



Burges Salmon **Procurement**



"We found Burges Salmon quickly understood our needs and worked as part of our team to deliver practical, common sense solutions."

"The communication skills of Burges Salmon are first class, with the ability to explain often complex issues to a range of audiences with ease and clarity."

"Burges Salmon have quickly established a trusted reputation within our organisation, I have no hesitation in recommending their support to our partners."

Client comments

"John Houlden has vast knowledge of the public sector and competitive dialogue procedures..."

"He has developed a deservedly strong reputation in the field and has our full confidence", said one source."

Chambers Guide to the UK Legal Profession

"Tim Heywood... has an excellent knowledge of EU and UK procurement law and a practical approach to advising his clients."

Legal 500 Guide to the UK Legal Profession

"We were impressed by Stephanie Rickard's technical knowledge and ability to focus on the commercial issues."

A local authority client

Public Sector, Utilities and the Supply-side

Our team

Our specialist procurement team provides public sector, utilities and supply-side clients with commercially focussed advice and support on major procurements.

The team is led and managed by individuals recognised as leaders in their field, and we operate at the forefront of procurement law and practice.

How we work

We apply our in-depth knowledge of the Public and Utilities sectors to design effective procurement strategies that meet your objectives, help secure value for money and deliver robust procurement processes. To the supply-side we offer in-depth market knowledge and specialist support to your tendering strategies.

A number of us have worked within the public sector and consequently understand the unique policy, accountability and probity issues it faces.

We operate both as integrated members of the client's project team, (shaping the procurement strategy; preparing specialist documentation and designing selection and evaluation criteria, for example) and as specialist advisers responding to the discrete compliance and risk management issues that can arise in any procurement.

We have extensive experience of supporting the competitive dialogue and negotiated award procedures. Our approach is to ensure that Public Sector and Utilities clients achieve optimal results from the process by reducing the issues for dialogue to the key elements and focusing resources on the development of the technical and contractual solutions that best meet their requirements.

We also draw extensively on our specialist knowledge of procurement policy development (at national and European level), related trade law, anti-corruption law and state aid issues to ensure our advice is of the highest quality and reflects the wider context.

Our clients

Our clients include Central Government Departments and agencies, local authorities, major Utilities and, importantly, a large number of their suppliers.

As a result of acting for both purchasers and suppliers we bring a deep understanding of the different cultural, operational, political and commercial drivers and constraints you face, whether you are preparing for a complex procurement or responding as a bidder, challenging an award decision or defending it.

Members of the team have most recently:

- Acted for Eurostar in the case brought against it by Alstom Transport (*Alstom Transport v Eurostar International Limited and Others [2010] EWHC 2747 (Ch)*);
- Advised the Nuclear Decommissioning Authority on its competitive dialogue for the decommissioning of the nuclear site at Dounreay (estimated value £3billion);
- Advised the Foreign and Commonwealth Office on the structure and implementation of the competitive dialogue for its £100m plus groundbreaking Shared Services project to transform FM services in the UK and 13 jurisdictions in North West Europe with a robust outsourced structure;





- Advised on ICT integration aspects, financing and compliance issues in a number of Building Schools for the Future (BSF) projects nationally. Our input has covered both procurement and state aid issues;
- Advised a local authority on the complex procurement and state aid issues relating to a major project to re-provide a vital ferry service. The work involved advising on the structure of the procurement strategy; advising on state aid issues and dealing with key stakeholders;
- Defended a local authority against a complaint to the European Commission under Article 258 of the Treaty on the Functioning of the EU (TFEU) alleging breach of the procurement rules in relation to a development agreement;
- Advised an NDPB on the establishment of major new multi-supplier framework agreements for consultancy services;
- Advised on a number of local government shared services projects designed to deliver both value for money for the client and career development for the employees;
- Advised on sustainability in procurement and a variety of local government waste collection and recycling projects.

Other clients of the team include:

- The Ministry of Defence
- The Metropolitan Police
- First Group
- North Somerset Council
- Ofcom
- University of Bristol
- The National Trust
- Royal Botanic Gardens, Kew
- Reliance
- Department for Communities and Local Government
- London Development Agency
- MITIE
- Department for Transport
- OFT
- Avon and Somerset Police Authority
- Bristol Water
- Carbon Trust
- London Fire and Emergency Planning Authority
- East Devon County Council
- OFGEM
- FCO Services



The Procurement Team



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Burges Salmon LLP is a Limited Liability Partnership registered in England and Wales (LLP number OC307212) and is regulated by the Solicitors Regulation Authority.

A list of members, all of which are solicitors, may be inspected at our registered office: One Glass Wharf, Bristol BS2 0ZX.