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)

© ISO 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

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

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

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

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

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

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

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