- **Andrea Simmons** from Socitm Consulting outlines how the difference between meeting deadlines and non-compliance with the new Freedom of Information Act will be down to good records management.

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NPS



BiP's NEWSLETTER FOR THE PROCUREMENT SERVICE

ISSUE 34 MARCH 2005

A library of knowledge at your fingertips helping you deliver Best Practice Procurement



for further details on the PASS Manual email: pass@bipsolutions.com

N3PD support grows



aXcess in the lab

THE CENTRAL Science Laboratory (CSL) is set to streamline its tendering processes with the launch of a dedicated procurement portal developed by BiP Solutions.

Suppliers will be able to visit the portal and access CSL procurement information, including contract announcements, contact details, policies and plans.

The CSL procurement portal has been developed by BiP Solutions using its unique aXcess buyer profile service, which helps reduce tendering timescales by publishing real-time contract information on the web.

The CSL already uses BiP's Project e-notice service for placing EU and non-EU contract notices, and by connecting this data with the aXcess service, contract notices created in Project are immediately placed on the procurement portal, giving suppliers instant access to contract opportunities.

This also makes the CSL compliant with the EU's new Consolidated Procurement Directive, by providing purchasing and procurement information via a buyer profile.

The Office for Government Commerce recently presented two prestigious awards to the CSL for its electronic procurement implementation. These awards were for: 'Best small department/agency' and 'Best overall'.

To learn how your organisation can access the benefits of aXcess and revolutionise your purchasing processes, visit www.bipsolutions.com/Delta or contact helpdesk@delta-ets.com Alternatively, call the Delta Helpdesk on 0845 270 7050

The CSL portal can be found at <http://cls.g2b.info>



BiP SOLUTIONS is delighted to announce that the Improvement and Development Agency (IDeA), the Southern Universities Purchasing Consortium (SUPC), and the Business Services Association (BSA) are, once again, pleased to support National Public Procurement Practitioners Day (N3PD), which this year takes place on Tuesday 7 June at One Great George Street, London.

To demonstrate their commitment, the BSA has raised £10,000 for the event's nominated charity, the British Heart Foundation. The BSA raised the money through a charity auction at their annual dinner on 25 November 2004, with prizes including a trip to an African game reserve.

N3PD, in conjunction with the *Government Opportunities (GO)* Excellence in Public Procurement Awards, celebrates the success of individuals and teams working within procurement, and recognises those who have dedicated the majority of their career to the public procurement profession.

N3PD organisers BiP Solutions are looking for more public sector organisations to help celebrate the procurement profession by supporting the event.

For further information, or to register your support, visit www.n3pd.com

Oughton to speak at N3PD

WITH THE biggest names in procurement attending the second National Public Procurement Practitioners Day (N3PD), it is only right that one of the highest-profile individuals in the field will be speaking at the event.

John Oughton, Chief Executive of the Office of Government Commerce, has confirmed to speak at N3PD, which celebrates the work of public procurement personnel who, through their hard work, truly provide best value for public services.

The event will take place on 7 June 2005 at One Great George Street, London, and promises to be the highlight of the public procurement calendar.

To attend the event, or for further information, visit www.n3pd.com



Join us in celebration of your profession for...
NATIONAL PUBLIC PROCUREMENT PRACTITIONERS DAY

Tuesday 7 June 2005
Institution of Civil Engineers
One Great George St
London

www.n3pd.com

REGISTERED CHARITY NO. 225971

To register your organisation as an N3PD supporter, email n3pd@bipsolutions.com or call our Events Team on 0845 270 7095





Defense contracts go global

DEFENSE Contracts International (DCI), the leading online defense contract information service, has been relaunched offering more benefits than ever before.

As of 17 February 2005, not only has the look and feel of DCI improved, but the services available are now even better than before, providing users with the most comprehensive range of market intelligence from defense agencies around the world.

DCI can deliver information to your desktop on new contracts being placed by defense agencies around the world, as well as all the international defense news stories and reports that matter.

To find out more about DCI, to subscribe, or to find out about the upgrade services available if you are already a subscriber, please call our dedicated **DCI Team** on **0845 270 7092**, or email dc@bipsolutions.com. Alternatively, visit the new-look DCI website at www.dcicontracts.com



THIS IS a final call for the remaining spring 2005 Local Government Roadshow events taking place in Newcastle (17 June) and Manchester (22 June).

Organised by BiP Solutions' Procurement Advice & Support Service (PASS), the Roadshows have been created to help you ensure that your organisation's procurement strategy is up to scratch.

Demand for places has been high, so to avoid missing out contact events@bipsolutions.com or telephone **0845 270 7095**

All Halle the ECJ

A RECENT judgment by the European Court of Justice (ECJ) means that the award of public service contracts to organisations which have both private and public sector shareholders has to follow EU procurement rules.

On 11 January 2005 the ECJ ruled against the City of Halle in Germany for having awarded a waste contract to a company without issuing a formal invitation to tender (ECJ Case C-26/03). Although the contracting authority owned the majority of capital in the company, and the private sector stake was low, the ECJ says that the contract should have been subject to formal public procurement procedures.



This means that public authorities will need to consider carefully the potential impact of the Directives on any proposed partnership arrangement where the private sector has a stake.



CBC the future

FROM THE National Procurement Strategy for Local Government to Sir Peter Gershon's Efficiency Review, consortia have been promoted as the future of savings through collective purchasing.

One of the most successful has been the Central Buying Consortium (CBC), which will hold its Annual Conference & Exhibition at One Great George Street, London on 17 March 2005.

The event, organised by BiP Solutions, hosts an impressive line-up of speakers. OGC Chief Executive John Oughton will be presenting this year's keynote address to explain the impact of the Efficiency Review on the public sector as a whole, and in particular on

procurement activity. The role of the Centres of Excellence is clearly linked to the Efficiency Review, and Dr Andrew Lerner, Director of the South East Centre of Excellence, will be informing delegates about how the South East is addressing the public sector efficiency agenda and the National Procurement Strategy. And of course Dave Wheller, CBC Chairman and Head of Procurement & Direct Services at Essex County Council, will also be speaking at the event.

For further information and online registration please visit www.bipsolutions.com/events/cbc05/ or contact the **Events Team** on **0845 270 7095**

Hope for e-Government



PHIL HOPE, Local e-Government Minister, has announced that local authorities in England are expected to meet their target to be 100% e-enabled by the end of the year.

He also outlined that authorities expect to deliver £1.2 billion in efficiency savings by 2007-08 as a direct result of e-government investment.

Councils were encouraged by the Minister to take advantage of the Local e-Government National Projects, including the National e-Procurement Project, which aim to help councils deliver service improvements and efficiency benefits.

The results from December's Implementing Electronic Government Statement returns show that the average council is now 79% e-enabled and expects to meet the December 2005 target.

BiP Solutions provides a number of e-tendering services which can help public authorities realise greater efficiency, as well as help them stay compliant with public procurement legislation.

Further information on Delta, the complete public sector e-tendering solution, can be found at www.bipsolutions.com/delta



BE SURE you are ready for the new OJEU forms (due May 2005). Project offers a fully supported e-notice service. If you are not already using Project and would like a free trial, please email: marketing@delta-ets.com

This judgment will have the effect of reducing the scope of the exemptions to the Directives. However, a public authority can still carry out an activity itself without advertising that contract, and can also do so through a wholly owned company. Similarly, the judgment should not affect purely public to public arrangements.

To help public authorities get to grips with the legislation, BiP Solutions is running the 'How to Let Compliant Public Contracts' event in Edinburgh on 22 March, and in London on 19 April and 14 June 2005.

To register for this event, visit www.bipsolutions.com/events/ or email events@bipsolutions.com

FSB calls for procurement rethink



THE FEDERATION of Small Businesses (FSB) has called on the Office of Fair Trading to investigate current procurement practices, which it claims hinder small businesses from winning a share of the £117 billion spent on public contracts every year.

According to figures published in the FSB's 'Lifting the Barriers to Growth' survey, the size of a business is directly related to its ability to win public sector contracts.

Just 38% of firms with a turnover under £25,000 sell goods and services to local authorities, compared with 65% of firms with a turnover of more than £1 million. Only one business in five with a turnover below £25,000 sells goods or services to central government, compared with two in five businesses with turnovers above £5 million.

The FSB believes that the reason why so few small firms are winning government business is that some procurement processes are inherently anti-competitive, distort the marketplace and are in conflict with the Competition Act. The FSB highlights the use of third-party accreditation agencies as one issue amongst many which is of particular concern.

However, products from BiP Solutions can help small businesses access the government marketplace.

For example, it is free for suppliers to register on BiP's online Select supplier information service, which facilitates the creation, management and exchange of pre-qualification information between buyers and suppliers.

Buyers also have free access to Select, and can use the service to identify potential suppliers and invite them to tender via the system.

To see how Select can work for your organisation, visit www.Delta-ets.com

BiP Solutions is the market leader for electronic, online and print contract information services for suppliers.

Further information on any BiP products and services can be found at www.bipsolutions.com

CBI warns against 'buying cheap'



THE CONFEDERATION of British Industry (CBI) has warned the Government that 'buying on the cheap' to help meet the £21.5 billion efficiency targets will risk compromising public service improvement goals.

John Williams, CBI Director of Public Services, has warned that attempts to meet efficiency targets by squeezing prices in the short term could result in significant problems in the longer term. He said: "If price is the only criteria... then the quality of what is delivered will inevitably suffer."

Mr Williams also said that the Efficiency Review was a good opportunity for the Government to 'radically rethink' public procurement, but that 'lowest price purchasing' will impair innovation.

For specialist advice on how contracting authorities can deliver Best Value in their procurements and comply with purchasing legislation, contact the **Procurement Advice & Support Service** on **0845 270 7055**, email pass@bipsolutions.com or visit www.bipsolutions.com/pass

New PASS masters

FOLLOWING ON from last month's announcement of five new Procurement Advice & Support Service (PASS) consultants, BiP Solutions is delighted to announce two new members to its PASS team.

Susan O'Neill, formerly with the Ministry of Defence (Army), has joined the PASS administration team. Following six years at the MoD, Susan has joined BiP Solutions to take control of day-to-day administration for the PASS team, with particular emphasis on the PASS Model Public Procurement Manual process, as well as managing the booking of consultants for clients.

Awards on the GO

The *Government Opportunities (GO) Awards* have become even bigger and better with an unprecedented response to some extra categories.

The ceremony, held as part of National Public Procurement Practitioners Day (N3PD), will host six awards in total.

In addition to the categories for the Individual Award for Public Procurement Excellence, the Team Award for Public Procurement Excellence (renamed from Collective Award) and the Lifetime Achievement Award, there will be categories for:

- Greatest Procurement Contribution to the Environmental, Social and Sustainability Agenda
- Greatest Contribution to the e-Government Agenda
- Best Service Award



MAY THE FORMS BE WITH YOU!

THE PROVISIONAL date of 1 May 2005, when the new OJEU mandatory standard contract notification proformas come into use, is fast approaching, but those unprepared for the change need not fear.

BiP Solutions' 'How to Complete the New OJEU Contract Notice Proformas' event is designed to help public procurement personnel understand these very large and complex proformas, and help ensure contract notices are completed and transmitted compliantly.

This event is specifically designed to help all personnel involved in public procurement, including procurement officers, contract letting personnel, buyers and others involved in the contract notification and letting process.

For further information and online registration please visit www.bipsolutions.com/events/euproforma05/ or contact the **Events Team** on **0845 270 7095**

In a consultancy role PASS are delighted to welcome Mark Woods, immediate past Director of Collaborative Opportunities at the Office of Government Commerce. Mark has spent over 27 years working in the public sector, and has held a number of senior procurement roles, including Head of Procurement at the Contributions Agency and Deputy Head of Procurement at the Inland Revenue, as well as his role at OGC. Much of his experience has been at the leading edge of the development of strategic procurement thinking in government.

To find out how PASS can help your organisation with its procurement process call **0845 270 7055**, email pass@bipsolutions.com or visit www.bipsolutions.com/pass

Don't delay! Nominate an individual or organisation now before the deadline for responses – 31 March 2005 – and the chance to bring some well-earned recognition to yourself or your associates passes!

The GO Awards will be held at N3PD on 7 June 2005 at One Great George Street, London.

For a GO Awards nomination form and information on attending the event visit www.n3pd.com