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| **The purpose of this template** |
| This is applicable to The Procurement Journey - [Route 3](https://www.procurementjourney.scot/route-3/route-3-introduction)  **Regulated - letter informing unsuccessful tenderer of the contract award decision - with standstill**  This template is for use in regulated procurements, as defined in the  [Public Contracts (Scotland) Regulations 2015](https://www.legislation.gov.uk/ssi/2015/446/regulation/5/made) for goods and services |
| **Notes to help you complete this template** |
| When deciding what information should be issued to unsuccessful tenderers or candidates, section 86 of the Public Contracts (Scotland) Regulations 2015 provide specific detail on standstill periods.  <https://www.legislation.gov.uk/ssi/2015/446/regulation/86/made>  The feedback you are required to provide at this stage is detailed in Regulation 85.  You should also take cognisance of regulation 2 where it describes how you calculate a period of time when informing candidates:  <https://www.legislation.gov.uk/ssi/2015/446/regulation/2/made> |
| **Notes to help you complete the annex** |
| Regulation 85(2) of the Public Contracts (Scotland) Regulations 2015 requires the contracting authority to summarise the reasons why the bidder was unsuccessful and to explain the characteristics and relative advantages of the successful tender. Sufficient information must be included to enable the tenderer to identify why it has not been awarded the contract.  <https://www.legislation.gov.uk/ssi/2015/446/regulation/85/made> |

Thank you for your tender dated **[insert date]** for **[insert title of contract]**. We have now completed our evaluation of tenders received for this contract and, on behalf of the **[insert contracting authority]** I must inform you that on this occasion your tender has not been successful. The table below shows the individual scores given against the published criteria in respect of your submission and those of the winning tenderer **[insert name of winning tenderer]**.

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| --- | --- | --- |
| **Published evaluation criteria** | **Your score** | **Winning tenderer’s score** |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
| **Overall score** |  |  |

[Annex A](#Annex_A) to this letter provides a summary of the reasons why you were unsuccessful and the characteristics and relative advantages of the successful tender.

We are now required to observe a standstill period during which we must refrain from entering into contract with the winning tenderer. For the purposes of this contract, the standstill period shall run for a period of **[insert number of days]** days commencing the day after the date that this letter is despatched to you and is anticipated to end on **[insert date]**.

Where court proceedings are served on the contracting authority during the standstill period, we will not enter into a contract with the successful bidder until the court confirms that we are permitted to do so.

If you require further clarification, please contact us in writing. We will respond to you within 15 days of receipt of a written request.

May I take this opportunity to once again thank you for your interest in this contract and remind you that further contracting opportunities from the Scottish public sector can be found on the Public Contracts Scotland portal.

<http://www.publiccontractsscotland.gov.uk/>

**Annex A**

**[Insert summary of the reasons why the tenderer was unsuccessful**

**and the characteristics and relative advantages of the successful tender]**