

Navigating a procurement challenge: *contracting authorities*



Complaint received

We can provide advice on the merits of a complaint, time-scales and prepare correspondence seeking to resolve a complaint.



Strategy

Seek advice early to understand the merits and risks of the challenge, any disclosure obligations, and your options to seek to resolve the dispute to avoid court proceedings. This may involve rewinding the procurement to remedy any defect.



Proceedings begun

This triggers the automatic suspension of the contract award process. You cannot by law award the contract until the legal proceedings are brought to an end. You should consider the need to provide service continuity while the challenge is on foot.



Application to lift the suspension

If it is important that the new contract is mobilised quickly, you can apply to the court to lift the suspension to enable you to award the contract to your preferred bidder. We have made a number of successful applications for clients. We can advise on the merits, costs and the risks of an application and urgently prepare the application.



Negotiation / mediation / expedited trial

Lifting the contract suspension will not get rid of the bidder pursuing a claim for compensation. We are experienced in settling money claims through negotiation and mediation. Although costly, time consuming and risky, we can manage a dispute that proceeds to trial in a cost-effective way.