

PUBLIC PROCUREMENT

Whether you're a public or private contracting party, you know the risks that come with the procurement process. **With procurement rules subject to frequent change and increasing complexity, you need a team that ensures that your business or organisation complies with all procurement rules, on time and with attention to even the minutest details.** This is why public bodies and utilities operators trust us to prepare and carry out their tender procedures.

We also make sure that private bidders wishing to participate in public tenders have a seat at the table: we secure the compliance of your bid, negotiate with contracting authorities, and, if necessary, work to protect you by challenging unfair tender provisions and award decisions.

AREAS OF SPECIALISATION

Full-Service Provider

As a contracting authority, you can trust us through all stages of an infrastructure project: from tenders for architectural work to procuring project management and controlling services, planning services, construction and infrastructural works (from general contractors to specialised firms) to tendering technical and infrastructural facility management services.

Strategic Tender Planning

We will work with you to develop the tender strategy for the entire project and customise the individual tender procedures with an eye to determining the estimated contract value, adequately distributing the purchase in lots, choosing the best procedure, and developing suitable criteria for eligibility, selection and awarding.

Drafting Tender Documents

We draft all necessary tender documents in concert with the technical advisors of the project. And we mean all of them: procedural provisions, scope of work and evaluation matrices, supply, service and construction contracts, possible financing contracts, maintenance contracts and more.

Acting as Awarding Entity

We can act as the awarding entity and conduct tender procedures for you so that you can focus on your day-to-day business. This means that we – on your behalf – announce the tender, manage inquiries, open and assess RFPs and bids, support the technical and commercial assessment of bids, manage defect remedy and correspondence with bidders, draft result-oriented assessment records and the award proposals.

Documentation

The comprehensive and audit-proof documentation of all tender procedures is part of our approach, should you ever need to appear for review proceedings before the administrative courts or for an ex-post audit from supervisory and auditing bodies. We draft and maintain the documentation in user-friendly electronic form, in language that is easy to read and search.

Tender Review Proceedings

When national and international courts and authorities initiate public procurement review proceedings, we're on your side. We will work to develop a customised strategy for you, including the choice of witnesses, technical experts and other means of evidence.

Advising Bidders in Tender Procedures

We will work with you to focus on recognising and preventing discriminatory tender conditions at an early stage of the process. We will ensure that your bid or RFP complies with the legal, technical and economic tender provisions to prevent non-compliant bids and RFPs that could lead to the exclusion of your bid from the tender procedure.

Compliance

We support public contracting authorities and private enterprises in implementing Compliance Management Systems and in planning and implementing self-cleaning measures so that you can be re-admitted to public tenders.



Manfred Essletzbichler

Partner

Wolf Theiss Vienna
Schubertring 6
1010 Vienna, Austria
manfred.essletzbichler@wolftheiss.com
Phone +43 1 51510 5350



Excellent team with high expertise and professionalism; provides highly qualified advice to contracting authorities as well as bidders and contractors.

"They are able to identify the various obstacles and potential problems when it comes to procurement procedures. Not only does that require a vast knowledge of the concerning law, but also a deep understanding of the business and technical background of our company."

The Legal 500