



Procurement Reform (Scotland) Act 2014

2014 asp 12

PART 3

SPECIFIC DUTIES

Giving of reasons

33 Request for further information

- (1) The following persons may request further information in relation to a regulated procurement (other than an EU-regulated procurement)—
 - (a) an economic operator who was excluded from participating in the procurement process before it submitted a tender,
 - (b) an unsuccessful tenderer,
 - (c) the successful tenderer.
- (2) The request must be—
 - (a) in writing, and
 - (b) made before the end of the period of 30 days beginning on—
 - (i) in the case of a person mentioned in subsection (1)(a) or (b), the day the person received a notice under section 32,
 - (ii) in the case of the successful tenderer, the day on which it was notified of the decision to award the contract.
- (3) The contracting authority must, before the end of the period of 30 days beginning on the day it receives the request, provide the relevant information.
- (4) The relevant information is—
 - (a) in the case of an economic operator excluded from the participating in the procurement process, a summary of the reasons why the economic operator was excluded,
 - (b) in the case of an unsuccessful tenderer—
 - (i) a summary of the reasons why the tenderer was unsuccessful, and
 - (ii) the characteristics and relative advantages of the successful tender,

Status: This is the original version (as it was originally enacted).

- (c) in the case of the successful tenderer, a description of any improvements the contracting authority considers the tenderer could have made to its tender.