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## **Opposition have misrepresented Government tendering process**

The Government has noted with amazement the proposals made by the Opposition for the award and supervision of public contracts. They do not seem to have realised that much of what they propose is already happening and that some of it is commercially impossible to do.

The GSD are clearly so out of touch that they are going back to the system that was in place in 2011 without regard to what may have changed in the interim. Their attitude does not distinguish what is realistic and practical from what is totally unrealistic and impractical.

The level of transparency and supervision which exists today is without precedent in Gibraltar and certainly far deeper and more widespread than ever before.

1. Government tender notices are now published on-line.
2. Government tender awards are published on-line and the number of applicants is also published.
3. There is already an independent board in place that examines and awards Government tenders.
4. The Board is already made up of independent civil servants.
5. The Board already includes experts when the subject of the tender requires technical or specialist expertise.
6. There is already a set of defined criteria against which tenders are adjudicated.
7. The tenders with a high threshold are advertised in the Official Journal of the European Union and subject to EU standards and procedures.
8. The value for money team to supervise the working of Government contracts is already in place.
9. There are value for money exercises conducted already against Government contracts and expenditure.
10. It is possible already to prevent sub-contracting of Government contracts.
11. The award of Government contracts over £ 2000 by Ministerial application is published on-line.



12. The award of Government contracts over £ 2000 by quotation is published on-line.

The idea that commercial contracts of the kind that Governments have to tender can be discussed in public when they involve commercially sensitive information is plainly absurd. This proposal is unworkable and unrealistic. The GSLP/Liberals have opened up the Development and Planning Commission and the Board of the Gibraltar Health Authority to the public because the issues involved there are very different.

In a sense it is a bit rich that the GSD should now preach about Government contacts and tenders given their track record in Government.

1. The contracts awarded to Haymills and to OEM in respect of affordable housing created serious issues after both entities collapsed.
2. OEM claimed £ 7 million from the Government in respect of tenders and contract awards by the GSD.
3. Cost plus contract entered into by GSD at Leisure Centre bound taxpayer to pay the operator's net losses and top up profit.
4. Contract for airport handling services at the Air Terminal was signed by GSD the day before polling day in 2011.
5. Interference by GSD Ministers in Air Terminal contract construction cost taxpayers six million euros.
6. GSD entered into contracts with developers which waived premiums and purported to bind the planning authority.
7. Architectural design contract material paid by taxpayers made their way into GSD party manifesto.
8. GSD Government did not transpose EU services directives which regulate award of contracts for services.
9. Tens of millions of pounds worth of contracts in services awarded to one private company directly by GSD Government.
10. Contracts for the maintenance of buses cost the taxpayer tens of thousands of pounds a month.

The GSD Opposition need to understand that they have to measure the language that they use. It is simply not credible that they should seek to distort the existing situation when their own track record in office was abysmal.

There will always be room for improvement but the present system is far superior to anything that has existed before.