Single Procurement Document - SPD

What is the SPD?

The SPD is a standard questionnaire that allows buyers to identify suitably qualified and experienced bidders. It contains questions on both exclusion and selection criteria.

Bidders will use their SPD response to indicate whether their organisations meet the requirements of the procurement exercise. The response is a self-declaration form and bidders do not need to provide any evidence upfront unless there are clear reasons for doing so.

When should I use it?

Buyers must issue an SPD request for procurement exercises over the **threshold** (Route 3) and it is recommended that it is also used for all Route 2 procurements.

The SPD can be used as part of either a single stage or multi-stage procedure.

Single Stage

Open or close

A single stage procedure asks bidders to submit all relevant information at the same time. This will usually take the form of a completed SPD document, alongside the bidders responses to the rest of the procurement documents e.g. Invitation to Tender (ITT).

In this instance the bidders' SPD responses should be assessed on a pass/fail basis, and none of the questions should be scored and weighted, as there is no requirement to shortlist.

Multi-Stage

Open or close

In a two stage procedure, bidders will provide information in two distinct stages. Firstly the bidder will submit the SPD for evaluation by the buyer. All of the exclusion questions and most of the selection questions will be assessed on a pass/fail basis.

The technical and professional ability section of the SPD also includes the ability to score and weight questions. This allows the buyer to rank responses and shortlist a number of bidders to invite to tender.

The scoring and weighting methodology must be fair, transparent and clearly explained to all bidders upfront.

Buyers should define the scoring and weighting process that will be taken in the Contract Notice or within the SPD module on Public Contracts Scotland (PCS).

A summary of the SPD process is shown below:

Stage 1	The Contract Notice on PCS OR the online SPD Module on PCS OR on PCS-Tender will contain information on any minimum standards or selection criteria set by the buyer
Stage 2	The SPD is where the bidder will confirm (self-declare) that: • none of the exclusion criteria apply • they meet any minimum standards/selection criteria set by the buyer
Stage 3	Only those bidders shortlisted or selected as the preferred bidder will be required to provide certificates/evidence that they meet the criteria

Quickfire Guide

How Can I Create an SPD request?

PCS-Tender	If you are currently a **PCS Tender** user you will be able to use the online SPD template on PCS-Tender.
SPD Module	The SPD has been built into **Public Contracts Scotland** as an online module that is available to all users.

What Types of Questions Can I Ask?

Exclusion Criteria Questions

All mandatory exclusion questions must be included in all Route 3 procurement exercises.

The exclusion criteria questions are split into two types with regards to excluding bidders:

- **Mandatory exclusions:** The bidder must be excluded from the procurement process if the below specified offences have been committed and they have not taken sufficient self-cleansing actions.

These are:

- Criminal Offences
- Blacklisting
- Tax and Social Security breaches by binding decision (judicial or administrative)

For further information, please review the **exclusion criteria** station.

- **Discretionary exclusions:** The bidder may be excluded from the procurement process if they have taken part in certain activities and they have not taken

sufficient self-cleansing actions. The activities and any self-cleansing actions should be considered on a case-by-case basis by the buying organisation.

What is Self-Cleansing?

Open or close

Bidders must be given the opportunity to provide evidence that they have taken sufficient and appropriate remedial action i.e. they have ‘self-cleansed’. If you are satisfied that the evidence provided is sufficient to demonstrate reliability, you must not exclude the bidder from the procurement procedure on those grounds.

The bidder must satisfy that it has

- paid, or undertaken to pay, compensation for any damage caused by the criminal offence or misconduct
- provided detailed facts and circumstances by collaborating with the investigating authorities and
- taken appropriate concrete technical, organisational and personnel measures to prevent further criminal offences or misconduct.

When considering any self-cleansing measures, organisations must consider all relevant factors. This includes the gravity and particular circumstances of the criminal offence or misconduct.

If you believe the bidder’s remedial action is not sufficient to demonstrate reliability, you must provide the bidder with a statement outlining the reasons for the decision. The statement of reasons must be provided in writing as soon as is reasonably practicable to allow the bidder to understand why the self-cleansing measures taken are insufficient.

In the case of tax and social security breaches where self-cleansing does not apply, the bidder should not be excluded if:

- have fulfilled their obligations by paying or entering into a biding agreed with the view to paying monies due
- they have a clear disproportionate (i.e. minor) amount of taxes or social security contributions unpaid

- the obligation to repay otherwise ceases.

Selection Criteria Questions

Buyers must only include the selection questions that are both relevant and proportionate to their procurement exercise and delete the ones that are not. It is highly unlikely that you'll ever need to use all of the available selection criteria in a single exercise. You must only use criteria that are relevant to your contract.

Questions in the SPD are generic. Therefore, the buyer must supplement the standard SPD questions with specific minimum requirements relating to their procurement exercise.

Buyers must ensure that any such requirements are proportionate to the value and risk of the procurement exercise.

Please note: that no extra questions should be added to the SPD.

For more detailed information refer to **selection criteria**.

Where do I specify my minimum requirements?

This will vary depending on the format used to issue your SPD request.

If using PCS-Tender, you should set out your specific requirements in the Contract Notice.

If using the online SPD module on **PCS**, you should include your specific requirements within the corresponding SPD question(s).

A set of standardised statements may help you to explain these requirements in a consistent format.

What are Standardised Statements?

Open or close

A set of standardised statements, which can be found at the bottom of this page, has been developed to support you in explaining your selection criteria to bidders.

Each standardised statement is aligned to a selection question in the SPD. You should select the statements relevant to your procurement exercise. In some instances, you are able to adapt them.

The full list of statements can be found in the standardised statement document and an example is included below:

SPD Question:

The bidder should provide its ("general") yearly turnover for the number of financial years specified in the relevant Contract Notice

Standardised Statement tailored to procurement exercise

Bidders will be required to have a minimum "general" yearly turnover of £2m GBP for the last 2 years

Some of the standardised statements, for example those relating to Environmental Management Legislation and Quality Management Procedures, are very lengthy. Therefore you should review these carefully and ensure that you select only those parts of the standardised statements that allow you to specify your minimum requirements. You should be careful to ensure that the criteria included is proportionate.

This process will enable you to adopt a standard approach to defining the selection criteria in **Contract Notices**.

If using PCS-Tender, you should set out your specific requirements and minimum standards in the Contract Notice.

If using the online SPD module on **PCS** there is no need to add the statements in the Contract Notice, it should be added directly to the module.

More information on where to state information in the Contract Notice can be found on the **Contract Notice and Advertising station.**

Do Bidders need to Provide Evidence Upfront?

As the SPD is designed to be a self-declaration form, bidders are not required to produce supporting documentary evidence upfront. Evidence may be requested from the successful bidder(s) at the end of the first stage of a two stage procedure, and is required prior to awarding the contract.

If the bidder is unable to provide this evidence, upon request and without delay, they should not be taken forward to tender stage or be awarded the contract.

Exceptionally, where there is a genuine concern and a risk to the effective conduct of the procurement exercise, you may request, at any time, all or part of the supporting documents. Such requests can be made to the bidder or any subcontractors, consortia members or other bodies whose capability and capacity will be relied on to perform the contract.

Further information can be found in the **SPD FAQ page.**

SPD Do's and Don'ts

Do's	Don'ts
Select only the questions that are relevant and proportionate to the procurement exercise	Add any questions to the SPD
Set your minimum standards and requirements upfront	Set minimum standard too high
Inform bidders of the scoring and weighting in the Contract Notice and/or procurement documents	Use award criteria in the SPD

What Do I Need to Do if the Bidder is Relying on Other Parties?

Open or close

Where the bidder is relying on other parties to meet the selection criteria, for example as part of a consortium or is using a sub-contractor, you should request a separate SPD response from each party being relied on.

These parties should complete the exclusion criteria section of the SPD and whichever selection questions, the main bidder is relying on them for.

If the bidder is using a sub-contractor but not relying on them to meet the selection criteria, each sub-contractor should complete an SPD response. In this instance, they will only need to complete the exclusion criteria.

This should be evaluated alongside the main bidders SPD.

Where a party meets the mandatory grounds for exclusion you must require that the main bidder to replaces them.

Where there are discretionary grounds for the exclusion you may require the bidder(s) to be replaced. This should be considered on a case-by-case basis, taking into account the various circumstances of the procurement exercise.

Where a bidder relies upon the capacities of other entities with regard to criteria relating to economic and financial standing you may require the bidder and those entities to be jointly liable for the performance of the contract.

In the case of supply or service contracts your organisation may require certain critical tasks to be performed directly by the bidder itself or, where the tender is submitted by a group of bidders, by a participant in that group.

You can find more information on the SPD for a works contract by emailing: PropertyandConstruction@gov.scot

How Do I Shortlist Using the SPD?

Open or close

Shortlisting in the SPD allows a buyer to rank responses. This should only be done within the Technical and Professional Ability section. Ranking responses will allow you to determine who should be shortlisted and taken forward to the next stage of the procurement exercise.

For more information, go to the **selection criteria** page.

Multiple Use of the SPD

Open or close

Bidders may reuse the information that has been provided in an SPD which has already been used in a previous procurement procedure, as long as the information remains correct and continues to be pertinent.

The online SPD module on PCS supports this by allowing bidders to save a supplier profile which enables them to recall their SPD responses when completing future SPD requests.

Global Question for all Selection Criteria

Open or close

Buyers may consider allowing the bidders to answer the global question to confirm they meet ALL selection criteria as specified in the Contract Notice.

If the buyer chooses to include this global question, they should be confident that by NOT answering any other questions on selection criteria, that there is no risk to the procurement process, or the supply of goods, services or works as a result of the bidders response.

If you choose to include this question, then you can also use the questions in Part V, which ask bidders to describe how they meet the shortlisting criteria you have set out in the Contract Notice.

How do I use Part V of the SPD

Open or close

You may use Part V of the SPD when using PCS-Tender to reduce the number of already qualified candidates who meet all the exclusion and selection criteria in the SPD.

Part V of the SPD can only be used for restricted procedures, competitive procedure with negotiation, competitive dialogue procedure and innovation partnerships. It **cannot** be used in the case of open procedures and negotiated procedure without prior publication. Part V may be used if it is proportionate and relevant to the contract and it is specified in the Contract Notice.

If you decide to use Part V of the SPD, you need to specify the objective and non-discriminatory criteria or rules to be applied, the minimum number of bidders and where applicable, the maximum number the organisation intends to invite to tender or conduct dialogue. This information, must be accompanied by requirements concerning any (types of) certificates or forms of documentary evidence, to be produced, as set out in the relevant Contract Notice.

The minimum number of bidders that may be invited by an Organisation to a **restricted procedure** is five. In any event the number of candidates invited must be sufficient to ensure genuine competition (note if the number of bidders meeting the selection criteria is fewer than five the procurement can still proceed). In a **competitive dialogue**, **competitive procedure with negotiation** and **innovation partnership** the minimum number of candidates taken forward by the Organisation is three. In any event the number of candidates invited must be sufficient to ensure genuine competition (note if the number of bidders meeting the selection criteria is fewer than five the procurement can still proceed).

Care and Support Services

Open or close

The mandatory exclusion grounds **regulations 58(1) to (3) of Public Contracts (Scotland) Regulations 2015** must be applied to all procurements, and an organisation can choose to apply the discretionary exclusion grounds and selection criteria and to use the SPD for this purpose without amending the questions. It is a matter of best practice to do so.

SPD Financial Ratios

Open or close

If you are using PCS-Tender financial ratios these should be included in the Contract Notice or procurement documents.

If you are using the online SPD module in PCS, there is a drop down menu of ratios to choose from. These use standard terminology from the Scottish Government Accountancy Services. Your organisation may use differing terminology for these. If this is the case, or you want to add other ratios not listed, you can use the other financial requirements question to specify your ratio.

Any documents you need are listed below

SPD (Scotland) Standardised Statements

(file type: doc)

SPD Financial Ratios

(file type: docx)