

ISLAMIC ORGANIZATION FOR FOOD SECURITY

GUIDELINES FOR THE PROCUREMENT OF CONSULTANCY SERVICES

NOVEMBER 2021

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PREAMBLE	4
1. GENERAL PRINCIPLES	5
Core procurement principles	5
Scope of Consultancy Services	5
Association of Consultants (consortium and sub-consulting)	5
Electronic procurement	5
2. PROCEDURE OF SELECTION	6
The Terms of Reference	6
Review	6
Shortlisting Consultants	7
3. PROPOSALS	7
Request for proposals	7
Procedure for the submission	8
Single Proposal	8
Procedure for the rejection of Proposals	8
4. CONSULTANT SELECTION METHODS	9
Quality and Cost Based Selection (QCBS):	9
Least-Cost Selection (LCS):	9
Consultant Qualifications Selection (CQS):	9
Single-Source Selection (SSS):	10
5. EVALUATION PROCEDURE	
Evaluation of Proposal	
Confidentiality	11
Evaluation of technical parts	
Evaluation of the financial parts	
6. SELECTION OF INDIVIDUAL CONSULTANTS	
7. NEGOTIATIONS AND DECISION TO AWARD THE CONTRACT	
Notification	
Debriefing	
Award of contract	

CONTENT

PREAMBLE

The following document defines the policies and procedures for the selection, contracting and execution of consultancy services for Islamic Organization for Food Security (hereinafter as "IOFS") and its subsidiary organizations.

The guidelines are intended to assist consultant and experts in variety of fields and areas of expertise, whether its individual consultant or legal entity. The main purpose to inform fellow parties how to conduct relationship with IOFS regarding the services they provide. It helps to obtain the best possible quality from consulting services with due attention to the four basic principles of procurement: economy, efficiency, transparency and fair opportunity for eligible firms and individuals. The document supports potential consultants to prepare proposals and execute contracts that meet the requirements of IOFS.

Those who categorize themselves as organization or legal entity may refer to the chapter 4 of the Guidelines. Whereas, for individuals, the chapters from 6 will be relevant since it explains the process of selection.

1. GENERAL PRINCIPLES

Core procurement principles

- 1.1 The following core procurement principles underpin the policies and procedures described in these Guidelines. These principles support IOFS to deliver sustainable development with integrity. The core IOFS procurement principles are:
 - i. **economy**: the pricing of Goods, Works, Consultancy Services and/or related services expends the minimum number of resources to obtain the agreed level of output;
 - ii. **efficiency**: the appropriate management (primarily in relation to time and cost) of a given amount of resources to obtain the agreed level of output;
- iii. fairness: a process that is transparent and impartial; and
- iv. effectiveness: the achievement of specific outcomes from financed project.

Scope of Consultancy Services

- 1.2 These Services cover many tasks, ranging from agriculture, economics and finance to project management and procurement, and/or a combination thereof. Consultancy Services may be classified in the following categories:
 - a) Advisory or counselling services, including staffing, training and institutionbuilding and specific advice on issues and projects
 - b) **Pre-investment studies**, including identification, pre-feasibility and feasibility studies, including regional or sectoral planning, policy and investment priorities. Provide supervision services, to ensure execution of the project in accordance with the terms and conditions of the contract, manage expenditure control, and provide certification of materials.

Association of Consultants (consortium and sub-consulting)

- 1.3 Consultants may conclude association agreements either for the long term or for a specific assignment. Such associations may take different forms and constitute:
 - a) a consortium, whereby all members are jointly and severally liable for the entire contract, and the lead Consultant is required to sign the contract with IOFS using power of attorney on behalf of all members; or
 - b) a sub-consulting arrangement, whereby the lead Consultant assumes complete responsibility for and coordination of the Consultancy Services requested and signs the contract with IOFS, while the subcontracting Consultant only executes part of the services assigned to it under specific TOR, and signs a subcontract with the lead Consultant only once the shortlist is finalized and the RFP issued.

Electronic procurement

- 1.4 IOFS encourages to continually modernize their procurement, including by incorporating electronic procurement elements that ensure economy, efficiency, fairness and effectiveness in the procurement process. The electronic procurement can be used for aspects of the procurement process, including issuing Bidding Documents and addenda, receiving applications/quotations/Bids/Proposals and carrying out other procurement actions.
- 1.5 The method of electronic procurement occurs through correspondence via email or other means of electronic communication.

1.6 The official website of IOFS (iofs.org.kz) has the official procurement option to accredited consultants to apply their curricula vitae, which in turn is stored in IOFS database of consultants.

2. PROCEDURE OF SELECTION

- 2.1 The selection and appointment of a Firm to provide Consultancy Services comprises certain essential steps that are summarized below:
 - a) preparation of the TOR;
 - b) preparation of the cost estimate;
 - c) drawing up a shortlist of qualified Consultants;
 - d) evaluation of technical Proposals;
 - e) evaluation of financial Proposals;
 - f) selection of the best evaluated Proposal, followed, as necessary, by negotiations with the selected Consultant Firm;
 - g) awarding the contract to the selected Consultant Firm;
 - h) negotiation the terms of the contract and signing it.

The Terms of Reference

- 2.2 The TOR constitutes the basic document defining the Consultancy Services that the Consultant is required to perform; together with any modifications thereof at the negotiation stage, they become part of the contract that is eventually entered into between the Consultant and IOFS. Because the Consultant submits its Proposal in response to the TOR, the TOR need to be carefully prepared and spell out:
 - a) the scope and objective of the project;
 - b) the relevant background, including available studies, of the project and institutions concerned;
 - c) the type of Consultancy Services required and objectives sought;
 - d) the schedules of implementation and expected outputs (periodic reports, documents and end products);
 - e) the method of payment for the Consultancy Services;
 - f) the responsibilities of IOFS and the Consultant;
 - g) a description of the main terms and conditions; and
 - h) all other important elements considered necessary to enable the Consultant to submit a comprehensive Proposal and estimate of the required resources.

Review

- 2.3 The Director General of IOFS shall always perform a Prior Review of the TOR.
- 2.4 The Post Reviews of procurement activities may be undertaken by IOFS staff to determine whether they comply with the requirements.
- 2.5 Whether procurement is subject to Prior or Post Review determined on the basis of

the project procurement risks.

2.6 During project implementation, IOFS may monitor and reassess the risk and risk mitigation measures.

Shortlisting Consultants

- 2.7 IOFS may use its own database of Consultant Firms which are updated periodically.
- 2.8 The criteria for a Consultant Firm to be selected for the shortlist shall comprise the following factors:
 - a) The shortlist shall consist of at least three (3) Consultants, with a reasonable geographical distribution.
 - b) the Consultant must have a good reputation as a professional body and for maintaining a satisfactory relationship with the client, or in some case with a developing consulting industry, the Consultant presents satisfactory credentials and competence necessary to carry out the assignment;
 - c) the Consultant's past experience and performance in the particular field of servicemust be satisfactory;
 - d) on a case-by-case basis and depending on the scope and complexity of the assignment, the financial ability of the Consultant may be taken into account. The longevity of the Consultant in the international arena is one measure of its stability and a good indicator of continued solvency; and
 - e) the Consultant shall be free from conflicts of interest that give rise to a competitive advantage.
- 2.9 In preparing the shortlist, and taking into account the above criteria, first consideration is given to the Consultant Firms which have submitted expressions of interest that possess the relevant qualifications.
- 2.10 Once the shortlist is ready other firms cannot be added or deleted from the shortlist. When several shortlisted Consultant Firms decline to respond or to participate, thus limiting the level of competition to one (1) or two (2) Consultant Firms if the firm or firms are eligible from whole perspective (TOR and Guidelines) the procurement stands and proceeds even with the sole proposal.
- 2.11 However, IOFS may identify one (1) or two (2) additional Firms to add to the shortlist, if several shortlisted Consultant Firms decline to respond or to participate. In such case, the RFP should be issued to the newly shortlisted Consultant Firms within ten (10) days. The final date for Proposal submission may have to be extended for all shortlisted Consultants by an equal number of days to ensure that the newly shortlisted Consultants are not disadvantaged.

3. **PROPOSALS**

Request for proposals

- 3.1. For all selection methods the RFP shall comprise a complete set of documents, including:
 - 3.1.1. the Letter of Invitation;

- 3.1.2. a standard instruction to consultants on how and when to submit their Proposals and indicating the specific requirements for the proposed assignment;
- 3.1.3. the TOR.

Procedure for the submission

3.2. The Consultants shall have a sufficient time to submit their Proposals. Depending on the complexity of the assignment, the period for submission shall be between thirty (30) and ninety (90) calendar days. Up to a specified date before the Proposal submission date, Consultants may request clarifications, in writing (facsimile or email), on any of the RFP documents. The response to such requests will be by a similar method. If needed, the deadline may be extended for Proposal submission.

Single Proposal

- 3.3. A Consultant shall submit only one Proposal, either individually or as a consortium member in another Proposal. If a Consultant, including a consortium member, submits or participates in more than one Proposal, all such Proposals shall be disqualified. This does not, however, preclude a Consultant Firm participating as a sub-consultant, or an Individual Consultant participating as a team member, in more than one Proposal when circumstances justify.
- 3.4. If only one shortlisted Consultant Firm has responded or remains as the only responsive Firm among the Proposals received, and is found to be technically and financially responsive compared to market prices, it may be considered, on an exceptional basis, that a competitive procedure has taken place, and the Firm may be selected for contract negotiation and subsequent award of contract provided it satisfies all necessary procedures which have been adequately carried out (e.g. evaluation processes have been properly carried out). The Consultant may be invited for contract negotiations.

Procedure for the rejection of Proposals

- 3.5. A situation may occur where all Proposals are not responsive and need to be rejected. In such a situation, IOFS shall have the reasons for such rejection and inform the competing Consultants accordingly. The rejection of all Proposals may be necessary for the following reasons:
- 3.6. None of the Proposals meet the objectives of the TOR. In such cases, the TOR shall be improved to clarify the TOR and issue a new RFP to the same Consultant Firms or to a new shortlist:
 - 3.6.1. All Proposals are below the minimum qualifying score for technical quality. This may require the preparation of a new shortlist of Consultant Firms with better and more relevant qualifications. Re-advertisement of the assignment may be necessary to obtain expressions of interest from a broader array of qualified Consultant Firms; or
 - 3.6.2. All financial Proposals substantially exceed the original estimate. This may require increasing the budget because costs were estimated too low, or scaling down the TOR of the Consultancy Services requested.
 - 3.6.3. A situation may occur where there is collusion in the Proposals submitted by two (2) or more shortlisted Consultant Firms. Those Proposals may be rejected. If this results in a lack of competition for the assignment, a new RFP will be

issued to newly shortlisted Consultant Firms.

3.6.4. If no responses were received within the Proposal submission period stipulated in the RFP, it must be reviewed for the possible causes and be reformulated. If, after a second call, there is still no response, it may be agreed to direct contracting of a qualified Consultant Firm, based on the original RFP and submission of satisfactory technical and financial Proposals.

4. CONSULTANT SELECTION METHODS

- 4.1. The selection of consultants involves some subjectivity and depends on the evaluation of several elements in their Proposals. Different methods can be used for the selection of consultants.
- 4.2. IOFS selection methods for Consultant Firms apply to different types and complexity of assignments. Consultant assignments vary greatly in complexity. The appropriate selection method shall be adopted for each type of assignment, as indicated below:

Quality and Cost Based Selection (QCBS):

4.3. Selection based on the combination of technical quality and cost considerations. In this method, quality and price factors are combined and weighted in varying proportions depending on the importance of the quality versus price. The weight given to price in the overall ranking of the Consultants depends on the technical complexity of the assignment and the nature of the project, and requires careful consideration, since at no time should price consideration be allowed to compromise quality. For assignments where technical quality is of greater importance. The required methodology shall be explained in the RFP.

Least-Cost Selection (LCS):

4.4. Selection based mostly on comparable smaller and routine assignments, where technically qualified and the lowest financial Proposal is selected;

The LCS method is based on comparability of technical Proposals and least cost. It is appropriate for smaller assignments or assignments of a standard and routine nature with well-established practices, where the TOR can be easily defined, such as standard financial audits. Under the LCS method, technical and financial Proposals are requested and evaluated as under QCBS. Following financial evaluation, the Consultant with the lowest evaluated financial Proposal is invited for negotiations. If agreement is not reached, the Consultant whose financial Proposal is ranked second lowest shall, in turn, be invited to negotiate and so on, until a satisfactory agreement is reached with one of the best-ranked Consultants.

Consultant Qualifications Selection (CQS):

4.5. Selection based on Consultant Qualifications, also for smaller assignments, where the selection procedure only comprises the comparison of the most appropriate qualification and references, and the preparation of technical and financial Proposals on the basis of detailed TOR. No RFP is required.

Selection of a Consultant Firm based on qualifications only is used for small or unique assignments, mostly with a short duration, where a comprehensive selection procedure is not justified and the Firm's specialty meets the unique criteria for a particular assignment for which there are few specialist Firms available. Under this method, the TOR shall be prepared at first. Then request expressions of interest from the specialist Firms. The request shall indicate the main elements of the assignment and ask for information on the Consultants' qualifications, experience and proven competence in the area of the assignment.

After receiving the combined technical and financial Proposal, it shall be evaluated and after the successful decision the negotiate of a contract with the selected Firm will take place.

Single-Source Selection (SSS):

- 4.6. In exceptional circumstances, a single Consultant Firm may be selected. Since Single-Source selection (SSS) does not have the benefits of competition and comparative analysis, it shall take all cautionary measures to ensure that the core procurement principles of economy, efficiency, fairness and effectiveness are respected.
 - 4.6.1. The following circumstances may warrant SSS:
 - 4.6.2. Requirement of an immediate expert advice; requirements for expertise that arise from a lack of or inadequate procurement planning shall not be justified as emergency situations;
 - 4.6.3. Advice of a proprietary nature where a sole Consultant Firm has the only expertise;
 - 4.6.4. Lack of response following several efforts to obtain Proposals under a competitive selection procedure;
 - 4.6.5. Small-value contracts of a routine nature; and
 - 4.6.6. Continuity of similar Consultancy Services, where the original contract was awarded competitively following the shortlist. If the initial contract was not awarded competitively, a competitive selection procedure shall be followed whereby the incumbent Consultant Firm may be included in the shortlist, provided:
 - it completed its work satisfactorily and expresses interest; and
 - all shortlisted Consultants in the subsequent competitive selection procedure may or could potentially give the incumbent Consultant Firm a competitive advantage.

5. EVALUATION PROCEDURE

Evaluation of Proposal

- 5.1. Although price is a factor in the overall selection, quality remains the paramount consideration in the selection of the Consultant. Therefore, it shall carry out first the technical evaluation then the evaluation of the financial Proposal afterwards. For this purpose, after the deadline of submission of Proposals, the Committee shall arrange the technical Proposals and the Financial Proposals evaluation process.
- 5.2. The Proposal evaluation procedure comprises of the following steps:
 - 5.2.1. The appointed committee will carry out the technical Proposal evaluation. The technical evaluation shall result in a list of competing Consultants arranged in the order of merit and in accordance with the agreed selection criteria, which shall include a minimum qualifying score. The Consultants which fall below this qualifying score are eliminated from the Bid process;

- 5.2.2. To ensure transparency and reduce the element of subjectivity, all members of the committee shall initial their individual evaluation sheets, which shall be added to the Report. The Report will describe the strengths and weaknesses of each Proposal, and providing the evaluation results with the recommended ranking;
- 5.2.3. The Committee proceeds to open the financial Proposals, announce the technical quality scores and prices of the Proposals, and record the data in the minutes of the Proposal opening. The Committee will carry out the price analysis and prepare an overall ranking list;
- 5.2.4. The Committee shall prepare the final report, combining the technical and financial evaluations with the recommendation of the selected Consultant, which received the highest combined score, to be invited for contract negotiations;
- 5.2.5. If it was determined that the evaluation and proposed selection are inconsistent with the provisions of the RFP, it shall be promptly informed and stated the reasons for its determination.

Confidentiality

5.3. The evaluation procedure information on evaluation results and recommendations must not be disclosed to anyone but those who officially concerned until the notification of award to contract.

Evaluation of technical parts

- 5.4. The qualitative analysis of technical Proposals is based on the following factors:
 - 5.4.1. the Consultant's professional qualifications, experience and relevant experience for the assignment, including the geographical area similar to that of the project;
 - 5.4.2. the thoroughness of the Consultant's methodology and approach, including its comments on the TOR;
 - 5.4.3. the qualifications and expertise of the key staff proposed for the assignment and whether the majority of such staff are drawn from the permanent staff of the Consultant; and
 - 5.4.4. the preferential consideration given to the inclusion of Member State Consultants.
- 5.5. Each criterion shall be graded according to a predetermined grading scale. The points shall be weighted to become scores. The relative allocation to each evaluation criteria is a function of the importance of the particular factor of the assignment and may be adjusted for specific circumstances, but as an example the following range could be used:

Grading scale of technical quality	Range
Consultant's qualifications and experience relevant to the	5-10 points
assignment	
Methodology, approach (understanding of the TOR), work plan	20-40 points
Qualifications of key personnel	20-40 points
Implementation time	0–5 points
Use of MS Consultants	0–5 points

5.6. The allocation of points to the above factors may differ for an assignment, where greater weight is given to the Consultant's proven experience and past performance, and relatively lesser weight to key staff. Conversely, for implementation services, the quality of key staff is much more important, since it has a direct bearing on supervision and management of the works, quality of performance and quality control.

Evaluation of the financial parts

- 5.7. The Committee reviews and adjusts the financial Proposals for arithmetical errors. For the purpose of comparing Proposals, the costs shall be converted to a single currency selected by the Committee. The Committee shall make the conversion by using the exchange rates for those currencies quoted by an official source (such as the Central Bank).
- 5.8. When evaluating financial Proposals, it is extremely important that the comparison is based on realistic cost estimates of staff time and other critical inputs included in the technical Proposal, to ensure that the financial Proposal adequately reflects the technicalcommitments of the Consultant. If training is included in the TOR, sufficient budget should be provided in the cost.
- 5.9. The financial costs generally include Consultant fees and reimbursable expenses. Local taxes (indirect and direct) should be identified separately in the Proposal as requested in the RFP and shall not be included in the cost evaluation because they could be difficult to identify.
- 5.10. The lowest evaluated financial Proposal is given a score of one hundred (100), and the scores of the other Proposals are calculated by dividing the lowest Proposal by the price of the other Proposals.
- 5.11. The methodology and formula for determining the financial scores shall be explained by the following:
 - a) The lowest evaluated Financial Proposal (Fm) is given the maximum financial score (Sf) of 100. The formula for determining the financial scores (Sf) of all other Proposals is calculated as following: Sf = 100 x Fm/ F, in which "Sf" is the financial score, "Fm" is the lowest price, and "F" the price of the proposal under consideration.
 - b) For instance, the weights might be given to the Technical (T) and Financial (P) Proposals such as: T = 60%, and P = 40%. This may be differed and will be determined by the Director General of IOFS.
 - c) Proposals are ranked according to their combined technical (St) and financial (Sf) scores using the weights (T = the weight given to the Technical Proposal; P = the weight given to the Financial Proposal; T + P = 1) as following: $\underline{S = St \times T\% + Sf \times P\%}$.
- 5.12. The total score is calculated from the combined quality and cost, using the relative weights given to quality and price for the assignment concerned.

6. SELECTION OF INDIVIDUAL CONSULTANTS

6.1. When Consultancy Services do not require a team of experts from a Consultant Firm (supported by professional backup office), IOFS may want to select Individual

Consultants with the experience and qualifications necessary for a particular assignment pursuant to the *Article 84 of the Personnel Regulations*.

- 6.2. In accordance with the Personnel Regulations, the Director General of IOFS, may at his discretion execute the right to conclude a short-term contract with individual consultants.
- 6.3. The types of Consultancy Services provided by Individual Consultants include:
 - preparation of the TOR;
 - updating or revision of feasibility studies;
 - preliminary engineering designs for smaller projects;
 - technical assistance in economic and sectoral planning, institutional reorganization and management;
 - assistance in the evaluation of Bids for Goods and Works and Consultant Proposals;
 - technical assistance in project management, supervision or completion reports;
 - training; and
 - other intellectual services which may be required.
- 6.4. The need for Individual Consultants is identified and budgeted at the time of appraisal or, in special circumstances. It shall normally advertise the assignment to receive expressions of interest. Alternatively, it may draw up a shortlist from its available database and approach the Individual Consultants by sending them the TOR. Selection shall be carried out by comparing the qualifications of at least three (3) candidates in terms of academic background, experience and, if relevant for the assignment, knowledge of the local conditions and language.
- 6.5. Evaluation

Any Individual Consultant shall be evaluated based on a total of one hundred (100) pointsover the following sub-criteria, as given in the example below:

Evaluation criteria	Points
General qualifications of the proposed Individual Consultant	30
Adequacy of the Consultant's expertise and experience for the assignment	50
Experience in the region and sector	15
Language	5

- 6.6. For a competitive selection of Individual Consultants, the standard LOI and contract for Individual Consultants will be used. IOFS shall offer the contract to the Individual Consultant with the highest score. Individual Consultants may, depending on circumstances, be contracted directly (as an independent freelancer) or through an organization with which the individual is associated or affiliated, such as a Consultant Firm and an academic institution.
- 6.7. IOFS may contract Individual Consultants directly using single-source selection (SSS) in exceptional cases, such as:
 - tasks that are a continuation of previous work by the Consultant, for which the Consultant was selected on a competitive basis;

- assignments lasting less than six (6) months;
- emergency situations resulting from natural disasters, a financial crisis or similar events;
- when there are few or no other Consultants with the required expertise.
- 6.8. In such cases, the Consultant shall receive the LOI with the TOR and conditions of contract, negotiate the fee, if necessary, and sign the contract.
- 6.9. For this selection procedure, only the Consultant's qualifications and terms of contract shall be submitted before contract negotiation and contract signature.

7. NEGOTIATIONS AND DECISION TO AWARD THE CONTRACT

- 7.1. Negotiations are conducted to finalize the draft contract on the basis of the Consultant's Proposal. In some cases, contracts may not be necessary to conduct face-to-face negotiations, and the final contract may be negotiated through exchanges by facsimile or email. If it confirms that no changes have been made from the draft contract, the procedures may to proceed with contract award and signature.
- 7.2. Negotiations of the technical quality portion of the Proposal may include completion of the TOR, scope of Consultancy Services, methodology and work plan, adjustments in inputs and staff time where needed, and other elements of the special conditions of contract. The TOR and terms of the contract on the basis of which the selection procedure was launched shall not be substantially altered. The final TOR and the agreed methodology shall be incorporated into the description of Consultancy Services, which shall be part of the contract.
- 7.3. The selected Consultant Firm shall not typically be allowed to substitute proposed key staff at the time of negotiations or at contract award, unless this has become necessary due to a delay in the selection procedure resulting in an extension of the Proposal validity period and/or death, incapacity or resignation. If it emerges during negotiations that key staff proposed are no longer available, it may disqualify the Firm and invite the next highest-ranking Firm for negotiations. The qualifications of substituted key staff shall be the same as or better than those of the key staff originally proposed.
- 7.4. Negotiations of the financial aspects of the Proposal concern the financial covenants of the special conditions of contract, especially a clarification of the Consultant's local tax liability (if any) and agreements on the payments in foreign and local currency of fees and reimbursable costs.
- 7.5. If negotiations with the selected Consultant are unsuccessful then the invite to the Consultant ranked second for negotiations will be sent.
- 7.6. After successful completion of negotiations, it shall promptly be invoked to award procedure.

Notification

7.7. Following the decision to award the contract, the Committee shall promptly and simultaneously notify, by the quickest means available (e.g. email or other), each responsive applicant of its intention to award the contract to the successful one. It is done to announce officially the end of the procurement process. The notification may contain:

- 7.7.1. a brief statement to each of the unsuccessful applicant of the reasons why its Proposal was unsuccessful. In no circumstances shall any confidential information provided by another applicant in its Proposal be disclosed to any of the other participants;
- 7.7.2. the date of the notification to award a contract; and
- 7.7.3. instructions on how to request a debriefing and/or submit a procurementrelated complaint in relation to the decision to award the contract.
- 7.8. Complaints may be brought, at the appropriate stage of the procurement process by potential or actual applicants. To promote an open and fair procurement process, IOFS makes every effort to address any such procurement-related complaint objectively and in a timely manner, with transparency and impartiality.

Debriefing

- 7.9. If, after receipt of the notification, an unsuccessful participant is not satisfied with the written explanation given for the grounds on which its Proposal was not selected, it may seek a debrief from the Committee. The request for debriefing must be made within three (3) Business Days of receipt of the notification.
- 7.10. If the Committee receives a request for debriefing within the deadline, it is required to provide a debriefing within five (5) Business Days, unless it decides, for justifiable reasons, to provide the debriefing outside this time frame.
- 7.11. If the Committee receives a request for debriefing later than the deadline of three (3) Business Days, it should provide the debriefing as soon as practicable, and normally no later than five (5) Business Days from the date of the contract award notice.
- 7.12. Debriefings of unsuccessful applicants may be done verbally (e.g. by telephone, teleconference) or face to face (at a meeting). The purpose of the debriefing is only to discuss the evaluation of the Proposals, and not those of competitors. The applicant shall bear its own costs of attending a debriefing meeting.
- 7.13. As a minimum, the debriefing shall repeat the information contained in the notification to award a contract, and respond to any related questions from the unsuccessful applicant. The debriefing shall not include:
 - 7.13.1. point-by-point comparisons with another applicant's Proposal; or

7.13.2. information that is confidential or commercially sensitive to others.

7.14. A written summary of each debriefing shall include the official procurement records.

Award of contract

7.15. The award of contract shall be made within the period of the validity of Proposals to the applicant that meets the appropriate standards of technical capability and financial resources.