CAYMAN ISLANDS
GOVERNMENT

Central Tenders Committee (CTC)

Open Tender Process

'Making every dollar count'

THE CAYMAN ISLANDS CENTRAL TENDERS COMMITTEE
CTC

Central Tenders Committee (CTC)

Open Tender Process

Foreword

The public sector will, on an annual basis, spend substantial amounts on a wide range of goods and services – ranging from basic consumables to major construction projects. Throughout the public sector, it is essential that procurement is undertaken with the aim of providing value for money while ensuring that suppliers and contractors are treated fairly and given equal opportunity to obtain public sector contracts.

The Central Tenders Committee (CTC) has been in existence for over twenty years, and since that time, their role has expanded to include not only core Government, but all Statutory Authorities and Government owned companies, the Office of the Complaints Commission and the Audit Office. In addition to the nature, complexity and monetary value of the contracts reviewed by the CTC, the quantity of contracts has increased significantly. It is important that the CTC process is adequately documented and understood by all involved in procurement.

This document provides general guidance to assist entities to undertake public procurement in accordance with the Financial Regulations that have been issued under the authority of the Public Management and Finance Law.

The consistent application of these guidelines is essential to increase value for money and trust in public sector procurement as a result of improved process-efficiency, transparency and uniformity of documents and decision-making.

I would like to express my sincere gratitude to the public and private sector representatives and others who have contributed to this document which will be subject to periodic review to reflect amendments in legislation, changing needs, the commercial environment, and the adoption of new improved procedures and practices.

This is the first step in an ongoing initiative to increase public sector procurement-efficiency in the Cayman Islands so that together we can ensure that we are ***'Making every dollar count'***.

Kenneth Jefferson JP
Financial Secretary

Introduction

'Making every dollar count' is more than just a slogan. Public sector procurement is under intense public scrutiny - and quite rightly so. How the public sector spends the funds received from the citizens, businesses and visitors of the Cayman Islands is everyone's concern. It is every public sector employee's duty to ensure that public sector funds are spent efficiently and in an honest and trustworthy manner.

As per the Public Management and Finance Law and the Financial Regulations, all Ministries, Portfolios, Statutory Authorities and Government Companies, the Office of the Complaints Commissioner and the Audit Office are required to offer for public tender contracts for the purchase of supplies, services and assets over $50,000 CI. The sale of assets with a book value of $50,000 CI or more must also be offered for public tender. Contracts with a value of $250,000 CI or more must be referred to the Central Tenders Committee (CTC). The CTC consists of public and private sector members who are appointed by the Financial Secretary. Their role is to oversee the tender process for contracts over $250,000 CI to ensure that it is carried out fairly, consistently, ethically and transparently, within process guidelines and in accordance with Cayman Islands Law.

The aim of this document is to:

- formalize the current CTC open tender process
- increase knowledge, awareness and understanding of the process requirements
- provide the foundation for a procurement guidelines manual and other related documentation.

This is a first step, but indeed it is a step in the right direction. I too would like to thank everyone involved in the creation of this document for their support in this process. The next steps will involve the creation of processes and documentation relating to:

- determining the business case for procurement
- identifying and evaluating different procurement options
- contracts, terms and conditions
- tender document packages
- general tendering guidelines
- specific tender guidelines for construction, goods, services and consultancy
- methods of tendering
- Freedom of Information requirements
- post tender review and reporting

The above list is only a selection of the requirements identified at this stage, and each process will require supporting training and communication in both the public and private sector. Although there is a significant task ahead, which should not be underestimated, I am confident that we will move forward in achieving our desired goal of efficient, effective and transparent public sector procurement.

Any queries regarding this process should be made to the Chairman of the Central Tenders Committee at ctc@gov.ky.

Terrence Outar
Chairman
Central Tenders Committee

Abbreviations & Definitions

'addendum(s)'	additional documents issued by the entity, containing additional or revised tender information for bidders to consider when completing their tender bid.
'bid'	the document submission of an offer made by a supplier in response to an invitation to tender by an entity which the entity can decide to accept or reject.
'bidder'	a supplier, or potential supplier, of goods, works, consultancy or services who has submitted a bid.
CTC	Central Tenders Committee.
DTC	Departmental Tenders Committee.
'declaration of interests'	written declaration acknowledging the need to disclose any actual, potential or perceived conflict of interest, (including family, personal or business relationships, and employment or financial interests), prior to taking part in a specific tender process. To be signed by all DTC and CTC members and any other public sector employees and private sector individuals utilised by the entity, DTC or CTC during the tender process.
'eligibility criteria'	the stated requirements that make a potential bidder able to participate in the tender process. Bidders who do not meet the criteria will be rejected and will not be included in the evaluation process to determine the tender award.
'entity'	any body including a ministry, portfolio, statutory authority, government company, the Office of the Complaints Commissioner and the Audit Office.
ESTAR report	Evaluation Summary and Tender Award Recommendation report. This is the summary report of the results of the evaluation process and who the DTC recommend for the tender award.
'evaluation criteria'	the stated criteria that will be used to assess bid submissions to determine which bid should be recommended for the tender award.
'mandatory requirements'	the stated requirements of the bid submission that must be completed together with the terms and conditions being met for the bid to be deemed as substantially responsive. Bids that are deemed not to be substantially responsive will be rejected and will not be included in the evaluation process to determine the tender award.
'open tendering'	'open tendering' also known as public tendering or open market tendering involves publishing a request for tender and considering all submissions received in response to it.
'potential bidder'	any supplier who is eligible to submit, or may consider to submit, a bid.
PO	Procurement Officer - a person within an entity who has been given delegated authority to undertake procurement activities within that entity.
'tender award'	the process of assigning the tender contract to a bidder subject to the specified legal and non-legal conditions and contract requirements being met.

Index

1. Tender Preparation	7
2. Tender Issue	11
3. Bid Receipt	15
4. Bid Opening	19
5. Bid Evaluation	23
6. Tender Recommendation & Award	27
7. Contract Management	31
8. Post Implementation Report	33
9. Document Storage & Disposal	35

Tender Preparation

1

1. Tender Preparation

The preparation of tenders is the most important phase of the tender process. Justified reasons for procurement and well defined requirements, will ensure that the process produces the desired quality of goods and services in an efficient and timely manner. Inadequate preparation will produce poorly documented requirements leading to a lack of clarity in tender bids and uncertainty in decision making. This will ultimately result in unmet deadlines, budget overspending and performance under-delivery. The entity is responsible for ensuring that value for money is achieved through effective preparation, detailed planning and clear documentation.

Task	Responsibility	Process	Requirements
1.1 Identify the need to procure.	Entity	A business case should be completed and signed off by the Chief Officer, or delegate, prior to commencing the tender plan.	In order to identify if there is a need to procure, different alternatives should be objectively considered before deciding on the one that gives the best value for money over its complete operating life. Methodologies such as assessing the net present value can be used in order to help identify this.
1.2 Create a realistic tender plan.	Entity PO	The entity Procurement Officer (PO) creates a realistic timetable of the tender process taking into consideration the different phases: • Defining the requirements • Preparing tender documents • Advertising • Issuing tender documents • Bid submission period • Bid opening • Bid evaluation • Tender award recommendation • Contract agreement & signing • Delivery • Implementation • Testing • Commissioning, and any other additional requirements	The minimum advertising requirements are: • 2 adverts over 2 weeks • in at least 1 local newspaper The bid submission period shall be of adequate time to allow interested suppliers a reasonable and appropriate period to prepare and submit bids. The entity Procurement Officer (PO) shall liaise with the Central Tenders Committee (CTC) Secretary to agree a provisional date for the bid opening and tender recommendation & award. It is recommended that the bid submission deadline be 12:30pm on either the 1st or 3rd Friday each month to coincide with the CTC meetings that take place at 1.30pm on the same day. As part of the plan, the PO shall consider the availability of the Departmental Tender Committee (DTC) members to determine when they will be able to evaluate the tender bids.
1.3 Define the requirements.	Entity PO	The entity PO manages the definition and documentation of: • the output, specification & functional requirements • all relevant costs, benefits and risks	The entity shall ensure that there is an approved capital and / or recurring operating budget for the project in order to make a valid purchase decision. An estimate of the total tender cost shall be produced for comparison at the bid opening stage.

Task	Responsibility	Process	Requirements
1.4 Prepare tender documents & advertisement.	Entity PO	The entity PO manages the preparation of the tender documents. The tender documents shall include where appropriate: • the advertisement • an invitation to tender • instructions to bidders • a form of tender with price schedule • the scope of works / specification • drawings • the draft contract agreements and conditions • any other necessary documents The advertisement requirements are listed in the Tender Issue section. A scorecard that outlines how the evaluation criteria will be applied and scored will need to be produced by the PO and be made available to the CTC at the bid opening meeting.	The content of the tender documents shall include: • the eligibility criteria required for potential bidders to qualify to bid (e.g. technical and professional ability and experience), the evidence that the bidder shall need to supply to prove that they meet the criteria and a statement that ineligible bids will be rejected prior to evaluation • the terms and conditions, specifications and mandatory requirements for bid submissions to be deemed responsive and a statement that bids that are not deemed substantially responsive will be rejected prior to evaluation • the evaluation criteria and weightings, or in order of importance, that will be used to asses bids to determine the best value for money • the process, contact details and timings for potential bidders to raise queries regarding the tender documents and process • the bid submission- ◊ address (see Bid Receipt section) ◊ receipt deadline date & time ◊ format & no of copies ◊ method (by hand or courier. There is no postal delivery). • that the person signing the bid submission is authorised to do so on behalf of the bidding company • a statement that the Cayman Islands Government is not bound to accept any, or the lowest bid, and can cancel the tender process at any time prior to the award of the tender.
1.5 Obtain sign-off from entity CO / CEO, Board (or delegate)	Entity CO / CEO / Board	The entity CO / CEO, Board, or delegated PO, signs off the tender documents and confirms that the correct budget controls are in place.	All of the tender documents and the advertisement shall be available before being signed-off.
1.6 PSIC Review (if required)	CO / CEO	Projects valued at $350,000 CI or above, shall be submitted by the CO / CEO to the Public Service Investment Committee (PSIC) for review. The PSIC shall submit recommendations on the viability of the project to the Financial Secretary.	As per The Financial Regulations, for all projects: • $350,000 CI - $1,000,000 CI a Project Profile document; and • $1,000,000 and above, Project Profile and Project Report documents. shall be completed and submitted to the PSIC two weeks in advance of its monthly meeting.

Tender Issue

2

2. Tender Issue

The tender issue phase is to be open, transparent and adhere to the requirements of the Financial Regulations. All tender documents, including the advertisement, shall be identified by a CTC tender #. The entity is responsible for achieving value for money by promoting competition through clearly worded advertisements with appropriate content, and a realistic deadline for bid submissions that provides sufficient time for an accurate bid to be produced. All tender information shall be communicated to all potential bidders to ensure fairness and equity, (unless doing so would breach confidential business information), and to the CTC for information.

Task	Responsibility	Process	Requirements
2.1 Request a CTC tender #.	Entity PO / CTC Secretary	The entity PO e-mails ***ctc@gov.ky*** to request a CTC Tender #. The CTC Secretary e-mails the tender # within 1 working day.	The e-mail to the CTC contains the: • name & contact details of the entity PO • entity name • title of the tender • proposed advertisement dates & locations • deadline date for issuing tender documents • deadline date & time for the receipt of bid submissions
2.2 Send tender documents to the CTC.	Entity PO	The entity PO e-mails ***ctc@gov.ky*** a copy of the tender documents including the advertisement, three working days prior to the advertisement publication deadline.	The tender documents must have the CTC tender # written on.
2.3 Advertise the invitation to tender.	Entity PO	The entity PO advertises the invitation to tender. The minimum advertising requirements are: • 2 advertisements over 2 weeks • in at least 1 local newspaper	The advertisement shall contain: • the CTC Tender # and title of the tender • the entity name • a summary description of the tender requirements • the deadline date & time for receiving bid submissions • the eligibility requirements for bidders • the process for prospective bidders to collect the tender documents (i.e. contact name, collection deadline) • the dates and times for any site viewing or consultation • if there is a fee to be paid for the tender documents, what the cost of the fee is and if it is refundable. As per The Financial Regulations, the advertisement should also contain a statement that: • evaluation criteria will be used to assess bids to determine the best value for money • the Cayman Islands Government is under no obligation to accept any or the lowest bid • The contract will be awarded to the successful bidder subject to all applicable Cayman Islands Laws

Task	Responsibility	Process	Requirements
2.4 Issue tender documents.	Entity PO	When a prospective bidder receives the tender documents he/she signs a tender receipt form that advises: • the deadline date, time and address for receipt of bid submissions (see Bid Receipt for the address) • the format for bid submission – hard copy • the number of copies to be submitted • that a receipt must be signed and received at bid submission • that late bids received after the deadline will not be evaluated and will be returned to the bidder after the tender opening meeting • that the Cayman Islands Government: ◊ is under no obligation to accept the lowest bid ◊ can cancel a tender process and/or reject all tenders at any time prior to the award of the tender.	The name and contact details of all prospective bidders who collect the tender documents shall be recorded by the entity so that they can be contacted with any changes or addendums. The entity may charge a fee for the receipt of tender documents. The tender receipt shall state if the fee is non-refundable or will be refunded on receipt of either a submitted bid or the returned tender documents. Where a fee is charged, a process shall be in place to: • provide the tender document recipient with a receipt, • account for the funds received, • store the funds received, • return the funds received when applicable. No fee shall be applied to tender documents that would potentially prohibit eligible small businesses from bidding.
2.5 Receive & respond to tender queries.	Entity PO	Tender queries are confidential and shall only be received and viewed by the entity PO(s) stated in the tender documents. All queries shall be submitted in writing by letter or by e-mail to the authorised entity PO. Unless doing so would divulge confidential business information, all queries and responses shall be communicated in writing to all prospective bidders without revealing the source of the query. All addendums must be communicated in writing to all prospective bidders. The CTC shall be copied on all communication to and from bidders.	Verbal queries are not to be responded to and the bidder shall be asked to put the query in writing. All queries, responses and addendums shall show the date and time they were received and responded to and shall be kept on file. Query responses and addendums shall be made available to those bidders who do not have access to electronic information. If a specified deadline for queries and responses to be completed by cannot be adhered to, or, if significant queries are still being raised close to the deadline, the entity PO is to consider if it is necessary to extend the deadline in order to provide sufficient time for bids to be compiled.

Task	Responsibility	Process	Requirements
2.6 Extend tender deadline (if required).	Entity PO	Requests from bidders for a deadline extension shall be received by the PO, in writing (letter or e-mail) with the reason for the request. The PO issues a request to the CO / CEO, or delegated PO, for a new deadline due to a bidder request or as a result of changing information relating to the bid requirements. The CO / CEO, or delegated PO, authorises or rejects the request: • If authorised, the entity PO advises all of the potential bidders and the CTC of the new deadline and reason for the extension. • If rejected the requestor and the CTC must be informed in writing with the reason.	Responses to requests for a deadline extension shall be made by the same method that the request was received. The deadline extension shall be communicated in adequate time for bidders to revise their bids, if required, prior to the deadline. If the deadline is extended, the information shall be communicated by the PO to all potential bidders who received the tender documents. The PO shall ensure that those potential bidders without electronic means of communication receive the information in writing. The entity PO discusses with the CTC Chairman how the deadline change can be accommodated in the CTC's meeting schedule. The new deadline date and time shall coincide with the CTC meeting schedule where possible. The CTC shall be copied on all deadline extension correspondence by e-mail.

Bid Receipt

3. Bid Receipt

It is vital that the process for receiving tender bids is controlled, impartial and transparent and ensures that commercially sensitive information is treated confidentially. All bids are to be submitted sealed and are to be placed in a locked tender box and remain there until the next CTC meeting. Late bids can be submitted but will be subsequently rejected at the tender opening stage.

Task	Responsibility	Process	Requirements
3.1 Receive tender bids.	Bidder	Bidders are solely responsible for ensuring that bids are received prior to the deadline date and time. Bids are to be addressed & submitted to: ***Tender # & Title,*** The Secretary of the Central Tenders Committee, Ground Floor, Government Administration Building, 71A Elgin Avenue, George Town, Grand Cayman, KY1 9000.	All bids shall be submitted in hard (paper) copy in a sealed envelope (or package e.g. FedEx box) either by hand or courier. The tender # and title shall be clearly written as the first lines of the address, on the outside of the envelope or courier box.
3.2 Stamp the bid envelope & write on the time received.	Treasury Cashier	The cashier: • checks that the bid envelope is sealed • checks that the tender # and title is written on the outside of the bid envelope • stamps the outside of the bid envelope with "Confidential Tender" and the current date • writes on the stamp the- ◊ time the bid was received, ◊ receipt # • initials the stamp	If the bid envelope is open or partially open, the cashier shall: • provide tape and ask the person submitting the bid to seal it, and • initial the seal and write 'Sealed on Submission' in the receipt book. If the bid is submitted in a FedEx box or other similar material package, the cashier shall ensure that the stamp is placed where it will not rub off. If the tender # and title are not on the envelope, the cashier is to ask the person submitting the bid to write these details onto the package. If the bid is being submitted by a third party (e.g. a courier) who is unable to provide this information, then the cashier should write 'No Tender #' on the envelope.

Task	Responsibility	Process	Requirements
3.3 Issue a bid receipt.	Treasury Cashier	The cashier writes out a manual receipt with: • the name of the person submitting the bid • the organisation / bidder submitting the bid • the date & time the bid has been received • the tender # & title Both the cashier and the person submitting the bid shall sign the receipt. The cashier gives the person submitting the bid the top copy of the receipt. The bottom copy is left in the receipt pad.	If the bid is being submitted by a third party (e.g. a courier) the name of the courier and company shall be written on the receipt. The receipt shall state: • that the person signing the receipt agrees with the date & time the bid has been submitted, and there is no recourse by them or any other person to dispute these facts at a later stage. • that although a late bid may be received by the cashier it will rejected as a 'late' bid during the tender opening process and will be returned to the bidder immediately afterwards.
3.4 Put bids into the tender box.	Treasury Cashier	The cashier places the bid envelope in the tender box slot. If the bid is too big to go through the slot, the cashier opens the tender box and places the bid inside. If the tender box has insufficient room for the bid, the cashier advices the person submitting the bid that it will be placed in the Treasury vault. The bid should immediately be placed into the vault and "IN VAULT" written on the Treasury copy of the receipt.	The cashier should ensure that the person submitting the bid witnesses it being placed into the tender box. Only the cashier, CTC Chairman and CTC Secretary shall have keys to the tender box. The tender box shall remain locked at all times and shall only be opened: • to retrieve bid envelopes prior to a CTC meeting. • to place oversized bid envelopes into the box if they will not fit in the slot.

Bid Opening

4

4. Bid Opening

The objective of the bid opening process is to demonstrate that a systematic, open, fair and transparent process is adhered to under the oversight of the CTC, and in the presence of a representative Procurement Officer from the tendering entity. Bids will only be opened in the presence of the CTC and the details shall be recorded.

Task	Responsibility	Process	Requirements
4.1 Open tender box & remove bid envelopes.	CTC Secretary	Immediately prior to the CTC meeting, the CTC Secretary: • opens the tender box and removes all of the bid envelopes • retrieves any bids from the vault as indicated in the receipt book • checks the bid envelopes from the tender box and the vault against the receipts issued to confirm that there are no bid envelopes missing or extra.	If there are any bid documents missing or extra the CTC Chairman shall launch an immediate investigation to determine the reason for the discrepancy.
4.2 CTC meeting - Identify & sort bids by CTC #	CTC Chairman	At the beginning of the CTC meeting, the Secretary and Chairman sort the bid envelopes by tender # as per the agenda. The Secretary gives the Chairman any bids that have no tender # on the outside who: • opens the bids to identify the tender # • writes the tender # on the envelope • puts the documents back into the envelope • places the envelope with the others bid envelopes for that tender #	If a bid has been opened to find out the tender # and is not scheduled to be opened until a later meeting, it shall be re-sealed in the meeting and signed by the CTC Chairman prior to going back into the tender box. A note shall be made on the receipt that the bid was opened and resealed with the date and Chairman's initials. Any bids that are not due to be opened until a later meeting are placed separately to go back into the tender box. A note shall be made on the corresponding receipt stating that the bid has been returned to the tender box.
4.3 Confirm no conflict of interest	CTC Chairman	Prior to the start of the meeting, the Chairman confirms if a member of the CTC has a conflict, or where there could be a perceived conflict, of interest with any agenda item.	Where a conflict or perceived conflict of interest exists, the CTC member leaves the meeting for that agenda item. This action shall be documented as part of the meeting minutes or on the bid opening form.

Task	Responsibility	Process	Requirements
4.4 CTC meeting - bid opening.	CTC Chairman	At the appropriate point on the agenda the CTC Secretary invites the PO from the tendering Government entity to join the CTC meeting. The CTC Chairman reads out the tender #, title, and receipt deadline date & time. The entity PO gives an overview of the: • tender requirements • number of potential bidders who received the tender documents. • method of application and scoring (scorecard) for the evaluation criteria that will be used in the evaluation process. If the scorecard has not been developed the bid opening will be rescheduled for a later date. • members of the DTC and any other persons who will be evaluating the bids. The CTC Secretary hands the Chairman the corresponding bid envelopes. The Chairman opens each bid envelope and reads out the following information for the committee to hear: • the sequential bid # (starting from 1) • if there is any indication that the bid has been opened or tampered with prior to opening • the name & organisation the bid is from • the date & time received • if the bid was late • the total cost – only if the bid was submitted on time, not for late bids • the receipt # The CTC Secretary writes the above information on the bid opening form. For bids received after the receipt deadline, the CTC Chairman stamps 'Late' on the envelope and covering letter. For bids received prior to the receipt deadline, (i.e. not for late bids), the CTC Chairman: • stamps 'Received' and initials the covering letter and all pages with pricing information • initials any obvious changes / deletions or corrections made to the bid documents prior to submission. • draws a line and initials through any obvious omissions or blanks in the pricing or other documents Once the bid opening is completed the CTC members and entity PO check and sign the bid opening form.	The agenda is compiled and distributed prior to the CTC meeting by the CTC Secretary. The Secretary shall arrange a time for the entity PO to be available to witness the bid opening and is to confirm prior to the meeting that: • they have signed a declaration of interests statement • there is no conflict, or potential perceived conflict of interest with their involvement in the process • the method of application of the evaluation criteria and scoring is available Prior to the bids being opened, the entity PO presents an overview of: • the tender process aims and requirements • the advertisement content and communication • the eligibility criteria for bidders and how they will be assessed • the evaluation criteria and assessment weightings • the scoring methods that will be used to apply the evaluation criteria • the number of potential bidders who received tender documents • the queries received and responses / addendums issued • any deadline extension(s) and the reasons • the budgeted and estimated costs • who will be evaluating the bids • the proposed date to present the ESTAR report to the CTC If a bid envelope shows evidence of being opened, the Chairman shall confirm (using bid opening records) if it was opened previously to determine the tender number. If there is no record of opening the CTC Chairman shall investigate. Any bid that is received after the deadline date and time is defined as late. For example, if the deadline is 12:30pm Friday 13th July, • up to and including 12:30pm 13 July is not late • from 12:31pm onwards 13 July is late The CTC Secretary records details of all changes / deletions / corrections and omissions in the bid opening form or meeting minutes or other appropriate log. The CTC Secretary attaches the corresponding receipts to the back of the bid opening form before filing.

Task	Responsibility	Process	Requirements
4.5 Give bid documents to entity PO.	CTC Chairman	The CTC Chairman gives the bid documents to the entity PO confirming the need for confidentiality.	A date, or provisional date, for the entity Evaluation Summary and Tender Award Recommendation (ESTAR) report to be presented to the CTC shall be agreed prior to the entity PO leaving the meeting. The PO shall ensure that all bids are stored securely in a locked receptacle and are only viewed by the Department Tender Committee (DTC) members authorised to review them.
4.6 Send confirmation to bidders	CTC Secretary	The CTC secretary sends a letter to each bidder confirming that their bid has been opened and passed to the entity for evaluation.	The letter shall include the name of the entity that is evaluating the bid and, where possible, an indication of the approximate date of when the tender is scheduled to be awarded.
4.7 Return late bids.	CTC Secretary	The CTC secretary photocopies the envelope for each late bid to retain evidence of the date and time received. The CTC Secretary sends any late bids directly back to the bidder with a letter advising that the bid was late and could not be considered.	The photocopy of the envelope shall clearly show the received stamp and date and time and shall be filed by the CTC secretary with the copy of the receiving receipt. The letter shall also: • thank the bidder for their submission • include the deadline date and time, and • the date and time the bid was received.

Bid Evaluation

5

5. Bid Evaluation

The integrity of the public sector relies on all bids being evaluated fairly and impartially against the eligibility and evaluation criteria stated in the advertisement and tender documents. The entity Departmental Tender Committee (DTC) is responsible and held accountable for ensuring that the process of bid evaluation is carried out in an ethical, fair, consistent and transparent manner and that the tender award recommendation provides value for money over the full procurement life-cycle whilst adhering to Cayman Islands and Government legal requirements.

Task	Responsibility	Process	Requirements
5.1 Check bids for eligibility	Entity DTC	The DTC checks each bid for conformance to the eligibility criteria stated in the tender documents. Bids that are deemed not to meet the eligibility - criteria shall not be considered further. The details of any bids rejected at this stage and the reasons for rejection shall be documented on the evaluation summary and tender award recommendation (ESTAR) report.	All of the eligibility criteria shall be met for a bid to be deemed eligible for evaluation. *Minor* non-conformance can be rectified by a member of the DTC contacting the bidder to obtain information prior to the evaluation process – e.g. if a piece of documentation to prove eligibility has been omitted. This cannot be used as an opportunity for a bidder to correct errors or revise the bid. All contact and responses shall be made in writing with the date and time and the names of the people involved and shall be made available to the CTC upon request.
5.2 Check bids for responsiveness	Entity DTC	The DTC checks each bid for responsiveness to the terms and conditions and mandatory bid submission requirements specified in the tender documents. Bids that are deemed not to be substantially responsive shall not be considered further. The details of any bids rejected at this stage and the reasons for rejection shall be documented on the ESTAR report.	A bid shall be deemed not to be substantially responsive if it contains material deviations from, or reservations to, the terms, conditions, and specifications in the tender documents, or has not fulfilled the specified mandatory requirements in the tender documents. Material deviations are those that, if accepted, would not fulfil the purposes for which the bid is requested, or would prevent a fair comparison with bids that are properly compliant with the bidding documents. Material deviations cannot be rectified by the bidder, e.g. not completing the mandatory bid requirements.

Task	Responsibility	Process	Requirements
5.3 Evaluate responsive bids	Entity DTC	Each responsive bid shall be: • evaluated objectively, consistently and fairly against the evaluation criteria stated in the tender documents. • checked for any arithmetic errors. Errors and the resulting corrections shall be documented on the ESTAR report. If the information received in a bid is not clear, the bidder may be contacted for clarification by a member of the DTC, but this cannot be used as an opportunity for a bidder to correct errors or revise the bid.	The evaluation criteria, weighting and scoring shall be applied as communicated to the CTC during the bid opening meeting. Errors shall be rectified as follows: • where there is a discrepancy between the amounts in figures and in words, the amount in words will govern; and • if there is a discrepancy between the unit price and the total price that is obtained by multiplying the unit price and quantity, the unit price shall prevail and the total price shall be corrected. If the bidder does not accept the correction of errors, the bid shall be rejected. • if there is a discrepancy between words and figures the amount in words will prevail unless in the opinion of the DTC there is an obviously gross misplacement of the decimal point in the unit rate, in which case the line item total as quoted will govern, and the unit rate will be corrected. All contact with bidders shall be in writing and the query and response shall contain the date and time and the name of the person(s) involved.

Task	Responsibility	Process	Requirements
5.4 Produce evaluation summary & tender award recommendation (ESTAR) report.	Entity DTC	The ESTAR report shall contain: • for all bids- ◊ the bidder's name ◊ the cost ◊ if the eligibility criteria have been met ◊ any action taken to address minor non-conformance and the result of that action ◊ if the bid is substantially responsive, i.e. all of the specified terms and conditions and mandatory bid submission requirements have been met ◊ if a bid is not responsive – the reason why • for evaluated responsive bids only- ◊ any adjustments or errors found and the resulting actions ◊ how the bid scored against the evaluation criteria • a summary of- ◊ the evaluation process and outcome ◊ any additional correspondence produced during the evaluation process • the resulting bid rankings and a recommendation as to which bid should win the award • how the recommended bid price compares with the initial cost estimate • confirmation with evidence that value for money should be achieved if the recommendation is followed	Comparisons of similar procurement projects can be used as a benchmark to provide evidence of value for money – particularly when only one bid has been received.
5.5 Sign-off ESTAR report	Entity CO, CEO, Board (or delegated PO)	The ESTAR report is signed-off by the CO / CEO, Board, or delegated PO, as authorisation that the: • award recommendation is approved • appropriate funding and cash-flow is available to cover the contractual and total project costs.	The ESTAR report shall be signed-off in accordance with the authorised procurement tender delegations within each entity.

Tender Recommendation & Award

6

6. Tender Recommendation & Award

Once the ESTAR report has been signed-off, the entity PO presents the recommendation to the CTC in order to demonstrate that the tender process was carried out fairly, consistently, ethically and transparently, in adherence to Cayman Islands Legislation and public sector guidelines, and that the bid being recommended for the tender award will provide value for money over the full procurement life-cycle. The CTC will vote to decide whether to support or reject the tender recommendation. Where the recommendation is supported, the CTC will send out the letter of award to the successful and unsuccessful bidders.

Task	Responsibility	Process	Requirements
6.1 Send ESTAR report to CTC.	Entity PO / CTC Secretary	The entity PO e-mails the ESTAR report to the CTC for review three working days prior to the meeting. The CTC Secretary: • checks that the ESTAR report has been completed and signed off by the CO, CEO, Board or delegated PO. • confirms the CTC meeting date and time with the PO for the ESTAR to be reviewed and places this on the agenda. The CTC Chairman circulates the ESTAR to the CTC for review prior to the next CTC meeting.	The ESTAR report: • shall be sent to the CTC Secretary 3 working days (e.g. on Tuesday) prior to the CTC meeting (e.g. on the Friday) • shall be circulated to the CTC members, and • is not to be circulated to any member of the CTC where a conflict or perceived conflict of interest has been recognised previously.
6.2 CTC meeting to approve the ESTAR report.	CTC / entity PO	At the designated CTC meeting point on the agenda the CTC Secretary invites the entity PO to join the meeting to review the ESTAR. The entity PO gives an overview of the evaluation process and the result as per the ESTAR report. The CTC members raise any issues or queries regarding the process or award recommendation. The entity PO is asked to leave the room whilst the CTC vote whether to support or reject the recommended bid. The bid shall be recommended based on a majority vote. The CTC Secretary shall record the vote and each CTC member shall sign to confirm the voting record.	The entity PO shall: • demonstrate that the tender process was carried out fairly, consistently, ethically and transparently as per Public Sector guidelines. • advise the CTC of any bids that were not considered eligible or responsive and the reasons why. • provide evidence that the tender award recommendation is ◊ as a result of applying the stated eligibility and evaluation criteria fairly and consistently to all responsive bids ◊ consistent with the requirements of the Financial Regulations in that it- • provides value for money • gives preference to purchasing on island where it is no more costly than overseas Documentary evidence of the information summarised in the ESTAR report is to be available on request by the CTC. The CTC secretary documents: • all queries and issues raised by the CTC members and the responses • the vote showing who voted for and against the recommendation and the reasons why if voting against.

Task	Responsibility	Process	Requirements
6.3 Advise the PO of the CTC decision	CTC Chairman	The CTC Secretary advises the entity PO of the CTC decision by e-mail within 3 working days. If the bid recommendation is rejected, the entity PO is directed by the CTC to reconsider the recommendation decision and return to the CTC at an agreed date.	The e-mail shall contain the reasons why the CTC does not support the bid recommendation and the actions that need to be taken prior to a further meeting with the CTC.
6.4 Notify suppliers of tender award.	CTC Chairman	The CTC sends out a letter of award within 3 working days of the CTC meeting to: • the successful bidder advising them that they have been awarded the tender subject to the contract requirements being fulfilled • the unsuccessful bidders thanking them for their bid and advising them- ◊ unfortunately their bid was not successful ◊ the successful bidders's name and bid amount ◊ the received bids were evaluated against the stated eligibility and evaluation criteria to obtain the best value for money Copies of the letters are to be sent by e-mail to the entity PO for information.	The letter to the successful and unsuccessful bidders shall contain a statement that the tender award is subject to the requirements of Cayman Islands Law being fulfilled. The release of information to bidders and the general public is being reviewed as part of the Freedom of Information implementation project. Until the guidelines and policy have been developed, all bid information other than the successful bidder's name and bid amount shall remain confidential.

Contract Management

7

7. Contract Management

The entity is responsible for ensuring that the required contract legal requirements are met, and that it is managed effectively through to completion with regular project reviews. Poor preparation and planning will be highlighted at this stage through additional costs and time-delays for unplanned work, specification changes and outcomes that do not meet the required needs. Value for money is only achieved if the result of the procurement process meets the requirements specified at the beginning of the project, and it is completed within the budgeted / bid cost and the agreed time-frame.

Task	Responsibility	Process	Requirements
7.1 Confirm contract requirements	Entity	The entity PO requests evidence to confirm that all of the legal and non-legal contract requirements are met by the successful bidder.	The PO shall ensure that the contract is subject to all Cayman Islands legal and contract non-legal requirements being met (e.g. T&B licence, work permits, health insurance, insurance liability and pension requirements).
7.2 Agree & sign contract.	Entity	The entity PO discusses the project and contract details with the successful bidder. Once the contract has been agreed the CO/CEO, Board, or delegated PO, signs the contract together with the authorised supplier representative.	The contract shall be an entity initiated contract based on and adhering to Cayman Islands Law. Supplier contracts shall only be used in exceptional circumstances and the entity shall seek advice from the Portfolio of Legal Affairs prior to signing. The discussion shall include the start and end dates of the project, the payment schedule and project review format and timings.
7.3 Provide a copy of the signed contract to CTC.	Entity	The entity PO sends a copy of the final signed contract to the CTC Chairman. If the contract cost is different to the bid amount the reason for the additional cost shall be provided. If there are any modifications or additions to the contract, copies of the documentation shall be sent to the CTC for information.	The CTC Secretary ensures that the contract is received and checks the contract cost versus the bid cost. If the contact cost is significantly different to the bid cost the CTC Secretary informs the CTC Chairman who will decide if more information is required. If the total cost of the modifications or additions are significantly different to the bid cost, the CTC Secretary informs the CTC Chairman who will decide if more information is required.

Post Implementation Report

8

8. Post Implementation Report

Once the contract is completed the entity shall review the complete process in order to determine if value for money has been achieved and to ensure information and learnings are shared within the Public Sector.

Task	Responsibility	Process	Requirements
8.1 Post implementation report	CTC Secretary / Entity PO	Once the tender implementation is complete, the CTC Secretary sends the entity PO the post implementation report to be completed. The entity PO completes and returns the report to the CTC secretary. As part of a continuous improvement process, the CTC Chairman includes the information in the CTC annual report and communicates and incorporates relevant learnings throughout the Public Sector into future guidelines, documents and training.	For accountability and audit purposes, the report shall include the actual performance versus the requirements and contract with regards to : • Objectives of the purchase • Timeliness • Quality • Cost • Contractor performance

Document Storage & Disposal

9

9. Document Storage and Disposal

The entity and CTC are responsible for ensuring that all documents are stored according to the entity document storage and disposal schedule taking into consideration confidentiality, audit and legislative requirements. Freedom of Information (FOI) requirements will be developed and communicated when available as part of the ongoing FOI implementation project.

Task	Responsibility	Process	Requirements
9.1. File documents.	Entity PO / CTC Secretary	The CTC Secretary & the entity PO file all of the documentation and electronic communication relating to the tender, as per the relevant file storage and disposal plan.	All documents including queries, drawings, addendums and electronic communication shall be filed by the entity.

'Making every dollar count'

GIS