



# Procurement Reform (Scotland) Act 2014

## 2014 asp 12

### PART 3

#### SPECIFIC DUTIES

##### *Selection of tenderers and award of contracts*

#### **29 Guidance on selection of tenderers and award of contracts**

- (1) The Scottish Ministers may publish guidance about the selection of economic operators and the award of contracts in relation to a regulated procurement.
- (2) The guidance may, in particular, cover—
  - (a) the use of questionnaires in the assessment of the suitability of economic operators,
  - (b) the matters relating to—
    - (i) the recruitment, remuneration (including payment of a living wage) and other terms of engagement of persons involved in producing, providing or constructing the subject matter of the regulated procurement, and
    - (ii) employee representation including trade union recognition,that are to be taken into account in assessing the suitability of an economic operator.
- (3) Contracting authorities must have regard to any guidance published under this section.
- (4) The Scottish Ministers must lay a copy of any guidance published under this section before the Scottish Parliament.
- (5) In subsection (2)(b), “living wage” has the same meaning as in section 15(5)(b)(iii).