INVESTMENT COMMITTEE

PROCEDURE GOVERNING THE USE OF BASIC ORDERING AGREEMENTS
CONCLUDED BY THE NATO COMMUNICATIONS AND INFORMATION AGENCY -
2019 VERSION

Note by the Secretary

References: (a) AC/4-D(2002)002 (FINAL)
(b) AC/4-DS(2018)0001, item 2.1.1
(c) AC/4-WP(2019)0002 (INV); -DS(2019)0011 (INV), item 2.1.1
(d) AC/4-WP(2019)0002-REV1 (INV); -DS(2019)0017 (INV), item 2.1.1

1. The Procedure Governing the Use of Basic Ordering Agreements (BOAs) concluded by the NATO Communications and Information Agency (NCIA) has been in use for 20 years. An updated version of the BOA Procedure, agreed by the Investment Committee at reference (a), is in force since May 2002. In early 2018, the NCIA started an initiative to update the existing BOA Procedure based on its experience with the BOA Programme (reference (b)). The objective of the review was, where necessary and useful, to update and streamline some of the process steps and to remove existing ambiguities in terms of language, process or procedure.

2. The 2019 version of the BOA Procedure was reviewed during the Investment Committee (IC) Working Group meetings on 29 March, 14 May and 11 June and in IC formal session on 26 April and 2 July 2019 (references (c) and (d) refer).

3. This document is proposed for agreement by the Investment Committee at its meeting scheduled for Tuesday, 9 July 2019.

(Signed) C. BEDDING

1 Annex
7 Appendices
PROCEDURE GOVERNING THE USE OF BASIC ORDERING AGREEMENTS
CONCLUDED BY THE NATO COMMUNICATIONS AND INFORMATION AGENCY – 2019 VERSION

References:  
(a) AC/4-D/2261(1996 Edition) & Addenda¹  
(b) PO(2018)0259

INTRODUCTION

1. The Procedure Governing the Use of Basic Ordering Agreements (BOAs) described in this document is an addition to the NATO Security Investment Programme (NSIP) Procedure for International Competitive Bidding (ICB) contained in the document at reference (a). Unless otherwise specified hereafter, the provisions of the document at reference (a) continue to apply to competitive bidding using the BOA Procedure. The most relevant extracts of reference (a) are attached as Appendix 1 to this document.

2. The BOA Procedure is based upon purchase order award to the quotation of the firm that complies, both administratively and technically, with the requirements of the Request For Quotation and gives the lowest price. This is known as the lowest compliant quotation.

3. The Procedure outlined in this document has been essentially designed for use by the NATO Communications and Information Agency (referred to as “the Agency” hereafter), acting either as Host Nation or procurement agent for NSIP work. However, the use of BOAs is also open to other Host Nations. In order to cover this possibility the general term “Host Nation” is being used where appropriate in the following paragraphs. Finally, BOAs may also be open for use for Military Budget funded goods and services, if so decided by the Budget Committee, and to third parties, using the Agency as procurement agent.

4. The BOA Procedure was reviewed at a time when the Agency was about to launch its new online procurement tool, called ‘eProcurement’, which would enable the Agency and industry to interact in a more automated and standardised fashion, simplifying the overall competition process.

DEFINITION AND AIMS

5. For the purposes of this document, the BOA Procedure is defined as a two-step procurement procedure. The first step represents the enrolment to the BOA Programme with the Agency, whereby the general contract conditions are agreed in advance through a framework contract between the Agency and a potential supplier for a specified range of Commercial-Off-The-Shelf (COTS) goods and services. In a second step and following IC agreement, authorised retail quantities can be ordered from firms holding a BOA within the provisions of their framework contracts.

¹ And future addenda and/or revisions.
6. The aim of the BOA Procedure is to provide an accelerated and cost-effective acquisition method for COTS products and services, respecting at the same time the principle of non-discrimination laid down at reference (a) and fostering an environment conducive to maximising the participation of qualified firms in the NSIP. As such, the BOA Procedure represents an important procurement vehicle to deliver goods and services in support of Alliance Operations and Missions in particular and to facilitate the rapid implementation of C3² and CIS³ projects in general, as per the June 2018 Council decisions on a new governance model related to common-funded capability delivery (reference (b)).

**FIRST STEP - ENROLMENT TO THE BOA PROGRAMME**

7. Pending availability of the future features of the eProcurement tool, the BOA Programme application package continues to be available through the Agency’s website for download by any firm from NATO nations indicating an interest in participating in the BOA Programme; applications by firms must be sent to the Agency directly. All interested firms from NATO nations are eligible to seek enrolment to the BOA Programme. The Agency will promote the BOA Programme in Agency events and via the Agency’s website.

8. In their applications, firms must demonstrate their ability to provide COTS products and services including the ability for the equipment to be supported and maintained post-delivery within a specified warranty period. The agreed categories of COTS products and services are presented at Appendix 2. The detailed list is available on the Agency’s website⁴; any amendments to the list will equally be published on the Agency’s website.

9. Firms should indicate their ability to provide COTS products and services from a broad list of categories. This will allow the Agency, wherever possible, to have more than one BOA in place for each product or service.

10. Firms will be invited to declare that the prices proposed are as favourable as those extended to any government, agency, company, organisation or individual purchasing or handling like quantities of equipment and/or parts covered by the contract under similar conditions (‘most preferred customer’ approach).

11. Applications by firms will be addressed by the Agency on a first-come-first-served basis but with the aim of responding within 28 calendar days. Should serious problems arise which might preclude signature of the framework contract, the Agency will inform the firm in writing with copy to the NATO delegation of the firm’s country of origin.

12. Should the Agency decide, after discussion with the firm in question, not to offer a BOA to a firm, it will notify the firm in writing, with copy to the NATO delegation of the firm’s country of origin, clearly stating the reasons for rejection.

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² Consultation, Command and Control.
³ Communication and Information Systems.
⁴ An extended list of categories and sub-categories is provided with AC/4-WP(2019)0002-REV1-ADD1 (INV).
13. If a firm chooses to protest after notification that it has been rejected, it has to submit the protest through the NATO delegation of the firm's country of origin (see paragraphs 36 through 38).

14. Firms may reapply after three months from rejection at which time their application will be considered as new.

15. A flowchart depicting the process how to obtain a BOA is attached as Appendix 3 to this document.

Declaration of Eligibility

16. The provisions outlined in paragraphs 7 through 14 above replace paragraph 6 (Notification of Intent to Invite Bids) and paragraph 7 (Procedures governing cases where eligibility is in question) of reference (a). The rules on eligibility outlined in paragraph 5 of the document at reference (a) continue to apply (see extract at Appendix 1). A firm applying for the BOA Programme must obtain the ‘Declaration of Eligibility’ through their national authority. This is a prerequisite for BOA conclusion.

17. It is, however, not necessary that the applying firm is security-cleared in order to obtain a BOA. In fact, the procurement of COTS goods and services will normally not require security clearances. If, as an exception, a purchase order under BOA will require security clearances (because, for example, access to restricted areas might be required) this will be mentioned in the special terms and conditions for the order in question (see paragraph 28).

Individual BOA Validity Period

18. A BOA shall take effect as from the date it is signed by the Agency and the respective firm and will automatically expire after three years from that date.

19. The Agency will send a notification to the BOA firm with a copy to the NATO delegation of the firm’s country of origin three months prior to the BOA expiration date.

BOA Renewal Process

20. Upon receipt of the notification mentioned in paragraph 19 above and in those cases when a firm is interested in renewing its BOA with the Agency, the firm should start a new application process as described in paragraphs 7 through 10.

21. Paragraph 16 continues to apply as a prerequisite for BOA signature in the BOA renewal process.
SECOND STEP - APPLYING THE BOA PROCEDURE

22. As any other request for exemption from the default procurement procedure at reference (a), the use of the BOA Procedure is subject to agreement by the IC. The intention of a Host Nation to apply the BOA Procedure for the implementation of a project must be justified in its request for authorisation to commit funds. A flowchart depicting the use of BOAs up to including IC decision-making is attached as Appendix 4 to this document.

23. The Host Nation will order products and services within the framework of the BOA Procedure on a competitive basis. In order to foster competition, Requests For Quotation (RFQs) will, as a rule, be established for each line item (good or service) of a fund request, rather than by a group of items. Care has to be taken to reduce wherever possible a single tender situation when competition would be possible.

24. The Host Nation shall post the RFQs and any RFQ amendments on the Agency’s website. Pending availability of the eProcurement tool, the Agency shall also communicate RFQs and RFQ amendments to firms possessing an active BOA. Interested firms possessing an active BOA may submit a quotation as specified in the RFQ document.

25. Following agreement by the IC to BOA as the applicable procurement method, the procurement of COTS goods and services, as authorised by the IC, will follow the agreed rules set forth in the NATO Financial Regulations and the Established Financial Limits (EFLs):

25.1 single tender: goods and services with an estimated value of up to [Level B] of the EFLs (20,000 Euro) may be procured from known suppliers without competitive bidding;

25.2 restricted bidding: goods and services with an estimated value up to 2 x [Level B] of the EFLs (2 x 20,000 Euro) shall be procured through soliciting offers from at least three suppliers, if available, known to meet the technical and commercial standards;

25.3 competitive bidding: goods and services with an estimated value exceeding 2 x [Level B] of the EFLs (2 x 20,000 Euro) and up to [Level D] of the EFLs (160,000 Euro) shall be procured through soliciting offers from at least five suppliers, if available, known to meet the technical and commercial standards;

25.4 full competitive bidding: goods and services with an estimated value exceeding [Level D] of the EFLs (160,000 Euro) are subject to full and open competition within the active BOA enrolments.

26. When a Host Nation wishes to deviate from the above default procurement rules, then agreement from the IC is required.

5 The amounts corresponding to the EFLs are set in accordance with the NATO Financial Regulations. The amounts listed in this document are presented for illustrative purposes and are derived from Council agreed Review of the NATO Financial Regulations (C-M(2015)0025) and the Budget Committee agreed supporting Financial Rules and Procedures (BC-D(2015)0260-REV2).
27. Host Nations will procure goods and services in a transparent and fair manner built upon the principle of non-discrimination and fairness in which eligible suppliers are given the same opportunity and treated in the same fair manner. Host Nations will ensure integrity of the procurement process in accordance with the applicable regulations and guidelines.\(^6\)

28. Where required and authorised by the IC, the Host Nation’s RFQ will include special terms and conditions not covered by the BOA framework contract - such as life cycle aspects, security requirements or performance requirements - and will specify the required delivery time of the products. If, for reasons of urgency, the required delivery time is not in line with normal commercial practices, the IC’s prior agreement for shorter delivery timelines will have been obtained.

**Execution of Requests for Quotations**

**Time Allowed for Submitting Quotations**

29. The standard response time for firms to submit their quotations will be 14 calendar days from the date of publication on the Agency’s website. For more complex RFQs, involving multiple COTS products or including integration, training and/or security considerations, a minimum of 28 calendar days will be allowed. A flowchart depicting the use of BOAs describing the procurement actions post IC decision-making is attached as Appendix 5 to this document.

**Requests for Extensions of Time Limits**

30. Extensions to the quotation closing date may be granted at the discretion of the Host Nation. Such extensions should be granted no later than seven calendar days before the closing date and, pending availability of the eProcurement tool and its future features, shall be communicated to the interested firms through an amendment to the RFQ and posted on the Agency’s website.

**Evaluation of Quotations**

31. The Host Nation will carry out the evaluation of quotations with due diligence and as expeditiously as practical in order to comply with the spirit of the BOA Procedure as an accelerated and cost effective procurement method. A flowchart describing the Agency-internal evaluation process is attached as Appendix 6 to this document.

32. Compliancy is assessed by the Host Nation. If in doubt, clarification will be sought from the bidder. If declared non-compliant, the bidder will be informed in writing, with copy to the NATO delegation of the firm’s country of origin, clearly stating the reasons for rejection.

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\(^6\) In the Agency, the build of bidders’ lists for limited BOA competitions is automated based on information provided by the individual supplier at the time of enrolment to the BOA Programme and governed by internal procedures.
Award of Purchase Order

33. The Host Nation will award the purchase order to the firm with the lowest compliant quotation and publish the results on the Agency’s website after award. Should the Host Nation intend to award the purchase order other than to the firm that has provided the lowest compliant quotation, it must seek the approval of the IC before making the award.

Procedure in Case of Renewed Requests for Quotations

34. In case the Host Nation decides not to award a purchase order on the basis of the quotations received, or in case no quotations are received or no firm can meet the required delivery dates, the Host Nation will inform the IC without delay with a proposal on how to proceed. This Procedure replaces paragraph 15 (Procedure in case of renewed Calls for Bids) of the document at reference (a).

Maximising Competition through BOA Plus

35. BOA Plus is a type of BOA Procedure, which gives participating countries the opportunity to have other firms included in the RFQ solicitation. Firms without a BOA can only be added with agreement of the IC at the authorisation stage. Eligible NATO firms can be nominated by their respective delegations through ‘Declarations of Eligibility’ as an eligible bidder. BOA Plus must be announced by the Host Nation through a Notification of Intent.

PROTEST AND DISPUTE PROCEDURE

36. Protests and disputes are limited to the cases covered by paragraphs 12 and 32. In addition, protests against the non-compliancy assessment are only possible for purchase orders exceeding 100,000 Euro and within 14 calendar days from the date of receipt of the notification of the rejection.

37. In case of application of the BOA Procedure related to projects programmed and authorised under the Urgent Requirements Procedure7 protests against the non-compliancy assessment for purchase orders exceeding 100,000 Euro will not prevent the purchase order from being awarded unless the IC decides not to apply this clause at the time of authorisation. In either case, paragraph 38 applies.

38. If a firm chooses to protest after notification by the Host Nation that it has been rejected, it has to submit the protest through the NATO delegation of the firm’s country of origin. A period of 14 calendar days from the date of receipt of the notification by the NATO delegation of the country of the firm’s origin will be allowed for the receipt of a protest. The Procedure for the Settlement of Disputes arising from International Competitive Bidding laid

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7 AC/4-D(2014)0008-FINAL and future addenda and revisions.
down in Annex I of reference (a) applies with the modifications specified in paragraphs 36 and 37.

39. The Procedure outlined in paragraphs 22 to 38 above replaces paragraphs 10 (Execution of ICB), 11 (Requests for Review of Bid Specifications) and 13 (Award of Contracts) of the document at reference (a). The rules on Evaluation of bids outlined in paragraph 12 of reference (a) continue to apply (see extract at Appendix 1).

40. A flowchart depicting the award and protest processes is attached as Appendix 7 to this document.

**TRANSMISSION OF INFORMATION**

41. Pending availability of the eProcurement tool and its future features, all notifications by the Host Nations to be made under this Procedure will be sent by the most expeditious means of transmission.

**NOTIFICATION OF BOA COMPETITION RESULTS**

42. As soon as possible after purchase order award, but in no case later than one month after award, the results of the BOA competitions must be recorded in the Common Funded Integrated Resource Information System – CIRIS.

**REPORTING**

43. The Agency will publish a comprehensive bi-annual report for the IC on the Agency’s BOA Programme. The report will contain the following content for the specified reporting period:

- a list of BOA applications received;
- a list of BOA applications processed;
- a list of BOAs concluded with the corresponding list of products/services.

44. Reporting to the IC on purchase order awards using the BOA Procedure will be done, whether by the Agency or other Host Nations, as part of the periodic reports to the IC on bid results. In addition, the Agency will separately report to the IC on an annual basis. With regard to purchase orders awarded under simplified procurement rules (paragraph 25 refers), the reports will include information on the number and nationality of quotations solicited and received. In addition, the Agency will make available the results of the BOA competitions run by them on the Agency’s website for public awareness.
PERFORMANCE

45. Continuous poor performance will be discussed directly with the firm holding a BOA, in conjunction with the respective NATO delegation of the firm’s country of origin.

46. In the event that there is no improvement or remedy and should the Agency, therefore, intend to terminate the firm’s BOA, prior approval from the respective NATO delegation of the firm’s country of origin is required.

THIRD PARTY USE OF BOA PROGRAMME

47. Other NATO Agencies, NATO Nations and NATO Partner Nations may use the NCIA BOA Programme including by asking the Agency to act as their procurement agent. The use of the BOA Programme will be subject to a general formal agreement between the Agency and NATO body or Nation in question.

48. To promote the usage of the BOA Programme, the Agency will inform NATO Committees and Agencies which might benefit from such BOAs on a regular basis of the existence and benefits of its BOA Programme.

SUPERSEDED DOCUMENT

49. Upon IC agreement to this document, AC/4-D(2002)002 (FINAL) will no longer be in force.

TRANSITION ARRANGEMENTS

50. Existing BOA framework contracts, concluded under the previous Procedure will remain valid for a period of 12 months following the date of approval of the new Procedure, or until the firm establishes a new BOA framework contract, whichever occurs first.
Extracts from AC/4-D/2261 (1996 Edition)

NATO Security Investment Programme

Procedures for International Competitive Bidding

Paragraph 5. **Eligibility**

(i) A host nation must admit to the bidding any eligible firm of another participating country. Bidding instructions to firms and manufacturers shall state that firms from other than participating countries are excluded from acting as contractor, sub-contractor or manufacturer. The underlying rule here is that, unless otherwise decided by the Committee, all work and manufacture should be carried out in the participating countries. Unless the host nation has been authorised to proceed otherwise, bidding instructions to contractors and sub-contractors, should therefore, state the following:

(a) none of the work, including project design, labour and services, shall be performed other than by firms from and within participating countries;

(b) no materials or items of equipment down to and including identifiable sub-assemblies shall be manufactured or assembled by a firm other than from and within a participating country;

(ii) (a) subject to the provisions of paragraph 7, eligibility of firms is established by means of a “Declaration of Eligibility”. A specimen declaration is at Annex V. This is to be issued to a responsible authority of the host nation by the government of the potential contractor’s country of origin, or by another authority designated for this purpose. This

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8 **Paragraph 5** relates throughout to declarations provided by countries of origin for specific NATO projects, and not to the index of eligible firms maintained by some host nations. Where these standing lists are provided the country of origin should show the firms in alphabetical order and state their respective specialization. The list should be given a serial number and any amendments to the list should also bear a serial. N.B. These lists do not count as a “Declaration of Eligibility” under the terms of paragraph 5 above.

9 **Assembly**: An item forming a portion of an equipment, that can be provisioned and replaced as an entity and which normally incorporates replaceable parts of groups of parts (MAS(TC)30-AAP-6/1(10th March 1986)Definitions

**Sub-Assembly**: A portion of an assembly consisting of two or more parts that can be provisioned and replaced as an entity - this definition purposely excludes components and/or parts (as defined in ACodP-1), which are not subject to the provisions herein

**Manufactured**: Made on an industrial scale.

**Assembled**: Fit together parts of.

**Made in**: Form from parts in.
"Declaration of Eligibility" will contain the full statutory name and address of that firm.  

(b) the country of origin must declare that, if responsible for awarding a contract for similar work, it would itself admit the firm as a competitor. This declaration signifies that the firm is technically, financially and professionally capable of undertaking a project of the scope envisaged in the invitation for bids (IFB).

The firm should have provided or be presently providing goods and services similar to those specified therein to other customers or can be expected to show to the host nation the capability of doing so through its response to the IFB in question, and has expressed an interest in responding to that IFB. Countries of origin should avoid including the names of firms which would not be likely to bid for the kind of work envisaged;

(c) if the contract will involve passing on of NATO classified information to firms, or requires firms to have access to restricted areas of military installations, the declaration must, in addition, include the security classification of the firm which must be equal to or of a higher level than the requirement of the host nation;

(iii) countries of origin of firms are at liberty to make declarations either individually or collectively, but collective lists are preferable. Declarations should be supplied to the host nation through the diplomatic representative of the country of origin in the capital of the host country;  

(b) the fact that a firm is not covered by a "Declaration of Eligibility" or that such a declaration is incomplete does not immediately eliminate this firm. This case will be handled in accordance with paragraph 7 below.

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10 Whenever possible it should also show the section/branch responsible for handling the work, with the telephone number, telex number and name of individual concerned.

11 Declarations of Eligibility shall normally be supplied as in 5(iii)(a) but, if required, a country of origin may determine that such declarations will be transmitted from its NATO delegation via the NATO delegation of the host nation provided advance notice is given to the host nation.
Paragraph 12. Evaluation of Bids

(i) General

Host nations are encouraged to develop and follow formalised Procedures for the evaluation of bids to ensure complete objectivity and non-discrimination.

(ii) Discussions with Bidders (Offerers) during evaluation process

In accordance with the general principles expressed in paragraph 1 of this document, host nations are encouraged to discuss the offer made with the bidder concerned in order to clarify what is being offered and to resolve any potential areas of non-compliance. The objective of this process should be to achieve the maximum number of technically compliant bids and thus reduce the chances of dispute in this respect and allow selection to be made on the straightforward question of price. However, no alteration of bids (including technical, financial and schedule changes) are permissible.

(iii) Comparison of bids without taxes and duties:

(a) bids will be compared on a tax exclusive basis;

(b) to achieve this, all bids will be certified as not including any identifiable taxes. Identifiable taxes are defined as host nation VAT, customs/import duties and such other taxes as may be required by host nation legislation;

(c) However, where host nations do not exempt NATO Infrastructure procurements from taxation and duties and the taxes and duties are charged and collected but borne by the host nations, contractors will, if so required, add to their basic bid the taxes and duties they expect to be levied, it being understood that contract award would be made on the basis of the principle of bid comparison set forth in sub-paragraph (a) above. To assist contractors, the "cahier des charges" should inform bidders of national taxes and duties that the host nation may expect to levy. In such a case these expenses will be listed as a separate item.
LIST OF PRODUCT AND SERVICE CATEGORIES CONSIDERED FOR BOA APPLICATION

**Education and training services**
Alternative educational systems
Educational facilities
Vocational training

**Engineering and research and technology based services**
Computer services
Earth science services
Information technology service delivery
Manufacturing technologies
Statistics
Professional engineering services

**Information technology broadcasting and telecommunications**
Communications devices and accessories
Components for information technology or broadcasting or telecommunications
Computer equipment and accessories
Software
Data voice or multimedia network equipment or platforms and accessories

**Management and business professionals and administrative services**
Business administration services
Human resources services
Management advisory services

**Office equipment and accessories and supplies**
Office and desk accessories
Office machines and their supplies and accessories
Office supplies
FLOWCHART: HOW TO OBTAIN A BOA
(Note: Prior to the launch of the NCIA eProcurement tool)

Para. 7
BOA Programme application package available through NCIA’s website for download

Para. 8/9/10
Company applies formally for BOA

Company meets Categories

NO
NCIA informs Company that it does not meet agreed categories

YES
Company meets Categories

Para. 11
NCIA/Company BOA Discussions

Para. 11
NO
NCIA informs Company that BOA discussions cannot be finalised

Para. 12
YES
NCIA/Company finalise BOA

NO
Problem solvable?

Para. 1
1
Company requests “Declaration of Eligibility” from national authority

Company does not require Security Clearance at this stage

Company signs BOA

YES
NCIA sends a notification to BOA holder

3 months prior to expiration

NO
NATO UNCLASSIFIED 1-13

Para. 2
Company does not require Security Clearance at this stage

c.c. Delegation

Para. 2
Company meets Categories

c.c. Delegation

c.c. Delegation
**FLOWCHART: HOW TO USE A BOA**
(Note: process not adjusted to provisions of 2018 agreed governance model)

1. **Host Nation (HN)** submits MWCE/TBCE including procurement method to NATO IS
   - NO: Working Group (WG) of Technical Experts recommends TBCE
     - YES: **International Staff (IS)** submits Staff Report
       - IC refers back to IS
         - Not recommended
         - IC Decision Sheet
           - Recommended
   - WG refers back to HN and/or negotiates changes
FLOWCHART: HOW TO USE A BOA

IC authorises use of competitive BOA

HN informs IC if no BOA bidders can be identified

HN identifies potential bidders from database

HN compiles bidders list in accordance with NATO Financial Regulations (i.e. single tender, 3 tender, 5 tender, ICB) (Para. 25)

HN invites bidders

HN includes special terms including delivery, security, if applicable (para.28)

Company requests bid extension

Extension granted?

Bid Extension granted at HN discretion

Company bids

Para.29

Para.30

Para.34

NO

YES

HN grants 14 calendar days (simple), minimum 28 calendar days (complex) or earlier subject to IC approval (Para. 29)

Any extension to be granted no later than 7 calendar days before bid closing (Para. 30)
HN commences evaluation

Clarification required?

Para. 31/32

HN validates receipt of bids against bidders’ list and by physical check/search.

Para. 32

HN issues clarification request

Clarification received

Bid compliant?

Para. 31/32

HN recommendations

HN intention to award to other than lowest compliant bidder

IC decision

Bidder compliant

HN Decision

Bidder non-compliant

HN recommendations

Para. 31/32

HN commences evaluation

Clarification required?

Yes

Para. 32

HN issues clarification request

Clarification received

Bid compliant?

NO

Yes

HN Decision

IC decision

Bidder compliant

HN recommendations

Para. 31/32

HN commences evaluation

Clarification required?

Yes

Para. 32

HN issues clarification request

Clarification received

Bid compliant?

NO

Yes

HN Decision

IC decision

Bidder compliant

HN recommendations

Para. 31/32

HN commences evaluation

Clarification required?

Yes

Para. 32

HN issues clarification request

Clarification received

Bid compliant?

NO

Yes

HN Decision

IC decision

Bidder compliant

HN recommendations

Para. 31/32

HN commences evaluation

Clarification required?

Yes

Para. 32

HN issues clarification request

Clarification received

Bid compliant?

NO

Yes

HN Decision

IC decision

Bidder compliant

HN recommendations

Para. 31/32

HN commences evaluation

Clarification required?

Yes

Para. 32

HN issues clarification request

Clarification received

Bid compliant?

NO

Yes

HN Decision

IC decision

Bidder compliant

HN recommendations

Para. 31/32

HN commences evaluation

Clarification required?

Yes

Para. 32

HN issues clarification request

Clarification received

Bid compliant?

NO

Yes

HN Decision

IC decision

Bidder compliant

HN recommendations

Para. 31/32

HN commences evaluation

Clarification required?

Yes

Para. 32

HN issues clarification request

Clarification received

Bid compliant?

NO

Yes

HN Decision

IC decision

Bidder compliant

HN recommendations

Para. 31/32

HN commences evaluation

Clarification required?

Yes

Para. 32

HN issues clarification request

Clarification received

Bid compliant?

NO

Yes

HN Decision

IC decision

Bidder compliant

HN recommendations

Para. 31/32

HN commences evaluation

Clarification required?

Yes

Para. 32

HN issues clarification request

Clarification received

Bid compliant?

NO

Yes

HN Decision

IC decision

Bidder compliant

HN recommendations

Para. 31/32

HN commences evaluation

Clarification required?

Yes

Para. 32

HN issues clarification request

Clarification received

Bid compliant?

NO

Yes

HN Decision

IC decision

Bidder compliant

HN recommendations

Para. 31/32

HN commences evaluation

Clarification required?

Yes

Para. 32

HN issues clarification request

Clarification received

Bid compliant?

NO

Yes

HN Decision

IC decision

Bidder compliant

HN recommendations

Para. 31/32

HN commences evaluation

Clarification required?

Yes

Para. 32

HN issues clarification request

Clarification received

Bid compliant?

NO

Yes

HN Decision

IC decision

Bidder compliant

HN recommendations

Para. 31/32

HN commences evaluation

 Clarification required?

Yes

Para. 32

HN issues clarification request

Clarification received

Bid compliant?

NO

Yes

HN Decision

IC decision

Bidder compliant

HN recommendations

Para. 31/32

HN commences evaluation

Clarification required?

Yes

Para. 32

HN issues clarification request

Clarification received

Bid compliant?

NO

Yes

HN Decision

IC decision

Bidder compliant

HN recommendations

Para. 31/32

HN commences evaluation

Clarification required?

Yes

Para. 32

HN issues clarification request

Clarification received

Bid compliant?

NO

Yes

HN Decision

IC decision

Bidder compliant

HN recommendations

Para. 31/32

HN commences evaluation

Clarification required?

Yes

Para. 32

HN issues clarification request

Clarification received

Bid compliant?

NO

Yes

HN Decision

IC decision

Bidder compliant

HN recommendations

Para. 31/32

HN commences evaluation

Clarification required?

Yes

Para. 32

HN issues clarification request

Clarification received

Bid compliant?

NO

Yes

HN Decision

IC decision

Bidder compliant

HN recommendations

Para. 31/32

HN commences evaluation

Clarification required?

Yes

Para. 32

HN issues clarification request

Clarification received

Bid compliant?

NO

Yes

HN Decision

IC decision

Bidder compliant

HN recommendations

Para. 31/32

HN commences evaluation

Clarification required?

Yes

Para. 32

HN issues clarification request

Clarification received

Bid compliant?

NO

Yes

HN Decision

IC decision

Bidder compliant

HN recommendations

Para. 31/32

HN commences evaluation

Clarification required?

Yes

Para. 32

HN issues clarification request

Clarification received

Bid compliant?

NO

Yes

HN Decision

IC decision

Bidder compliant

HN recommendations

Para. 31/32

HN commences evaluation

Clarification required?

Yes

Para. 32

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Clarification received

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NO

Yes

HN Decision

IC decision

Bidder compliant

HN recommendations

Para. 31/32

HN commences evaluation

Clarification required?

Yes

Para. 32

HN issues clarification request

Clarification received

Bid compliant?

NO

Yes

HN Decision

IC decision

Bidder compliant

HN recommendations

Para. 31/32
FLOWCHART: HOW TO USE A BOA

Purchase orders under 100,000 EUR and let for IC authorisations under the Urgent Requirements Procedure, if agreed, awarded at HN discretion.

Para. 33

HN awards contract

HN notifies unsuccessful bidders (including non-compliant bidders) and NATO Delegation

Para. 38

NO

Contractor performs

Bidders/NATO Delegation protest (14 cal. days)

Para. 36/37/38

YES

Disputes procedure in accordance with Annex I of AC/4-D/2261 (1996 Edition)

Complaint referred to HN and IC