



Tender tears

Tender. A word that draws groans of despair from all who hear it, even more so when the tender relates to work through the public sector. So why is this? Dean Parker, production manager of Wilde Ones, explains

The whole principle of the tender process is based on creating competition, and with regard to public procurement, is now law under the *Public Contracts Regulations 2006*. Already there's a problem "public procurement" – first paragraph in and we've introduced jargon rather than plain English.

This piece of legislation came into force on January 31, 2006. I've talked to a number of people in the events industry about tenders and haven't found anybody who thinks that the system works well. Everybody understands the principle behind tenders; it's just that the process fails on pretty much every level.

An initial failing are the hoops that have to be jumped through just to get a chance to tender – the "pre-qualification"

or "business questionnaire". Frequently these documents are aimed at medium to large businesses, not at the small business or sole trader.

Such documents are frequently written in legalese. Ironically, in completing the form, you will usually be asked to include an equal opportunities policy, a policy designed to prevent discrimination and to allow equality of opportunity. Yet the document you are completing usually discriminates against anybody who hasn't spent their life studying law.

A major problem with the questionnaires themselves is that they are just exercises in ticking boxes, showing that you have a multitude of written policies on your shelves, no matter what your actual working practices might actually be.

If I was convinced that the paperwork that was sent in was being read, then I might feel a little more convinced that it

*Pictured above:
Wilde Ones' Dean
Parker*

was worthwhile, but I can't believe that the recipient even has the time to read it.

Plain English please

Recently, I was told that councils were "getting better" at removing jargon from their documents. Getting better? That's not really good enough. The Plain English Campaign was launched in 1979 with the shredding of hundreds of Government forms in Parliament Square. Ironical then that 30 years on, an appalling number of public sector documents seem to have been written in complete defiance of it.

It is clear that whoever creates these documents has no idea of what they are trying to achieve. If the advert were for a job for a member of the public, it would be in a multitude of languages, in Braille, on audio, and written in clear, simple language that anybody could understand. And first and foremost would be the title

of the job, followed by the tasks required to be fulfilled.

Somehow, when it comes to work for businesses, these elementary principles are completely ignored. I recently received a 54-page tender document from a council for a festival. It wasn't until after wading through 46 pages did it specify what the job was!

Far from encouraging healthy competition, these documents actively put off companies from submitting tenders.

With regards to the actual tenders themselves, the obvious question is what qualifies the author to produce the document? I have read a multitude of tenders that are appallingly written, and fail to provide applicants the information they need to complete the tender. Why? Because the "procurers" writing them are not experienced in the subject matter.

Any single aspect of an event – structures, fencing, power – can have so many different variables it is impossible to give accurate costs. And the reality is, it's the cost (and not the value as is often claimed) that is the deciding factor for making the final decision regarding the appointment.

And here lies the biggest bugbear. To produce an accurate and thorough tender document, an applicant can end up completing up to 50 per cent of the whole workload of the entire job. Ultimately plans have to be submitted that cost hundreds, if not thousands, of pounds to produce. Immediately, this carves out the smaller businesses that do not have the time, resources and finance to enter this process. Which is somewhat contradictory to the goals of increasing competition.

Unlike a creative concept, it is very difficult to claim intellectual copyright over an event or stewarding plan, which is why they are often ripped off by unscrupulous organisers. Too many procurers seem to regard these as "free" consultancy studies. Maybe this is why the procedure is called procurement – theft doesn't have quite the same degree of respectability about it!

Simply does it

I am not aware of any study or effort to demonstrate that the tender process actually does work, and that the system DOES create competition and achieve best value. My experience is that it is ineffective, and so wieldy, costly and time-

consuming that it actively discourages smaller organisations and individuals from partaking. Consequently, I believe it is now time for a thorough review into the public procurement process.

Many thousands of pounds of public money are being spent on the current system, with local authorities now having dedicated procurement departments. All other aspects of our business practices undergo regular review, so it's about time this process is required to justify itself.

After all, even the evidence from the authorities themselves indicate that it isn't working. Recently I've received numerous invitations to seminars purporting to explain how to get work with local authorities. These are frequently entitled *Understanding public procurement*. That title alone indicates something's desperately wrong. If you need a seminar to explain the process, then that process is too complicated.

I'd be far happier if the money being spent on such seminars had been spent wisely in the first place, creating a system that was clear, simple and usable by all.

A system that is fair. Is that too much to hope for?