Develop Documents

This section of the Procurement Journey provides guidance on the following:

- **Specification**
- **Exclusion**, **selection** and **award criteria**
- **SPD**
- **Invitation to Tender (ITT)** - including Terms and Conditions

If you use Public Contracts Scotland (PCS)

If you decide to use the online SPD Module on **PCS**, the selection and exclusion criteria will need to be included i.e. not in the **Contract Notice.**

The default exclusion criteria required for a process valued equal to or above the threshold is provided automatically in the Module. You can choose the selection criteria relevant to the procurement exercise you are conducting.

Care must be taken to ensure consistency between the ITT and the Contract Notice. If at any point in your procurement process you identify the need to vary from the Contract Notice you may need to cancel the existing notice and republish (which could result in new suppliers coming forward).

If You Use PCS-T

It is necessary to have all of the above documentation created on **PCS-Tender**, where it is used, before preparing the Contract Notice and advertising requirement on PCS.

Checklist

Checklist

Information to Include in your Tender

Go to Checklist Links to content

This provides a list of documents that can be included in your tender.

Confidentiality

Open or close

You should not disclose information provided by bidders that has been highlighted as confidential. This could include but is not limited to technical or trade secrets and the confidential aspects of tenders.

You may wish to consider adding a requirement to ensure your organisation's confidential information is protected throughout the procurement process.

Fair Work Practices

Open or close

It is helpful for you to highlight to the market at an early stage any contract requirements. This includes your approach to addressing **Fair Work practices** in the procurement exercise. This should be included in the procurement documents, which invite suppliers to participate in the procurement exercise.

Data Protection

Open or close

Organisations should ensure that:

- all relevant procurement documents make reference to **Data Protection legislation**; and
- their terms and conditions are up-to-date.

More detailed information can be found in **Additional Resources.**

Cyber Risks

Open or close

If the contract will involve, support or rely on the digital processing of information, organisations should ensure that appropriate consideration is given to potential cyber risks and their management.

Further information on how to assess and manage cyber risks as part of the procurement process can be found in the Scottish public sector **Guidance Note on Supplier Cyber Security**. Buyers should also consider the guidance within **SPPN 02/2020.**

The Cyber Security Procurement Support Tool is no longer in use, and the Scottish Government instead advises that organisations implement appropriate cyber assurance mechanisms into their procurement processes.

If you have any questions, please contact: **cyberresilience@gov.scot**

Consideration must also be given to **Planning**, **Sustainable Procurement** and **Risk Management** throughout this stage of the Journey.