

Gender-responsive Public Procurement

Pre-procurement stage



Figure 2. GRPP at the pre-procurement stage

Prior to launching a tender, contracting authorities undertake various preparatory activities. This is an important stage in the implementation of GRPP, as it determines the way in which the authority will interact with the market to purchase supplies, services or works according to its needs.

During this stage, you need to reflect on:

- whether the contract has a gender perspective;
- who the ultimate beneficiaries of the contract are and whether they include both women and men, in all their diversity;
- whether there are differences in the situations of those women and men, for example their specific needs in relation to the product or service being provided.

Gender analysis^[1] can be undertaken as part of a broader **needs assessment**, ensuring that the needs of both women and men, in all their diversity, are considered. It can also form a key part of a **preliminary market consultation**, to develop the procurement documents and inform the market about gender aspects of the contract. While Directives 2014/23/EU, 2014/24/EU and 2014/25/EU do not strictly regulate the pre-tender stage, care is needed to ensure that activities do not prejudice the procedure, for example by giving any operator an unfair advantage or disadvantage. The TFEU principles of transparency and equal treatment must be respected in all interactions with bidders.

How to act

Carry out a risk assessment for public contracts prior to tendering, including an analysis of issues such as equal pay and gender discrimination throughout the supply chain.

Provide procurement staff with information on GRPP as part of their core training, together with examples and tools such as standard forms/checklists to support its implementation.

Undertake capacity-building programmes, including through secondments with gender equality bodies, to develop implementation skills for GRPP, including a better understanding of the essential concepts of gender equality and gender mainstreaming.

Footnotes

[1] EIGE, 2019b.