

1. Foreword

The revised Federal Act on Public Procurement (FAPP) enters into force on 1 January 2021. These guidelines have been produced to facilitate the implementation of the resulting threshold changes and other new requirements. They will assist users in making purchases from CHF 10,000 (incl. VAT).

As per the revised Act, special attention must be paid to the issue of sustainability for all purchases, in particular from order values of CHF 150,000 (excl. VAT). In each case, the responsible procurement office will arrange a joint meeting to assist you with the structure, content and preparation of the relevant documentation.

These guidelines do not apply to purchases that fall under the responsibility of the Real Estate department's procurement office. It provides assistance with purchases of goods and services from all other areas.

2. Purchases from CHF 10,000 (incl. VAT) up to CHF 149,999.99 (excl. VAT)

A tender procedure is not required for these purchases under the Act. However, it is **recommended** to obtain three offers whenever possible (if required, with support from procurement office) so as to guarantee fair competition in this area too.

The user (ordering party) defines the requirements and assessment criteria, also paying particular attention to the issue of sustainability. The user determines who they wish to invite to submit a tender. After assessing the offers, the user (ordering party) creates a procurement request in [ETHIS](#) for the relevant procurement type and procurement class.

Procurement type and class			
* Procurement type:	<input type="radio"/> ICT goods/services	<input type="radio"/> other goods/services	
* Procurement class:	<input type="radio"/> Goods with delivery date	<input type="radio"/> Service with delivery date	<input type="radio"/> Service with term

The responsible [procurement office](#) is determined depending on the procurement type:

ICT goods and services	IT Services department, contract management and purchasing
Other goods and services	Financial Services department, purchasing coordination

After the request has been approved, the responsible procurement office generates the official order and sends it to the supplier.

3. Purchases with a tender procedure (Art. 20 FAPP) (CHF 150,000 to 229,999.99 excl. VAT)

Wherever possible, at least three offers must be obtained so as to guarantee fair competition. A reason must be given for any missing offers / offers from only one language region.

A structured set of documentation must be produced for tender procedures from CHF 150,000 to 229,999.99 (goods and/or services). The responsible [procurement office](#) **must** be involved at an **early** stage for this purpose:

Supply lines, operation and maintenance of buildings	Facility Management department
ICT goods and services	IT Services department, contract management and purchasing
Other goods and services	Financial Services department, purchasing coordination

Together with the user (ordering party), the procurement office will produce the documentation required for the tender procedure. It will then, in consultation with the user (ordering party), invite the designated providers to submit an offer, take receipt of the offers and then send them to the user for evaluation.

After evaluating the offers and deciding which to accept, the user (ordering party) then creates a procurement request in [ETHIS](#) (see page 2; supply media and services for operation and maintenance of buildings are processed via the “Other goods/services” procurement type or the procurement office Financial Services department, Purchasing Coordination).

The following documents must be uploaded with the procurement request:

- Offer to be approved
- The competing offers
- Reason for choosing the supplier (evaluation result) The procurement office provides the relevant template for this.
- If applicable, reason for missing offers

After the request has been approved, the responsible procurement office generates the official order and sends it to the supplier.

4. Purchases with an open, selective or limited procedure (Art. 17 FAPP)

Purchases of goods and services above the tender threshold¹, must be publicly disclosed. The www.simap.ch platform must be used for this. There are three different types of procedures (see chart in Appendix 1).

You should also contact the responsible [procurement office](#) at an **early** stage in this regard.

Supply lines, operation and maintenance of buildings	Facility Management department
ICT goods and services	IT Services department, contract management and purchasing
Other goods and services	Financial Services department, purchasing coordination

The procurement unit will provide you with the necessary documents and templates, and support you throughout the process, helping you to produce the tender documentation required. It will also publish the tender and take receipt of any offers sent to it. The offers received will then be forwarded to the user (ordering party) to be assessed.

4.1. Open procedure (Art. 18 FAPP)

Under the open procedure, the offers are evaluated and the supplier is selected in one step. The suppliers and offers are assessed on the basis of the selection and award criteria in the tender documentation according to the defined weightings of the individual award criteria. For the demand for economic efficiency to be met, the cost (price / lifecycle costs) must comprise at least 20% of the total weighting.

As soon as all the required documents are in place, the tender can be published on www.simap.ch. A period of at least **40 days**² must then be allowed for the offers to be generated and submitted.

After the offers have been evaluated and the supplier has been selected, the award³ of the tender is then published on www.simap.ch. A **20-day appeals period** must then be observed before a legally binding order can be placed.

The order is initiated by means of a procurement request in ETHIS (same as for description in section 3).

4.2. Selective procedure (Art. 19 FAPP)

Unlike with the open procedure, the supplier is selected and the offers are evaluated in two steps. For this reason, the documentation must be structured and split into two. This procedure is followed in particular in the case of procurement projects where a large number of suppliers can be expected. This allows the number of suppliers to be restricted to a maximum limit.

¹ The threshold is set by the Federal Council and is currently CHF 230,000 excl. VAT.

² May be reduced under certain circumstances, e.g. electronic tender with simultaneous electronic submission of tender documentation (Art. 47 FAPP).

³ Any awarded tender from CHF 500,000 (incl. VAT) must be approved by the Executive Board in advance, with the exception of start-up financing.

4.2.1. Step one: “Supplier selection (prequalification)”

Suitability criteria that can be qualitatively evaluated are used to determine the best-qualified suppliers, who are then invited to submit an offer.

After the tender is published, the interested suppliers then have at least 25 days to submit an offer to participate. The offers are received by the responsible procurement office and forwarded to the user (ordering party) to be assessed.

4.2.2. Step two: “Invitation to submit offer”

The invitation to submit an offer is carried out by the responsible procurement office by sending out the tender specifications and the associated documentation. At the same time, the selected participants can be published on www.simap.ch.

Another deadline, now of at least 40 days, must be granted to process and submit the offers. In all other respects, this procedure does not differ from the requirements and process for the open procedure.

4.3. Limited procedure / single tender action (Art. 21 FAPP)

Unlike the open and selective procedures, only the award of the tender to the supplier is publicly disclosed. Such a limited procedure must be justified in writing by the user (ordering party) (in accordance with Art. 21, para. 2); this must have been received by the responsible procurement office by the time the award of the tender is publicly disclosed.

The rest of the procedure is the same as the other two tender procedures as per sections 4.1 and 4.2.

Appendix

“Tender procedure” chart

Ablauf der Ausschreibungsverfahren

Anhang

