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WELSH STATUTORY INSTRUMENTS

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**2024 No. 782**

**The Procurement (Wales) Regulations 2024**

**PART 2**

**Transparency**

**Tender notices: competitive flexible procedure**

**20.**—(1) This regulation sets out other information which must be included in a tender notice for the award of a public contract through a competitive flexible procedure published in accordance with section 21(1)(b) of the 2023 Act.

(2) The information is—

- (a) the same information referred to in regulation 19(2) except sub-paragraphs (d) and (j),
- (b) a statement that the tender notice is for the award of a public contract through a competitive flexible procedure in accordance with section 20(1) and (2)(b) of the 2023 Act,
- (c) a description of the process to be followed during the procedure, including—
  - (i) whether the procedure may include negotiation at any stage, and
  - (ii) if the contracting authority proposes to rely on section 24 of the 2023 Act (refining award criteria), a summary of how it will rely on that section,
- (d) where the number of suppliers is, or may be, no more than a maximum number of suppliers, generally or in respect of particular tendering rounds or other selection processes, the maximum number of suppliers and the criteria used to select the limited number of suppliers,
- (e) where the number of suppliers is, or may be, no less than an intended minimum number of suppliers, generally or in respect of particular tendering rounds or other selection processes, the intended minimum number of suppliers,
- (f) where the tender notice is being used for the purpose of inviting suppliers to submit a request to participate, how requests to participate may be submitted and the date by when they must be submitted,
- (g) where the tender notice is being used for the purpose of inviting suppliers to submit their first, or only, tender, how tenders may be submitted and the date by when they must be submitted, and
- (h) whether the tender notice is being used—
  - (i) to reserve a contract to supported employment providers in accordance with section 32 of the 2023 Act, or
  - (ii) to reserve a contract to public service mutuals in accordance with section 33 of the 2023 Act.

(3) Nothing in this regulation prevents a contracting authority from publishing other information that relates to the same procurement in the notice.

(4) This regulation does not apply to—

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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- (a) a tender notice for the award of a framework through a competitive flexible procedure (see instead regulation 21), or
- (b) a tender notice for the award of a public contract by reference to suppliers' membership of a dynamic market (see instead regulation 22).