

# The Single Procurement Document (SPD)

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## **1 What is the Single Procurement Document (SPD)**

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The SPD is intended to simplify the bidding process by removing some of the barriers preventing participation in public procurement, especially for SMEs.

The SPD is a self-declaration of a potential supplier's financial status, abilities and suitability for a public procurement procedure. It mainly serves as preliminary evidence of fulfilment of the conditions required in a public procurement procedure.

The SPD replaces the requirement for suppliers to provide up-front evidence or certificates by allowing them to self-declare that they meet the relevant selection and exclusion criteria.

Bidders may be asked to provide proof of this at a later stage and the winning bidder will usually have to provide proof before contract award.

You may also see reference to an ESPD (European Single Procurement Document), which is the EU equivalent of the SPD and has the requirements as the SPD – the only difference is the name.

## **2 How does it work?**

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Buyers will set out their selection and exclusion criteria, including any minimum standards and methods for short-listing in their contract notice. They will then issue a SPD request and make it available for anyone interested in bidding for the contract.

Bidders will complete and submit their SPD response to the buyer, who will assess the suitability of all bids against the criteria they have selected.

## **3 What about Selection Questionnaires?**

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The SPD is an alternative to the selection questionnaire, and aims to make the process of bidding for a public contract easier. Its purpose is to remove some of the barriers to participation in public procurement, particularly for SMEs who often don't have the resources (time/money) to complete complex tender documents.

## **4 Will a new SPD have to be submitted for every tender procedure?**

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The same question set is used across the UK, so a bidder will be able to re-use a form which was previously submitted for a separate competition, so long as the information is still up-to-date.

Every time a supplier submits a bid, an SPD request will have to be submitted as well. It will be in the supplier's interest to configure each SPD to suit the requirements of any given procurement.

## 5 How is an SPD checked for accuracy?

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By law, a winning bidder has to submit all of the required certificates and documentation, before they are awarded a contract. Bidders can be asked to submit their evidence at any point in the procurement process if this is necessary to ensure that the process is carried out properly.

If a bidder is found to have misrepresented itself, a couple of things can happen, depending on the nature of the misrepresentation:

- 🕒 If a bidder is in breach of one of the areas which is a mandatory ground for exclusion, or if it does not meet one of the minimum selection criteria, then that bidder must be excluded from the competition. Depending on the nature and stage of the competition, that may mean either that it continues without that particular bidder, or the competition should be re-run without that bidder's tender.
- 🕒 If it emerges that a business is in breach of an area which is a discretionary ground for exclusion, then the decision about whether or not to exclude that bidder will be up to the buying authority. This decision must be in line with the EU Treaty Principles of transparency, proportionality, equality of treatment and non-discrimination.
- 🕒 If the issue is more administrative in nature (e.g. mistakes in providing the documentation), then the authority will have the option of inviting the bidder to make amendments to, or clarify the documentation provided.

## 6 Does an SPD affect sub-contractors?

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If a bidder wishes to sub-contract part of a contract, and relies entirely on the sub-contractor in order to fulfil the selection criteria, a separate SPD must be submitted on behalf of the sub-contractor.

The buying authority may choose to request separate SPDs from any other sub-contractors to verify whether or not there are grounds for exclusion. If a sub-contractor is in a situation which would lead to its mandatory exclusion, the bidder will be required to replace that sub-contractor.

It is important that bidders plan for this scenario early in the process by engaging with sub-contractors and obtaining information early in procurement process.