



## Selecting best value

A manual for organisations awarding contracts  
for private aviation security services

An ASSA-I Manual

Prepared on behalf of ASSA-I by GHK Consulting

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# 1 INTRODUCTION

With the ongoing expansion of cheaper air travel increasing the affordability of foreign holidays and the ever advancing globalisation of the business environment necessitating business travel, exposure to the “public face” of aviation security services is becoming more and more part of everyday life. At the same time, in the aftermath of 9/11 and the more recent attempted terrorist attack on Northwest Airlines flight 253 from Schiphol Airport to Detroit on 25<sup>th</sup> December 2009, awareness of the need to ensure the security of passengers on board airliners through rigorous controls on the ground heightened significantly. This increasing public concern has been met by responses from policy makers at EU level and internationally, by passing regulations for stricter security measures in aviation. For example, EU Regulation 300/2008 (repealing EU Regulation 2320/2002) establishes additional criteria, stricter requirements and higher training and quality control standards in this field.

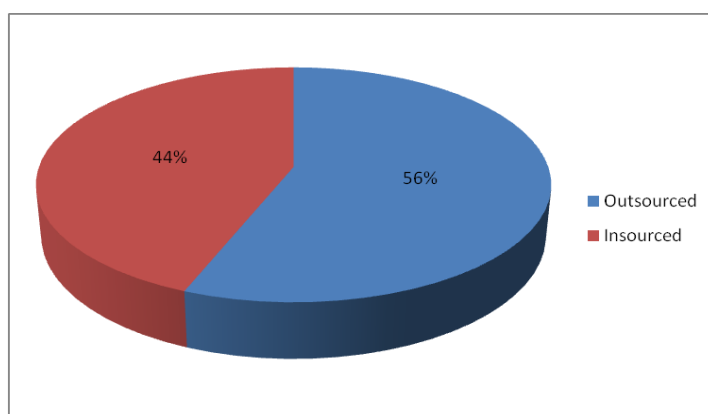
However, despite increasing passenger awareness of the need for tight security controls, in reality, passenger screening and other screening procedures and activities are largely perceived as an additional inconvenience of the travel experience. As a result, the way in which such services are organised and delivered can have an important impact on the public’s perception of airport and airline providers.

These developments are taking place at a time when responsibility for the delivery of such sensitive services, including passenger security is increasingly being placed into the hands of external providers selected through competitive tendering mechanisms.

Private customers and public authorities at European, national, regional and local level are thus finding themselves more and more in a position of having to contract for the external provision of aviation security services. Their “buying power” is therefore more and more important in determining the quality of the services being provided.

The total turnover of the European aviation security market was estimated at €3.100.000.000 in 2009 (up from €2.400.000.000 in 2004). Of this, around 56% was outsourced to private security companies. The majority of this outsourcing activity affects airport security services (although to some extent airline and cargo security are also being provided through outsourced contracts).

**Figure 1: Share of outsourced aviation security contracts**



Despite the sensitive nature of the services being contracted, too many tendering clients and authorities still rely heavily on the price criterion when selecting a successful bidder. This is partly due to greater budgetary stringency, but can also be attributed to a lack of available guidance to assist contracting organisations in selecting a “best value” provider.

Note: The concept of “best value” implies that other criteria, such as quality elements, have been taken into account as well as a favourable price. In the EU Public Procurement Directives<sup>1</sup>, the concept is referred to as the “most economically advantageous tender” or **MEAT**.

## 1.1 Aims and Objectives of the Manual

This manual has been prepared for those contracting organisations (public or private) which are keen to ensure that they are selecting a provider to carry out aviation security service functions/activities who can combine quality with a favourable price, rather than settling for the lowest price bidder. It aims to provide these contracting organisations with a user friendly tool designed to assist them in defining their requirements more clearly in relation to different tasks. A detailed specification of their own requirements will subsequently allow them to select a contractor, who does not only offer a competitive price, but also demonstrates the skills and capabilities to provide a higher quality, and, hence, a more reliable service.

This manual contains an easy to use framework for scoring bids, which is capable of being adapted to the requirements of each tendering organisation and aviation security contract. **The aim of this framework is to provide tendering organisations with maximum autonomy in defining the quality criteria which are of particular relevance to them and to the work to be performed, bearing in mind the requirements set out in relevant EU regulations governing aviation security<sup>2</sup>.**

The tender specifications developed with the assistance of this manual/online assessment tool can later be used to help determine service level agreements with selected providers.

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<sup>1</sup> EU Directive 2009/81/EC of the European Parliament and the Council of 13 July 2009 on the coordination of procedures for the award of certain works contracts, supply contracts and service contracts by contracting authorities or entities in the field of defence and security and amending Directives 2004/17/EC and 2004/18/EC; EU Directive 2004/17/EC of the European Parliament and of the Council of 31 March 2004 coordinating the procurement procedures of entities operating in the water, energy, transport and postal services sectors (see <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32004L0017:EN:NOT>) and EU Directive 2004/18/EC of the European Parliament and of the Council of 31 March 2004 on the coordination of procedures for the award of public works contracts, public supply contracts and public service contracts (see <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32004L0018:EN:NOT>); as amended by Commission Regulation (EC) N°1177/2009 of 30 November 2009 amending Directives 2004/17/EC, 2004/18/EC and 2009/81/EC of the European Parliament and of the Council in respect of their application thresholds for the procedures for the award of contracts (see <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:314:0064:0065:EN:PDF>); Commission Decision 2008/963/EC of 9 December 2008 amending the Annexes to Directives 2004/17/EC and 2004/18/EC of the European Parliament and of the Council on public procurement procedures, as regards their lists of contracting entities and contracting authorities (see <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:349:0001:0192:EN:PDF>); Commission Regulation (EC) N°1564/2005 of 7 September 2005 establishing standard forms for the publication of notices in the framework of public procurement procedures pursuant to Directives 2004/17/EC and 2004/18/EC of the European Parliament and of the Council (see <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32005R1564:EN:NOT>); Commission Directive 2005/51/EC of 7 September 2005 amending Annex XX to Directive 2004/17/EC and Annex VIII to Directive 2004/18/EC of the European Parliament and the Council on public procurement (see <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32005L0051:EN:NOT>)

<sup>2</sup> *Relevant public procurement Directive at EU level:* Directive 2004/18/EC of 31 March 2004 on the coordination of procedures for the award of public works contracts, public supply contracts and public service contracts (<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2004:134:0114:0240:EN:PDF>), as amended –see footnote 1 above.

*Relevant aviation security Regulations:* Commission Regulation (EU) No 185/2010 of 4 March 2010 laying down detailed measures for the implementation of the common basic standards on aviation security (<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2010:055:0001:0055:EN:PDF>); Commission Regulation (EC) No 272/2009 of 2 April 2009 supplementing the common basic standards on civil aviation security laid down in the Annex to Regulation (EC) No 300/2008 of the European Parliament and the Council (<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:091:0007:0013:EN:PDF>); Regulation (EC) No 300/2008 of the European Parliament and the Council of 11 March 2008 on common rules in the field of civil aviation and repealing Regulation (EC) No 2320/2002 (<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:097:0072:0084:EN:PDF>); Regulation (EU) No. 1254/2009 of 18 December 2009 setting criteria to allow Member States to derogate from the common basic standards on civil aviation security and to adopt alternative security measures (<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:338:0017:0017:EN:PDF>); Regulation (EU) No. 18/2010 of 8 January 2010 amending Regulation (EC) No 300/2008 of the European Parliament and of the Council as far as specifications for national quality control programmes in the field of civil aviation security are concerned (<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2010:007:0003:0014:EN:PDF>); Regulation (EU) No. 72/2010 of 26 January 2010 laying down procedures for conducting Commission inspections in the field of aviation security (<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2010:023:0001:0005:EN:PDF>); Regulation (EU) No. 297/2010 of 9 April 2010 amending Regulation (EC) No 272/2009 supplementing the common basic standards on civil aviation security (<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2010:090:0001:0003:EN:PDF>); Regulation (EU) No 357/2010 of 23 April 2010 amending Regulation (EU) No 185/2010 of 4 March 2010 laying down detailed measures for the implementation of the common basic standards on aviation security (<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2010:105:0010:0011:EN:PDF>); Regulation (EU) No 358/2010 of 23 April 2010 amending Regulation (EU) No 185/2010 of 4 March 2010 laying down detailed measures for the implementation of the common basic standards on aviation security (<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2010:105:0012:0014:EN:PDF>); Regulation (EU) 573/2010 of 30 June 2010 amending Regulation (EU) No 185/2010 laying down detailed measures for the implementation of the common basic standards on aviation security (<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2010:166:0001:0005:EN:PDF>).

In developing this manual, the guidance provided in the European Commission's "Buying Social: A Guide to Taking Account of Social Considerations in Public Procurement"<sup>3</sup> has been taken into account.

## 1.2 How to use this Manual

The main part of this manual (chapter 1) is designed as an initial information or training tool for contracting officers, outlining the technical merit and quality criteria which will help them to identify providers offering a high standard of service. **It acts as a guide to the rationale behind the use of the scoring framework** and can subsequently act as a reference tool. It is recommended that the manual be used in conjunction with the web-based scoring tool developed for this purpose ([www.TopQualityforAviationSecurity.org](http://www.TopQualityforAviationSecurity.org)) and the manual which sets out the use of this online tool in easy to follow steps (the manual for the online is provided as an Annex to this document).

Both the scoring framework and the web-based scoring systems can be adapted to different contracts and can be used again and again.

The remainder of this manual is structured as follows:

**Chapter 2** explains the importance of selecting quality as well as price when contracting for the provision of aviation security services. It provides information on the *negative implications which can result from the award of contracts solely on the basis of price*, as well as highlighting existing good practice in relation to selecting "best value".

**Chapter 3** briefly outlines the context of European legislation in tendering aviation security services, covering the provisions relating to the use of "best value" criteria in the EU's Procurement Directives and the importance of bearing in mind the requirements of EU Regulations on aviation security.

Information on how best value can be defined in relation to the provision of aviation security services is included in **Chapter 4** of this manual. This section describes quality criteria in relation to the four key elements which contribute to the successful performance of a contract: the skills and capabilities of private aviation security personnel; the quality of the contract management/operation; the quality of the contract infrastructure, and the track record, service philosophy and skills and operational experience of the provider company and its management team.

**Chapter 5** explains the best value scoring framework and provides some sample calculations.

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<sup>3</sup> For further information see the text of the Commission guide on <http://ec.europa.eu/social/main.jsp?catId=331&langId=en&furtherPubs=yes>

## 2 SELECTING BEST VALUE – WHY IT MATTERS TO YOU

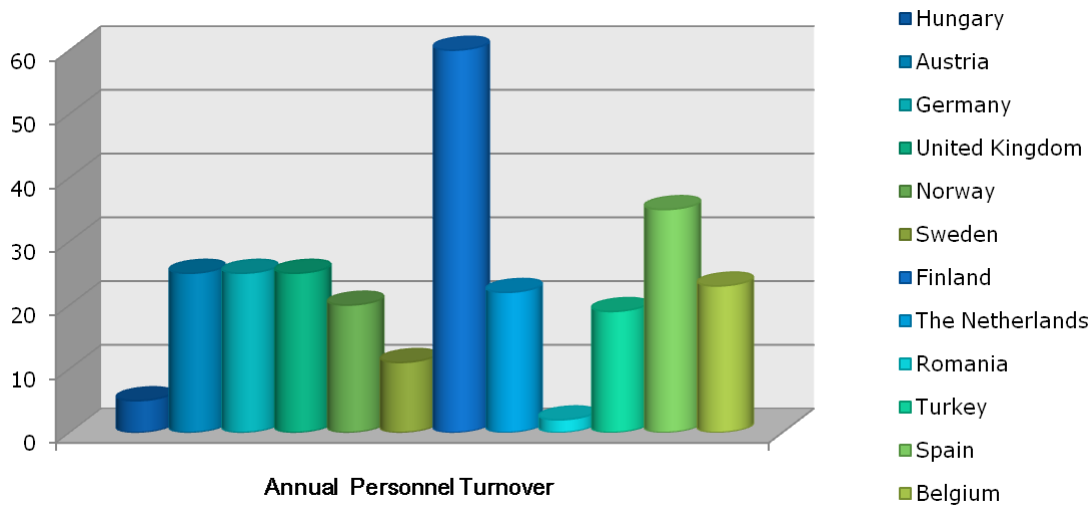
As outlined in the introduction, private companies, as well as public authorities are increasingly responsible for finding external contractors for the provision of aviation security services to provide airport security, airline security, cargo security and other sensitive airport security related services. This essentially implies a delegation of many former in-house or public service functions to private contractors, involving a significant number of highly sensitive security tasks, often taking responsibility for citizen's lives, health, safety and security whilst using mass transport hubs and on board airliners. The same applies to the security of hold cargo, or separate cargo airlines where lapses in security could also lead to substantial loss of life or injury.

Since the terrorist attacks on the United States on 11 September 2001 using commercial airliners, public consciousness in relation to aviation security services has increased significantly. The international business and holiday travel experience has become more and more shaped by individuals' positive or negative experience with airport and airline security controls. As the advent of budget airlines has brought air travel within more and more people's reach, exposure to aviation security services has become part of individuals' everyday experience. Despite rising awareness of the need for strict controls, such security checks are generally perceived as a negative part of the air travel experience.

As a result, it is not only individuals' lives, health and property which depend upon the diligent performance of such security services; the effective planning and delivery of aviation security services also has an important commercial impact on the travelling public's perception of the quality of service delivered by different airports and airlines. With the advent of greater choice of airports and carriers, customers are able to opt for a provider offering a more "pleasant" experience, while at the same time providing a safe and secure travel environment.

As competition and general pressure on budgets increase, and regulations in the field become more complex, there has been a growing tendency to award contracts on lowest price considerations rather than quality. However, awareness of the danger of lowest price competition, which goes beyond the optimisation of costs, can be slow to emerge, as it cannot always be detected immediately and can be gradual process. Lowest price competition has been found to initially lead bidders to weaken the infrastructure of the performance system, which includes the provider's staff training, supervision and quality management. As the extent to which "more can be provided with less" is limited, lower price competition soon leads to savings having to be made at operational level. As investment in luggage and personal screening devices is often directed by the requirements of international regulations, in a labour intensive service sector such as aviation security services, such savings are most likely to fall on personnel costs. In order to cut costs, companies will often lower service levels by employing cheaper and less skilled and experienced labour, with a resulting impact on staff motivation and turnover rates (see figure 2 below). Wages and social costs are often cut by switching to fixed-term and part-time labour and ultimately to "shadow self-employed" agents in order to bypass collective agreements. The use of "shadow agents", i.e. the provision of fewer staff than was contractually agreed, is also becoming more wide-spread. Some evidence is also being found among low cost bidders of neglect for collective agreements or legal regulations. The impact on staffing levels and staff quality is most visible in the most public facing of all aviation security services – screening services. Available evidence suggested that budget cutbacks have already led to the number of staff per screening line (or the number of open screening lines) being reduced. This trend not only brings with it a less pleasant airport experience, reputational damage and potential liabilities resulting from long queues (and potentially missed flights), but also – and more worryingly – increases the failure rate of detection of prohibited items and substances, thus putting lives at risk.

Figure 2 Annual staff turnover rates in screening services



Source: ASSA-I

The multiple systems failure which led to the – fortunately ultimately unsuccessful – terrorist attack on Northwest Airlines flight 253 from Schiphol Airport to Detroit on 25<sup>th</sup> December 2009 is only one very public example of such shortcomings. In the context of the tightened regulatory framework, questions also needs to be asked to what extent companies supplying aviation security services will be able to meet these requirements if current trends towards lowest price competition continue.

This, together with the increasing proliferation of bad practice and security breaches resulting from lowest price competition is leading a number of tendering organisations to rethink their tendering strategies. The development of selection criteria which take into account quality as well as price is therefore becoming more widespread and has been assisted by the preparation of similar manuals for private security and other services. For example the Best Value Manual for organisations awarding contracts for private guarding services ([www.securebestvalue.org](http://www.securebestvalue.org)) as developed by the Confederation of European Security Services (CoESS) and UNI Europa in 2000. Of similar importance is the CEN standard EN 16082 “A European Standard for aviation security services” initiated by ASSA-I (Aviation Security Services Association International – [www.assa-int.org](http://www.assa-int.org)) and CoESS (Confederation of European Security Services – [www.coess.eu](http://www.coess.eu)) (see also Chapter 3.5). It is upon this experience and methodology that this manual has drawn, whilst customising it for the aviation security framework and updating the scoring tools to a more user-friendly, web-based system.

Public and private sector clients are therefore becoming increasingly aware of the business case for selecting best value rather than the cheapest price when they are awarding contracts for the “most economically advantageous tender” (or *MEAT*) – an option provided for in EU public tendering legislation.

### 3 PUBLIC TENDERING FOR AVIATION SECURITY SERVICES AND EU LEGISLATION

The total procurement market in the European Union is significant, with public procurement (i.e. the purchase of goods, services and public works by public authorities) alone reaching a value of 17% of the EU's GDP (over €2100 billion).

The tendering of aviation security services falls under the remit of key EU Procurement Directives (Directive 2009/81/EC and Directive 2004/18/EC)<sup>4</sup>. As stipulated in Article 21 of EU Directive 2004/18/EC, aviation security (as long as it is not considered to be a "sensitive service", see below), being one of the services listed in Annex II B of the Directive, is only subject to the provisions of Articles 23 and 35(4) of the Directive. This means:

- Firstly, according to Article 23, the technical specifications to which services must be provided must refer to either national standards implementing European standards; European technical approval; or common technical specifications<sup>5</sup>. These provisions apply primarily to any technical tools to be used in pursuance of the contract and could be of relevance to the provision of equipment, but are less relevant to the personnel side of aviation security services.
- Secondly, in line with Article 35(4), once a contract has been awarded, the European Commission must be notified. However, the awarding authority is free to indicate whether this notification should be published in the Official Journal or not.

However, regardless of the number of provisions in the Directive applying to the award of aviation security contracts, general principles of non-discrimination, equal opportunities and transparency must be respected.

EU Directive 2009/81/EC applies to aviation security services which can be considered as being "sensitive", which, according to the Directive, includes requiring and containing classified information (e.g. information to which a security classification has been applied as a result of the involvement of national interest considerations).

The processes described in this document regarding the process of tender award processes and the possibility to select the "most economically advantageous tender" apply to services tendered with respect to the coverage of both Directives and are therefore no further distinctions are drawn in the remainder of the manual.

All public contract award processes essentially go through three stages (see also Figure 4).

At the first stage, exclusion criteria define the type of companies which are to be automatically excluded from the tender. Article 45 of Council Directive 2004/18/EC which relates to exclusion criteria for participants in a tender procedure, provides a list of these criteria. To summarise, these stipulate that a service provider can be excluded if they:

- Are bankrupt or being wound up, are having their affairs administered by the courts, have entered into arrangements with creditors, have suspected business activities, or are the subject of proceedings concerning these matters;
- Are the subject of a declaration of bankruptcy;

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<sup>4</sup> See [http://ec.europa.eu/internal\\_market/publicprocurement/legislation\\_en.htm#package](http://ec.europa.eu/internal_market/publicprocurement/legislation_en.htm#package)

<sup>5</sup> Article 23, paragraph 3 (b) also stipulates that function requirements may include environmental characteristics.



- Have been convicted of an offence concerning their professional conduct by a judgement which has the force of res judicata;
- Have been guilty of grave professional misconduct;
- Have not fulfilled their obligations in relation to the payment of social security contributions or the payment of taxes in accordance with the legal provisions of the country in which they are established;
- Are guilty of serious misrepresentation in providing any information required under this section;
- Have been the subject of a judgement which has the force of res judicata for fraud, corruption, involvement in a criminal organisation, money laundering.

At the second stage, selection criteria define the type of company which considered qualified to tender for the work. A number of companies can be excluded at this stage, for example on the grounds of financial, economic or technical capacity. Financial and economic capacity can be demonstrated by supplying a statement of overall turnover; balance sheets; or proof through bank statements or risk indemnity insurance. The selection process enables contracting organisations to assess candidates' ability to deliver the contract requirements, but those must be linked to the subject matter of the contract.

Technical capacity can be evidenced by the following means (see Article 48 and 49 of the Directive for a full list of acceptable evidential information):

- Evidence of the service provider's educational and professional qualifications and/or those of its managerial/operational staff;
- A list of principal relevant services provided over a given period of time;
- A statement of the average number of staff over a given period of time;
- A statement of plant or technical equipment available to assist in carrying out the contract;
- An indication of how much of a service is to be sub-contracted.

At the third stage, award criteria assess the merit of the individual tender on the basis of how well they meet the tender specifications. In setting out award criteria, a contracting organisation must clearly state on which basis a contract will be awarded: lowest price or most economically advantageous tender (MEAT).

**Article 53 of Directive 2004/18/EC stipulates that**

***“without prejudice to national laws, regional or administrative provisions concerning the remuneration of certain services, the criteria on which the contract authorities shall base the award of public contracts shall be either:***

- a) When the award is made to the tender most economically most advantageous from the point of view of the contracting authority, various criteria linked to the subject matter of the public contract in question, for example, quality, price, technical merit, aesthetic and functional characteristics, environmental characteristics, running costs, cost effectiveness, after-sales service and technical assistance, delivery date and delivery period or period of completion, or***
- b) The lowest price only.***

***Where a contract is to be awarded on the basis of the most economically advantageous tender (MEAT), the tendering authority must specify in the contract notice or in the contract documents the relative weighting which it attaches to each of the criteria chosen to determine the MEAT. Those weightings can be expressed by providing for a range with an appropriate maximum spread. Where, in the opinion of the contracting authority, weighting is not possible for***

***demonstrable reasons, the contract authority shall indicate in the contract notice or contract documents, the criteria in descending order of importance.***

The provisions of the Directive do not limit contracting authorities' freedom to decide whether they wish to award a contract to the lowest price provider or to the *MEAT*.

Where *MEAT* is used, ***the determination of quality criteria must relate to the subject matter of the contract***, but can include the meeting of social and environmental criteria ***as long as these are strictly linked to the subject matter of the contract, are objective and quantifiable, have been previously advertised and respect Community law.***

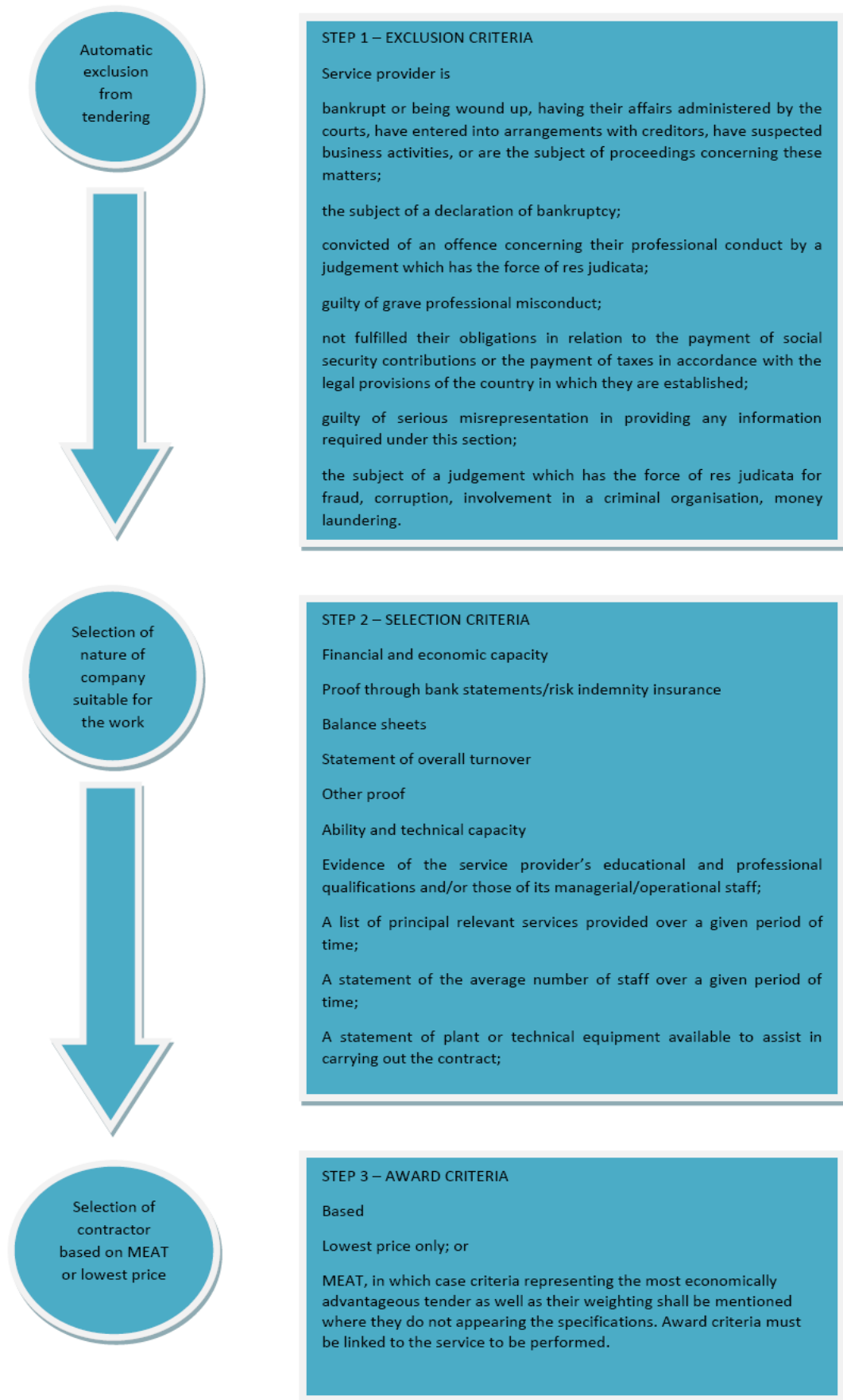
The quality criteria and scoring framework set out in the manual are entirely optional. However, the process of weighting of quality criteria used is in line with best practice as required by the Directive. The quality criteria set out in Chapter 4 relate largely to the most important element in the delivery of a contract in the field of aviation security: the quality of operational staff, contract management/organisation, contract infrastructure and the quality of the providers' organisation.

When awarding contracts in the field of aviation security services, it is important to bear in mind, and abide by the regulatory framework which governs aviation security. The most important EU provisions in this regard are:

- Regulation (EC) 185/2010 of 4 March 2010 laying down detailed measures for the implementation of the common basic standards on aviation security;
- Regulation (EC) No. 300/2008 of the European Parliament and of the Council of 11 March 2008 on common rules in the field of civil aviation security and repealing Regulation (EC) No. 2320/2002;
- Regulation (EC) No. 272/2009 of 2 April 2009 supplementing the common basic standards on civil aviation security laid down in the Annex to Regulation (EC) No 300/2008 of the European Parliament and of the Council;
- Regulation (EU) No. 1254/2009 of 18 December 2009 setting criteria to allow Member States to derogate from the common basic standards on civil aviation security and to adopt alternative security measures;
- Regulation (EU) No. 18/2010 of 8 January 2010 amending Regulation (EC) No 300/2008 of the European Parliament and of the Council as far as specifications for national quality control programmes in the field of civil aviation security are concerned;
- Regulation (EU) No. 72/2010 of 26 January 2010 laying down procedures for conducting Commission inspections in the field of aviation security;
- Regulation (EU) No. 297/2010 of 9 April 2010 amending Regulation (EC) No 272/2009 supplementing the common basic standards on civil aviation security;
- Regulation (EU) No 357/2010 of 23 April 2010 amending Regulation (EU) No 185/2010 of 4 March 2010 laying down detailed measures for the implementation of the common basic standards on aviation security;
- Regulation (EU) No 358/2010 of 23 April 2010 amending Regulation (EU) No 185/2010 of 4 March 2010 laying down detailed measures for the implementation of the common basic standards on aviation security;
- Regulation (EU) 573/2010 of 30 June 2010 amending Regulation (EU) No 185/2010 laying down detailed measures for the implementation of the common basic standards on aviation security.

Critically, Regulation (EC) 300/2008 requires that “persons other than passengers requiring access to security restricted areas shall receive security training, before either an airport identification card or crew identification card is issued” (Article 11 (2)). It is additionally stipulated that such training must be conducted on an initial and recurrent basis and that trainers providing such training must have the necessary qualifications. Proposal for how to translate these requirements into award criteria in tendering contracts are provided in Chapter 4 of this manual.

**FIGURE 4: THREE STAGE MODEL OF CONTRACT AWARD PROCESS**



**STEP 1 – EXCLUSION CRITERIA**

Service provider is

- bankrupt or being wound up, having their affairs administered by the courts, have entered into arrangements with creditors, have suspected business activities, or are the subject of proceedings concerning these matters;
- the subject of a declaration of bankruptcy;
- convicted of an offence concerning their professional conduct by a judgement which has the force of res judicata;
- guilty of grave professional misconduct;
- not fulfilled their obligations in relation to the payment of social security contributions or the payment of taxes in accordance with the legal provisions of the country in which they are established;
- guilty of serious misrepresentation in providing any information required under this section;
- the subject of a judgement which has the force of res judicata for fraud, corruption, involvement in a criminal organisation, money laundering.

**STEP 2 – SELECTION CRITERIA**

Financial and economic capacity

- Proof through bank statements/risk indemnity insurance
- Balance sheets
- Statement of overall turnover
- Other proof

Ability and technical capacity

- Evidence of the service provider’s educational and professional qualifications and/or those of its managerial/operational staff;
- A list of principal relevant services provided over a given period of time;
- A statement of the average number of staff over a given period of time;
- A statement of plant or technical equipment available to assist in carrying out the contract;

**STEP 3 – AWARD CRITERIA**

Based

- Lowest price only; or
- MEAT, in which case criteria representing the most economically advantageous tender as well as their weighting shall be mentioned where they do not appearing the specifications. Award criteria must be linked to the service to be performed.

## 4 DEFINING BEST VALUE IN PRIVATE AVIATION SECURITY SERVICES

### 4.1 Introduction

As is the case with most organisations seeking to provide a service, the quality of the service rendered depends on a number of key factors. Of all these factors, the capabilities, skills and motivations of front line staff are clearly the most important, as they are responsible for the day-to-day performance of the work, as well as the interaction with clients and the public. In addition, the operational planning and management of front line staff and services has to be first rate to ensure that the service is performed to the highest possible quality standard. Of similar importance is the technical, operational and human resource infrastructure available to front line staff and the contract management team. Finally, it is crucial that all operations are backed up by a company infrastructure which not only has the relevant track record to perform a quality service, but also displays a service philosophy which meets the client's requirements.

The four key areas in which the technical merit of the supply of aviation security services can be assessed are therefore as follows:

- Operational personnel
- Contract management/operations
- Contract infrastructure
- Quality related to the provider's organisation

As indicated above, EU legislation requires that contracting organisations are clear about the weighting given to each award criterion and any quality criteria used in the award of contracts must be linked to the subject matter of the contract.

### 4.2 Operational Personnel

#### ***Experience***

The most important asset of any aviation security service provider is its operational personnel. It is with their skills and experience that the daily performance of the security service stands or falls. Depending on the precise nature of the aviation security activities to be performed, it is therefore crucial that a bidding company can provide assurance that the personnel selected to perform the activities have the necessary experience and capabilities to provide a high standard of service. In the case of highly specialised and particularly sensitive working environments, the contracting organisation may wish to seek proof that assigned operational personnel have experience of working in this or a similar environment.

If a contract requires the recruitment of a significant number of additional staff, bidding companies should be able to demonstrate their capacity to recruit or take over experienced staff and to provide relevant training.

#### ***Selection, recruitment and vetting***

EU Regulation 300/2008<sup>6</sup> requires that *"persons implementing, or responsible for implementing, screening, access control, and other security controls shall be recruited, trained and, where appropriate, certified so as to ensure that they are suitable for employment and competent to undertake the duties to which they are assigned"*.

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<sup>6</sup> Regulation (EC) No. 300/2008 of the European Parliament and of the Council of 11 March 2008 on common rules in the field of civil aviation security and repealing Regulation (EC) No. 2320/2002 (Text with EEA relevance); Article 11 (1)

It is therefore important that companies can provide details of a structured staff selection, recruitment and vetting procedure. These procedures should ideally be implemented by a dedicated and suitably trained personnel team. This can provide peace of mind that all the staff provided by the contractor meet the standards that contracting organisations would themselves wish to apply. When requested, a contractor should be able to supply their policy for identifying and recruiting potential candidates and the clear job profiles used to advertise such jobs. Evidence of stringent vetting procedures (within the boundaries of relevant national or EU legislation) may be relevant to contracting organisations seeking assurance that staff assigned to the contract are free from a criminal record and – if relevant – any financial liabilities which may interfere with the performance of their work or compromise the contracting organisation’s integrity, property or clients, or endanger the public. On the whole, the contracting organisation must be able to seek reassurance that all operational staff supplied to work on a contract must meet all national legal conditions for employment in the aviation security industry. These include:

- A valid ID (recognised official identification for working in the sector)/evidence of eligibility for all necessary IDs or other required documentation
- Evidence of being the minimum legal age for employment
- Certificate of good conduct or evidence of no criminal record
- Medical certificate, where relevant/required by the job description
- Evidence of necessary interpersonal skills relevant to the activity/activities to be undertaken
- Language skills in the relevant working language(s)

In addition, for each member of the operational team, the following information should be available (as evidenced, for example, in the production of CVs or regularly updated and maintained personnel files):

- Personal data
- Educational background
- Professional experience
- Employment and personal references
- Details on work and residence permits, if applicable
- Statement on criminal record, if applicable
- Drivers’ licence details, if applicable
- General information on physical and/or medical condition applicable to the job description

Contracting organisations may also wish to seek evidence that a potential contractor’s recruitment literature encourages equality of opportunity and avoids all forms of legally prohibited discrimination.

Where temporary staff are to be used in the supply of a contract, these should be recruited through reputable agencies and similar proof should be available of having fulfilled required selection and vetting procedures. Required training must also have been provided to such temporary staff.

#### ***Training and skills and capacities of operational personnel***

As recognised and increasingly strengthened in EU Regulations on aviation security, training is absolutely essential to the safe and satisfactory performance of operational (and management) tasks in the sector. Regulation (EC) 300/2008 requires that “*persons other than passengers requiring access to security restricted areas shall receive security training, before either an airport identification card or crew identification card is issued*” (Article 11 (2)). It is additionally stipulated

that such training must be conducted on an initial and recurrent basis and that trainers providing such training must have the necessary qualifications.

Training of aviation security staff should therefore take account of the following legislative and regulatory references and industry standards, bearing in mind that the content of this education and training may vary from country to country:

- Directive 95/46/EC of the European Parliament and of the Council of the 24<sup>th</sup> October 1995 on the protection of individuals with regard to the processing of personal data and on the field of movement of such data;
- Regulation (EC) No.185/2010 of 4 March 2010 laying down detailed measures for the implementation of the common basic standards on aviation security;
- Regulation (EC) No. 300/2008 of the European Parliament and of the Council of 11 March 2008 on common rules in the field of civil aviation security and repealing Regulation (EC) No. 2320/2002 (Text with EEA relevance);
- Regulation (EC) No. 573/2010 of 30 June 2010 amending Regulation (EU) No 185/2010 laying down detailed measures for the implementation of the common basic standards on aviation security
- Regulation (EC) No.272/2009 of 2 April 2009 supplementing the common basic standards on civil aviation security laid down in the Annex to Regulation (EC) No 300/2008 of the European Parliament and of the Council;
- International Civil Aviation Organization (ICAO) — Annex 17 to the Convention on International Civil Aviation - Security: Safeguarding International Civil Aviation against Acts of Unlawful interference – latest edition of April 2006; chapters 3.1.6, 3.1.7, 3.4.1, 3.4.2, 3.4.3;
- International Civil Aviation Organization (ICAO) — Document 9284-AN/905 — Technical Instructions for the Safe Transport of Dangerous Goods by Air (and Corrigenda/Addenda/Guidance);
- European Civil Aviation Conference (ECAC) — Document 30 — ECAC Policy statement in the field of civil security (May 2010): Annex Part IV — Preventive Security Measures, Chapter 12 – Staff Recruitment and Training.

As a minimum, potential contractors should therefore be able to provide evidence of the qualification of their trainers and that all necessary basic and contract relevant training as stipulated in national legislation and regulations has been provided (or will be provided prior to the start up of the contract) and that systems for regular refresher training are in place.

In addition to national legislative requirements, the contracting organisation may wish to satisfy itself that as well as meeting these minimum requirements, basic training includes at least the following main subjects:

- Security awareness training (such as general and specific threats, location of restricted areas, interaction with other relevant parties/services, relevant procedures used by the airport/airline, emergency/contingency management, use of badge/ID systems and continuity planning);
- Communication skills and vocabulary in relation to aviation security (including basic IT terminology and abbreviations);
- Customer service (including interpersonal skills, conflict management, assistance to passengers, handling stressful situations, treatment of specific passengers, e.g. diplomats, VIPs etc.);

- Basic access/exit control;
- Any necessary specialist training (e.g. screening of passengers and cabin baggage, screening of hold baggage, use of X-ray equipment, electronic surveillance, searching of vehicles, cargo and mail security, aircraft protection, screening of in-flight supplies, screening of airport supplies, supervisor training etc.)
- General introduction to airports, air traffic and passenger related issues;
- Understanding of aviation security;
- Risks analysis and security system response;
- Theoretical and practical skills (as required for each specific activity)
- Operational and emergency procedures.

Any specific training requirements linked to particular working environments and tasks must be set down in the tender documents.

Because of the specific, critical and high pressured nature of aviation security services tasks, it may also be advisable to check and ensure that on-the job training has/will also be provided to ensure all operational staff are able to translate theoretical knowledge into practical application. In order to ensure this experienced trainers/coaches should be available to supervise such on the job learning, mentoring, guidance and – where suitable – accreditation.

With regard to refresher training, it is advisable that evidence is sought of such training being provided regularly and at least for twelve hours every 12 months. The contracting organisation should be able to provide evidence of an internal system of testing being in place to verify and validate theoretical knowledge and practical capabilities, including vigilance test and regular audits and inspections.

The contracting body should be able to gain access to information regarding the training programme delivered in relation to content and duration, when such training was delivered, as well as any certifications received by operational personnel. Information provided by the potential contractor on the existence and quality of any training facilities can provide assurance that staff skills and qualifications are regularly updated. The availability of such facilities can also indicate the availability of suitably trained back-up personnel, should demand for services increase at short notice (e.g. in emergency situations).

The availability of employer funded training should also be tied in with a transparent career structure enabling vertical and horizontal promotion. This ensures higher levels of motivation and ultimately a better quality of service.

### ***Employment conditions***

It is widely recognised that the existence of a fair and transparent reward structure has a positive impact on the retention of experienced staff, their motivation and job satisfaction, and therefore the quality of performance. Evidence of such systems being in place includes respect for any collective agreements; the existence of additional performance related reward structures and staff grading and assessment systems. A framework should be in place for the regular review of salaries and training requirements.

In order to avoid awarding contracts to disreputable companies, contracting organisations should seek evidence that the working conditions applied to the companies' operational personnel are in compliance with national legislation and/or collective agreements. An indication that not all national legal/collectively agreed requirements in relation to salaries and benefits are provided could be found in abnormally low bids. Under the current Procurement Directives, when contracting authorities consider a tender to be abnormally low, they must ask for explanations



before being able to reject a tender. According to the Procurement Directives, these explanations may also refer (amongst other factors) to compliance with the “*provisions relating to employment protection and working conditions in force at the place where the work, service or supply is to be performed*”<sup>7</sup>. The Procurement Directives provide for procedures that the contracting authority must adopt before a tender is rejected on the grounds that it is abnormally low<sup>8</sup>. Each case must be treated on its own merits.

Where no collective agreements are in place, rostering schedules should provide information on working hours and lengths of shifts. This is important as excessively long working hours can lead to accidents and potential security breaches, as well as work related stress or illness (potential causing absences from work). A copy of the company’s health and safety policy and procedures should be available on request. Well regulated working conditions and the availability of employee information and consultation systems lower the potential for disputes and reduce risks relating to health and safety of staff, passengers, clients and their property.

In summary, these are the key quality criteria relating to operational personnel:

**Table 1 Quality criteria relating to operational personnel**

Experience	Experience in the industry Contract specific experience
Selection, recruitment and vetting	Recruitment and selection methodology Vetting procedures
Training, skills and capacities of operational personnel	Basic training Additional (specialized) training and qualifications Contract specific training Recurring training Training infrastructure (including qualified trainers) Career opportunities
Employment conditions	Salary and benefit levels Working conditions
Other criteria to be defined by the contracting body	All quality award criteria must be linked to the subject matter of the contract; should be within the framework of relevant EU and national legislation and must be clearly advised in tender documents.

<sup>7</sup> Article 55(1)d of Directive 2004/18/EC

<sup>8</sup> Article 55 of Directive 2004/18/EC

## 4.3 Contract management/operations

### ***The management team***

When contracting out aviation security functions/activities, contracting organisations are generally keen to ensure that a minimum supervisory effort will be required on their part in ensuring the contractual performance of the work. The competence and organisation of the external contract management team is therefore highly significant. The client must feel satisfied that all members of the external management team have the necessary skills to meet their requirements. Channels of responsibility must be clearly laid out and response times and adequate back up capacity must be demonstrated. The bid must therefore provide information about the skills and experience of each member of the management team and their responsibility within the framework of the contract. Standards should be set in relation to how quickly a contracting bodies' queries are dealt with and who has ultimate responsibility. In a specialised environment such as aviation security, evidence of contract specific experience may be required.

### ***The on-site manager***

From the point of view of the client, the on-site manager is their most important port of call in all matters relating to the performance of the contract. It is therefore crucial that the client is satisfied with the skills and capabilities of this individual(s). Bidders must therefore provide detailed information on the identity, skills and experience of the contract manager. In depth-contract specific knowledge may be required bearing in mind the highly sensitive nature of the tasks to be performed. The bid and the experience of the contract manager must demonstrate a full and clear understanding of regulatory requirements as well as the client's specific needs. The operational plan must make provisions to ensure that the contract manager(s) can be contacted easily and quickly and has(have) the capacity to make decisions effectively, within a clear chain of responsibility and set response time.

### ***Operational plan and rostering***

The operational plan presented in the bid must include details of rostering, staffing with operational personnel with relevant qualifications, standard operating procedure, mobilisation plan including back-up in exceptional and emergency situations, transition plans (in case of take over from another contractor), details of performance monitoring and assessment, training plans, reversibility plan, reporting structure and disaster recovery systems.

The details of the operational plan must satisfy the client that the contractor has the required knowledge of the aviation security environment and related regulations to ensure that all its details meet required standards and specific requirements.

The rostering methodology must ensure that:

- The correct profile of operational personnel is guaranteed (on the basis of basic and specific skills and experience required);
- 100% coverage of the contract is guaranteed to avoid any security lapses;
- The work is executed to the appropriate standard at the right time, taking account of peaks and troughs in demand/passenger flow;
- Each operational agent knows his/her schedule well in advance;
- The client is aware of these schedules;
- The schedules are flexible when required and can accommodate higher than average demand and emergency situations;
- Schedules are compliant with working conditions as regulated;

- Controls are carried out at least at the beginning, during and at the end of each roster, including ad hoc spot check;
- Where relatively new staff with basic training are used, supervisors/trainers are on hand for on the job training and spot checks.

The operational plan must also demonstrate that the potential contractor has sufficient capacity organisationally and in terms of qualified and experienced manpower, to ensure that any member of the operational team can be replaced or supported at short notice.

As basic and recurrent training is a requirement, specific evidence should be provided of its content and frequency of delivery in relation to the specific requirements of the contract. This should include information on how individuals involved in training will be (temporarily) replaced by staff with equivalent experience. Provisions for on-the-job supervision and training should be taken into account in the roster.

As in many cases a contractor will be taking over from a previous provider, the bidder should demonstrate that procedures are put in place which can guarantee a quick and smooth start-up and operation of the contract, even should unpredictable situations arise. Assurance must be given that any procedures specifically agreed with the client will always be met and clients will always be informed and consulted prior to any necessary modifications. Any such modifications must ensure that the contract remains within its original parameters.

Because of the specific nature of the aviation security environment, the inclusion of emergency and disaster recovery procedures in operational plans is of particular relevance. Such procedures must not only describe clear processes for dealing with such eventualities and the handling of necessary interactions with the client and other services, but must also set out how sufficient staff will be made available for contract to return to its “standard” performance criteria in the fastest time possible.

The information provided in the operational plan must satisfy the contracting body that they can monitor the performance of the contract on a regular basis and at specified times and dates. They must also be satisfied that in cases of spot checks by external agencies, services are always provided to the agreed quality standard to avoid any linked liabilities.

The proposal prepared by the bidder should outline a comprehensive reporting structure which ensures that:

- Reporting is always done and is done at the correct time;
- Reporting provides responses to relevant questions;
- Reporting is objective;
- The way in which reporting is done does not handicap operational personnel in the execution of their duties;
- Reporting is more than just an administrative task;
- Reporting is client customised;
- Reports are collated and analysed;
- The information can be used to carry out corrective or preventative actions.

In order to ensure that a minimum of time input is required from the client, the operational proposal should set out how client contact is to be managed and the frequency and organisation of meetings.

### **Support services**

The provision of effective contract support services from the contractor's head office should assist in ensuring the smooth running of the contract. The operational proposal should contain information about the support services made available by the company's head office (such as administration, invoicing, personnel functions etc.). Information should also be given on the schedule and frequency of inspections and spot checks. The procedure to be followed in relation to inspections and spot-checks must satisfy the contracting body that inspections are carried out with a maximum measure of objectivity and that infringements of agreed quality standards can be remedied immediately.

In summary, these are the key quality criteria relating to contract management/operations:

**Table 2 Quality criteria relating to contract management/operations**

The management team	Structure, organisation and skills of the management team Contract specific know-how of the management team
The on-site manager	Skills and experience Contract specific know how Availability Response time
Operational plan and rostering	Rostering methodology Standard and client specific operating procedures Mobilisation plan and back up capacity Performance monitoring and assessment Training plan Reporting structure and client contact Disaster recovery
Support services	Head office support systems Procedures for inspections and spot checks and addressing outcomes
Other criteria to be defined by the contracting body	All quality award criteria must be linked to the subject matter of the contract; should be within the framework of relevant EU and national legislation and must be clearly advised in tender documents.

#### 4.4 Contract infrastructure

Depending on the precise nature of the aviation security service to be supplied, investment in and the provision of relevant tools and equipment can be considerable, but it may also be the case that such tools and equipment are supplied by the contracting body.. Tender documents should make clear which elements of the contract infrastructure are to be supplied by the contractor and which elements will be provided by the contracting body, to be used and operated by the contractor. All equipment and systems used by the provider shall be maintained by the owner of such equipment and systems. All equipment and systems must be used in accordance with national and local regulations. Whatever the situation in a particular contract, it is critical that all equipment and technological tools to be used in pursuance of the contract are appropriate, well-maintained and used by skilled staff.

Bidders operational plans and technical proposals must contain sufficient information to ensure the standards set out below are met.

##### **Equipment**

All **communication tools and systems** to be used must be appropriate to the specific contract and location within the airport, as well as the level of risk involved. They must ensure the safety of both the location and any individual or property on it, as well as the staff member. All equipment must be checked and maintained regularly by its owner.

Similarly, any **IT hard and software** used must be adequate for the performance of the contract and be subject to regular maintenance checks. The equipment and its use must meet with health and safety guidelines.

The outward appearance of aviation security personnel is of particular relevance to the image of the organisation they indirectly represent. Contractors must therefore provide standard **uniforms** for all agents or ensure that uniforms supplied are worn and cared for appropriately.

All **vehicles** used in carrying out the contract must be clearly marked, maintained in good condition, equipped and driven in accordance with national or local regulations. It must be clearly set out who has access to them and how they should be used.

Any **dogs** used in the execution of the contract shall be in accordance with European (EU Regulation 573/2010), national or local regulations. Where used, they must have received relevant training and must be handled by a trained member of staff. The technical proposal must set out where and how they are to be used.

Any **technical support** and security equipment must clearly meet the requirements of the tender and be maintained in fully operational working condition at all times.

In summary, these are the key quality criteria relating to contract infrastructure:

**Table 3: Quality criteria relating to contract infrastructure**

Equipment	Communication tools and systems IT software and hardware Uniforms Vehicles Dogs Technical support (security equipment and technology)
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Other criteria to be defined by the contracting body	All quality award criteria must be linked to the subject matter of the contract; should be within the framework of relevant EU and national legislation and must be clearly advised in tender documents.
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#### 4.5 Quality related to the provider's organisation

The criteria set out below allow the contracting organisation to define the type of company they would like to deal with, in terms of its size and capacity, number of employees, level of turnover, level of specialisation and breadth of experience.

Simply to re-iterate, as outlined in Chapter 3, financial and economic capacity can be part of the *selection criteria* for a contract and are usually linked to the size of the contract to be performed. Appropriate financial capacity should be evidenced in tender documentations through the types of documentation set out in Chapter 3.

##### **Structure and organisation**

Good quality providers should be able to provide evidence of a management structure which shows clear systems of management responsibility and accountability at each level of the organisation. This should go hand in hand with a complaints procedure to deal efficiently with customer concerns and implement any appropriate remedial action.

Company procedures and processes must also show that systems are in place to handle and store confidential documents, in line with national data handling and confidentiality requirements. This also relates to data important for a client's business.

High quality organisations should also be able to show membership of national and international professional associations.

Considering the size of contracts in the field of aviation security service and their operational requirements, bidders must demonstrate their ability to set up an operational presence at the site where the contract is to be provided for the duration of the contract (or the duration of the execution of the contract).

##### **Human resource management**

A company's human resource policy can provide an indication of the quality of personnel it will be able to recruit and retain. This includes the provision of training and careers development, performance management, professional recruitment and selection practices ensuring objectivity, non-discrimination and equal opportunities practices. Staff satisfaction surveys can also provide a good indication of a company's approach to human resource management.

Information should be available on the total number of employees (administrative, managerial and operational), their levels of qualification and experience, the number of full-time, part-time and temporary staff and the level of employee turnover over a given number of years. It is equally important to organisations are able to demonstrate that they have sufficient, well-trained back up staff to meet additional requirements during times of increased demand or emergencies.

Respect for basic national labour standards and/or collective agreements also contribute to staff satisfaction and retention and breaches in this area could be evidenced by abnormally low tenders (see above). Companies with employee representation structures are also more likely to respect their obligations in this regard and show higher levels of employee satisfaction.

Part of strong human resource management is a clear health and safety policy respecting existing legislation. This should include procedures to deal with physical and psycho-social hazards, including violence, harassment and stress in the workplace. Similarly, clear grievance/disciplinary procedures should be in place to ensure that any grievances or disciplinary concerns are dealt with confidentially, efficiently, effectively and in a non-discriminatory manner.

For all operational staff the bidder should, in line with the requirement of EU and national regional and the specific site, ensure that personnel are clearly identified as working for the contractor by visibly wearing relevant IDs (including photograph and expiry date). Uniforms – either provided by the contractor or supplied by the contracting body must be worn and the contractor will be responsible for ensuring that a good standard of appearance is maintained.

### ***Insurances***

In line with national regulations, potential providers must be able to demonstrate all relevant professional and personal indemnity insurances are in place, which must cover

- Accidents to employees whilst on duty;
- General liability;
- Social security.

The level of insurance must be commensurate with the task being undertaken and must include Third Party Liability of the security provider.

### ***Security***

High quality providers will be able to outline their security philosophy and how they seek to implement this in relation to the contract. This will allow the contracting organisation to ensure that this philosophy does not only meet basic regulatory requirements but also conforms with their own requirements.

### ***Quality***

Information should be available on the quality standards the company commits itself to upholding. Procedures for quality control should be clearly set out and should be capable of being monitored. Evidence of any relevant quality certification should be provided.

### ***Track record and references***

Because of the particularly sensitive nature of aviation security services, it is especially relevant that tendering organisations are asked to provide evidence of the range of services it has provided in this or related fields over the specified period of time. Evidence of previous client satisfaction is a good indicator of a quality provider. Sector or contract specific references should therefore be available on request.

### ***Certification and awards***

Evidence of relevant certification and awards may be required, or if not required in regulations can be a hallmark of a good quality provider and can be taken into account.

As an example, we can mention “A European Standard for Aviation Security Services”, adopted by the European Committee for Standardization (CEN) on 7th June 2011. Although voluntary by nature, this standard, when applied by a security services provider, is indeed a very valuable indication of the importance the concerned provider attaches to the quality of the services he delivers.

This European standard, initiated jointly by ASSA-I (Aviation Security Services Association – International: <http://www.assa-int.org>) and CoESS (Confederation of European Security Services:

<http://www.coess.org>) is the result of extensive efforts from the private security services providers, who contributed expertise and funded the development of the standard.

In summary, these are the key quality criteria relating to the quality of the provider's organisation:

**Table 4: Quality criteria linked to the providers' organisation**

Structure and organisation	<p>Organisation chart</p> <p>Range of services provided</p> <p>Company quality/complaints/health and safety/grievance procedures</p> <p>Membership of professional organisation</p>
Human resources management	<p>Defined and strong HRM policy in relation to recruitment, retention, training, career development and performance management</p> <p>Adherence to labour law/ collective agreement and health and safety requirements</p> <p>Number of employees</p> <p>Staff turnover</p> <p>Clear grievance/disciplinary procedure</p> <p>Clear policy on staff presentation</p>
Insurances (including Third Party Liability of security providers)	Required insurances in place to cover professional and staff liabilities
Security	Security philosophy
Quality	Quality assurance systems and monitoring
Track record and references	<p>Track record and experience</p> <p>References</p>
Certification and awards	<p>Required certifications</p> <p>Additional relevant certifications</p> <p>Conformity with ISO or CEN standards (e.g. CEN EN16082)</p> <p>Awards</p>
Other criteria to be defined by the contracting body	All quality award criteria must be linked to the subject matter of the contract; should be within the framework of relevant EU and national legislation and must be clearly advised in tender documents.



## 5 EVALUATION GUIDELINES

As elaborated in Chapter 3 of this manual, every tender award procedure should follow a three stage process, in which tenders are assessed according to specified exclusion, selection and award criteria. Award criteria must be strictly linked to the subject matter of the contract and together with the exclusion and selection criteria, the weighting of the award criteria must be clearly presented in the tender documents.

The tender evaluation framework of this manual assumes that a contracting body – for any of the reasons set out in Chapter 2 – has already decided to utilise the option legally provided in the Procurement Directives or selecting the *MEAT* over the lowest price bid.

Figure 5 sets out the three stage contract award process using the quality criteria elaborated in Chapter 3 of this manual. Even where tendering procedures are carried out in one step, a logical distinction should be made between exclusion, selection and award criteria. Exclusion and selection criteria are merely designed to eliminate companies from the tendering process which:

- Do not meet the exclusion criteria because they are bankrupt, subject to a declaration of bankruptcy, have not met their statutory requirements in relation to the payment of taxes and social security contributions, or have been guilty of professional misconduct, fraud, corruption or involvement in a criminal organisation or practice.
- Do not meet the basic selection criteria in terms of financial or technical capacity and expertise.

The final detailed evaluation of the technical and operational proposals is subject to the relevant award criteria specified and weighted in the tender documents and an assessment of the price proposal.

The “best value” evaluation framework proposed in this manual allows tendering organisations to apply their own priorities in relation to:

- The importance of price over technical merit and the determination of the minimum share of technical merit points required (STEP 1);
- The importance and weighting attached to different categories of technical merit criteria linked to the subject matter of the contract (e.g. quality of operational personnel; contract management/operations; contract infrastructure and the quality of the provider’s organisation - STEP 2);
- The relative importance and weighting of specific technical merit criteria linked to the subject matter of the contract under each category – STEP 3).
- As required under European legislation, tendering organisations should announce award criteria and their weighting to be applied in the tender notice, if they do not appear in the contract documentation (STEP 4).
- An easy to apply scoring framework is then used to determine the “best value” provider (STEP 5).

### ***Step 1 – the importance of price over technical merit***

To determine the bid which represents the best value according to technical and price criteria, the following formula is used to arrive at the overall bid score:

**Bidders proposal score = Technical score + price score**

It is up to the contracting organisation to determine its own priorities in relation to the weight to be given to technical merit and the price score. A balance of quality and price can be created by allocating a number of points out of 100, for example:

Technical score	Price score	Prioritisation of technical merit and price
50	50	Quality and price are of equal importance
60	40	Quality is more important than price, but price is still a significant factor
80	20	Quality is of overarching importance, price is a secondary consideration
40	60	Price is more important, but quality is still an important factor
20	80	Price is the overarching concern, quality is a secondary consideration

To give further weight to the technical merit element, which is so important in the selection of “best value”, the system also provides the opportunity to determine a minimum share of technical merit points which a bidder must achieve in order for their bid to be considered in the final evaluation stage. This can be set by the awarding organisation depending again on the importance its accords to technical merit (in public award process a minimum share of 70% of technical merit points is often required to a bid to progress to final evaluation stage).

***Step 2 – Defining the importance of different categories of technical merit***

This step allows contracting organisations to define which categories of criteria are most important to them in their technical evaluation, by allocating differing shares of the points allowed for the technical merit score in Step 1. The specification of such award criteria should be in line with the specific requirements of the service to be performed.

Category	Prioritisation of categories of criteria
Operational personnel	A high number of points allocated to this category indicate that the skills, professional qualifications and capacities of operational personnel on the ground are of prime importance.
Contract management/operations	A high number of points allocated to this category indicate that the skills of the contract managers at head office and on site are considered particularly significant for the

	successful delivery of the contract.
Contract infrastructure	A high number of points allocated to contract infrastructure indicate that the technological infrastructure of the contract is considered to be particularly important to ensure successful delivery of the objectives.
Quality of provider's organisation	A high number of points allocated to the quality of the provider's organisation indicate that the contracting body emphasises stability, reliability and service potential.

### Example B

60 points have been allocated to the technical score

Category	Points	Indicates following priorities
Operational personnel	25	The experience, capacities and skills of the operational personnel are considered to be an important factor in contract performance
Contract management/operations	20	The contract requires strong management and supervisory capacity, flexibility and organisational capacity and the ability to require a minimum amount of effort in management on the part of the client
Contract infrastructure	5	Some appropriate technology to be used but this is not central to the performance of the contract
Quality of providers' organisation	10	Stability, reliability and strong back-up capacity are important; the cost of change is relatively high.

### Example C

40 points have been allocated to the technical score

Category	Points	Indicates following priorities
Operational personnel	30	The experience, capacities and skills of the operational personnel are considered to be paramount
Contract management/operations	5	Supervision of operational staff is more important than consultation with the client
Contract infrastructure	2	The contract has relatively low technical content (beyond the operation of the contracting body's

		equipment by skilled staff)
Quality of providers' organisation	3	A reliable partner is expected but change is not a problem

#### Example D

20 points have been allocated to the technical score

Category	Points	Indicates following priorities
Operational personnel	15	A relatively easy service is required, but staff must have basic training and have experience.
Contract management/operations	5	Strong management on the ground is important but contact with the client with the contractor in a managerial capacity is minimal
Contract infrastructure	0	The contractor is not required to supply any technical infrastructure
Quality of providers' organisation	0	Stability in the contracting organisation is not an issue, price and relatively well qualified operational and managerial staff on site are more important

#### Step 3 – prioritising technical merit award criteria

This step allows contracting organisations to prioritise the detailed award criteria which it considers to be important in the delivery of the contract, by allocating points out of the total assigned to each category in Step 2 (for quality award criteria see Chapter 4 of this manual). The specification and weighting of such award criteria should be in line with the specific requirements of the service to be performed and should therefore be closely linked to the tender specifications.

#### EXAMPLE

**Out of 60 overall points for technical merit criteria, 25 points have been allocated to the “operational personnel” category:**

Quality award criterion	Points	Indicates the following priorities
Experience in the industry	4	It is essential that operational personnel have experience in the industry to ensure a problem free start-up or take over period.
Contract specific experience	2	Some contract specific experience is needed because of the highly sensitive and specialised nature of the work
Recruitment and selection methodology	3	It is critical that quality staff are selected

Vetting procedures	4	As security is a high priority, vetting needs to be of the highest standard to avoid security breaches
Basic training	3	All operational personnel must possess a good standard of basic training to ensure the quality of the service is guaranteed
Additional (specialised) training and qualifications	2	Specific training is required for some/all of the service to be delivered
Contract specific training	2	Key personnel should have received contract specific training to ensure awareness of the challenges posed by the particular environment
Recurring training	1	Recurring training is important to ensure staff are up to date on procedures and the use of relevant technology
Training infrastructure (including qualified trainers)	1	The availability of internal trainers shows a commitment to ongoing staff training
Career opportunities	1	There is a recognition that the availability of career opportunities contributes to staff retention and motivation
Salary and benefit levels	1	There is a recognition that satisfactory salary and benefit levels contribute to staff retention and motivation
Working conditions	1	There is a recognition that satisfactory working conditions contribute to staff retention and motivation
Other criteria	0	No other criteria are relevant

**Out of 60 overall points for technical merit criteria, 20 points have been allocated to the “contract management” category:**

Quality award criterion	Points	Indicates the following priorities
Structure, organisation and skills of the management team	2	The skills and expertise of the management team are important to ensure flawless planning and service support
Contract specific know-how of the management team	1	Certain members of the management team should have contract specific experience to ensure awareness of the particular requirements of the aviation security service environment
Skills and experience of the on-	3	The skills and organisational capacity of the on-site

site manager		manager are of prime importance. Trust between the contractor and this individual are essential for the contract to be delivered satisfactorily as there is a high level of contact between the client and the on-site contract manager
Contract specific know how of the on-site manager	1	The on-site contract manager should have some contract specific know-how
Availability	1	The on-site manager should be easy to reach when required
Response time	2	A quick resolution to any issues if of prime importance
Rostering methodology	1	The management plan should show significant expertise in roosting similar contract and should be able to form a firm contractual basis.
Standard and client specific operating procedures	2	Clear operating procedures are vital to ensure a full service at all times which is specific to the needs of the client.
Mobilisation plan and back up capacity	2	In an environment offering the potential for emergency situations, a clear mobilisation and backup plan must be in place to offer a full service at all times as well as an enhanced service at greater than average peak demand
Performance monitoring and assessment	1	Performance monitoring must be in place to ensure a high standard of service in maintained at all times
Training plan	1	Ongoing training is considered important to safe service delivery
Reporting structure and client contact	1	Clear lines of regular reporting must be in place
Disaster recovery	1	A plan must be in place for disaster recovery to get service re-established as quickly as possible
Head office support systems	0	Not deemed important compared to on-site management
Procedures for inspections and spot checks and addressing outcomes	1	Procedures should be in place for inspections and spot checks to ensure a continuously high standard of service and alertness
Other criteria	0	Other criteria not considered relevant

**Out of 60 overall points for technical merit criteria, 5 points have been allocated to the “contract infrastructure” category:**

Quality award criterion	Points	Indicates the following priorities
Communication tools and systems	1	Communication tools are used in pursuance of the service and must be maintained in good working order
IT software and hardware		Deemed not relevant to the contract
Uniforms	2	Uniforms must be supplied and deliver a high quality image as a representation of the client’s business
Vehicles	1	Properly marked vehicles must be provided for the performance of the contract
Dogs	0	Deemed not relevant to the contract
Technical support	1	Technical support systems are deemed relevant to ensure successful delivery of the contract
Other criteria	0	No other relevant criteria are identified

**Out of 60 overall points for technical merit criteria, 10 points have been allocated to the “quality of provider’s organisation” category:**

Quality award criterion	Points	Indicates the following priorities
Organisation chart	0	Not deemed relevant to the contract
Range of services provided	2	The contract requires a strong relevant track record as well as flexibility and adaptability in service provision
Company quality/complaints/health and safety/grievance procedures	0	Not deemed relevant to the contract
Membership of professional organisation	1	Membership of a professional organisation is considered to be a sign of a quality provider
Defined and strong HRM policy in relation to recruitment, retention, training, career development and performance management	1	A strong ethos relation to recruitment, vetting and other human resource procedures is considered to be a strong indicator for a skilled and motivated workforce.
Adherence to labour law/ collective agreement and health and safety requirements	1	There is an understanding that adherence to collective agreements in force and respect for health and safety requirements is an indicator for a motivated, more stable workforce.

Number of employees	2	Tendering companies must demonstrate that they have sufficient staff to carry out the work and are able to use existing processes to make available additional operational staff at high peak periods or in case of emergencies.
Staff turnover	0	Not deemed relevant to the contract
Clear grievance/disciplinary procedure	0	Not deemed relevant to the contract
Clear policy on staff presentation	1	A clear policy on staff presentation must be in place which is in line that that which the contracting body would wish to pursue for their own internal staff
Required insurances in place to cover professional and staff liabilities	1	The nature of the working environment means that relevant insurance coverage must be in place to cover any potential liabilities arising
Security philosophy	1	The tendering companies' security philosophy should be well developed and in line with that of the contracting body
Quality assurance systems and monitoring	0	Not deemed relevant to the contract
Track record and experience	0	Not deemed relevant to the contract
References	0	Not deemed relevant to the contract
Required certifications	0	Not deemed relevant to the contract
Additional relevant certifications Conformity with ISO or CEN standards (e.g. CEN EN16082)	0	Not deemed relevant to the contract
Awards	0	Not deemed relevant to the contract
Other criteria	0	No other relevant criteria are identified



**Step 4 – Announce service relevant award criteria and their weighting in tender notice**

As outlined in Chapter 4, contracting organisations seeking to award contracts on the basis of MEAT must state the award criteria and their weighting in the tender notice. Award criteria must be strictly relevant to the service to be supplied.

As indicated in Chapter 3, possible exclusion criteria are set down in Article 45 of the Directive. Documentation which can be required to underpin selection criteria relating to the capacity of bidders are specified in Articles 48 and 49 of the Directive. As indicated in point 23 below (and Article 53 of the Directive), contract notices should specify whether contracts are to be awarded on the basis of lowest price or MEAT and the award criteria and their weighting to be used to determine the MEAT should be mentioned if they do not appear in the contract specifications.

Documentation should therefore set out:

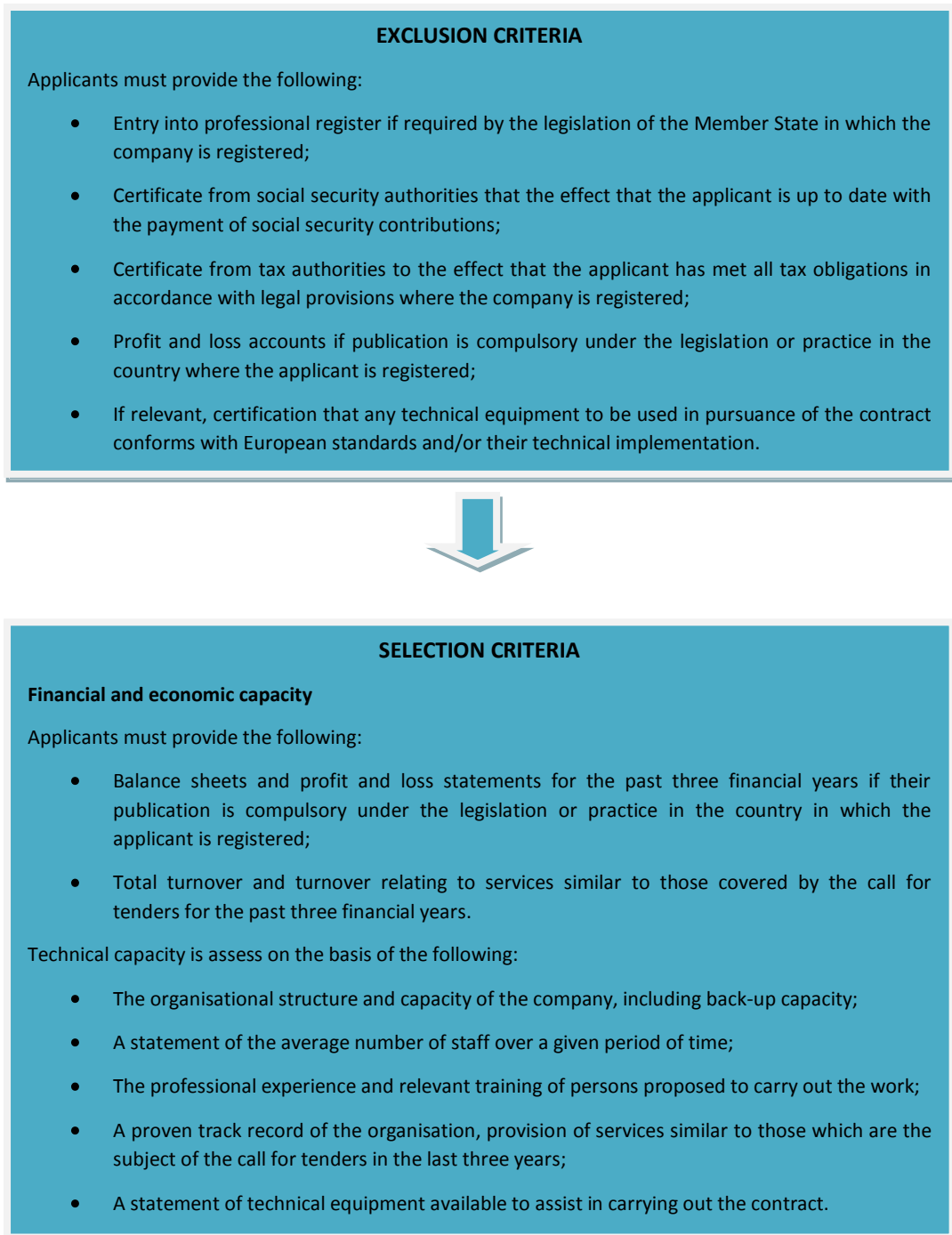
- a) MEAT to be used rather than lowest price
- b) Details of award criteria

	Maximum points to be allocated
Price	(state number of points)
Technical merit	(state number of points)
Minimum share of technical merit points to be achieved	(state share required)

- c) Technical merit will be assessed as follows

	State number of points
Operational personnel (summarise key quality award criteria)	
Contract management/operation (summarise key quality award criteria)	
Contract infrastructure (summarise key quality award criteria)	
Quality of provider's organisation (summarise key quality award criteria)	

**FIGURE 5: CONTRACT AWARD PROCESS**



## AWARD CRITERIA

Award on the basis of MEAT, assessment is based on the following:

- Price
- Skills and experience of operational and management staff to be assigned to the contract;
- A detailed description of how the service is to be organised, provided and supported in terms of manpower, back-up and the use of technology;
- Compatibility with the objectives of the contract;
- The track record and quality standards offered by the company in relation to the objectives of the contract.

The assessment breaks down into the following quality criteria:

### **Operational personnel**

- Experience in the industry, contract specific experience;
- Recruitment and selection methodology, vetting procedures;
- Basic training, additional training and qualifications, contract specific training, recurring training, training infrastructure (including qualified trainers), career opportunities;
- Salary and benefit levels, working conditions; other criteria.

### **Contract management/operations**

- Structure, organisation and skills of the management team, contract specific know-how of the management team;
- Skills and experience of contract manager and on-site manager; contract specific know how of contract manager and on-site manager, availability of contract manager and on-site manager, response time;
- Rostering methodology, standard and client specific operating procedures, mobilisation plan and back up capacity, performance monitoring and assessment, training plan;
- Head office support systems, procedures for inspections and spot checks and addressing outcomes; other criteria.

### **Contract infrastructure**

- Communication tools and systems, IT software and hardware, uniforms, vehicles, dogs, weapons
- Technical support (security equipment and technology; other criteria)

### **Quality of provider's organisation**

- Organisation chart, range of services provided, company quality/complaints/health and safety/grievance procedures, membership of professional organisation;
- HRM policy and practice in relation to recruitment, retention, training, career development and performance management, number of employees, staff turnover, adherence to labour law/ collective agreements, clear policy on staff presentation;
- Required insurances in place to cover professional and staff liabilities;
- Security philosophy;
- Quality assistance systems and monitoring
- Track record/references;
- Required certifications, additional relevant certifications Conformity with ISO or CEN standards (e.g. CEN EN16082), awards.

### ***Step 5 – The scoring framework to determine the “best value provider”***

After the tenders which are being disregarded because of their failure to meet the exclusion or selection criteria have been eliminated, the contracting organisation can carry out an evaluation of the prices quoted for the remaining bids, followed by an assessment of the technical merit criteria.

#### ***Price evaluation***

The price evaluation is based on the number of points which have been allocated to price, as stated in the contract notice.

The firm offering the lowest price is awarded the full number of points available for price. All higher priced offers are assessed against the lowest priced bid. Points for price are deducted in relation to the percentage that the price offer is above that of the lowest price bidder. In the example below, where a total of 40 points are available for the price score, a 10% increase in price leads to a deduction in points of 10% of 40 points and so on.

Example

Company	Price	Points
A	€100,000	40
B	€110,000	36
C	€120,000	32

#### ***Assessing technical merit***

After the tendering organisation has defined its priorities in terms of technical merit by awarding points to categories of quality criteria, as set out in Steps 2 and 3, it is crucial that an objective assessment is made of the extent to which bids received meet these requirements. In order to ensure this objectivity, the following scoring parameters are being used:

Not applicable

Non-compliant

Supposed compliant

Compliant

Excellent

Table 6 below provides definitions for each of the scoring parameters. Not applicable is used in the scoring system for criteria which are not deemed relevant to the contract.

Clearly, a company which scores “excellent” in relation to one of the quality criteria should be awarded a higher proportion of the points available than a company which is merely deemed “supposed compliant”. Different weightings are therefore applied to the points awarded to each criterion.

These are as follows:

Parameter	Weighting
“non-compliant”	0%
Supposed compliant	50%
Compliant	80%
Excellent	100%

The company with the highest number of “excellent” scores for key criteria (those criteria allocated the highest number of points by the contracting body) will therefore obtain the highest score in the technical merit evaluation.

The points for the technical merit evaluation are added to the points in the price evaluation to establish the “best value” provider.

The example below shows how this system is used.

**Table 6: Definition of scoring criteria**

Not applicable	This takes account of the fact that not every item is applicable to every client/contract. The criterion is not applicable to the award of the tender and is therefore not scored. The assessment “not applicable” should not be used randomly, but needs to be justified in relation to the requirements of the tender. For example, the criterion “CCTV” is not applicable if this technology is not used in carrying out the contract.
Non-compliant	This assessment applies if the information provided totally fails to meet with the contracting body’s requirements. It is not to be used if no information is provided on a particular item.
Supposed compliant	The information provided does not allow a full assessment whether the item proposed meets the requirements.
Compliant	Information provided fully meets the requirements outlined in the tender notice and meets the contracting body’s expectations.
Excellent	Item exceeds the requirements and expectations and demonstrates an exceptionally high quality services based on relevant experience and add value to minimum requirements.

Our scoring systems provides the opportunity to exclude companies, which do not meet a pre-defined (by the contracting body) percentage of technical merit points from the final evaluation.

Annex: User manual for on-line scoring system



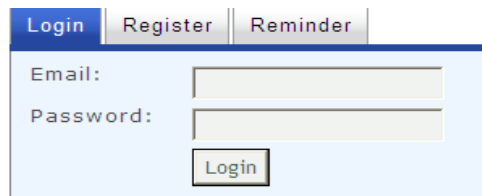
## Selecting best value

Instructions for Use for the “Best Value in Aviation Security Services” Online Assessment Tool

This manual for the online best value assessment tool is best read in conjunction with the Best Value manual and can then serve as a reference tool for the use of the online scoring system.

To use the Best Value in Aviation Security Services Online Tool, access the following webpage [www.topqualityforaviationsecurity.org](http://www.topqualityforaviationsecurity.org) and click on “Best Value Assessment Tool”.

You will be prompted to register (by providing an email address and personal password), and once registered, upon accessing the system the next time, your login details and password will be requested. Please keep a note of these details to access the system. Should you forget your password, a password reminder can be requested, which will be mailed to your email address.



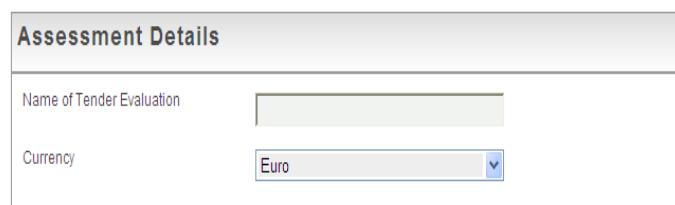
The screenshot shows a web interface with three tabs at the top: "Login", "Register", and "Reminder". Below the tabs are two input fields: "Email:" and "Password:". A "Login" button is positioned below the password field.

Once, logged on, on the entry page, for every new assessment of a tender procedure, you will need to click on the on the green button to “Add Assessment”<sup>9</sup>.



This takes you into the “Best Value Priorities” screen. It is in this screen that you will be able to define your own best value priorities for the tender procedure.

The first step is to enter the name of the tender procedure being evaluated. This could be the name of the particular airport or any reference number you may have allocated to the tender procedure. You are then able to select currency in which bids have been submitted/requested.



The screenshot shows a form titled "Assessment Details". It has two main sections: "Name of Tender Evaluation" with a text input field, and "Currency" with a dropdown menu currently set to "Euro".

The next step is to decide on the allocation of overall points to price versus technical merit (e.g. out of a 100 total points, 40 points to price and 60 points to technical merit). In addition, this screen asks you to enter the minimum percentage of technical merit points required. This allows you to define the minimum level of technical merit which is acceptable to your organisation (e.g. if an organisation scores less than 70% of technical merit points, it could be excluded from the further tender evaluation), thus providing another way of ensuring the selection of “best value”.

You should then click on the banner heading “Operational Personnel”. This will open a new ‘menu’ to allow you, initially, to decide how important the quality criteria under this particular category of technical merit are for the service to be provided. Based on this, enter the total number of points made available under this category (e.g. 20 out of the 60 technical merit points).

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<sup>9</sup> All tender procedure assessments already stored on the system will appear under their name. Once completed (and downloaded to your computer if required) they can also be deleted from this screen.



Assessment Details	
Operational Personnel	
Total points allocated to this category	Points Available 0
<b>Experience</b>	
Experience in the Industry	0
Contract specific experience	0
<b>Selection, recruitment and vetting</b>	
Recruitment and selection methodology	0

Subsequently, you are able to break these points down into the sub-categories of technical merit in the category “Operational Personnel” which are most relevant to you. *Please note that you will not be able to allocate more or less points under this category than are specified in the top box under “total points allocated to this category”. If a higher or lower number of points are mistakenly allocated, you will be alerted to address this before being able to move to the next screen. In addition, if points have not been allocated to each of the technical merit criteria, the system will prompt you to consider whether you are certain that these aspects are not relevant to your contract. If you are certain, you can simply click “continue” to progress the assessment process or return to the categories of technical merit screen to alter the allocation of points.*

The next step is to scroll down to the banner heading “Contract Management and Operations” to complete the same steps of allocating overall points available to this category of technical merit and subsequently to the sub-categories under this heading.

Repeat this step for the headings “Contract Infrastructure” and “Quality of the Provider’s Organisation” by clicking on the respective banner heading to open up the menus. When this allocation of technical merit points



has been completed, click on the “next” button marked with the green arrow.

This takes you to the next screen and the “Best Value Assessment”. In this screen you will score the different bids received (one at a time) against the technical merit criteria.

The first step is to enter the name of the company (bid) being assessed, followed by the price of this bid.

Tender Details	
Name of company under assessment	<input type="text"/>
Price of this tender	<input type="text"/>

Again by clicking on the banner headlines, you will be able to score bids as either “non-compliant”, “supposed compliant”, “compliant”, or excellent. This can be done for each sub-category to which points have been allocated (*you will note that the sub-criteria to which no points were allocated are shaded out and no assessment can be entered for them*). The system then automatically calculates the number of points awarded to the bid under each criterion (according to the % allocation set out in the manual).

Operational Personnel		Points Available	Assessment	Points Awarded
Total points allocated to this category		20		
<b>Experience</b>				
Experience in the Industry	2	Non Compliant		0
Contract specific experience	2	Non Compliant		0

Once all relevant technical merit criteria have been scored under each banner headline, click on the



button. This opens the “summary of assessment” screen, which displays the points awarded to the bid under each heading. You will see a heading called “cheapest price factor”. This will be calculated when more than one bid has been scored. The system automatically finds the lowest price and calculates the % by which a more expensive bid exceeds the price for the cheapest tender and allocates an appropriately reduced number of price points. The



button prompts you to save this bid assessment. Once you clicked on the “save” button, you can either “Add another assessment” under the same tender procedure



or return to the assessment specifications of the tender



Click on the orange button and repeat the process of entering and scoring bids until all bids have been entered.

Once all bid assessments are completed, click on the blue button to “return to (title of the tender procedure)”.

This screen will now show you on the right hand side the scores and points allocated to each bid and allows you to view, edit and delete bids.

By clicking on the “compare” button you can access the breakdown of points awarded to different bids under different technical merit criteria. From this screen, you are able either to return to the overview of assessments or to export your assessment into an Excel spreadsheet which can be stored on your computer for future reference.

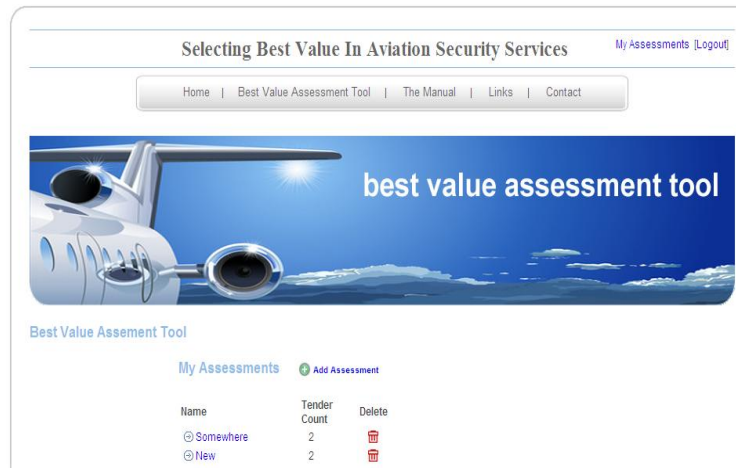
Compare Tenders

[Back to Somewhere](#) [Export](#)

	Points Available	abc	def
Tender Price	(cheapest) € 5000	€110000.00	€120000.00
Total Technical Merit Points	60	42.3	22.1
Total Price Point	40	2	1.6
<b>Total Points</b>	<b>100</b>	<b>44.3</b>	<b>23.7</b>
<b>Operational Personnel</b>	<b>25</b>	<b>18.9</b>	<b>10</b>
<b>Experience</b>			
Experience in the Industry	4	2	2
Contract specific experience	2	1.6	1
Selection, recruitment and vetting			

You can also export to Excel from the “Assessment details” overview screen.

In order to delete a full tender evaluation procedure when this is no longer needed, return to the “best value assessment tool screen (by using the main menu at the top of the screen) and click “delete” against the procedure you wish to delete<sup>10</sup>.



Click on “logout” in the top right hand corner to leave your best value assessment session.

<sup>10</sup> It is recommended that tender assessments should not be stored on the site for a significant period of time, but should be exported to Excel, saved on your computer and then deleted on the site.