BS ISO 10845-2:2020

BSI Standards Publication

Construction procurement

Part 2: Formatting and compilation of procurement documentation

Documents
Document Sharing Hub

Full document details: BS ISO 10845-2:2020

National foreword

This British Standard is the UK implementation of ISO 10845-2:2020. It supersedes BS ISO 10845-2:2011, which is withdrawn.

The UK participation in its preparation was entrusted to Technical Committee CB/-/8, ISO/TC 59 Input Coordination.

A list of organizations represented on this committee can be obtained on request to its committee manager.

This publication does not purport to include all the necessary provisions of a contract. Users are responsible for its correct application.

© The British Standards Institution 2021
Published by BSI Standards Limited 2021

ISBN 978 0 539 03988 7

ICS 91.010.20

Compliance with a British Standard cannot confer immunity from legal obligations.

This British Standard was published under the authority of the Standards Policy and Strategy Committee on 31 January 2021.

Amendments/corrigenda issued since publication

Date	Text affected

Documents
Document Sharing Hub

Full document details: BS ISO 10845-2:2020

INTERNATIONAL STANDARD

ISO 10845-2

Second edition
2020-12

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

Reference number
ISO 10845-2:2020(E)

Documents
Document Sharing Hub
© ISO 2020

Full document details: BS ISO 10845-2:2020

COPYRIGHT PROTECTED DOCUMENT

© ISO 2020

All rights reserved. Unless otherwise specified, or required in the context of its implementation, no part of this publication may be reproduced or utilized otherwise in any form or by any means, electronic or mechanical, including photocopying, or posting on the internet or an intranet, without prior written permission. Permission can be requested from either ISO at the address below or ISO's member body in the country of the requester.

ISO copyright office
CP 401 • Ch. de Blandonnet 8
CH-1214 Vernier, Geneva
Phone: +41 22 749 01 11
Email: copyright@iso.org
Website: www.iso.org

Published in Switzerland

© ISO 2020 – All rights reserved

Documents
Document Sharing Hub

Full document details: BS ISO 10845-2:2020

Contents

Page

Foreword ... **iv**
Introduction ... **v**
1 Scope ... **1**
2 Normative reference ... **1**
3 Terms and definitions ... **1**
4 General requirements for procurement documents ... **3**
5 Component documents ... **4**
5.1 Division of component documents ... 4
5.2 Calls for expressions of interest ... 5
5.2.1 Notice and invitation to submit expressions of interest ... 5
5.2.2 Submission data ... 6
5.2.3 List of returnable documents ... 6
5.2.4 Returnable schedules ... 6
5.2.5 Indicative scope of work ... 6
5.3 Tender documents ... 7
5.3.1 Tender notice and invitation to tender ... 7
5.3.2 Tender data ... 7
5.3.3 List of returnable documents ... 8
5.3.4 Returnable schedules ... 8
5.4 Contract documents ... 8
5.4.1 Agreements and contract data ... 8
5.4.2 Pricing data ... 9
5.4.3 Scope of work ... 9
5.4.4 Site information ... 10
6 Compiling tender documents ... **11**
6.1 General ... 11
6.2 Applying the standard format ... 11
6.3 Guiding principles in applying the format ... 12
Annex A (informative) **Commentary** ... **13**
Annex B (informative) **Example of the form of offer and acceptance** ... **16**
Annex C (informative) **Check list of items to be addressed in the scope of work** ... **19**
Annex D (informative) **Standardized procurement documents** ... **39**
Bibliography ... **41**

© ISO 2020 – All rights reserved

Documents
Document Sharing Hub
Full document details: BS ISO 10845-2:2020

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.

The procedures used to develop this document and those intended for its further maintenance are described in the ISO/IEC Directives, Part 1. In particular, the different approval criteria needed for the different types of ISO documents should be noted. This document was drafted in accordance with the editorial rules of the ISO/IEC Directives, Part 2 (see www.iso.org/directives).

Attention is drawn to the possibility that some of the elements of this document may be the subject of patent rights. ISO shall not be held responsible for identifying any or all such patent rights. Details of any patent rights identified during the development of the document will be in the Introduction and/or on the ISO list of patent declarations received (see www.iso.org/patents).

Any trade name used in this document is information given for the convenience of users and does not constitute an endorsement.

For an explanation of the voluntary nature of standards, the meaning of ISO specific terms and expressions related to conformity assessment, as well as information about ISO's adherence to the World Trade Organization (WTO) principles in the Technical Barriers to Trade (TBT), see www.iso.org/iso/foreword.html.

This document was prepared by Technical Committee ISO/TC 59, *Buildings and civil engineering works*, Subcommittee SC 18, *Construction procurement*.

This second edition cancels and replaces the first edition (ISO 10845-2:2011), which has been technically revised.

The main changes compared to the previous edition are as follows:

— definitions and parts of the text have been updated and aligned with other parts of the ISO 10845 series to ensure consistency in concepts and terms;

— the three volume approach and colour separation of component documents has been removed;

— the scope of work requirements and guidance has been revised and expanded.

Any feedback or questions on this document should be directed to the user's national standards body. A complete listing of these bodies can be found at www.iso.org/members.html.

© ISO 2020 – All rights reserved
Documents
Document Sharing Hub
Full document details: BS ISO 10845-2:2020

Introduction

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 database,

b) communicate the employer's procedures and requirements relating to the process of offer and acceptance when tenders are invited, solicit information to enable the employer to evaluate submissions and enable potential contractors to communicate their credentials and make an offer to an employer, 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.

Procurement documents also:

d) incorporate the employer's selected procurement strategy and tactics,

e) 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, and

f) provide the basis for

   1) paying the contractor,

   2) specifying any measurable, tangible, verifiable outcome, result or item that is to be produced or completed (deliverable) and the constraints in doing so, and

   3) in the case of construction works, communicating the outcomes of surveys and site conditions to tenderers, e.g. soil and ground conditions, the location and state of buildings or facilities that contractors might be expected to use or that 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 digitised. It also improves transparency, minimizes ambiguity and errors in and between the documents which make up a contract, enables tenderers to more accurately price the risks which they are to assume. Furthermore, it facilitates the development of standardized procurement documents which improves the effectiveness and efficiency of an organization's procurement system. It also enables the reader to readily locate the specific data and requirements they require if they have a working knowledge of the framework for the compilation of procurement documents provided in this document.

A uniform format for the compilation of calls for expressions of interest and tender and contract documents provides the framework for:

— the standardization of the component documents and improved communications between those engaged in the procurement process; and

— the digitisation of procurement documents.

The purpose of this document 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.

© ISO 2020 – All rights reserved

Documents
Document Sharing Hub
Full document details: BS ISO 10845-2:2020

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

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

— issues relating to the tender fall away once the contract is in place,

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

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

The format provided in this document requires that

— stand-alone systems of measurement, independent of specifications, be utilized,

— specifications be written independently from conditions of contract, and

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

© ISO 2020 – All rights reserved
Documents
Document Sharing Hub
Full document details: BS ISO 10845-2:2020

Construction procurement —

Part 2: Formatting and compilation of procurement documentation

1 Scope

This document establishes, in respect of supply, services and construction contracts, at both main and subcontract levels,

a) a format for the compilation of

1) calls for expressions of interest,

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 document.

NOTE 2 This document can also be used, with some adaptation, in the formatting and compilation of concession contracts, design, build and operate contracts and contracts involving disposals.

NOTE 3 ISO 10845-1:2020, Annex G provides guidance on the development of auction data.

2 Normative reference

There are no normative references in this document.

3 Terms and definitions

For the purposes of this document, the following terms and definitions apply.

ISO and IEC maintain terminological databases for use in standardization at the following addresses:

— ISO Online browsing platform: available at https://www.iso.org/obp

— IEC Electropedia: available at http://www.electropedia.org/

3.1
acceptance
act of agreeing to a *contractor's* (3.7) offer or tender, thereby creating a binding *contract* (3.6)

[SOURCE: ISO 6707-2: 2017, 3.5.16]

3.2
activity schedule
document that breaks down the scope of work into a series of activities, which may be linked to a programme, to allow *contractors* (3.7) to be paid a lump sum upon the completion of each of the activities

© ISO 2020 – All rights reserved

Documents Document Sharing Hub
Full document details: BS ISO 10845-2:2020

3.3
bill of quantities
document for tendering, usually prepared in a standard form, comprising both a descriptive list of quantities of works and descriptions of the materials, workmanship and other matters required for construction works

[SOURCE: ISO 6707-2:2017, 3.5.11, modified — The preferred term "bill of materials, US" and the admitted term "quantity survey, US" have been removed.]

3.4
bond
sum of money or securities submitted to the *employer* (3.8) or placed in the hands of a third party to guarantee completion and recovery of the sums which the *contractor* (3.7) is recognized as owing under the terms of the *contract* (3.6)

[SOURCE: ISO 6707-2:2017, 3.5.40, modified — “client” has been replaced with “employer”.]

3.5
conditions of contract
terms that collectively describe the rights and obligations of contracting parties and the agreed procedures for the administration of their *contract* (3.6)

3.6
contract
legally enforceable agreement to supply goods, carry out construction works and/or provide services

[SOURCE: ISO 6707-2:2017, 3.1.1]

3.7
contractor
person or organization that contracts to supply goods, carry out construction works and/or provide services

Note 1 to entry: The use of the generic term “contractor” eliminates the need to introduce the terms “service provider” and “supplier” as it has been defined to cover these terms

Note 2 to entry: The definitions for “employer” and “contractor” are such that relevant subclauses of this document can be applied at any point in the supply chain. For example, in a contract, a “contractor” can be an “employer” and a “contractor” can be a “subcontractor”.

[SOURCE: ISO 10845-1:2020, 3.9]

3.8
employer
person or organization intending to or entering into the *contract* (3.6) with the *contractor* (3.7) to supply goods, carry out construction works and/or provide services

Note 1 to entry: The definitions for “employer” and “contractor” are such that relevant subclauses of this document can be applied at any point in the supply chain. For example, in a contract, a “contractor” can be an “employer” and a “contractor” can be a “subcontractor”.

[SOURCE: ISO 10845-1:2020, 3.15]

3.9
expression of interest
request for *respondents* (3.12) to register their interest in undertaking a specific *contract* (3.6) or to participate in a project or programme and to submit their credentials so they can, in terms of the *employer's* (3.8) selection methods, be invited to submit a *tender offer* (3.14) should they qualify or be selected to do so

[SOURCE: ISO 10845-1:2020, 3.16]

© ISO 2020 – All rights reserved
Documents
Document Sharing Hub
Full document details: BS ISO 10845-2:2020

3.10
procurement
process which creates, manages and fulfils *contracts* (3.6) relating to the provision of goods, services and construction works or disposals, or any combination thereof

[SOURCE: ISO 6707-2:2017, 3.5.18]

3.11
procurement document
documentation used to initiate or conclude (or both) a *contract* (3.6)

[SOURCE: ISO 10845-1:2020, 3.25]

3.12
respondent
person or organization that submits an *expression of interest* (3.9) in response to an invitation to do so

[SOURCE: ISO 10845-1:2020, 3.28]

3.13
specification
document that

a) sets out detailed requirements to be satisfied by a product, material, process or system and the procedures for checking conformity to these requirements, or

b) sets out the properties of a product

[SOURCE: ISO 6707-2:2017, 3.2.22, modified — The preferred term "technical specification" has been removed.]

3.14
tender offer
written offer to supply goods, carry out construction works and/or provide services under given conditions, usually at a stated price, and which is capable of *acceptance* (3.1) and conversion into a binding *contract* (3.6)

[SOURCE: ISO 10845-1:2020, 3.38]

3.15
tenderer
person or organization that submits a *tender offer* (3.14)

Note 1 to entry: The terms tender and tenderer have been used in preference to “bid” and “bidder”. The terms “bid” and “bidder” are used in this document in the context of auctions.

[SOURCE: ISO 10845-1:2020, 3.39]

4 General requirements for procurement documents

Procurement documents shall

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

b) where necessary, 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, establish their credentials and assess their capabilities and capacities to perform the contract;

© ISO 2020 – All rights reserved

Documents
Document Sharing Hub
Full document details: BS ISO 10845-2:2020

d) set out in a clear, fair, transparent, accountable and unambiguous manner the criteria by which tenders and expressions of interest are to 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 is paid for the goods, services, construction works or disposals.

5 Component documents

5.1 Division of component documents

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

The groups of documents calling for expressions of interest, comprise those documents that relate to submission procedures, the documents that a respondent needs to return with his submission and, where relevant, the indicative scope of work (see Table 1).

The first group of documents where procurement documents are used to solicit tender offers contains only those documents that are relevant to the tender (see Table 2) and the second group contains only those documents that relate to the contract 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**	
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 a submission is evaluated.
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.
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, structure their submission around the likely demands of the project.

© ISO 2020 – All rights reserved
Documents
Document Sharing Hub
Full document details: BS ISO 10845-2:2020

Table 2 — Documents that relate to the tender

Contents		Function and broad outline of contents
Number	**Heading**	
T1: Tendering procedures		
T1.1	Tender notice and invitation to tender	Alerts tenderers to the nature of the goods, services 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 a tender is invited to the time a tender is awarded.
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**	
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.
C2: Pricing data		
C2.1	Pricing assumptions	Provides the criteria and assumptions which it is assumed (in the contract) that the tenderer has taken into account when developing his prices and fee percentages in the case of cost-reimbursable contracts.
C2.2	Pricing schedules/ activity schedule/ bill of quantities	Records the contractor's prices for providing goods, services or construction works which are described in the scope of work section of the contract.
C3: Scope of work		
C3	Scope of work	Specifies and describes the goods, services or construction works which are to be provided and any other requirements and constraints relating to the manner in which the contract work shall be performed.
C4: Site information (construction contracts only**)**		
C4	Site information	Describes the site 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.

5.2 Calls for expressions of interest

5.2.1 Notice and invitation to submit expressions of interest

5.2.1.1 Minimum requirements

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,

© ISO 2020 – All rights reserved

Documents
Document Sharing Hub
Full document details: BS ISO 10845-2:2020

c) the title, and where applicable, the place of the proposed project,

d) a brief description of the goods, services or construction works which re to be procured and, where relevant, the time period involved,

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) information relating to how and from when the procurement documents may be obtained.

5.2.1.2 Considerations

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 obtaining of documents relating to the call for an expression of interest.

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

5.2.2 Submission data

The submission data informs respondents about the submission procedures that are to be observed and the documentation to be submitted, failing which, submissions may be rejected or not evaluated. The submission data also outlines how the employer receives and evaluates the submissions received and states any criteria that respondents should satisfy in order to have their submissions evaluated, and any evaluation criteria that is 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 as contained in ISO 10845-4 and the associated variables, variations and additional conditions can be referenced in the submission data.

5.2.3 List of returnable documents

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

5.2.4 Returnable schedules

Returnable schedules comprise those schedules that are completed and submitted as part of the respondent's submission.

5.2.5 Indicative scope of work

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

© ISO 2020 – All rights reserved
Documents
Document Sharing Hub
Full document details: BS ISO 10845-2:2020

5.3 Tender documents

5.3.1 Tender notice and invitation to tender

5.3.1.1 Minimum requirements

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 construction works 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) information relating to how and from when the procurement documents may be obtained.

5.3.1.2 Considerations

Consideration should be given to

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

b) briefly describing any

— eligibility criteria,

— refundable or non-refundable deposits payable for procurement documentation, and

— preferences, if any, that are offered,

c) the approximate starting time of the contract,

d) the approximate contract award date, and

e) pricing strategy

in order to enable prospective tenderers to make informed decisions 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 can be appropriate to indicate the source of funding in the tender notice and invitation to tender.

5.3.2 Tender data

The tender data establishes 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 evaluation criteria,

d) establish the manner in which the employer conducts the process of offer and acceptance, and

© ISO 2020 – All rights reserved

Documents
Document Sharing Hub
Full document details: BS ISO 10845-2:2020