
From: Sharp DP (Damian)
Sent: 19 December 2006 08:07
To: Spence M (Matthew); Davis L (Lorna); Ramsay J (John)
Subject: FW: Infraco Evaluation Methodology

For info & file

-----Original Message-----

From: James Papps [<mailto:James.Papps@partnershipsuk.org.uk>]
Sent: 18 December 2006 17:15
To: Geoff Gilbert
Cc: Andie Harper; Willie Gallagher; Sharp DP (Damian); James Stewart
Subject: Infraco Evaluation Methodology

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Geoff

I promised to let you have any PUK comments.

In general terms, as mentioned at DPD, main concern remains the amount that will still need to be negotiated and agreed with a single preferred bidder in the absence of competitive tension (novations of tramco, SDS, 1B etc). In terms of the evaluation methodology, therefore wondered whether there should be more of a presumption that both bidders will remain actively under consideration for as long as possible: downplaying finality of any 'preferred candidate' appointment and perhaps giving rather more status to the bidder in second place initially ('reserve preferred candidate' or something like that). It is possible that bids will genuinely be very close, but even if there is a very clear favourite, anything that can be done to keep pressure on during final negotiations with that favourite can only help.

In terms of the drafting, you may therefore wish to tone down some of the wording re: feedback and 'opportunity to withdraw' (para 1.4.12) and 'elimination' of candidates (para 1.4.16). Also re: appointment of Preferred Candidate, you may want to refer to 'initial Preferred Candidate' or something along those lines (para 1.4.17) and build in some express reference to the possibility of reverting to 'reserve preferred candidate' in the event of lack of progress re: facilitated negotiations etc.

Appreciate that, given timetable, and reality of bids, it may prove very difficult to sustain competition – but at least worth having a framework that might allow this.

In terms of legal evaluation and adherence to procurement strategy, will the methodology allow for some express adjustment (eg financial) to reflect value of risks passed back to TIE (there is some reference to this in 3.2)? Is the separate paper explaining plans for negotiations (ref in para 1.3) drafted? Also, will DLA be signing off formally on the Evaluation Methodology?

Minor point of detail: para 1.8 line 4, may be worth inserting 'at its absolute discretion' after 'ITN'.

Very happy to discuss

Kind regards

James

James Papps

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