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Construction procurement - Part 2: Formatting and compilation of procurement documentation

Marchés de construction, Partie 2: Mise en forme et compilation de la documentation de marché

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Foreword

ISO (the International Organization for Standardization) is a worldwide federation of national standards bodies (ISO member bodies). The work of preparing International Standards is normally carried out through ISO technical committees. Each member body interested in a subject for which a technical committee has been established has the right to be represented on that committee. International organizations, governmental and non-governmental, in liaison with ISO, also take part in the work. ISO collaborates closely with the International Electrotechnical Commission (IEC) on all matters of electrotechnical standardization.

International Standards are drafted in accordance with the rules given in the ISO/IEC Directives, Part 2.

The main task of technical committees is to prepare International Standards. Draft International Standards adopted by the technical committees are circulated to the member bodies for voting. Publication as an International Standard requires approval by at least 75 % of the member bodies casting a vote.

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ISO 10845 was prepared by Technical Committee ISO/TC 59, *Building construction,* and consists of the following parts, under the general title *Construction procurement*:

— *Part 1: Processes, methods and procedures*

— *Part 2: Formatting and compilation of procurement documentation*

— *Part 3: Standard conditions of tender*

— *Part 4: Standard conditions for the calling for expressions of interest*

— *Part 5: Participation of targeted enterprises in contracts*

— *Part 6: Participation of targeted partners in joint ventures in contracts*

— *Part 7: Participation of local enterprises and labour in contracts*

— *Part 8: Participation of targeted labour in contracts*

Annexes A to D are for information only.

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Introduction

Procurement is the process which creates, manages and fulfils contracts. Procurement can, as such, be described as a succession of logically related actions occurring or performed in a definite manner and which culminate in the completion of a major deliverable or the attainment of a milestone. Processes, in turn, are underpinned by methods (i.e. a documented, systematically-ordered collection of rules or approaches) and procedures (i.e. the formal steps to be taken in the performance of a specific task), which are informed and shaped by the policy of an organization. Methods and procedures can likewise be documented and linked to processes.

Procurement documents are required to

a) communicate the employer's procedures and requirements in calls for expressions of interest to respondents who wish to qualify to be invited to submit tender offers or to be admitted to a data base;

b) communicate the employer's procedures and requirements relating to the process of offer and acceptance when tenders are invited; and

c) establish in the contract between an employer and a contractor, the agreed terms and conditions, the prices, and the nature and quality of the goods, services or construction works that are required.

A uniform format for the compilation of calls for expressions of interest and tender and contract documents provides the platform for the standardization of the component documents and improved communications between those engaged in the procurement process.

This part of ISO 10845 is part of a series of international standards entitled 'Construction procurement' which cover various aspects of procurement within the construction industry. Each standard relates to a different aspect of procurement. The objective of this series of standards is to provide a generic and standard set of processes, procedures and methods for a procurement system that is fair, equitable, transparent, competitive and cost-effective and which may be used to promote objectives additional to those associated with the immediate objective of the procurement itself.

This series of standards is especially relevant for developing countries that lack experience and instruments in this field and may be used to improve international trade. The purpose of this series of standards is to provide a framework around which public, private and international organisations may develop their procurement systems to achieve fair competition, to reduce the possibilities for abuse and to improve predictability in procurement outcomes.

NOTE Standardization, apart from removing technical barriers to trade, enables

a) those engaged in procurement activities to perform their duties, within the confines of their organization's procurement policy, in a uniform and generic manner; procurement documents to be readily compiled in a uniform and generic manner; and

b) curricula to be developed to capacitate those engaged in a range of procurement activities.

Furthermore, it allows governments to readily develop an internal procurement skills base, which is not lost when members of staff move between different departments or levels of government or organizations.

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Construction procurement

Part 2

Formatting and compilation of procurement documentation

1 Scope

This part of ISO 10845 establishes, in respect of supply, services and engineering and construction works contracts, at both main and subcontract level,

a) a uniform format for the compilation of

1) calls for expressions of interest, and

2) tender and contract documents; and

b) the general principles for compiling procurement documents.

.

NOTE 1 Annex A contains commentary on the clauses in this part of ISO 10845.

NOTE 2 This standard may also be used, with some adaptation, in the formatting and compilation of concession contracts and contracts involving disposals.

NOTE 3 Annex G of ISO/DIS 10845-1 provides guidance on the development of auction data.

2 Terms and definitions

For the purposes of this part of ISO 10845 the following terms and definitions apply:

2.1
acceptance
agreeing to a contractor's offer or tender thereby creating a binding contract

[ISO 6707-2: 1993, definition 3.4.4]

2.2
activity schedule
document that breaks down the scope of work into a series of activities to allow contractors to be paid a lump sum upon the completion of each of the activities

2.3
adjudication
form of dispute resolution where the outcome is a decision by a third party, within a specified period of time, which is binding on the parties in dispute, and is final unless and until reviewed by either arbitration of litigation.

2.4
arbitration
means of settling a dispute outside the courts by one or several persons, usually chosen by the parties concerned

[ISO 6707-2: 1993, definition 3.4.2]

2.5
bill of quantities
document that lists the items of work and the quantities and rates associated with each item to allow contractors to be paid at regular intervals an amount equal to the agreed rate for the work multiplied by the quantity of work completed

2.6
bond
sum of money or securities submitted to the employer or placed in the hands of a third party to guarantee completion of the work and recovery of the sums which the contractor would be recognized as owing under the terms of the contract

NOTE Adapted from ISO 6707-2: 1993, definition 3.5.4.

2.7
conditions of contract
terms that collectively describe the rights and obligations of contracting parties and the agreed procedures for the administration of their contract; or document containing conditions of contract

[ISO 6707-2: 1993, definitions 3.2.1 and 3.2.2]

2.8
contract
legally enforceable agreement to supply goods, execute work or provide services

[ISO 6707-2: 1993, definition 3.4.8]

2.9
contract data
document that identifies the applicable conditions of contract and states the associated contract-specific data

2.10
contractor
person or organization that contracts to provide the goods, services or engineering and construction works covered by the contract

2.11
employer
person or organization entering into the contract with the contractor for the provision of goods, services, or engineering and construction works

2.12
engineering and construction works contract
contract for the provision of a combination of goods and services arranged for the development, extension, refurbishment, rehabilitation or demolition of a fixed asset, including building and engineering infrastructure

2.13
expression of interest
a request for respondents to register their interest in undertaking a specific contract or to participate in a project or programme and to submit their credentials so they may, in terms of the employer's procurement procedures, be invited to submit a tender offer should they qualify or be selected to do so

2.14
form for adjudicator appointments
documents that establishes the terms and conditions upon which the adjudicator is to be appointed

2.15
form of offer and acceptance
document that formalizes the legal process of offer and acceptance

2.15
form of securities
document that provides for the securities required by the employer

2.17
list of returnable documents
document that lists everything the employer requires a tenderer to include with his tender submission

2.18
pricing assumptions
document that provides the criteria and assumptions which it will be assumed in the contract, that the tenderer has taken into account when developing his prices, or target, in the case of target cost contracts

2.19
procurement
process that creates, manages and fulfils supply, services or engineering and construction contracts

2.20
procurement document
documentation used to initiate or conclude (or both) a contract

2.21
respondent
person or organization that submits an expression of interest in response to an invitation to do so

2.22
returnable schedule
document that a tenderer is required to complete for the purpose of evaluating tender offers, or a document which, when a tender offer is accepted, forms part of the subsequent contract

2.23
scope of work
document that specifies and describes the goods, services, or engineering and construction works which are to be provided and any other requirements and constraints relating to the manner in which the contract work is to be performed

2.24
secondary procurement policy
procurement policy that promotes objectives additional to those associated with the immediate objective of the procurement itself

2.25
services contract
contract for the provision of labour or work, including knowledge-based expertise, carried out by hand, or with the assistance of equipment and plant

2.26
site information
document that describes the site as at the time of tender, to enable the tenderer to price his tender and to decide upon his method of working and programming

2.27
submission data
document that establishes the respondent’s obligations in responding to a call for an expression of interest and the employer’s undertakings in administering the process of calling for and receiving expressions of interest

2.28
supply contract
contract for the provision of goods, including materials or commodities made available for purchase and, where relevant, associated services

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2.29
targeted procurement procedure
process used to create a demand for the services or goods (or both) of, or to secure the participation of, targeted enterprises and targeted labour in contracts in response to the objectives of a secondary procurement policy

2.30
tender data
document that establishes the tenderer's obligations in submitting a tender and the employer's undertakings in administering the tender process and evaluating tender offers

2.31
tender notice and invitation to tender
document that alerts prospective contractors to the nature of the goods, services and engineering and construction works required by the employer and contains sufficient information to solicit a response.

2.32
tender offer
formal offer for the provision of goods, or to carry out a service or engineering and construction works, usually at a stated price, and which is capable of acceptance and conversion into a binding contract

2.33
tenderer
person or organization that submits a tender offer

3 General requirements for procurement documents

Procurement documents shall

a) present requirements in a clear, unambiguous, comprehensive and understandable manner;

b) where required, require respondents to register their interest in undertaking a specific contract or to participate in a project or programme and to submit their credentials for the employer to admit them to an electronic database or invite them to submit tenders should they qualify or be selected to do so;

c) require tenderers to submit particulars sufficient for the employer to evaluate their tenders and to establish their credentials and to assess their capabilities and capacities to perform the contract;

d) set out in a clear, fair, transparent, accountable and unambiguous manner the criteria by which tenders shall be evaluated;

e) define the risks, liabilities and obligations of the parties to the contract and the procedures for the administration of the contract;

f) define the nature, quality and quantity of goods, services or works to be provided in the performance of the contract; and

g) establish the means by which the contractor shall be paid for the goods, services, engineering and construction works or disposals.

NOTE ISO 10845-1 describes the processes associated with the nominated and qualified procedures.

4 Component documents

4.1 Division of component documents

4.1.1 Procurement documents for goods, services and engineering and construction works shall comprise a number of component documents dealing with different topics grouped together in a logical sequence.

4.1.2 The groups of documents where expressions of interest are called for shall comprise those documents that are relevant to the admission to an electronic database or to those required to shortlist or pre-qualify (or both) tenderers so that they may be invited to submit tender offers in respect of a particular procurement (see Table 1).

4.1.3 The first group of documents where procurement documents are used to solicit tender offers shall contain only those documents that are relevant to the tender (see Table 2) and the second group, shall contain only those documents that relate to the contract that will be created at the acceptance of the tender (see Table 3).

Where contracts are negotiated with a sole contractor, only those documents which relate to the contract apply (see Table 3).

Table 1 — Documents that relate to a call for expressions of interest

Contents		Function and broad outline of contents
Number	**Heading**	
Part E1: Submission procedures		
E1.1	Notice and invitation to submit an expression of interest	Alerts respondents to submit their credentials in order to be admitted to an electronic database or to be invited to submit tenders should they satisfy the stated criteria.
E1.2	Submission data	Establishes the rules from the time a call for an expression of interest is advertised to the time that any submission is evaluated.
Part E2: Returnable documents		
E2.1	List of returnable documents	Ensures that everything the employer requires a respondent to include in his submission is included in, or returned with, such a submission.
E2.2	Submission schedules	Contains documents that the respondent is required to complete for the purpose of evaluating submissions.
Part E3: Indicative scope of work (where appropriate)		
E3	Indicative scope of work	Indicates to respondents what the contract is likely to entail so that they can make an informed decision as to whether or not they wish to respond and, if so, to structure their submission around the likely demands of the project.

4.2 Calls for expressions of interest

4.2.1 Notice and invitation to submit expressions of interest

4.2.1.1 The notice and invitation to submit an expression of interest shall, as a minimum, contain

a) a reference number,

b) the name of the employer;

c) the title of the proposed project,

d) a brief description of the goods, services or engineering and construction works which shall be procured and, where relevant, over what time period,

e) the closing date and time for the submission of expressions of interest,

f) the date, time and place of the compulsory clarification meeting, if any, and

g) the time and place for collecting the procurement documents.

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Table 2 — Documents that relate to the tender

Contents		Function and broad outline of contents
Number	**Heading**	
Part T1: Tendering procedures		
T1.1	Tender notice and invitation to tender	Alerts tenderers to the nature of the goods, services and engineering and construction works required by the employer and should contain sufficient information to enable them to respond appropriately.
T1.2	Tender data	Establishes the rules from the time that tenders are invited to the time that a tender is awarded.
Part T2: Returnable documents		
T2.1	List of returnable documents	Ensures that everything the employer requires a tenderer to submit with his tender is included in, or returned with, his tender submission.
T2.2	Returnable schedules	Contains documents that the tenderer is required to complete for the purpose of evaluating tenders and other schedules which upon acceptance become part of the subsequent contract.

Table 3 — Documents that relate to the contract

Contents		Broad outline of contents
Number	**Heading**	
Part C1: Agreements and contract data		
C1.1	Form of offer and acceptance	Formalizes the legal process of offer and acceptance
C1.2	Contract data	Identifies the applicable conditions of contract and associated contract-specific data that collectively describe the risks, liabilities and obligations of the contracting parties and the procedures for the administration of the contract.
Part C2: Pricing data		
C2.1	Pricing assumptions	Provides the criteria and assumptions which it will be assumed (in the contract) that the tenderer has taken into account when developing his prices, or target in the case of target and cost reimbursable contracts.
C2.2	Pricing schedules / Activity schedule / Bill of quantities	Records the contractor's prices for providing goods, services or engineering and construction works which are described elsewhere in a specification within the Scope of Work section of the contract.
Part C3: Scope of Work		
C3	Scope of work	Specifies and describes the goods, services, or engineering and construction works which shall be provided and any other requirements and constraints relating to the manner in which the contract work shall be performed
Part C4: Site information (engineering and construction works contracts only)		
C4	Site information	Describes the site as at the time of tender to enable the tenderer to price his tender and to decide upon his method of working and programming and risks.

4.2.1.2 Consideration should be given to

a) providing the name and contact particulars of a person to whom queries in relation to the call for expressions of interest may be directed; and

b) briefly describing any

1) eligibility criteria, and

2) preferences, if any, that are offered

to enable prospective respondents to make informed decisions regarding the drawing of documents relating to the call for an expression of interest.

NOTE In some circumstances, it might be appropriate to indicate the source of funding in the notice.

4.2.2 Submission data

The submission data shall inform respondents about the submission procedures that are to be observed and the documentation that shall be submitted, failing which, submissions may be rejected or might not be evaluated. The submission data shall also outline how the employer shall receive and evaluate the submissions received and state any criteria that respondents shall satisfy in order to have their submissions evaluated, and state any evaluation criteria that shall be applied.

The submission data may identify standard conditions for the calling for expressions of interest, in which case, the submission data shall provide the project-specific variables associated with such conditions.

NOTE The standard conditions for the calling for expressions of interest of tender as contained in ISO/CD 10845-4 and the associated variables, variations and additional conditions should be referenced in the submission data.

4.2.3 List of returnable documents

The list of returnable documents shall list all the documents that the respondent shall provide or complete and submit as part of his submission to enable the employer to record his expression of interest or to evaluate his submission.

4.2.4 Returnable schedules

Returnable schedules shall comprise those schedules that shall be completed and submitted as part of the respondents' submission.

4.2.5 Indicative scope of work

Where necessary, a description of the indicative scope of work shall be provided to enable respondents to understand the nature of the work and the likely demands that will be placed on their resources so that they can respond accordingly.

4.3 Tender documents

4.3.1 Tender notice and invitation to tender

4.3.1.1 The tender notice and invitation to tender shall, as a minimum, contain

a) a reference number,

b) the name of the employer,

c) the title of the proposed contract,

d) a brief description of the goods, services or engineering and construction works which are required,

e) the closing date and time for the submission of tenders,

f) the date, time and place of the compulsory clarification meeting, if any, and

g) the time and place for collecting the procurement documents.

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4.3.1.2 Consideration should be given to:

a) providing the name and contact particulars of a person to whom queries in relation to the tender may be directed; and

b) briefly describing any

1) eligibility criteria,

2) refundable or non-refundable deposits payable for procurement documentation, and

3) preferences, if any, that are offered

to enable prospective tenderers to make informed decision regarding the attractiveness of the tender opportunity.

The tender notice and invitation shall not form part of any subsequent contract.

NOTE In some circumstances, it might be appropriate to indicate the source of funding in the tender notice and invitation to tender.

4.3.2 Tender data

The tender data shall establish the rules which

a) bind the employer and tenderer to behave in a particular manner;

b) establish what a tenderer shall do to submit a compliant tender;

c) make known to tenderers the criteria by which the tenderer will be evaluated;

d) establish the manner in which the employer will conduct the process of offer and acceptance; and

e) provide the necessary feedback to tenderers on the outcomes of the process

The tender data shall furthermore establish the precise means by which a preferred tenderer will be identified in a competitive selection process and preferred tenders will be identified for each successive round of negotiations in the competitive negotiation procedure. The award criteria, weightings assigned to such criteria, the relevant ratios between and the formula for scoring financial offer, quality and preference, and any threshold scores for quality shall be stated in the tender data.

The tender data may identify standard conditions of tender, in which case, the tender data shall provide the project-specific variables associated with such conditions.

NOTE The standard conditions of tender as contained in ISO/CD 10845-3 and the associated variables, variations and additional conditions of tender should be referenced in the tender data.

4.3.3 List of returnable documents

The list of returnable documents shall list all the documents that the tenderer has to complete and submit as part of his tender submission. The list shall indicate which of the returnable schedules are for evaluation purposes only and which shall form part of the contract.

Forms and certificates that are to be completed after the award of the contract shall not be included in the returnable documents, for example, site appointments for compliance with health and safety legislation.

NOTE This section refers to documents that are returned with, or constitute, a tender. Whilst many of the returnables are required for the purpose of evaluating tenders, some will form part of the subsequent contract, as they form the basis of the tender offer.

4.3.4 Returnable schedules

Returnable schedules shall comprise those schedules that are

a) used for evaluation purposes only, such as a certificate for signatories, a certificate of attendance at clarification meetings, tender securities and a form of intent to provide a tender bond,

b) those that are included in the subsequent contract, such as curricula vita of key personnel, quality plans, management plans and preferencing schedules, and

c) in some instances, used as the basis for the development of the scope of work of a contract that is entered into.

Returnable schedules that are used for evaluation purposes only shall not form part of the subsequent contract. Returnable schedules that form part of the subsequent contract should generally be attached to the scope of work.

4.4 Contract documents

4.4.1 Agreements and contract data

4.4.1.1 Form of offer and acceptance

4.4.1.1.1 The form of offer and acceptance shall contain

a) the offer to provide the goods, services or engineering and construction works for a price, or in accordance with the terms of the financial proposal made,

b) confirmation from the employer that he accepts the tender offer following his tender evaluation, and that a contract therefore exists, and

c) a schedule of deviations which records any agreed changes to the documentation that occur between receipt of the tender offer and award of contract.

NOTE Annex B shows an example of a form of offer and acceptance

4.4.1.1.2 The extent of deviations from the tender documents issued by the employer before the tender closing date shall be limited to those permitted in terms of the conditions of tender.

A tenderer's covering letter shall not be included in the final contract document. Should any matter in such letter, which constitutes a deviation as aforesaid, become the subject of agreements reached during the process of offer and acceptance, the outcome of such agreement shall be recorded in the schedule of deviations.

Any other matter arising from the process of offer and acceptance, either as a confirmation, clarification or change to the tender documents and which parties agree shall become an obligation of the contract, shall also be recorded in the schedule of deviations.

NOTE The schedule of deviations documents the agreed departures from the tender documents. This schedule is important as it serves as a record of the outcomes of any negotiations between offer and acceptance.

4.4.1.2 Contract data

The contract data shall establish the conditions of contract that describe the responsibilities, liabilities and obligations of the contracting parties and the agreed procedures for the administration of the contract. Where these terms have been standardized and published as a standard form of contract, the contract data shall identify the applicable standard form of contract and set out all the contract-specific variables, data schedules, appendices, etc., that the parties are required to provide during the tender process.

The contract data shall be divided into two parts: the data provided by the employer and the data provided by the contractor.

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NOTE The forms of agreement, such as the forms of security (e.g. parent company guarantee, performance security (demand guarantee), advanced payment guarantee, etc.), and the form of agreement for the appointment of an adjudicator, and the requirements to complete these, are normally obligations of the contract between the parties. The form of these agreements is usually prescribed by the contract between the parties.

4.4.2 Pricing data

The pricing data comprises the pricing assumptions and the pricing schedules, which might be in the form of activity schedules or bills of quantities.

The pricing assumptions, where provided, shall describe the criteria and assumptions which it will be assumed, in the contract, that the tenderer has taken into account when developing his prices, or target in the case of target contracts.

The activity schedules or the bills of quantities shall record the contractor's prices for providing goods, services, engineering and construction works in accordance with the requirements of the scope of work.

NOTE The terms of payment and the provisions for price adjustment for inflation, if applicable, are established in the contract data. These items should not be described in the pricing data.

4.4.3 Scope of work

4.4.3.1 General

The scope of work shall identify the goods, services, or engineering and construction works which are to be provided during the contract and shall establish requirements and constraints relating to the manner in which the contract is to be performed. The scope of work shall provide sufficient information to enable tenderers to price and plan the requirements for the contract to comply with the employer’s requirements and expectations in the performance of the contract.

NOTE 1 The scope of work should describe the state of the delivered goods or completed services or works (i.e. what is to be left behind after the contract) and any constraints on how the contract is to be performed after the award of the contract.

NOTE 2 The content of the scope of work will differ between categories of contract, i.e. between goods, services and engineering and construction works, and will vary significantly from contract to contract.

4.4.3.2 Supply contracts

The scope of work (see Annex C) should include information on items such as

a) the description of the goods to be supplied or scope of the contract,

b) applicable standards,

c) variations to standardized specifications, and

d) information pertaining to issues such as

   1) specific requirements,

   2) place of delivery,

   3) mode of transport, and

   4) time for placing of orders and rate of delivery.

4.4.3.3 Services contracts

The scope of work (see Annex C) should include information on items such as

a) a description of the services to be provided,

b) applicable standards / standardized requirements,

c) variations to standardized specifications, and

d) information pertaining to issues such as

   1) specific requirements,

   2) constraints,

   3) background information pertaining to the required services,

   4) terms of reference,

   5) time frames for deliverables or milestone dates,

   6) the places for the performance of specific tasks, and

   7) reporting requirements.

4.4.3.4 Engineering and construction works contracts

The scope of work for engineering and construction works (see Annex C) is largely dependent upon the contracting strategy that is adopted by the employer, but should generally include information on items such as

a) a description of the works,

b) a design brief, including design data performance requirements, if applicable,

c) applicable standards on the following:

   1) construction and management requirements for works contracts,

   2) targeted procurement procedures,

   3) construction works,

   4) materials standards,

d) particular technical specifications,

e) specification data (contract-specific provisions and variations to the standardized specifications),

f) list of employer's drawings, and\

g) information relating to existing services and site establishment.

NOTE The content of this section is, to a large extent, dependent upon the contracting strategy that is adopted, for example traditional pre-planned, design and build, develop and construct, etc. Guidance on the preparation of the clauses for inclusion in this section may be found in Annex C.

4.4.4 Site information

Site information shall only be included, where relevant, in engineering and construction works contracts.

Documentation included in this section shall describe the site as at the time of tender to enable the tenderer to price his tender and to decide upon his method of working and programming. Normally, only actual information about physical conditions of the site and its surroundings should be included in the site information and interpretation is a

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matter for the tenderer. However, some employers might wish to include interpretative information, such as inferred geological sections, or site class designations.

In the case of refurbishment projects, site information should be the ‘as-built’ drawings of the existing structure.

Site information may include

a) geotechnical investigation, borehole records and test results,

b) reports obtained by the employer concerning the physical conditions within the site or its surroundings, including mapping, hydrographic data, and hydrological information,

c) references to publicly available information about the site and its surroundings, such as published papers and interpretations of the geotechnical investigation,

d) information about piped and other services below the surface of the site for contracts involving ground works, and information about hook-up and boundary details for contracts with plant interfaces, in addition to anything about the physical site which might impact upon the contract,

e) information about adjacent buildings and structures, and about existing buildings and structures on the site (restrictions for heavy loads etc.),

f) access for inspection of the site and buildings; and

g) atmospheric and environmental criteria.

NOTE 1 Should the actual conditions on site turn out to be different to those described, then under most conditions of contract, the contractor would have a claim for compensation or extension of time.

NOTE 2 Matters relating to site facilities, access, places for delivery, etc. are not site information and should be included in the scope of work, as they are constraints on how the contractor performs the contract.

5 Compiling tender documents

5.1 General

Tender documents may be compiled using a single-volume or three-volume approach.

Contracts should, in the first instance, be categorized as being for goods, services or engineering and construction works in order to identify the nature of the procurement and the standard forms of contract that are best suited to the procurement.

All component documents should, for ease of reference, be labeled in the header or the footer with the headings and associated document number appearing in Tables 2 and 3.

NOTE 1 The term volume in this context means a collection of component document, which are grouped together rather than bound together to produce a single book.

NOTE 2 Annex D outlines the manner in which procurement documents may be standardized using the format presented in this part of ISO 10845.

5.2 Single-volume approach

5.2.1 In the single-volume approach, the procurement document is compiled in a single volume in two parts where

a) the first part comprises “The Tender” and contains the component documents listed in the order set out in Table 2, and

b) the second part “The Contract” and contains the component documents listed in the order set out in Table 3.

5.2.2 The list of returnable documents identifies which of the documents or parts thereof a tenderer is required to complete when submitting a tender offer. The tenderer submits his tender offer by

a) completing the identified documents and parts thereof,

b) signing the "offer" portion of the form of offer and acceptance, and

c) delivering it back to the employer bound up in the same volume that it was in when it was received.

If the tender offer is accepted, the employer simply completes the schedule of deviations and signs the “acceptance” portion of the offer and acceptance and a contract is formed.

NOTE In the single-volume approach, the tender document becomes the contract document. This approach is, however, only suited to contracts and situations where small variances, if any, are anticipated between the draft contract and the final contract.

5.3 Three volume approach

In the three-volume approach

a) the first volume should contain only those documents relevant to the tender procedures (Part T1 of the Tender);

b) the second volume should contain the returnable documents (Part T2 of the Tender and documents C1.1 and C1.2 (contract data provided by the contractor) of Part 1 of the Contract and documents C2.2 of Part 2 of the Contract, if relevant, i.e. all the documents in which the tenderer is required to insert data to complete his tender); and

c) the third volume should contain those documents that relate only to the draft contract.

Although the tenderer receives three volumes when the tender document is collected, only the tender returnables (Volume 2) are returned as their tender submission.

Employers compile the contract (see Table 3) from the tender submission (Volume 2) and sign the “acceptance” portion of the form of offer and acceptance to conclude the contract.

NOTE 1 At the tender stage, all documents listed in Table 3 constitute the draft contract. The draft contract becomes the contract when the forms of offer and acceptance are signed by both parties and certain of the returnable schedules are inserted into the scope of work. In this manner, the final contract contains all the provisions agreed to by the parties during the tender process and excludes all redundant information relating to the process that led to the conclusion of the contract.

NOTE 2 In supply contracts where tenderers are required to submit specifications, in service contracts where tenderers are required to submit proposals in order to satisfy employer’s briefs, and in engineering and in construction works contracts where tenderers offer to design and build facilities, the process between the receipt of a tender offer and the acceptance of the tender offer and conclusion of a contract may necessitate numerous changes to some of the documentation to accommodate various proposals. The three volume should be used in such circumstances.

5.4 Guiding principles in applying the format

A guiding principle when using the compilation format is that “*the contract is the contract*” and anything relating to the process of tendering (as distinct from the content of the tender) is not included in the contract, since it is no longer relevant after the submission of the tenders. To include matters relating to the contract during the tender process in the contract will inevitably lead to ambiguities and adversarial relationships during the performance of the contract as each party will argue about which statement applies, what the contractor allowed for in his tender, and indeed, what the parties actually contracted to do.

The content of each component document should be such that, as far as possible, each subject matter is addressed only once in the procurement document and in its logical location.

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5.5 Colour separation of component documents

The pages of each component document may be printed on differently coloured paper or the component documents may be separated by coloured paper for easy identification, in accordance with the requirements of Table 4.

Table 4 — Colours used to distinguish sections in tender documents

Colour of pages	Document	
	Number	**Heading**
White	T1.1	Tender notice and invitation to tender
Pink	T1.2	Tender data
Yellow	T2.1	List of returnable documents
Yellow	T2.2	Returnable schedules
Yellow	C1.1	Form of offer and acceptance
Yellow	C1.2	Contract data
White	C1.3	Forms of securities
White	C1.4	Forms for adjudicator’s appointment
Yellow	C2.1	Pricing assumptions
Yellow	C2.2	Activity schedule or bill of quantities
Blue	C3	Scope of work
Green	C4	Site information

Annex A
(informative)

Commentary

A.0 Introduction

A.0.1 This annex includes background information on this part of ISO 10845, guidance on its use and suggestions on good practice.

The paragraphs in the commentary refer directly to the respective clauses in this part of ISO 10845 e.g. paragraph A.4.2.3 refers to sub-clause 4.2.3.

Procurement documents

a) communicate the employer's selected procurement, quality and targeting strategies to potential contractors;

b) establish the process of admitting a respondent to an electronic database, or the process of short listing (or pre-qualifying) respondents to be invited to submit tender offer;

c) establish the manner in which the process of offer and acceptance is to be conducted;

d) solicit information to enable the employer to evaluate submissions;

e) enable potential contractors to communicate their credentials and make an offer to an employer; and

f) capture the allocation of risks, liabilities and obligations of the parties, the procedures for the administration of the contract and the manner in which disputes may be resolved in the contract data.

A.0.2 Procurement documents also provide the basis for:

a) paying the contractor;

b) specifying any measurable, tangible, verifiable outcome, result or item that shall be produced or completed (deliverable) and the constraints in doing so; and

c) in the case of engineering and construction works, communicating the outcomes of surveys to tenderers, e.g. soil and ground conditions, the location and state of buildings or facilities that contractors might be expected to use or might be affected by the contractor's activities, environmental conditions, the number and location of people who might be affected by the works, availability of materials, etc.

The format and the manner in which procurement documents are compiled and structured can be standardized.

Uniformity in procurement documentation allows documents to be standardized, simplified and computerized, improves transparency, minimizes ambiguity and errors in and between the documents which make up a contract, enables contractors to more accurately price the risks which they are to assume, and facilitates the development of standardized procurement documents which improve the effectiveness and efficiency of an organization's procurement system. It also enables the reader to quickly locate the specific data and requirements that they may require should they have a working knowledge of the framework for the compilation of procurement documents provided in this part of ISO 10845.

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A.1 Scope

A.1.1 The purpose of this part of ISO 10845 is to provide a common framework within which procurement documents may be developed and to establish general principles around which component documents should be developed.

The uniform format for the compilation of procurement documents is based on the principle that there is a complete separation in the component documents that make up a procurement document, i.e. the conditions of tender, the conditions of contract, the specifications and methods of measurement and payment. The separation of component documents in this manner ensures that

a) each subject within a tender and within the subsequent contract can only be addressed once and in only one component document,

b) issues relating to the tender will fall away once the contract is in place,

c) changes in conditions of contract do not affect other aspects of the contract, such as specifications, measurement and payment, and

d) changes in measurement and payment systems do not affect other aspects of the contract, such as the conditions of contract and specifications.

A.1.2 The format provided in this part of ISO 10845 requires that

a) stand-alone systems of measurement, independent of specifications, be utilized,

b) specifications be written independently from conditions of contract, and

c) terms, words and documents that specify and describe the process of tendering not be included in the contract.

A.2 Definitions

The terms “tender” and “tenderer” have been used in preference to “bid” and “bidder” as this is the terminology used in ISO 6707-2 and by the United Nations Commission on International Trade Law in the Model Law on Procurement of Goods, Construction and Services, the World Trade Organization in the Agreement on Government Procurement, the European Commission in their procurement directives and the Federation Internationale des Ingenieurs-Conseils (FIDIC) in their conditions of contract. The terms “bid” and “bidder”, where encountered in these documents, are only used in the context of auctions.

A contractor is defined as a person or organization that contracts to provide the goods, services or construction works covered by the contract. The use of the generic term “contractor” in all the parts of ISO 10845 eliminates the need to introduce the terms “service provider” and “supplier” as it has been defined to cover these terms.

The term “scope of work” is a generic term that may be used to describe that which is commonly referred to in forms of contract and publications as

a) supply contract: goods information, specifications,

b) service contract: scope, services information, specifications, scope of services, terms of reference, technical specification, and

c) engineering and construction contracts: works information, production information, specifications, project specifications, specifications and performance requirements, specification of work.

The term “scope of work” is also sufficiently broad to include design and procurement requirements in design and construct, develop and construct and management contract contracting strategies relating to engineering and construction works contracts.

The term “engineering and construction works contract” has been selected as this term recognizes that contractors are increasingly being required to not only construct the works, but also to design a part or the whole of the works.

The definitions for supply, services and engineering and construction works contracts enable contracts to be classified on the basis of standard forms of contract which establish the generic risks, liabilities and obligations of the contracting parties and the procedures for the administration of the contract associated with the aforementioned categories of contracts.

A.3 General requirements for procurement documents

These general requirements are framed around transparency requirements for the procurement system.

A.4 Component documents

A.4.1 Division of component documents

This part of ISO 10845 establishes procedures for the compilation of procurement documentation for goods, services and engineering and construction works in a standard format. As such, it provides an outline of headings within which procurement documents may be compiled in a uniform manner and is based on the notion that there should be a complete separation in procurement documentation between conditions of tender, conditions of contract, specifications and methods of measurement and payment.

Procurement documents are required primarily to solicit tender offers and to thereafter form the basis for a contract. Figure A.1 illustrates the concept of offer and acceptance that results in a contract being entered into. Procurement documents provide tenderers with the necessary inputs to allow them to compile their tender submissions. Their tender submissions are in turn inputs into the contract that may be concluded following the acceptance of their tender offer.

The division of documents is based on a logic flow of documents in the process of offer and acceptance.

This part of ISO 10845 requires that the headings contained in Tables 2 and 3 be used within procurement documents relating to the provision of engineering and construction works, services and goods. The headings should not be changed to suit personal preferences, e.g. scope of work being changed to “terms of reference” or “specification”. Likewise the documents or parts should not be renumbered. This defeats the objective of having a uniform set of headings.

Tables 1 to 3 provide a useful summary of the purpose and function of each component document. The location of any clauses in a procurement document to address an issue or requirement should be reviewed in the light of these tables in order to determine where such clauses should be located.

A.4.2 Calls for expressions of interest

Calls for expressions of interest comprise those documents required to admit respondents to an electronic database or pre-qualify respondents so that they may be invited to tender or to reduce the number of tenderers submitting tenders.

The notice and invitation to submit an expression of interest is a brief document, usually not more than one page. The press advertisement or the letter of invitation to specific firms to submit expressions of interest is frequently reproduced as the notice and invitation to submit an expression of interest.

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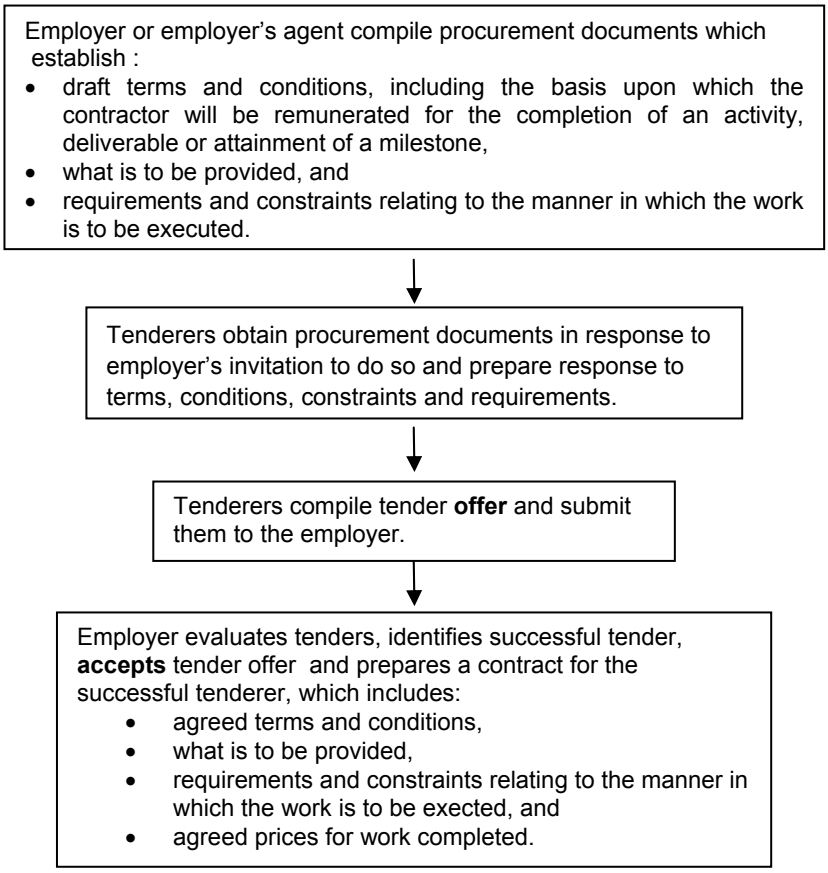


Figure A.1 — The concept of offer and acceptance

A.4.3 Tender documents

It may be desirable, in some instances, for employers to include a form entitled "summary for tender opening purposes" as the first page of a tender document to facilitate the reading out of tender parameters during the public opening of tenders. This optional section should capture the name of the contractor submitting a tender and the basic details of his offer. It is, however, essential that a statement in this section be made to the effect that in the event of any conflict between the data provided in the summary and that given in the tender, the latter applies.

The tender notice and invitation is a brief document, usually not more than one page. The press advertisement or the letter of invitation to specific firms to submit tenders is frequently reproduced as the tender notice and invitation to tender.

The list of returnable documents comprising the tender is a useful tool which, if prepared and used correctly, ensures that everything the employer requires a tenderer to submit with his tender offer is listed. This list obliges the employer to identify exactly what he wants and provides a useful basis of determining, at the outset, whether a tender offer is responsive to the requirements of the conditions of tender.

Returnable schedules that form part of the subsequent contract should be attached to the contract data, scope of work or the pricing data, as relevant, when compiling the final contract in the three-volume approach.

The list of returnable documents should, in the single-volume approach, indicate where the schedules that should be completed may be found, if they are not included in the returnable schedules.

A.4.4 Contract documents

The schedule of deviations attached to the form of offer and acceptance should, in the single-volume approach, contain the detail of every change made in terms of addenda issued before the close of tenders and all other changes

to the wording of the contract arising from the process of offer and acceptance. In the three volume approach, a brief summary of the changes should be provided in sufficient detail so as to allow the reader to understand the nature and extent of the changes. It is not necessary to provide the detail of the changes as these will be incorporated in the final contract documents. In the event that extensive deviations are made, it is preferable to switch to the three-volume approach and to incorporate the changes in the final contract documents.

Standard forms of contact need not be issued with a tender or included in the final contract document, but should be referred to as being part of the contract. Information should also be made available as to where copies of these documents can be obtained.

Forms of agreement, such as the forms of security (e.g. parent company guarantees, performance security (demand security), advance payment guarantees), the form of agreement for the appointment of an adjudicator, and the requirements to complete these, are normally obligations of and prescribed by the contract between the parties. Pro formas of these documents may be included at the end of Part C1: Agreements and contract data.

Pricing assumptions should, where appropriate, reference standard systems of measurement.

A.5 Compiling tender documents

In the single-volume approach, the procurement documents that are issued to tenderers become the contract documents. Figure A.2 illustrates the manner in which a contract is compiled where a three volume approach is adopted.

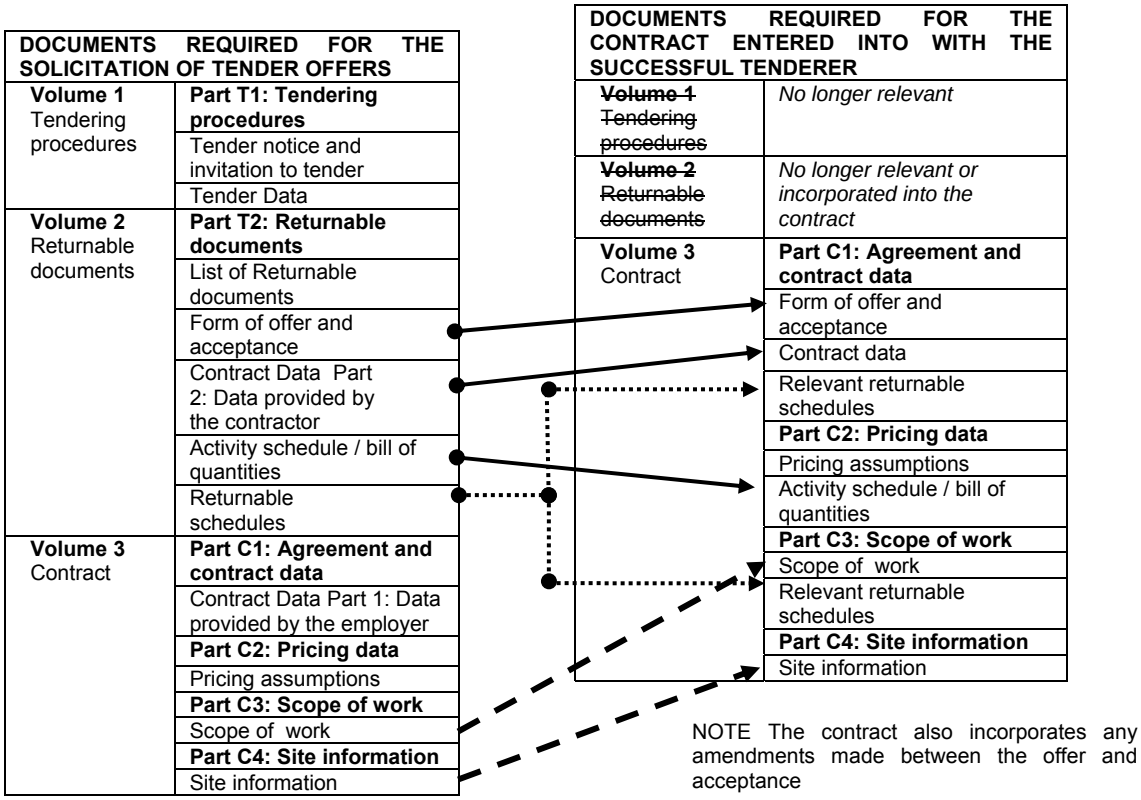


Figure A.2 — The relationship between the component documents in the final contract and those issued in terms of the three volume approach

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Annex B
(informative)

Example of a form of offer and acceptance

B.1 Offer

The employer, identified in the acceptance signature block, has solicited offers to enter into a contract for the procurement of:

.....

The tenderer, identified in the offer signature block, has examined the documents listed in the tender data and addenda thereto as listed in the tender returnables and, by submitting this offer, has accepted the conditions of tender.

By the representative of the tenderer, deemed to be duly authorized, signing this part of this form of offer and acceptance, the tenderer offers to perform all of the obligations and liabilities of the contractor under the contract, including compliance with all its terms and conditions according to their true intent and meaning, for an amount to be determined in accordance with the conditions of contract identified in the contract data.

The offered total of the prices inclusive of any value added tax or sales tax which the law requires the employer to pay is

..... Dollars (in words); $ . . . . . (in figures)

This offer may be accepted by the employer by signing the acceptance part of this form of offer and acceptance and returning one copy of this document to the tenderer before the end of the period of validity stated in the tender data, whereupon the tenderer becomes the party named as the contractor in terms of the conditions of contract identified in the contract data.

Signature(s) ....

Name(s) ....

Capacity ....

for the tenderer

.....

(Name and address of organization)

Name and signature of witness ..... Date .....

B.2 Acceptance

By signing this part of this form of offer and acceptance, the employer accepts the tenderer's offer. In consideration thereof, the employer shall pay the contractor the amount due in accordance with the conditions of contract identified in the contract data. Acceptance of the tenderer's offer shall form an agreement between the employer and the tenderer upon the terms and conditions contained in this agreement and in the contract that is the subject of this agreement.

The terms of the contract are contained in:

Part C1: Agreements and contract data (which include this agreement)

Part C2: Pricing data

Part C3: Scope of work

Part C4: Site information (engineering and construction works contracts only)

and drawings and documents or parts thereof, which may be incorporated by reference into the parts listed above.

Deviations from and amendments to the documents listed in the tender data and any addenda thereto, as listed in the returnable schedules, as well as any changes to the terms of the offer agreed by the tenderer and the employer during this process of offer and acceptance, are contained in the schedule of deviations attached to and forming part of this form of offer and acceptance. No amendments to or deviations from said documents are valid unless contained in this schedule.

The tenderer shall, within two weeks of receiving a completed copy of this agreement (including the schedule of deviations, if any), contact the employer's agent (whose details are given in the contract data) to arrange the delivery of any securities, bonds, guarantees, proof of insurance and any other documentation to be provided in terms of the conditions of contract identified in the contract data. Failure to fulfil any of these obligations in accordance with those terms shall constitute a repudiation of this agreement.

Notwithstanding anything contained herein, this agreement comes into effect on the date when the tenderer receives one fully completed original copy of this document, including the schedule of deviations (if any). Unless the tenderer (now contractor) within five working days of the date of such receipt, notifies the employer in writing of any reason why he cannot accept the contents of this agreement, this agreement shall constitute a binding contract between the parties.

Signature(s) ....

Name(s) ....

Capacity ....

for the employer

.....

(Name and address of organization)

Name and signature of witness ..... Date .....

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B.3 Schedule of deviations

1 Subject _____

Details _____

2 Subject _____

Details _____

3 Subject _____

Details _____

4 Subject _____

Details _____

By the duly authorized representatives signing this agreement, the employer and the tenderer agree to and accept the foregoing schedule of deviations as the only deviations from and amendments to the documents listed in the tender data and addenda thereto as listed in the returnable schedules, as well as any confirmation, clarification or changes to the terms of the offer agreed by the tenderer and the employer during this process of offer and acceptance.

It is expressly agreed that no other matter, whether in writing, oral communication or implied during the period between the issue of the tender documents and the receipt by the tenderer of a completed signed copy of this agreement, shall have any meaning or effect in the contract between the parties arising from this agreement.

Annex C
(informative)

Items which should be addressed in the scope of work

C.1 Engineering and construction works contracts

The topics tabulated in Table C.1 are recommended for inclusion in the scope of work of engineering and construction works. Some of the topics might not be required where use is made of standards for construction and management requirements, or a generic management specification issued by a particular employer, as these documents might adequately cover these topics. Likewise, the use of certain forms of contract and the adoption of some contracting strategies might obviate the necessity for some of the headings.

The list of topics should serve as a checklist for those compiling the scope of work to ensure that all requirements are stated.

NOTE The headings follow general project management practice, namely engineering – procurement – construction – management.

Table C.1 — Topics which should be considered in the development of the scope of work for engineering and construction works contracts

<table>
<tr><th>TOPIC</th><th>ASPECT</th><th>COMMENTARY</th></tr>
<tr><td colspan="3">DESCRIPTION OF THE WORKS</td></tr>
<tr><td>Employer's objectives</td><td>–</td><td>Describe the employer's objectives for the delivered end product or the project.</td></tr>
<tr><td>Overview of the works</td><td>–</td><td>Provide a short description of the works, its purpose, etc. including all necessary temporary works in addition to those designed by the employer.</td></tr>
<tr><td>Extent of the works</td><td>–</td><td>Provide a brief outline of the scope of work.
Ensure that all operations, particularly those requiring special attention, are listed.</td></tr>
<tr><td>Location of the works</td><td>–</td><td>State the place where the works shall be provided and provide numbers of drawings that describe its location.</td></tr>
<tr><td>Temporary works</td><td>–</td><td>Briefly describe the temporary works, as relevant, i.e. what they are and where they are located, and how they are to be dealt with upon completion.</td></tr>
<tr><td colspan="3">ENGINEERING</td></tr>
<tr><td>Design services and activity matrix</td><td>–</td><td>Identify responsibilities for design and related documentation:
Example
<table>
<tr><th>Activity</th><th>Responsibility</th></tr>
<tr><td>Obtain the necessary approvals from relevant authorities and submit documents to relevant authorities</td><td>Employer</td></tr>
<tr><td>Provide design concept and associated concept drawings</td><td>Employer</td></tr>
<tr><td>Provide preliminary working drawings</td><td>Employer</td></tr>
<tr><td>Provide detailed design and related construction drawings</td><td>Contractor</td></tr>
<tr><td>Design temporary works</td><td>Contractor</td></tr>
<tr><td>Produce record drawings</td><td>Contractor</td></tr>
</table></td></tr>
</table>

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Table C.1 (continued)

TOPIC	ASPECT	COMMENTARY
Employer's design	–	Describe the extent of the employer's design, if any.
Design brief	–	Where the contractor is responsible for the design, provide a comprehensive design brief which includes employer preferences and mandatory requirements, all constraints including size and space limitations and performance standards that set out both user and technical requirements in general terms, the levels of required performance for all attributes and the means by which compliance can be evaluated.
Drawings	–	State requirements for drawings to be prepared by contractor and list all drawings prepared by the employer.
Design procedures	–	Establish design procedures where the contractor is responsible for the design which, as a minimum, sets out: • interfaces with existing structures, plant, etc.; • any temporary works requirements, if any, e.g. specialized items of equipment; • design integration before and during construction; • procedures for all necessary approvals; • special procedures, e.g. environmental; • design change procedures; and • record keeping and tracking of documents.
PROCUREMENT		
Procurement procedures	**Requirements**	State requirements appropriate to the methodology and procedures which are to be followed.
	Participation of target groups	State the relevant part of ISO 10845 applicable to the contract and all data, variations and definitions required, e.g. definitions of target groups, weighting factors, etc.
Subcontracting	**Scope of mandatory subcontract works**	Describe work which the contractor is to subcontract to nominated, selected or specialist subcontractors.
	Preferred subcontractors / suppliers	List approved domestic subcontractors and suppliers, as necessary.
	Subcontracting procedures	State specific procedures relating to the selection and appointment of subcontractors, including requirements for subcontract documents, as necessary.
	Attendance on subcontractors	State requirements for attendance on nominated and other subcontractors.
CONSTRUCTION		
Works specifications	**Applicable national and international standards**	List all applicable national and international standards and all values pertaining to specific attributes relating thereto.
	Particular or generic specifications	Include or make reference to particular specicifications (purpose-written specifications for the project or specifications of the contracting authority) which are applicable to the works. Such specifications should be drafted such that they • contain acceptance procedures to enable compliance to be determined; • specify requirements uniquely and unambiguously; • set out requirements for items by describing both their physical and functional characteristics in a comprehensive manner; • preferably state what is to be provided and not how it is to be provided. Such specifications should not contain particulars relating to measurement and payment, i.e. matters pertaining to the pricing data.

Table C.1 (continued)

TOPIC	ASPECT	COMMENTARY
Works specifications	**Certification by recognized bodies**	State which institutions may certify items for inclusion in the works and building systems, e.g. member body of the World Federation of Technical Assessment Organisation.
	Agrément certificates	State requirements for the use of alternative materials which are the subject of an Agrément certificate. State requirements for providing Agrément Certificates.
Plant and materials	**Plant and materials supplied by the employer**	Provide details of all plant “free issue” and materials and state procedures associated therewith.
	Materials, samples and shop drawings	State requirements for proof of compliance with materials specifications, samples of materials and finishes, shop drawings required to amplify the designs of aspects of the works, use of proprietary materials, etc.
Construction equipment	**Requirements for equipment**	State minimum requirements for equipment, as necessary.
	Equipment provided by the employer	Provide details of equipment made available for use by the contractor and set out conditions relating thereto.
Existing services	**Known services**	Describe known services making reference to drawings containing known services and state requirements for locating, marking and recording such services.
Existing services	**Treatment of existing services**	State requirements for the treatment of existing services, i.e. their termination, diversion or continued use, either temporarily or permanently, and set out the procedures relating thereto.
	Use of detection equipment for the location of underground services.	State requirements, as necessary, for the use and availability of detection equipment for the location of underground services.
	Damage to services	State responsibility for damage to services, known and unknown, and requirements for working in close proximity to services, etc.
	Reinstatement of services and structures damaged during construction	State requirements and reinstatement procedures for the notification and repair of damage to services, penalties applicable to the damage of services, etc.
Site establishment	**Advertising rights**	Establish the rights relating to advertisements.
	Notice boards	State requirements, if any, for notice boards, e.g. size, content, placement, design, timing for removal, etc., including those in respect of all types of subcontractors.
	Facilities provided by the contractor	State requirements for facilities to be provided by the contractor such as construction camps, offices and workshop facilities for the due and proper fulfilment of the contract, and those facilities for use by the employer and his agents. Also state what should happen to these facilities upon completion of the contracts. Set out constraints, if any, as to the location by the contractor of such facilities on the site, and requirements for drawings of site facilities, as necessary.

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Table C.1 (continued)

TOPIC	ASPECT	COMMENTARY
Site establishment	**Services and facilities provided by the employer**	State the facilities and the services, if any, which are to be provided by the employer, e.g. • water: location, quality, approximate pressure, source, etc • electricity: location, phase, source, etc. • telecommunication services: location of lines, etc. • ablution facilities: nature and location • accommodation: nature and location • medical / first aid facilities: nature and location • fire protection services: nature and location • other: describe as appropriate. State requirements, as necessary, for the contractor to • connect to, and distribute water, electricity and telecommunication services, • provide stand-by or back-up for each service or facility the employer might provide, in the event of its interruption or failure, • clear up and make good when the service or facility is no longer required, i.e. leave the employer's facilities in the condition they were before the contractor first made use of them, fair wear and tear excepted, and • continuously clear and dispose of waste and surplus materials to maintain the site in a tidy state.
	Storage and laboratory facilities	State requirements for storage and laboratory facilities.
	Other facilities and services	State requirements for all other temporary facilities necessary for providing the works which are not provided by the employer, including power, water, telecommunications, security services, medical, fire protection, sanitation and toilets, waste disposal.
	Vehicles and equipment	State requirements for vehicles, computers, survey and testing equipment, office furniture, etc. for the use of the employer and his agents.
Site usage	–	State restrictions, if any, placed on the contractor and his subcontractors.
Permits and way leaves	–	Provide information on permits and way leaves obtained by employer from authorities and state requirements for the contractor to obtain permits and way leaves from authorities.
Alterations, additions, extensions and modifications to existing works	–	State requirements for the contractor to satisfy himself that the dimensional accuracy, alignment, levels and setting out of existing structures or components thereof are compatible with the proposed works, and the procedures for notifying the employer's representative where this is not the case. Also state procedures for dealing with the detection of defects in work previously executed that will impact on the works.
Inspection of adjoining properties	–	State requirements for the inspection with the owners of adjacent buildings and properties and representatives of local authorities before commencing with works that have the potential to damage surrounding buildings and property.
Water for construction purposes	–	State arrangements for procuring, transporting, storing, distributing and applying the water needed for construction purposes.
Survey control and setting out of the works	–	Provide information on survey controls established by the employer, if any, and state requirements for survey control and the setting out of the works.
MANAGEMENT		
Management of the works	**Applicable national standards**	List all applicable national standards and all values pertaining to specific attributes relating thereto.
	Particular /Generic specifications	Make reference to particular (purpose-written) or generic specifications prepared by the employer applicable to the contract.

Table C.1 (continued)

TOPIC	ASPECT	COMMENTARY
Management of the works	**Planning and programming**	State requirements for format of programme, level of detail, critical path activities and their dependencies, frequency of updating, etc. Provide particulars of phased completion, programme constraints, milestone dates for completion, etc., as necessary.
	Sequence of the works	State requirements for sequence of the works, if so required.
	Methods and procedures	State requirements, restrictions or procedures, as relevant, in respect of: • the way in which work is to be executed when buildings are occupied; • the cleanliness of the site; • protection of trees and shrubs; • blasting operations; • the location of borrow pits, disposal of excess materials, deposition of materials, etc. in earthworks activities; • work on or adjacent to structures, railway lines, pipelines, roads, cables, etc.; • the management and disposal of water on the site arising from whatever cause; • access, roads, maintenance of accesses and walkways; • cooperation with others on the site; • existing premises and adjoining properties; • dealing with underground and other existing services, cable and pipe trenches and covers; • dealing with objects of historical or environmental interest; • title to materials from excavation and demolition; • site records; • hours of work; rules and conduct in respect of the personnel of the contractor and his subcontractors; • noise, dust, water, waste and other impediments; • checking work of others; • access for other contractors; • giving notice of work to be covered up; • scaffolding and temporary works; • care of the works; plant and materials; • establishing and removing equipment from the site; • samples and mock ups; • progress photographs; • maintenance until completion; • plant codification (configuration management); • training of operators; • materials storage facilities and samples for tests and inspections to be provided; • etc.
	Software application for programming	State any requirements
	Quality plans and control	State requirements for quality plans and when they are to be provided. Also state requirements for quality control, samples of workmanship, samples of materials for testing, etc.
	Environment	State requirements or constraints (or both) pertaining to the minimizing of dust nuisance, noise levels, pollution of streams, and inconvenience to, or interference with, the public or others arising out of the execution of the works. Also state any constraints to construction contained in environmental impact studies or environmental management requirements.
	Accommodation of traffic on public roads occupied by the contractor	State requirements for safety, clearances, temporary deviations, access to properties, temporary traffic control facilities, etc.

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Table C.1 (continued)

TOPIC	ASPECT	COMMENTARY
Management of the works	**Other contractors on site**	Identify other contractors who may be employed on or near the site and are not included in the contract. Establish which parts of the site they will occupy and for what periods.
	Testing, completion, commissioning and correction of defects	State requirements or procedures (or both) for: • use of the works before completion has been certified; • handover or beneficial occupation; • precommissioning and commissioning of the works or part thereof, before and after completion; • certifying completion; • start-up, operation of the works, special arrangements associated with operating plant and machinery, etc.; • training and technology transfer; • take over; • operational maintenance (if any), after completion; • work which contractors may carry out after completion has been certified (in addition to correcting defects); and • arranging access for correction of defects.
	Recording of weather	State requirements for the recording and gathering of weather data.
	Format of communications	State formats of different types of communications (e.g. site instructions, requests for inspections) and attach pro formas of such documents, as necessary, to the end of the scope of work.
	Key personnel	State requirements for a schedule of key personnel or schedule of contact particulars of key personnel, if required, and state when the schedule is to be submitted to the employers' representative. Attach pro formas of such documents to the end of the scope of work.
	Management meetings	Provide particulars of times, days, location, attendance requirements, etc., as required and state requirements for representatives having the necessary delegated authority in respect of aspects such as planning, change management and health and safety.
	Forms for contract administration	State requirements, if any, for use of standard forms for contract administration purposes and attach pro formas of such documents to the end of the scope of work. Also state if forms are available in electronic format.
	Electronic payments	State details required or procedures to obtain electronic payments, as relevant.
	Daily records	State requirements for daily records of resources (people and equipment employed) or site diaries in respect of work performed on the site and where such documents are to be held.
	Payment certificates	State requirements for substantiation of claims in payment certificates to expedite verification and certification by employer’s representative.
	Permits	State requirements for contractor’s staff to have security / entrance permits, etc.
	Proof of compliance with the law	State specific documents / methods by which compliance with any legislation is to be verified, as necessary.
Health and safety	**Health and safety requirements and procedures**	Establish health and safety requirements and make reference to health and safety specifications, any contract between the contractor and employer, schedules, etc. Also state when such documents are to be submitted to the employer's representative. Attach pro formas of such documents to the end of the scope of work.

Table C.1 (concluded)

TOPIC	ASPECT	COMMENTARY
Health and safety	**Protection of the public**	State requirements for the erection, maintenance and removal upon completion of hoardings with gantries, fans, safety screens, barriers, access gates, covered gangways, etc. as necessary for the enclosure of the works or portions thereof.
	Barricades and lighting	State requirements for barriers, hoardings, access gates, fences, access gangways and hand-railing, weather protection, temporary lighting and anything else necessary for the security, protection, and safety of the public, employees of the contractor and others.
	Traffic control on roads	State safety requirements and procedures where the contractor has occupation of public and private roads.
	Measures against disease and epidemics	State requirements for measures to be taken to prevent the spread of diseases and epidemics.
	Aids awareness	State requirements for aids awareness campaigns, counselling, etc.
ANNEXES		
Annexes	**(List by title)**	Attach other data sheets, completed returnable schedules, pro forma documents, particular specifications, drawings, sketches, etc. that are referred to in this document.

C.2 Services contracts

The topics tabulated in Table C.2 are recommended for inclusion in the scope of work of services contracts. The topics should serve as a checklist for those compiling the scope of work to ensure that all requirements are stated.

Table C.2 —Topics which should be considered in the development of the scope of work for services contract

TOPIC	COMMENTARY
Client's / employer's objectives	Describe the client's or employer's overarching objectives for the project, including if necessary, the time frames for completion and expected outcomes.
Background	Describe the background to the project where the contractor is required to submit an approach paper. The background should contextualize the project and provide sufficient background information and available data for the contractor to respond to stated and perceived requirements. Or Describe, where necessary or appropriate, the background to enable the contractor to have a better understanding of the client's objectives. The background should include, as relevant and appropriate, the rationale of the project, the project history (what has been done so far and by whom), a list of relevant studies and basic data, the need for a contractor and an outline of the issues which the contractor should resolve.
Management / Oversight structures for the project	Describe any structures that have been put in place, if any, to exercise overall oversight and management of the project and indicate how the contractor is to interface or interact with such structures. Indicate, if relevant, the role and responsibilities of everybody involved; and specify the type, timing, and relevance of everyone's participation. Clarify institutional arrangements for the supervision of the work, if not adequately addressed in the contract data.
Description of the services	Provide a short description or outline of the extent of the services and outline what the contractor is to provide or key deliverables. The descriptions should indicate the nature and broad scope of the services to be performed.

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Table C.2 (continued)

TOPIC	COMMENTARY
Requirements	The requirements should state that the service shall satisfy the stated objectives of the employer in relation to the services identified in the description of services. Reference should thereafter be made to minimum requirements, i.e. what the contractor is expected to provide in relation to specific tasks, or functions in relation to the services that are to be provided to achieve the expected results. Reference can be made to generic scopes of work to establish minimum requirements. Alternatively, minimum requirements should be stated to ensure that the required outputs and deliverables are achieved. The requirements should generally not describe the approach or methodology by which the results are to be achieved, since these are the task of the contractor. Where appropriate, acceptance criteria should be stated; the desired level of detail; main issues to be addressed; alternatives to be considered; necessary surveys, special analyses, and models; special equipment requirements; institutional and legal framework of the project; language requirements; and quality management requirements (if needed). It may also be necessary to establish time frames for deliverables, and reporting requirements (format, frequency, and content of reports as well as the number of copies, the language, and the names of the prospective recipients of the reports).
Co-operation with other services providers	Identify other contractors on the project and establish how interactions are to take place.
Facilities and equipment to be provided by the contractor	Describe the facilities, office space, equipment, software, vehicles, telecommunication systems, etc. which the contractor is to provide.
Facilities and equipment to be provided by the employer	Describe the facilities, office space, equipment, software, vehicles, telecommunication systems, etc. which the employer will provide.
Reference data	State the reports, surveys, agreements, etc. upon which the contractor is to base his service, if any. This information may include past studies, aerial photographs, maps, or records of surveys carried out in the assignment area.
Applicable national and international standards	List all applicable national, regional and international standards and all values pertaining to specific attributes relating thereto.
Particular/Generic specifications	Attach or make reference to particular (purpose written) or generic (standard or in-house) specifications which are applicable to the services. Such specifications should be drafted such that they: • contain acceptance procedures to enable compliance to be determined; • specify requirements uniquely and unambiguously; • preferably state what is to be provided and not how it is to be provided.
Approvals	Identify all those parties from whom the contractor has to obtain approvals and outline the procedures that are to be followed.
Procurement	State requirements appropriate to the methodology and procedures that are to be followed. State the part of ISO 10845 applicable to the participation of targeted enterprises and all parameters associated therewith.
Access to land / buildings / sites	Describe arrangements for access to land, buildings or sites and any restrictions relating thereto.

Table C.2 (concluded)

TOPIC	COMMENTARY
Planning and programming	State requirements for format of programme, level of detail, critical path activities and their dependencies, frequency of updating, key dates, etc. Provide particulars of phased completion, programme constraints, milestone dates for completion etc., as necessary. List the activities to be carried out by the employer/client or by others which are to be included in the contractor's programme.
Software application for programming	State any requirements including file format for submission of data and documents.
Quality management	Briefly describe • what quality management systems the contractor will be required to operate • the intention of the employer or client in terms of the monitoring of quality management, who will carry out such monitoring (employer, client or agent) and if the monitoring forms part of a quality management system or will require only an occasional verification.
Format of communications	State formats of different types of communications and attach pro formas of such documents as an annexure to the scope of work. Also state requirements for the format of documents which are to be retained, e.g. microfilm, computer tapes or CDs or original form.
Key personnel	State requirements for a schedule of key personnel or schedule of contact particulars of key personnel, if required, and state when the schedule is to be submitted. Attach pro formas of such documents to the end of the scope of work, if not provided for in the contract data.
Management meetings	Provide particulars of times, days, location, attendance requirements, etc., as required, and state requirements for representatives having the necessary delegated authority.
Forms for contract administration	State requirements, if any, for use of standard forms for contract administration purposes and attach pro formas of such documents at the end of the scope of work. Also state if forms are available in electronic format.
Electronic payments	State details required or procedures to obtain electronic payments, as relevant.
Daily records	State requirements for daily records of time spent, if not provided for in the contract data.
Payment certificates	State requirements for substantiation of claims in payment certificates to expedite verification and certification by employer's or client's representative, if not provided for in the contract data.
Property provided for the contractor's use	List all property to be provided by the employer or client and others for the contractor's use.
Proof of compliance with the law	State specific documents or methods by which compliance with any legislation is to be verified, as necessary.
ANNEXES	
List by title	Provide data sheets, completed returnable schedules, pro forma documents, particular specifications, drawings, sketches, etc. which are referred to in this document.

C.3 Supply contracts

The topics tabulated in Table C.3 are recommended for inclusion in the scope of work of supply contracts. The topics should serve as a checklist for those compiling the scope of work to ensure that all requirements are stated.

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Table C.3 — Topics which should be considered in the development of the scope of works for supply contracts

TOPIC	COMMENTARY
Employer's or purchaser's objectives	Describe the employer's or purchaser's objectives for the goods as delivered.
Overview of the required goods	Provide a short description of the goods to be provided.
Extent of the goods	Provide a brief outline of the quantity, duration and nature of the goods.
Applicable national and international standards	List all applicable national, regional and international standards and all values pertaining to specific attributes relating thereto.
Particular or generic specifications	Include or make reference to particular (purpose-written for the project) or generic (standard specifications of the procuring department) specifications that are applicable to the goods.
Specific requirements	State specific requirements, as necessary, including those for packaging and protection, units of supply (e.g. delivered in bulk or bags), and for handling (e.g., gases, liquids, powders, grains, etc).
Delivery	Provide delivery details including information such as • specific delivery requirements; • place of delivery; and • time for placing of orders and rate of delivery; and • means of transportation, if relevant.
Certification by recognized bodies	State which institutions may certify acceptability of items.
Quality plans and control	State requirements for quality plans and when they are to be provided. State requirements for quality control, samples of items, etc.
Procurement	State requirements appropriate to the methodology and procedures that are to be followed. Make reference to preference schedules, if any. State the number, title, part of ISO 10845 relating to the participation of targeted enterprises or targeted labour (or both) applicable to the contract and all data, variations and definitions required e.g. definitions of target groups, weighting factors, etc.
Format of communications	State formats of different types of communications (e.g. orders) and attach pro formas of such documents to the end of the scope of work.
Forms for contract administration	State requirements, if any, for use of standard forms for contract administration purposes and attach pro formas of such documents, to the end of the scope of work.
Electronic payments	State details required or procedures to obtain electronic payments, as relevant.
Bonds and guarantees	State number of copies and the place where bonds and guarantees are to be lodged. State the place where bonds and guarantees can be collected when they are released in accordance with the contract.
Payment certificates	State requirements for substantiation of claims in payment certificates to expedite verification and certification by the employer's representative.

Table C.2 (concluded)

TOPIC	COMMENTARY
Insurance provided by the employer or supplier	State where copies of insurance effected by the employer or supplier may be obtained.
Health and safety requirements and procedures	Establish health and safety requirements and make reference to health and safety specifications, any contract between the contractor and employer, schedules, etc. Also state when such documents are to be submitted to the employer's representative. Attach pro formas of such documents to the end of the scope of work.
ANNEXES	
(List by title)	Attach data sheets, completed returnable schedules, pro forma documents, particular specifications, drawings, sketches, etc. that are referred to in this document.

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Annex D
(informative)

Standardized procurement documents

The generic categorization of contracts into supply, services, and engineering and construction works contracts enables the contracting environment to be rationalized, simplified and regulated.

Should employers

a) prepare standard procurement packages for the full range of generic categories of contracts and the main sub-categorisations complete with standard forms, conditions of tender, data forms, etc., in accordance with the framework provided in this part of ISO 10845,

b) prepare compilation guides to assist those responsible for preparing procurement documents to do so, and

c) create an electronic library of procurement documents,

then procurement documents can be compiled routinely as illustrated in the process flow chart contained in Figure D.1.

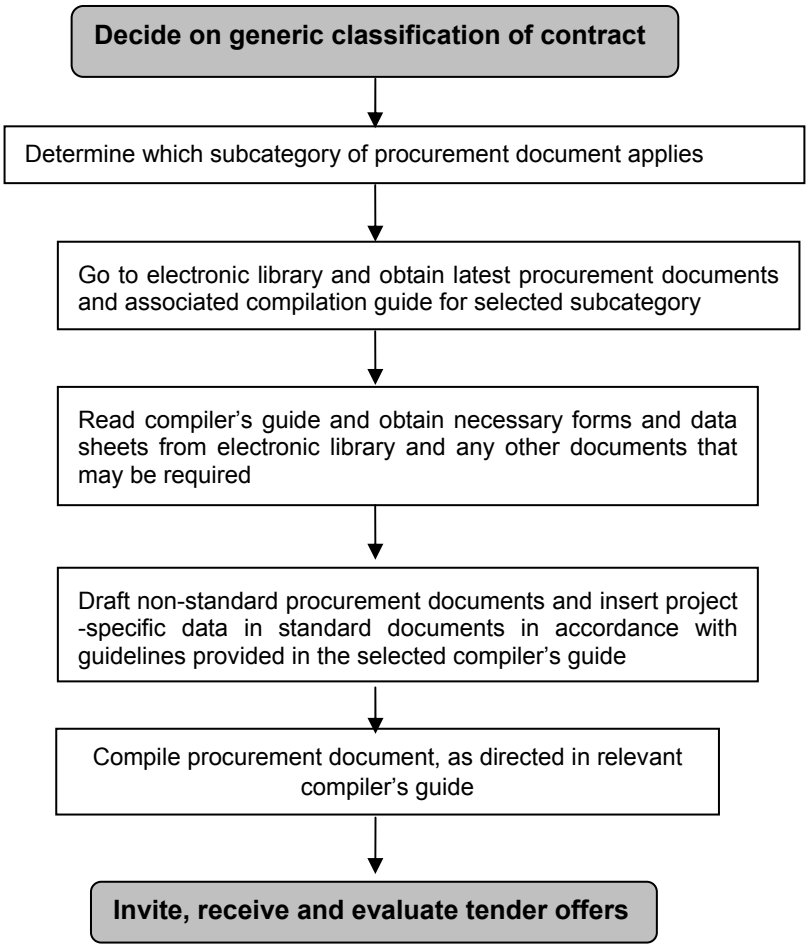


Figure D.1 — Process flow chart for the compilation of procurement documentation from an electronic library

Employers can also make extensive reference to standard documentation and compile only those documents or portions thereof that are purpose-written for a project and insert project-specific data or variables in standard templates. The actions which compilers will need to take in respect of each and every heading in such circumstances are tabulated in Table D.1.

Table D.1 — Compiler's actions where an employer has developed a standardized procurement package

Volumes		Standard heading	Compiler's actions
Number	**Description**		
Volume 1	**Tendering procedures**	**Tendering procedures**	
		Tender notice and invitation to tender	Insert tender specific data in pro forma document
		Tender data	Insert tender specific data in pro forma document
Volume 2	**Returnable documents**	**Returnable documents**	
		List of returnable documents	Modify list in pro forma document
		Forms of offer and acceptance	Insert standard documents with or without minor project specific data.
		Contract data (Data completed by contractor)	Insert contract-specific data in pro forma document
		Activity schedule / Bill of quantities	Develop purpose-written document using standard templates
		Returnable schedules	Select from library the required schedules and insert into volume.
Volume 3	**Contract**	**Part 1: Agreement and contract data**	
		Contract data (Data completed by employer)	Insert contract-specific data in pro forma document
		Forms of securities	Select from library the required form and insert into volume
		Forms for adjudicators' appointment	Insert standard document, if required.
		Part 2: Pricing data	
		Pricing assumptions	Develop purpose-written assumptions using the standard template or select standard assumptions from library and insert into volume.
		Part 3: Scope of work	
		Scope of work	Develop purpose-written scope of work using the standard template
		Part 4: Site information	
		Site Information	Develop purpose-written information using the standard template

NOTE This table provides the compiler's actions where the three-volume approach is used. The same actions apply to the single- volume approach

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[4] ISO/CD 10845-4, *Construction procurement – Part 4: Standard conditions for the calling for expressions of interest*

[5] ISO/CD 10845-5, *Construction procurement – Part 5: Participation of targeted enterprises in contracts*

[6] ISO/CD 10845-6, *Construction procurement – Part 6: Participation of targeted partners in joint ventures in contracts*

[7] ISO/CD 10845-7, *Construction procurement – Part 7: Participation of local enterprises and labour in contracts*

[8] ISO/CD 10845-8, *Construction procurement – Part 8: Participation of targeted labour in contracts*