



Guide to supplier debriefs

How to give good feedback to suppliers on tenders

Acknowledgement and thanks – development of this Guide

This guide is part of a Government initiative to help suppliers better engage with government and support good procurement practice. It has been developed under the New Zealand Government Procurement Reform Programme after consultation and discussion with the following stakeholders:

- **Procurement Development Technical Advisory Group:** Input and guidance were received from an advisory group comprising senior procurement advisers from government agencies: the Ministry of Foreign Affairs and Trade, the Ministry of Social Development, the Auckland District Health Board, the Ministry of Agriculture and Forestry, the Ministry of Justice, Inland Revenue Department and Public Trust.
- **Specialist adviser:** Specialist advice was provided by Ron Stuart.

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Introduction

What does this guide cover?

This guide is an overview of supplier debriefs for government agencies. It's designed to support good procurement practice and improve how you do business with your suppliers.

Why is debriefing important?

A good debrief to both successful and to both successful and unsuccessful suppliers at the end of a tender helps to identify areas where they can improve for future tenders. It gives suppliers the chance to ask questions about the process and to improve their knowledge and understanding of government procurement. It also allows you to show your transparency and accountability in awarding contracts. And it's a two-way street – suppliers can provide feedback to your agency and suggest ideas that could make it easier to do business with government.

Scope

You should offer a debrief to any supplier that has taken part in a competitive tender. The debrief can be over the phone, by e-mail or letter or face to face. The information you give should be detailed enough to show the supplier how they could improve for future tenders.

A debrief aims to

- provide the reasons why a tender was not successful
- explain how the tender performed against the evaluation criteria
- indicate the advantages of the successful tender
- answer any concerns or questions from the supplier.

Top tips for a successful debrief

It's important to put time aside to prepare for each debrief. Use the 'Checklist: Supplier Debrief' attached to this guide.

If suppliers put time and effort into preparing tender documents, it's only fair that you put time and effort into providing a debrief. This is especially the case when lengthy and detailed documents have been involved. A face-to-face meeting is usually the best way to have an effective debrief. However, this might not always be practical for small, low-value tenders. In this case a written debrief followed by a phone call to answer any questions is sufficient.

Official Information Act

All records that relate to a procurement come under the Official Information Act 1982 (OIA). The Act's core principle is to make information available unless there is a good reason to withhold it. Keep this in mind when preparing a debrief – a supplier not satisfied with your information could make an OIA request.

Each case must be looked at individually, and much depends on the sort of information you requested. For example:

- if you receive information provided by a supplier marked 'confidential', it doesn't necessarily mean that the information must be withheld
- information marked 'commercially sensitive' or 'commercial in confidence' protects trade secrets and details that would compromise a commercial position. For example, the total contract price isn't necessarily commercially sensitive, but unit prices and fees are

- it's sometimes necessary to ask a supplier how its position would be prejudiced by the release of certain information. The supplier can clarify its position but it cannot veto the release of the information
- not all negotiating information can be withheld. You can only withhold specific pieces of information where the disclosure would be likely to prejudice or disadvantage your agency in the negotiations.



For more information

For more OIA information, see the Office of the Ombudsmen website at www.ombudsmen.parliament.nz.

Step by step process

Before the debrief

- Pull together the tender documents and evaluation material. You must be able to justify information and any rationale that you give to the supplier. Make sure you can account for the decision. Keep good records in case there is a complaint.
- Summarise how the tender was evaluated – scores, rankings, strengths and weaknesses. This information should be in the Evaluation Panel Minutes.
- Invite the appropriate representative from the supplier to attend the meeting. Book a discreet meeting room to put the supplier at ease and allow 30-45 minutes for your debrief and their questions. This helps focus the discussion.
- Make sure you include the right people from your agency who were involved in evaluating the tender. Usually this is the procurement officer in charge of the process, the business owner and the technical expert, if appropriate.
- Arrange for someone to take notes at the meeting.
- Be prepared to give the supplier a summary of your debrief, for example a copy of the completed Supplier Debrief Planner.

At the debrief

- Welcome the supplier and thank them for their time and effort in submitting the tender.
- Set expectations. Before discussing the specifics of the evaluation:
 - explain that debriefing is a way to help suppliers improve their competitive performance. Your constructive feedback aims to help the supplier in future tenders
 - state that this is an informal discussion to explain how the supplier's tender performed against the evaluation criteria. Be clear that it's not a forum to re-litigate the evaluation process
 - if appropriate, clarify that the evaluation was carried out by a multidisciplinary panel and you'll try to answer the supplier's questions on behalf of the panel
 - be clear that commercial sensitivity and confidentiality (in relation to the other tenderers) place some restrictions on what you can say
 - state that you can't provide detailed information on pricing. You can say where the supplier ranked on total cost
 - say who the successful supplier was (as long as their name has been published on the Government Electronic Tenders Service (GETS))
 - don't show the supplier anyone else's tender documents or evaluation material.

- Ask the supplier for their feedback on the procurement process. Are there any valuable lessons for you and your agency?
- Follow the process set out in the 'Checklist: Supplier Debrief' attached to this guide.

After the debrief

- Write up the meeting and file it with the tender probity records.
- Follow up on any outstanding points with the supplier.



Communication tips

- Your job is to help the supplier understand how their tender was assessed.
- Adopt a professional style, tone and attitude.
- Acknowledge the supplier's effort in submitting the tender.
- State the strengths and weaknesses clearly – stick to the facts.
- Don't argue, and avoid being defensive.
- Listen carefully to the supplier's questions. Try to see their point of view. Let them have their say.
- Avoid personalising – refer to 'the tender' instead of 'you' or 'your services'.
- Avoid getting drawn into debate about individual scores for individual categories.
- Thank the supplier for their time and for any suggestions they make.