# Innovation Partnership

An Innovation Partnership must only be used where:

- there is a need for the development of an innovative product or service and
- Ensure that the subsequent purchase of products or services resulting from this partnership correspond to the performance levels and maximum costs agreed between the public body and the partners.

The use of this procedure must be justified.

The Innovation Partnership procedure aims to solve an existing problem i.e. lets an organisation work with one or more partners to research and develop a product or service which is not on the market and can be bought without further competition once completed.

Quickfire Guide

Quickfire Guide

## Innovation Partnership Benefits

- allowing the development of new types of goods and services;
- market stimulation through the appointment of one or several partners.  They compete to conduct separate research and development activities funded through the contract;
- allowing the choice of the most suitable partners for development contracts; and
- allowing the purchase of innovative supplies and/or services through the Innovation Partnership.

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## Please Note

**In all cases "days" are calendar days and not working days. The final day must however be a working day in Scotland.**

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### Innovation Partnership Stages and Timescales

Open or close

Whilst an innovative solution is the objective of your procurement, the outcome must still:

- meet the minimum requirements set out in the tender documents; and
- be within the agreed performance levels and maximum costs.

You must set out in the **Procurement Documents**:

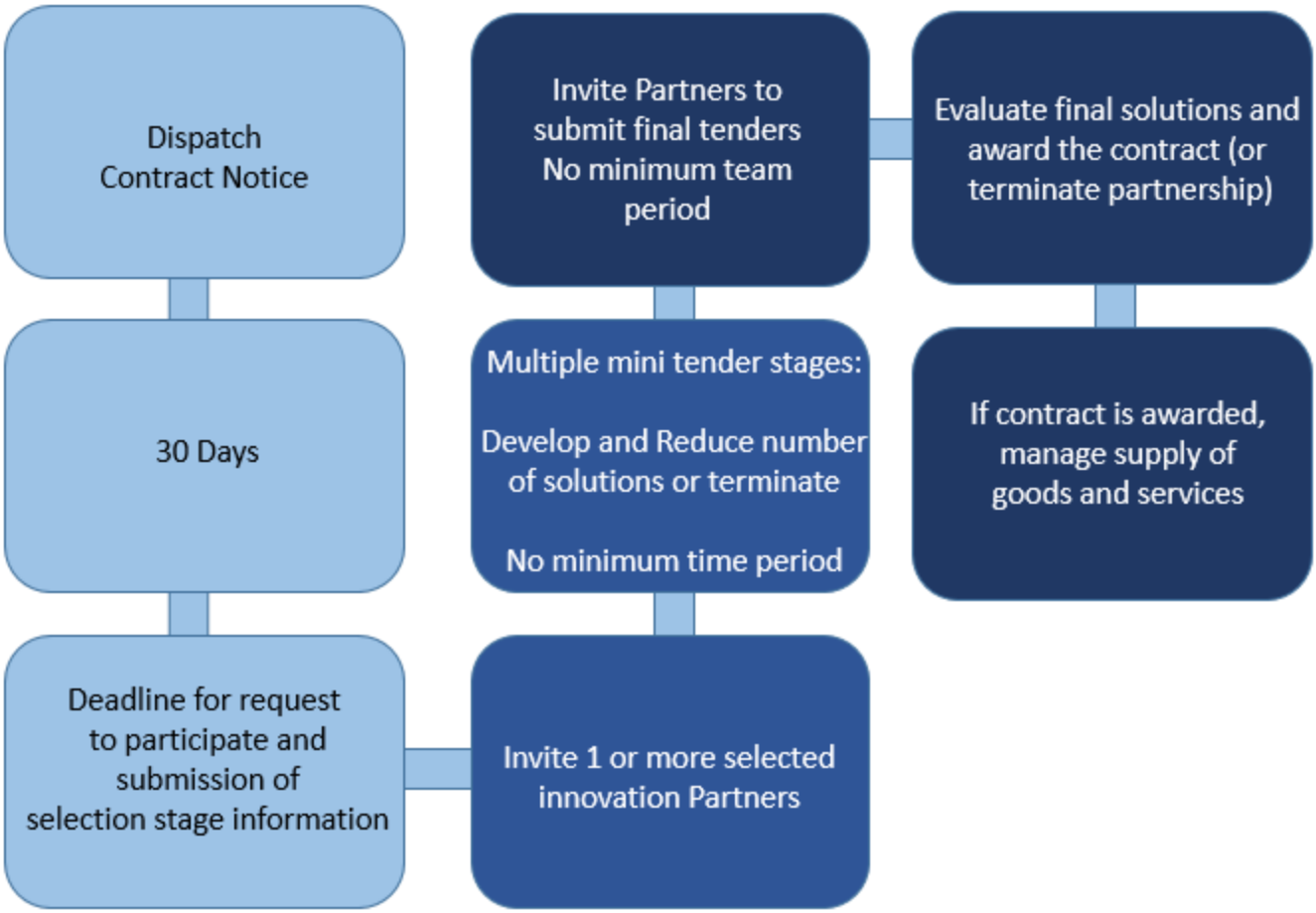
- the subject matter of the procurement by providing a description of your need;
- the minimum requirements;
- the award criteria; and
- the applicable intellectual property rights arrangements.

The information you provide must be precise enough to help potential partners identify the nature and scope of the requirement. This will allow them to decide whether to request to participate in your procedure. However, you should to be careful not to restrict the innovative proposals with the requirements.

The only set timescales is the deadline for requests to participate which must be a minimum of 30 days after the **Contract Notice** is sent for publication.

When fixing other time limits you should take account of the complexity of the contract and the time required for drawing up tenders.

The following shows the Innovation Partnership stages:




**1. Requests to Participate**

Open or close

You must permit any potential partner to submit a request to participate within the timescales you have set, answering your selection stage requirements.

The evaluation of the selection stage information may be more challenging than other procedures. You must, in particular, apply criteria concerning:

- the partner’s capacity in the field of research and development; and
- of developing and implementing innovative solutions.

Only those invited by you may participate in the procedure and go on to submit research and innovation projects.

**2. Structure**

Open or close

The Innovation Partnership must be structured in successive phases to reflect the research and development stages involved.  You must ensure the structure, duration and value of the partnership's different phases reflect the degree of innovation of the proposed solution and the sequence of the research and innovation activities.

You should set intermediate targets to be attained by the partners and provide for payment in appropriate instalments.

You must negotiate with partners over the initial and all subsequent tenders submitted, except for the final tender, to improve its content.  Minimum requirements and the award criteria must not be negotiated.

After each phase, you have the option to terminate the partnership or reduce the number of partners.  You can terminate individual contracts by applying the award criteria, provided that you have indicated such possibilities in the **Procurement Documents.**

### 3. Evaluation

Open or close

You must evaluate the final solutions or terminate the contract.  The contract must be awarded on the sole basis of the best price-quality ratio.

You should not use Innovation Partnership in a way that prevents, restricts or distorts competition.

You may limit the number of candidates meeting the selection criteria. If you stated this was a possibility in the Contract Notice.

You should invite at least three bidders to participate (if three or more meet the selection criteria) in order to ensure genuine competition. You may also establish an innovation partnership with one or several partners conducting separate research and development activities.

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### Care and Support Services

Open or close

For many care and support services contracts, an organisation may use the procurement procedures, tools and techniques of its choosing. You should follow a procurement procedure, as a matter of best practice, that is proportionate to the value of the contract and that takes account of some fundamental considerations (for example, the **principles of procurement**, and where relevant, **Fair Work Practices**).

When doing so, you may choose to adapt or streamline the Innovation Partnership Procedure described in the **Public Contract (Scotland) Regulations 2015**. If you do so, you are not obliged to follow the detailed procedural requirements set out in those Regulations. You should therefore not refer to the Regulations in the tender documentation issued to participants, as this may create an expectation that the detailed procedural requirements will be followed. In all cases, you should ensure that the procurement process is described accurately and clearly, and then adhered to.

**Confidentiality**

Open or close

Organisations must ensure the equal treatment of all parties involved. Part of this requires that confidentiality must be maintained to prevent any distortion of competition.

Your Organisation must not reveal confidential information communicated by a party to another party without their express agreement. This permission may only be given with reference to the intended communication of specific information.

You should also add a requirement to ensure your organisation’s confidential information is protected throughout the procurement process.

**Principles of Procurement**

Open or close

The activities you undertake at this stage must be carried out in a carefully managed manner that supports the **Principles of Procurement.**