

# Gender-responsive Public Procurement

## Selection criteria

Selection criteria may address legal capacity, financial and economic standing, technical ability (including experience) and professional skills and qualifications. Selection criteria should be tailored to the specific contract and should be proportionate to the requirements. However, many authorities apply a generic approach to selection and are reluctant to introduce new criteria. This may limit the extent to which GRPP selection criteria are applied.

There are two main ways in which selection criteria can contribute to GRPP:

- 1 taking account of specific **skills, experience and technical capacity** to implement gender aspects of the contract;
- 2 not erecting barriers to participation of ‘non-traditional’ contractors, which may include **SMEs, women-owned businesses and social enterprises**.

An example of the first approach would be in a contract to deliver community health services, in which bidders could be required to demonstrate prior experience in reaching both women and men, in all their diversity, and addressing their respective health issues.

An example of the second approach would be lowering or removing the minimum annual financial turnover requirements set for bidders to allow smaller organisations and those operating as social enterprises to bid. This would need to take account of the specific financial risks associated with delivering the contract.

## Examples of selection criteria that include gender aspects

EIGE launched a tendering procedure to contract a professional service provider that would carry out a study on gender equality and the socioeconomic consequences of the COVID-19 crisis<sup>[1]</sup>. The selection criteria included that ‘the tenderer must prove **experience** in research and statistical analysis in the fields of technological developments in the labour market, labour market and gender equality, as well as drafting reports and recommendations’<sup>[2]</sup>.

For a framework agreement for the provision of a wide range of services related to expert language reviews for publications and website texts produced by EIGE in English and translated into other official EU languages, EIGE required tenderers to demonstrate their **capacity** to provide specialised editing services in the EU languages other than English, taking into account gender-sensitive language, as well as experience working with texts related to gender equality.

## **How to act**

Decide which types of GRPP selection criteria are most relevant to include, based on the requirements of the contract/framework and of the profile and the capacity/experience of the market players.

Link GRPP selection criteria to other criteria/requirements within the tender so that they are complementary (e.g. if the technical specifications require gender sensitivity training to be carried out, the selection criteria could ask for previous experience and/or a demonstration of the technical capacity to carry out this training).

While previous experience in addressing gender aspects of contracts may be important in some cases, consider carefully how to formulate this requirement so that it also enables bidders to develop their own capacity in this regard.

## **Mistakes to avoid**

Avoid applying standard selection criteria that require minimum levels of turnover or insurance or a specific number of previous contracts, as such criteria can exclude new or small organisations from bidding. This can also have an effect on the number of women-owned or -operated businesses successfully competing for public contracts.

### **Footnotes**

[1] For more information, see the contract notice (<https://ted.europa.eu/udl?uri=TED:NOTICE:348303-2020:TEXT:EN:HTML&tabId=0>).

[2] See the tender specifications (<https://etendering.ted.europa.eu/document/document-file-download.html?do...>), p. 45.