
STATUTORY INSTRUMENTS

2016 No. 273

The Concession Contracts Regulations 2016

PART 3

Rules on the award of concession contracts

CHAPTER 2

Procedural guarantees

Informing candidates and tenderers

40.—(1) The contracting authority or utility shall as soon as possible inform each candidate and tenderer of decisions reached concerning the award of a concession contract, including—

- (a) the name of the successful tenderer; and
- (b) the grounds for any decision—
 - (i) to reject its application or tender,
 - (ii) not to award a contract for which there has been publication of a concession notice, or
 - (iii) to recommence the procedure.

(2) On request from the party concerned, the contracting authority or utility shall as quickly as possible, and in any event within 15 days from receipt of a request in writing, inform any tenderers that have made an admissible tender of the characteristics and relative advantages of the tender selected.

(3) The contracting authority or utility may decide to withhold certain information referred to in paragraphs (1) and (2) where the release of such information—

- (a) would impede law enforcement or would otherwise be contrary to the public interest;
- (b) would prejudice the legitimate commercial interests of a particular economic operator, whether public or private; or
- (c) might prejudice fair competition between economic operators.