

RFP Drafting: Managing Mandatory Requirements

Under Contract A, mandatory requirements can become a minefield of your own making. Every mandatory requirement presents a fresh opportunity for the 'right' bidder to get it wrong, potentially obliging you to disqualify the bid for non-compliance. Learn to become a mandatory minimalist, by making more effective use of rated requirements, proposal promises and contractual clauses. Also learn how to avoid the common pitfall of mixing your Contract A and Contract B requirements.

Learning Objectives

- Consider common mandatory requirements and how they can be best drafted.
- Identify requirements best evaluated as desirable rather than mandatory.
- Review 3 ways to frame a mandatory requirement when drafting your RFx.
- Explore relevant court cases surrounding mandatories to understand the related legal risk.



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