

# Gender-responsive Public Procurement

## Choosing the procedure

Directive 2014/24/EU defines six separate procedures for the award of contracts:

- open procedure
- restricted procedure
- competitive procedure with negotiation
- competitive dialogue
- innovation partnership
- design contest.

While GRPP may be applied in any of these procedures, when **open or restricted** procedures are used, there is no flexibility to engage with bidders to refine their offers in respect of gender equality or other considerations. This makes the use of preliminary market consultations particularly important when authorities choose to implement GRPP using these procedures.

The **competitive dialogue** procedure allows bidders to propose different solutions that respond to a defined need, which are then refined in consultation with the **contracting authority**. The **innovation partnership** procedure allows a structured and phased contract to be awarded to one or more partners to carry out research and development, prototyping and testing of a new product or service to meet public sector needs. The contracting authority can then purchase the outcome on a commercial scale. There is potential for this procedure to support research and development of gender-responsive services, infrastructure or technology to meet public needs.

## On the choice of procedure

A contracting authority might choose to use competitive dialogue when awarding a service contract with complex gender issues (e.g. access to community health services), allowing bidders to refine/develop their proposals following feedback from the contracting authority, gender experts or potential users of the services.

## **How to act**

Use the decision tree of [Tool 5](#) to choose the most appropriate procedure to implement GRPP.

If your organisation allows the use of only the open or the restricted procedure, ensure that you have completed adequate market consultation to set well-targeted GRPP criteria.

If flexible procedures such as the competitive procedure with negotiation or competitive dialogue can be used, ensure that GRPP considerations are included in the negotiation/dialogue.

## **Mistakes to avoid**

While GRPP can be included in any procurement procedure, extra time may be required to prepare tender documents and evaluate tenders, especially the first time that GRPP criteria are applied.

Avoid setting a very short tender response period, as this will limit the quality of responses to GRPP criteria.

In tenders under the EU directives' light regime (see "[Light regime for social, health and other specific services](#)") or national procedures, the principles of transparency and equal treatment still apply. GRPP approaches must therefore reflect these principles. For example, it would not generally be possible to insist that bidders participate in a national training programme or certification related to gender equality.