



Ensuring Transparency in the Swiss Challenge Method (when used for Public Procurement)

Presentation at AP-HRDI (GoAP)

by

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Salient aspects of Swiss Challenge Method

- A Private Sector entity (Original Project Proponent) submits an Unsolicited or Suo-Motu proposal and draft contract principles for undertaking a Project, not already initiated by the Government Agency or the Local Authority
- If the Government Agency finds the proposal (original or modified through discussions) relevant and useful, it invites competitive counter proposals (with adequate notice)
- The proposal and contract principles of the Original Project Proponent (including DPR and related agreement, but excluding proprietary information) would be made available to any interested applicants;
- Through 'Competitive Bidding', the applicants get an opportunity to better the Original Project Proponent's proposal.

Salient aspects of Swiss Challenge Method

- If the Government finds a counter proposal more attractive, then the Original Project Proponent will be given the opportunity to match the competing counter proposal and win the Project.
- In case the Original Project Proponent is not able to match the more attractive competing counter proposal, the Project is awarded to the entity which has given the more attractive counter proposal
- Private Sector Participant, submitting the more attractive competing counter proposal;

Note: Depending on the Policy of the concerned Government, the cost for conducting detailed studies or preparation of DPR may or may not be reimbursed to the project proponent by the Government Authority. However, if the project is awarded to the successful bidder other than the project proponent, then depending upon the policy of the concerned Government Authority, the DPR preparation cost could be reimbursed by the successful bidder. In the event the Government Authority reimburses a reasonable cost to the project proponent, the suo-motu proposal and the Concession Agreement prepared by the Original Project Proponent shall typically become be the property of the Government Authority..

Ensuring Transparency in Swiss Challenge Method through e-Procurement

- Once the Government decides to invite competing counter-proposals, then subject to limitations of the associated 'offline decisions/ processes', the e-procurement process can be conducted in a transparent manner with high-integrity, if the e-procurement system has been built with proper safeguards (as discussed in the security-presentation)
- (Note: Offline decisions which could be the cause of 'non-transparency' are – Insufficient Response Time; Unfair Eligibility Criteria; Insufficient Disclosure, etc)
- Tender Notice for Open Competition can be given transparently clearly mentioning the 'Swiss Challenge' approach
- The Tender Notice should be searchable as a 'Swiss Challenge' tender
- The Tender Documents should include a copy of the Original Proponent's DPR which should be transparently displayed to prospective bidders in a manner such that its 'Integrity' can be checked
Note: Original Proponent will not participate in the bidding process at this stage, and will come in post-evaluation to Match or Deny the "Best Evaluated Counter Proposal"

Ensuring Transparency in Swiss Challenge Method through e-Procurement

- Depending upon the nature of the project, it should be possible in the e-Procurement system to [configure the most appropriate bidding process](#) for the 'Swiss Challenge' which could include one or more of the following:
 - Rules for Bidding process for inviting counter proposals to be decided by the Government Authority/ Purchasing Entity
 - Direct Bidding, or Prequalification followed by Bidding
 - Decision about Bidding methods such as --
 - Single-stage, single-envelope
 - Single-stage, two-envelope(Where required, the above followed by e-ReverseAuction)
 - Techno-Commercial followed by e-ReverseAuction
 - etc

Configuring the Bidding Process with Swiss Challenge Method

ElectronicTender System (ETS) - Windows Internet Explorer
http://develop.advplus-electronictender.com/EtsHome/ItfpCore/ItfpTenderRefClassi.aspx

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ElectronicTender System (ETS)

* Tendering Objective/ Method >>

- Prequalification
- Bidding
- Prequalification followed by Bidding
- Prequalification followed by e-ReverseAuction
- Techno-Commercial followed by e-ReverseAuction
- Prequalification followed by e-ForwardAuction

* Would this tender be restricted to 'Prequalified Bidders' of a Prequalification exercise done earlier? >> Yes No

* If 'Yes' is selected in the above question, select Tender Search Code of relevant Prequalification exercise >> Select TSC of Prequalification View

* In addition to TSC, is there a requirement for Buyer's Tender Reference Number (B-TRN)? >> Yes No

* If "Yes" has been selected in the above question, enter B-TRN NVBO1-SwCm-2017#00014

* Is there a requirement for alternative description for the field "Buyer's Tender Reference Number"? >> Yes No

* If "Yes" is selected in the above question, enter alternative field description for "Buyer's Tender Reference Number" NVBO1 SwCm Reference

* Category of Tender >> Open Limited

* If Open, is it a Global Tender? >> Yes No

* If Limited, would International Bidders be invited? >> Yes No

* If Limited, is this a case of 'Single-Tender/ Nomination'? >> Yes No

* Should Notice Inviting Tender (NIT) of this 'Limited Tender' be searchable/ viewable by all parties? Yes No

* Is the methodology selected above to be executed under 'Swiss Challenge'? Yes No

* Nature of Tender Documents >>

- Prequalification Documents
- No Prequalification Documents. Only Post-PQ Tender Documents

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Ensuring Transparency in Swiss Challenge Method through e-Procurement

■ Steps from Issue of Tender Notice Onwards

- Online posting of digitally signed Tender Notice/ Corrigenda inviting [counter proposals](#) under Swiss Challenge method [The Tender Notice should be searchable with the keywords 'Swiss Challenge'].
- Online uploading of digitally signed Tender Documents/ Addenda, along with digitally signed [DPR](#) [as a separate file].
- Online posting of digitally signed Clarification to Tender Documents by Bidders, and corresponding digitally signed response by Buyer.
- Online Pre-Bid Meeting/ digitally signed Minutes of Pre-Bid Meeting
- Online Bid-submission, as per rules configured by the Buyer for that tender [This should include features like – unquestionable Bid-Confidentiality through appropriate encryption techniques; Ensuring Integrity of Bid through digital signature of the respective Bidders; facility for Modification/ Substitution/ Withdrawal; et al.]

ElectronicSearch™ for Tendering Opportunities - Swiss Challenge Methodology

ElectronicTender System (ETS) - Windows Internet Explorer
http://develop.advplus-electronictender.com/etshome/AdvElectronicSearch/AdvESearchToCriteria.aspx

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Favorites ElectronicTender System (ETS)

Advanced ElectronicSearch™

ElectronicSearch™ for Tendering Opportunities

Page Help

General guidelines for various sections on this page can be viewed by clicking on the 'Page Help' icon on top right-hand corner. Field-specific help can be viewed by clicking on ? adjacent or below that field, or question. Mandatory fields are indicated by (*). This requirement does not apply to disabled fields. For security/ functionality reasons, 'Back Button' of the browser has been made dysfunctional on ETS. For navigation, please use buttons such as -- Previous, Next, Reset, Cancel as provided on each screen. Enabled fields with (>>) invoke intermediate processing. If a user is inactive for 30 minutes (ie no submission is made to the server for 30 minutes), the session will be timed out and, the user will have to log in again, if required.

Criteria for ElectronicSearch™

* Main Search Criterion ? >> Tenders Floated on ETS [Switch to 'Keyword Based' Search](#)

Criteria relating to Organization Information

Organization ID (OID) ?

Legal Structure ? Select Legal Structure

Organization Name ?

Country ? >> Select Country

State/ Province ? Select State/ Province

Criteria related to Tendering Objective/ Method for which tender is floated

Tendering Objective/ Method

Prequalification
 Bidding
 Prequalification followed by Bidding
 Prequalification followed by e-ReverseAuction
 Techno-Commercial followed by e-ReverseAuction
 Prequalification followed by e-ForwardAuction

Special Methodology Tenders

Tenders to be responded under 'Swiss Challenge' methodology Yes No

Criteria relating to Tender-Notice Reference

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ElectronicSearch™ for Tendering Opportunities - Swiss Challenge Methodology

The screenshot shows the ElectronicTender System (ETS) website interface. At the top, there is a navigation bar with the ETS logo and a banner for advertisement. Below the banner, there are navigation links and a user login status. The main content area is titled "Advanced ElectronicSearch™" and includes a "Page Help" icon. A detailed help text box explains the search criteria and navigation instructions. Below this, a section titled "Result of ElectronicSearch™ for Tendering Opportunities" displays a list of tenders. Two tenders are highlighted with a red box:

- Bidding (Open - Global) Under 'Swiss Challenge' methodology** (View NIT posted on ETS - 21-Jun-2017 15:44:00 RTZ)
Counter Proposals are being invited for construction of Smart City under Swiss Challenge Method as per the DPR enclosed along with Tender Documents.
Organization Name: **Test-Buyer-2, INDIA**
Tendering Authority (TA): **TARA**
Tender Search Code (TSC): **NVBO2-2017-TN000012** | Date and Time of Closure of Procurement of Tender Documents: **11-Jul-2017 10:00:00 RTZ**
Buyer's Tender Ref. Number (B-TRN): **Not Applicable** | Last Date and Time of Receipt of Bids: **11-Jul-2017 11:00:00 RTZ**
- Bidding (Open - Domestic) Under 'Swiss Challenge' methodology** (View NIT posted on ETS - 14-Jun-2017 12:12:00 RTZ)
Counter Proposals are being invited for Smart City eco-friendly Garbage Management System under Swiss Challenge Method as per the DPR enclosed along with Tender Documents.
Organization Name: **Test-Buyer-1, INDIA**
Tendering Authority (TA): **TA-1**
Tender Search Code (TSC): **NVBO1-2017-TN000010** | Date and Time of Closure of Procurement of Tender Documents: **14-Jul-2017 13:00:00 RTZ**
Buyer's Tender Ref. Number (B-TRN): **Not Applicable** | Last Date and Time of Receipt of Bids: **14-Jul-2017 13:10:00 RTZ**

Ensuring Transparency in Swiss Challenge Method through e-Procurement

- Interactive Online Public Tender Opening Event(s) in the simultaneous online presence of the representatives of the Buyer, as well as, Supplier Organization [This should include features like – Interactive questions/ answers between TOE-Officers and Bidders; Online generation of Comparison Charts; Online digital-countersigning of Opened Bids by the TOE Officers; Online generation of Minutes of TOE digitally signed by the TOE Officers; et al]
- Online Evaluation of Bids after each TOE
- Identifying the 'Lowest Counter-Proposal'
- Online Matching/ Denial of the 'Lowest Counter-Proposal' by the Original Proponent

Note-1: Digital Signatures affixed to NIT/ Corrigendum, Tender Documents/ Addenda, Clarifications, etc, should be verifiable by the users

Note-2: All important activities should be Audit-trailed

Swiss Challenge Methodology – Buyer Invites Originator/ Proponent to Match L1-Bid

ElectronicTender System (ETS) - Windows Internet Explorer
http://develop.advplus-electrontender.com/etshome/itfpcore/InviteProponentMatchL1.aspx

For security, functionality reasons, Back button of the browser has been made dysfunctional on ETS. For navigation, please use buttons such as Previous, Next, Reset, Cancel as provided on each screen.
Enabled fields with (>>) invoke intermediate processing. If a user is inactive for 30 minutes (ie no submission is made to the server for 30 minutes), the session will be timed out and, the user will have to log in again, if required.

Tender Reference

Tender Search Code	NVBO2-2017-TN000012
Buyer's Tender Reference Number	NVBO2-SwCm-2017-00014
Information pertaining to 'Swiss Challenge' methodology	NVBO2 SwCm Reference: NVBO2-SwCm-2017#00014. SwCM Approval Code: ICD1718SCM0002, dated 26/05/2017. SCM Letter No: 105-108 to the Original Project Proponent. Detailed Project Report (DRP) prepared by Original Project Proponent is being made available along with Tender Documents.

Originator/ Proponent

* Originator/ Proponent OID	Select Originator/ Proponent OID
Organization Name	Supplier Organization-11
Country	India
* L1-Bid Value to be matched	747356000 Indian Rupee
* Summary information pertaining to L1-Bid	As per the evaluated documents of more attractive competing counter proposal shared with Originator/ Proponent
* Should there be a deadline (ie Last Date and Time) for matching L1-Bid?	<input checked="" type="radio"/> Yes <input type="radio"/> No
* If 'Yes' is selected in the above question, select the Last Date and Time for matching L1-Bid	20/07/2017 + 18 00 RTZ

Sign Submit Cancel Reset

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Swiss Challenge Methodology - Originator/ Proponent Matches/ Denies L1-Bid

ElectronicTender System (ETS) - Windows Internet Explorer
http://develop.advplus-electronictender.com/etshome/itfpcore/ProponentMatchL1.aspx

File Edit View Favorites Tools Help

ElectronicTender System (ETS)

Tender Search Code	NVBO2-2017-TN000012
Buyer's Tender Reference Number	NVBO2-SwCm-2017-00014
Information pertaining to 'Swiss Challenge' methodology	NVBO2 SwCm Reference: NVBO2-SwCm-2017#00014. SwCM Approval Code: ICD1718SCM0002, dated 26/05/2017. SCM Letter No: 105-108 to the Original Project Proponent. Detailed Project Report (DRP) prepared by Original Project Proponent is being made available along with Tender Documents.

Originator/ Proponent

Originator/ Proponent OID	ETS-IN-2013-RS0000011
Organization Name	Supplier Organization-11
Country	India
L1-Bid Value to be matched	747,356,000 INR
Summary information pertaining to L1-Bid	As per the evaluated documents of more attractive competing counter proposal shared with Originator/ Proponent
Last Date and Time for matching L1-Bid	20-Jul-2017 18:00:00 RTZ

Decision pertaining to matching L1-Bid

* Decision pertaining to matching L1-Bid Yes No

* Remarks pertaining Decision

Sign Submit Cancel Reset

Done Trusted sites | Protected Mode: Off 100%

Ensuring Transparency in Swiss Challenge Method through e-Procurement

- Once **online Evaluation** of counter proposal is done with proper **audit trails**, the Original Proponent would be invited online to match the 'Best Evaluated Counter Proposal' by accepting or rejecting the counter-offer by the Government agency
- The Original Proponent will respond by 'Matching' or 'Denying' with comments
- (Option of the Buyer) Based on the Original Proponent's comments, Revised Offer may be given by the Government Authority to the Original Proponent which can be Accepted or Rejected
- This can be followed by online Award of Contract to the 'Original Proponent' or 'Best Evaluated Counter Proposal'



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