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#### SCOTTISH STATUTORY INSTRUMENTS

# 2015 No. 446

# **PUBLIC PROCUREMENT**

# The Public Contracts (Scotland) Regulations 2015

Made - - - 16th December 2015

Laid before the Scottish

Parliament - - 18th December 2015

Coming into force in accordance with Regulation 1

# THE PUBLIC CONTRACTS (SCOTLAND) REGULATIONS 2015

#### PART 1

# **GENERAL**

- 1. Citation, commencement and extent
- 2. Interpretation

# PART 2

## RULES IMPLEMENTING THE PUBLIC CONTRACTS DIRECTIVE

# CHAPTER 1

#### SCOPE AND GENERAL PRINCIPLES

# SECTION 1

# Scope

- 3. Subject Matter and application of these Regulations
- 4. Mixed Procurement
- 5. Thresholds
- 6. Methods for calculating the estimated value
- 7. Exclusions: Utilities
- 8. Exclusions: Concessions
- 9. Exclusions: Electronic Communications
- 10. Exclusions: Public contracts awarded, and design contests organised, pursuant to international rules
- 11. Exclusions: Specific service contracts
- 12. Exclusions: Service contracts awarded on the basis of an exclusive right

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- 13. Exclusions: Public contracts between entities within the public sector
- 14. Specific situations: Contracts subsidised by a contracting authority
- 15. Specific situations: Research and development services
- 16. Specific situations: Defence and security
- 17. Mixed procurement involving defence or security aspects
- 18. Public contracts and design contests involving defence or security aspects which are awarded or organised pursuant to international rules

#### **SECTION 2**

#### General Rules

- 19. Principles of procurement
- 20. Economic Operators
- 21. Reserved contracts
- 22. Confidentiality
- 23. Rules applicable to communication
- 24. Nomenclatures
- 25. Conflicts of Interest

#### **CHAPTER 2**

#### RULES ON PUBLIC CONTRACTS

#### SECTION 3

#### **Procedures**

- 26. Conditions relation to the GPA and other international agreements
- 27. Choice of procedures
- 28. Open Procedure
- 29. Restricted Procedure
- 30. Competitive procedure with negotiation
- 31. Competitive Dialogue
- 32. Innovation Partnership
- 33. Use of the negotiated procedure without prior publication

#### **SECTION 4**

# Techniques and Instruments for Electronic and Aggregated Procurement

- 34. Framework Agreements
- 35. Dynamic Purchasing Systems
- 36. Electronic Auctions
- 37. Electronic catalogues
- 38. Centralised purchasing activities and central purchasing bodies
- 39. Occasional joint procurement
- 40. Procurement involving contracting authorities from different member States

#### **SECTION 5**

# Conduct of the Procedure

- 41. Preliminary market consultation
- 42. Prior involvement of candidates or tenderers

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- 43. Technical specifications
- 44. Labels
- 45. Test reports, certificates and other means of proof
- 46. Variants
- 47. Division of contracts into lots
- 48. Setting time limits
- 49. Prior information notices
- 50. Contract notices
- 51. Contract award notices
- 52. Form and manner of sending notices for publication at EU level
- 53. Publication at national level
- 54. Electronic availability of procurement documents
- 55. Invitations to candidates
- 56. Informing candidates and tenderers

# Choice of Participants and Awarding Contracts

- 57. General principles
- 58. Exclusion grounds
- 59. Selection criteria
- 60. European Single Procurement Document: Use, content and form of the ESPD
- 61. Means of proof
- 62. Recourse to e-Certis
- 63. Quality assurance standards and environmental management standards
- 64. Reliance upon the capacities of other entities
- 65. Recognition of official lists of approved economic operators and certification by certification bodies.
- 66. Reduction of the number of otherwise qualified candidates to be invited to participate
- 67. Contract award criteria
- 68. Life-cycle costing
- 69. Abnormally low tenders

#### SECTION 6

# Contract Performance

- 70. Conditions for performance of contracts
- 70A Electronic invoicing
- 71. Subcontracting
- 72. Modification of contracts during their term
- 73. Termination of contracts

#### CHAPTER 3

#### PARTICULAR PROCUREMENT REGIMES

#### **SECTION 7**

# Social and Other Specific Services

- 74. Award of contracts for social and other specific services
- 75. Publication of notices

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# 76. Principles of awarding contracts

# **SECTION 8**

# Rules Governing Design Contests

- 77. Scope of Section 8
- 78. Notices
- 79. Rules on the organisation of design contests and the selection of participants
- 80. Appointment and composition of the jury
- 81. Decisions of the jury

#### **CHAPTER 4**

#### RECORDS AND REPORTS

- 82. Retention of contract copies
- 83. Reporting and documentation requirements

#### PART 3

#### REMEDIES

#### CHAPTER 5

### FACILITATION OF REMEDIES

- 84. Scope of Chapter 5
- 85. Notices of decisions to award a contract or conclude a framework agreement
- 86. Standstill period

# CHAPTER 6

#### APPLICATIONS TO THE COURT

- 87. Duty owed to economic operators
- 88. Enforcement of duties through the courts
- 89. Automatic Suspension of authority power to proceed with contract award
- 90. Powers and duties of the court
- 91. Ineffectiveness orders
- 92. Powers of the court
- 93. General interest grounds for not making a declaration of ineffectiveness
- 94. Other orders
- 95. Financial penalties

#### PART 4

# REVOCATIONS, CONSEQUENTIAL AMENDMENTS, SAVINGS AND TRANSITIONAL PROVISIONS

- 96. Interpretation of Part 6
- 97. Revocations and consequential amendments

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- 98. Transitional provision and saving where procurement procedure commenced before 18th April 2016
- 99. Transitional Provision and saving where utilities procurement procedures commenced before 18th April 2016
- 100. Transitory provision prior to full commencement of regulation 23(1) to (7)
- 101. Transitory Provision: temporary exemption Signature

#### SCHEDULE 1 CENTRAL GOVERNMENT AUTHORITIES

This Schedule transposes Annex I to the Directive by listing...

Where an entity listed in this Schedule is succeeded by...

SCHEDULE 2 ACTIVITIES CONSTITUTING WORKS

In this Schedule, 'NACE Rev.1' has the same meaning as...

SCHEDULE 3 SOCIAL AND OTHER SPECIFIC SERVICES

SCHEDULE 4 LIST OF PRODUCTS RELEVANT TO THRESHOLDS

The products covered by this Schedule are those specified in...

SCHEDULE 5 PROFESSIONAL AND TRADE REGISTERS ETC.

The registers and other requests referred to in regulation 59(5)...

SCHEDULE 6 CONSEQUENTIAL AND MISCELLANEOUS AMENDMENTS

PART 1 MODIFICATIONS TO PRIMARY LEGISLATION

- 1. Late Payment of Commercial Debts (Interest) Act 1998
- 2. Procurement Reform (Scotland) Act 2014
- 3. Small Business, Enterprise and Employment Act 2015

PART 2 MODIFICATIONS TO SUBORDINATE LEGISLATION

- 4. Bathing Waters (Scotland) Regulations 2008
- 5. Cleaner Road Transport Vehicles (Scotland) Regulations 2010
- 6. Defence and Security Public Contracts Regulations 2011
- 7. Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012
- 8. Utilities Contracts (Scotland) Regulations 2012
- 9. Energy Efficiency (Eligible Buildings) Regulations 2013
- 10. Rehabilitation of Offenders Act 1974 (Exclusions and Exceptions) (Scotland) Order 2013
- 11. Energy Savings Opportunity Scheme Regulations 2014 Explanatory Note

# **Status:**

Point in time view as at 18/04/2020.

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