2010年1月19日

#### 第1回契約監視委員会議事要旨

1. 日時 2010年1月19日(火曜) 15時30分~17時30分

2. 場所 沖縄科学技術研究基盤整備機構 本部 (恩納村) 会議室 1

3. 出席 郷原委員、野里委員、小渡委員、大久保委員、勝野委員

4. 議事概要

#### 開会

■ 委員会の改組について

事務局より、旧「調達に関する第三者委員会」から「契約監視委員会」の改組趣旨について説明を行った。

■ 委員長の互選

契約監視委員会細則第3条第2項の規定に基づき、委員による互選を行い、郷原委員が委員長に選出された。

■ 委員長代理の指名

契約監視委員会細則第3条第3項の規定に基づき、郷原委員長が渡邊委員を委員長代理に 指名し、了承された。

#### 議事

(随意契約、1者入札・1者応札、複数年度契約)

#### ※番号は添付資料の項番に対応

- 1. 本件の事由はやむを得ないと考える。改善策もOK。しかし、この程度の金額で入札 手続きを実行するとなると、リース随意契約80万円の基準額が実際的ではないと言 えるのではないか。委員会における意見として、問題点を整理し内閣府等に報告して よい。
- 2. 保守契約を締結すれば、その都度修理を実施するよりも契約額は高くなるのではないか。コストと運用の比較検討資料を作成しておき、この判断が合理的であると説明可能にしておくこと。1,500 千円の随意契約を回避するために、高額な保守契約を締結するとすれば、本末転倒である。
- 3. 現行法上では、単年度予算の制約があることから、工事を小さく分けて、発注していかざるを得ない。それゆえ、毎年工事を発注する際、それに付随して意図伝達業務や工事監理業務等の随意契約(公募プロポーザルを含む)が発生し、その部分は競争が働かない。本来は、全工事を一括して1つの契約で発注するのがもっとも経済合理性が高い。単年度予算主義による弊害こそが公共事業の根本問題である。総務省で取り上げるべき問題である。
- 4. 同上

- 5. 問題なし。独占的な供給体制なら仕方ない。ただし、それらが有効活用されることが 前提だ。
- 6. 問題なし。
- 7. 問題なし。沖縄電力は、本土の電力会社と比較して料金が高いのではないか。大口割引は適用されているのか。だから沖縄に工場が進出してこないのか。
- 8. 問題なし。
- 9. 公的機関は取引先を2~3社しか持っていないことが多い。民間研究機関を調査・ヒアリングして、競争環境を構築すること。購買部門の強化に取り組みコスト削減を図ること。研究機関であるから、仕様書の設定の適切性をレビューする委員会が当然必要。少なくとも1,000万円を超える案件は、当該仕様書の適切性をワークフローとしてレビューした方がよい。
- 10. 購入時に保守も一緒に入札できないか。トータルで最適な調達方法を検討すること。 独立系の保守会社が落札しても、品質や信頼性が低ければNGである。これには、発 注者が社内コストをかけ注意することが必要。対象機器の性質をよく調査し、明らか に一者しか応札できないものは、随意契約も考えた方がよい。
- 11. 公募プロポで1者しか応募がなかった理由として、条件の中に高いハードルがあったのではないか。毎年この業務を継続する場合は、条件の見直しとともに、複数年契約も視野に入れること。
- 12. 本土の民間研究機関をヒアリングした方がよい。業者の準備期間が十分に取れるよう、 公告をできるだけ前倒しすること。
- 13. 実態に即した契約形態を検討すること。例えば、メーカーが代理店を指定されたケースなら、随意契約も検討すべき。

#### (全般に関する意見・コメント)

- 明らかに随意契約しかできない案件(外国雑誌の購入、ラボスペースの賃貸借契約、電 気料金等)は、本委員会で審議する必要はない。
- 随意契約の基準価格が独法一律に設定されていることは(リース80万円、役務100万円、物品160万円、工事250万円)、独法の運営上、その効率性を阻害している面がある。
- 建設工事に付随して、設計意図伝達業務や工事監理業務の随意契約(公募を含む)が発生するのは仕方ない。しかし、細分化された工事全てに関して、このパターンが、毎年発生しているのは、機構内における入札・契約手続きの運用コストを含め、大幅なコスト増となろう。単年度予算から生じる根本的な問題である。前述の随意契約の基準と併せて懸案を整理し、総務省へ問題提起したらどうか。

# **Summary of the First Contract Review Committee Meeting**

1. Time and Date: 15:30-17:30 January 19 (Tue.), 2010

2. Place: OIST PC HQ (Onna Village) Meeting Room 1

3. Member Attendees: Gohara, Nozato, Odo, Okubo, Katsuno.

4. Agenda Items

# Opening of a meeting

#### ■ Reorganization of Committee

The Secretariat explained the purpose of reorganizing the Third-Party Committee on Procurement to the Contract Review Committee.

#### Mutual Election of the Chairperson

In accordance with Article 3-2 of Detailed Stipulations for the Contract Review Committee, a mutual election was held for the position of chairperson, and Mr. Gohara was elected as chairperson.

#### Appointment of the Deputy Chairperson

In accordance with Article 3-3 of Detailed Stipulations for the Contract Review Committee, Chairperson Gohara nominated Professor Watanabe for the position of deputy chairperson, which was accepted by the committee.

### **Items of Business**

(Negotiated contracts, one bidder/one application, multi-year contracts)

\*The following numbers correspond to the item numbers on the table as attached.

- 1. We believe that this case cannot be helped. The improvement measures are okay. However, if we conduct bidding procedures for this amount of money, can it not be said that the standard amount of 800,000 yen for lease negotiated contracts is impractical? This may be reported to the Cabinet Office, etc., as the Committee's opinion after sorting out the issues.
- 2. If a maintenance contract is concluded, do you not end up spending more in the end, as opposed to paying for repair when it is needed? Prepare documents that illustrate the relationship between cost and actual operation, in order to be able to explain that it is reasonable. Signing a pricy maintenance contract to avoid a 1.5 million yen negotiated

- contract is putting the cart before the horse.
- 3. The laws we have place a limit on our single-year budget, so there is no choice but to divide up the construction in small parts for ordering. That is why when we order construction projects each year, there is also a need for associated design communication and construction supervision services—which are negotiated contracts (including publicly recruited proposals)—and there is no competition for these contracts. Normally, it is the most reasonable economically to conclude a single contract with all construction projects bundled up in one. This downside of the single-year budget is the very root of the public works problem. The Ministry of Internal Affairs and Communications should discuss this issue.
- 4. Same as above.
- 5. No problem. A monopolized supply system cannot be helped. However, it has to be used effectively.
- 6. No problem.
- 7. No problem. OEPC's prices might be higher compared to power companies in mainland Japan? Is a volume discount being applied? Is that why they do not build plants in Okinawa?
- 8. No problem.
- 9. Public organizations usually have only 2-3 companies that they deal with. Conduct a study and hearings at private research institutions to build a competitive environment. Strengthen the purchasing department and reduce costs. Because it is a research institute, it is absolutely necessary to have a committee that reviews the appropriateness of the condition of specification sheets. At the very least, the appropriateness of specification sheets for contracts whose amounts exceed 10 million yen should be reviewed as part of the standard workflow.
- 10. Is it not possible to have the bidding for a product purchase and maintenance at the same time? Consider the best procurement method overall. Even if an independent maintenance company submits the most attractive bid, it is unacceptable to award the bid if its quality and reliability are in question. It is important for the ordering party to use appropriate in-house resources to avoid this situation. Investigate the characteristics of the device in question. If it is evident that only a single supplier can bid on it, consider signing a negotiated contract.
- 11. Perhaps there were participating conditions that were too difficult to meet, which resulted in only one applicant in the public proposal recruitment. If we are to conduct this operation each year, explore the possibility of reviewing the conditions and signing a multi-year contract.

- 12. It is a good idea to conduct hearings at private research institutions in mainland Japan. Announcements should be made as early as possible to give suppliers enough time to prepare.
- 13. Consider the best contract type for the given situation. For example, if the manufacturer designated an agent, a negotiated contract should be considered.

## (Overall Opinions and Comments)

- The committee does not need to deliberate items that can only be processed with negotiated contracts (purchase of foreign journals, lab space lease agreement, utilities, etc.).
- The fact that the standard prices of negotiated contracts concluded by an independent administrative institution are uniformly set (800,000 yen for lease, 1 million yen for service, 1.6 million yen for goods, and 2.5 million yen for construction work), it interferes with the efficient operation of any independent administrative institution.
- There is nothing that can be done about the negotiated contracts (including publicly recruited proposals) for design communication and construction supervision services that are associated with the construction project. However, this type of segmentalization of a construction project year after year would increase cost, including the in-house operation cost for bidding and contracting procedures. This is an underlying problem that arises from dealing with a single-year budget. Perhaps it would be an idea to organize the issues including the aforementioned negotiated contract standard, and forward them to the MIC.

# Improvement Measures for Non-Competitive Negotiated Contracts (Draft)

# 競争性のない随意契約の改善方策について(案)

Туре	Material No	No. of Cases	Amount (1,000 Yen)	Ratio	Why Negotiated Contract?	Improvement Measure	Specific Approaches of the Improvement Measure	Remarks by the Contract Review Committee
類 型	資料No.	件数	金額(千 円)	割合	随意契約理由	改善策	改善策の具体的な内容	契約監視委員会の指摘事項
1. Multi−year contract that assumes renewal of single−year contract 単年度契約の更新を前提とした複数年 度契約	1	6	6 9,867	3.1%	to wait until these contracts expire for renewal to switch to	へ移行	Based on the "Handling of Multi-year Contracts" document that was created at the end of 2008, multi-year contracts will be awarded through general competitive bidding. 平成20年度末に整備した「複数年契約の取扱について」を活用し、複数年契約による一般競争入札に移行する	
2. Urgent repair of research equipment 研究機器の緊急修理	2	1	1,554		negotiated contract was	general competitive contract 一般競争契約	Create specifications of an equipment maintenance contract, and switch to general competitive bidding. 機器の保守契約の仕様を作成し、一般競争入札に移行する。	
3. Implementation design of research experiment facilities 研究実験施設の実施設計業務	3	4	39,459	12.4%	Had to be a negotiated contract since the design communication work was closely associated with the contract work of a supplier that was selected by the open proposal method before last year. 前年度以前に公募型プロポーザル方式により業者選定された契約と密接に関連する設計意図伝達業務であり、随意契約とせざるを得なかったもの	_	_	

Туре	Material No	No. of Cases	Amount (1,000 Yen)	Ratio	Why Negotiated Contract?	Improvement Measure	Specific Approaches of the Improvement Measure	Remarks by the Contract Review Committee
4. Construction management associated with facility development 施設整備に係る工事監理業務	4	4	67,515	21.3%	Had to be a negotiated contract since the work was closely associated with the contract work of a supplier that was selected by the open proposal method last year, and the announcement had already been made as a negotiated contract. 前年度に公募型プロポーザル方式により業者選定された契約と密接に関連する業務で、当該公告資料にて随意契約する対象として事前に公表済みであり、随意契約とせざるを得なかったもの	1		
5. Purchase contract for foreign magazines and journals 外国雑誌の購入契約	5	2	28,452	9.0%	Supply system is monopolistic. 独占的な供給体制となっているため。	-	_	
6. Lease agreement for research implementation locations 研究実施場所の賃貸借契約	6	4	121,927	38.4%	Cannot achieve the research objectives if the research is conducted elsewhere. 当該研究施設でなければ研究目 的を達成できないため。	I	_	
7. Research exchange center - electric power 研究交流センター 電気料	7	12	47,545	15.0%	Okinawa Electric Power Company is the only supplier in the region. 当該地域で沖縄電力株式会社が 唯一の供給者となっているため。	I	_	
8. Fees associated with the announcement on the official gazette 官報公告掲載料	8	1	1,395	0.4%	Supply system is monopolistic. 独占的な供給体制となっているため。	-	_	
T		0.4	017.714	100.00/				

Total 34 317,714 100.0%

# Improvement Measures for One Bidder/One Application Cases (Draft) 一者応札・一者応募の改善方策について(案)

Туре	Material No.	No. of Cases	Amount (1,000 Yen)	Ratio	Why Only One Bidder?	Improvement Measure	Specific Approaches of the Improvement Measure	Remarks by the Contract Review Committee
類型	資料No	件数	金額(千円)	割合	一者応札となった理由	改善策	改善策の具体的な内容	契約監視委員会の指摘事項
9. Purchase of specialized research equipment 専門的な研究機器の購入	9-1,2	42	661,607	53.6%	Tresearch equipment manufacturer and thus	Change to spec. sheet 仕様書の変更	Create a framework such as establishing a committee to examine and compare required functions and the performance of candidate devices, and commit to creating a specification sheet that ensures competition. 必要とする機能や候補機種の性能比較等を審議する委員会等の仕組みを設けるなどして、競争性が確保された仕様書を作成するよう努める。	
10. Maintenance contract for existing research equipment and systems 既存研究機器、システム等の保守契約	10	14	48,561	3.9%	It was necessary to conclude a maintenance contract with the supplier of research equipment, and the only bidder was the equipment supplier or the manufacturer's dealership. 研究機器等本体の納入元との保守契約が必要であり、機器本体の供給者またはメーカーの代理店しか応札しない状況であるため。	Change to spec. sheet 仕様書の変更	Aggressively encourage new suppliers to participate by presenting specific work description and other detailed information necessary for the bidding process. 業務内容を具体的に提示し、可能な限り入札等に必要な詳細情報を提供することにより、積極的に新規参加者の掘り起こしに努める。	
11. Comprehensive consulting for facility developmenet, design, and construction supervision 施設整備総合アドバイザリー業務、設計業務、工事監理業務等	11)	8	312,296	25.3%	high, and resulted in only one participant. 業務の質を確保する観点で設定した応募要	Change of participation requirement 参加要件の変更	Among the bidding participation requirements, lower the standards for years of engineer's experience, business history (e.g. total floor area of buildings designed, contracts with government), etc. 応募要件の緩和企業における同種業務の実績、配置予定技術者の経験年数・実績等の資格要件を緩和することにより複数参加の確保を図る。	

Туре	Material No.	No. of Cases	Amount (1,000 Yen)	Ratio	Why Only One Bidder?	Improvement Measure	Specific Approaches of the Improvement Measure	Remarks by the Contract Review Committee
12. Annual contracts such as program development and building management プログラム開発業務・建物管理等の年間契約	12	7	108,807		•	bidding and contract conditions (other) 入札・契約条件等の 改善(その他)	Make sure that there is enough time from the award date to the work commencement date for transition and preparation. 円滑な業務の引き継ぎ、準備が行えるよう、落札決定から業務開始日までの期間が十分確保されるよう留意する。	
13. Other types その他の類型	13)	18	102,077		Bidding announcement period is not long enough, lack of PR, etc. 入札公告期間が十分に確保されていない、 入札情報のPR不足、等	Review of annoucement period and enhancement of information service 公告期間見直し、情報提供の拡充	Make sure that there is enough time for the bidding announcement period. As for the bidding announcement, make efforts to provide information to industry organizations and journals in addition to the announcement on the OIST website. 入札公告期間は、十分な公告期間が確保されるよう留意する。入札等の公告について、現在行っている機構ホームページへの掲載に加え、業界団体・専門誌への情報提供を行い、周知に努める。	

Total

89 1,233,348 100.0%

#### 第2回契約監視委員会議事要旨

1. 日時 2010年2月18日(木)~3月1日(月)

2. 場所 持ち回り開催

3. 出席 郷原委員、野里委員、小渡委員、大久保委員、

勝野委員、中地委員

4. 議事概要

以下の事項について、契約監視委員会へ持ち回りにより、点検・確認を要請したところ、 委員の了解を得た。

# 点検・確認事項

第1回委員会における類型13(その他の類型)について

第1回の委員会において、類型13の典型例として、「ゲノムシーケンサーの移設」を事務 局から説明し、委員会から、「一般競争による調達を原則としつつ、契約の実態に即した適 正な契約方式を採用すること」との審議結果となり、それを全体の改善策とした。

この類型に属する他の案件については、「十分な公告期間を確保する。ホームページに加え、 専門誌等への情報提供を行い、周知に努める。」をそれらの改善策とする。

## 持ち回り資料

別紙1 第1回点検結果の一部再確認について

別紙2 分類13契約一覧

別紙3 分類13を含む表

March 1, 2010

Summary of Proceedings at the 2nd Contract Review Committee Meeting

1. Time: February 18 (Thu) – March 1 (Mon), 2010

2. Place Rotating

3. Attendees Committee members Gohara, Nozato, Odo, Okubo, Katsuno, Nakachi

4. Summary of proceedings

The following matters were by rotation referred to the Contract Review Committee for examination

and confirmation and accepted by the committee members.

Matters for examination and confirmation

Concerning type 13 (and other types) at the 1st committee meeting

At the 1st committee meeting, the secretariat gave an explanation of the "genome sequencer

transfer" as a typical example of type 13. In its deliberations, the committee concluded, and

established as a general improvement measure, that "Procurement, as a rule, is subject to general

competition, and appropriate contracting methods consistent with contract substance must be used."

With respect to other instances that belong to this type, the committee established as respective

improvement measures that "Advertising periods must be sufficiently long. In addition to

information on websites, information will be provided also in specialized journals, etc., and actively

promulgated."

Materials for rotation

Attachment 1: Concerning confirmation of part of the results of the 1st examination

Attachment 2: List of contracts for type 13

Attachment 3: Table including type 13

#### 第3回契約監視委員会議事要旨

1. 日時 2010年3月1日(月曜)午前9時~11時

2. 場所 三菱ビル(東京・丸の内)コンファレンススクエア

10F 会議室

3. 出席 郷原委員、野里委員、小渡委員、大久保委員、中地委員

オブザーバー:山里(内閣府)

#### 4. 議事概要

#### 開会

#### ■ 委員長の交代・互選

郷原委員長から、総務省顧問業務との兼ね合いから、当契約監視委員会委員長の辞任の申し出があった。本申し出は委員会にて了承され、契約監視委員会細則第3条第2項の規定に基づき、委員による互選を行い、野里委員が委員長に選出された。

委員長代理は、野里委員長が別途指名することとなった。郷原委員は、当面、当委員会 委員を継続する。

#### 議事

1. 「随意契約見直し計画(案)」について

(事務局より、第1回の点検結果を反映していること及びその反映箇所を説明した。)

- 随意契約見直し計画(案)は問題ない。
- ・ OIST プロジェクトの理想 (Best in the world) を実現するためには、柔軟性のある調達の仕組みが必要だと考える。一方、入札基準など、国の契約制度は一律に定められている。今後、OIST における調達方法と国の制度とのマッチングについて、整理して明文化すべきではないか。
- 沖縄地域振興の観点からも、ある程度の地元業者への配慮が要。
- 0IST 関連の調達、特に建設工事案件の発注において、沖縄地域の振興に資する観点から、地元業者への配慮を対外的に示した方針はないか。なければ策定することはできないか。
  - (→ 内閣府より、沖縄振興計画独自の方針ではないが、国の機関や独法に対して、「中小企業に対する国等の契約方針」、「中小企業の受注企業への配慮について」等の通知・依頼を行っており、国として、中小企業の受注拡大に取り組んでいること、また OIST へも要請・依頼していることを説明。)
  - (→ 事務局より、沖縄振興の趣旨を踏まえ、契約の内容・技術・金額規模を十分に考慮し入札資格条件等を設定していること、地元中小企業への配慮も行っていることを説明。)

国の予算を使って、特定の地域業者を厚遇することは難しいが、結果として、地の 利で地元業者が受注することはよい。

## 2. 平成 21 年度の契約状況の点検・見直しについて

(事務局より、第 1 回開催時と同様の類型に分けて整理したことを説明し、了解された。)

- ・ 合理的に説明が可能であれば問題ない。
- 公的機関では、新規の業者をできるだけ開拓すること。
- 世間相場(市場価格)が下がっている場合、契約額にも反映されるべき。
- リースや保守等は、できるだけ複数年契約を活用すること。
- ・ システムや役務は、発注・契約時に十分な審査や評価を実施していることは理解している。しかし、一般に、公的機関の場合、その調達(契約)後、どのくらいの効果や成果があったのかを測定する仕組みがない。将来的に調達(契約)後の効果や成果をレビューできる仕組み作りを検討すること。

# 3. 「実質的な競争性確保に関する緊急点検」について

(事務局より、対象となる11件を個別に説明した。)

- ・ 先ほどの議題でも述べたが、今回の点検対象となっている物品調達の場合、物品の 納入業者が固定されているケースが多いので、競争性の確保が重要である。
- ・ 物品の性質(汎用品か、専門的な研究機器か、等)に応じて、どのように競争性を 確保するかを判断すること。
- 契約価格を合理的、客観的に説明できること。
- ・ 物品の調達方法の改善について、文科省の取り組み (研究用消耗品) が OIST の調 達にも参考にできる部分がある。検討してみること。
- ・ 新規の代理店を積極的に開拓すること。
- ・ 価格の妥当性の検証にあたっては、必ずしも見積書の徴取だけにこだわる必要はな く、例えばネットを通じた市場価格調査を行ってもよいと考える。

#### 4. その他

物品や役務は、さまざまな案件があるので、落札率が高いもの、高額なもの、等、 の角度から焦点を当て、当委員会に提示してほしい。

#### 5. 次回の日程について

時期は6月ごろの予定。場所は、委員長及び委員長代理と協議して決める。

# Summary of Proceedings at the 3rd Contract Review Committee Meeting

1. Time: March 1 (Mon), 2010, 9:00 – 11:00 a.m.

2. Place Mitsubishi Building (Marunouchi, Tokyo), Conference Square,

10th Floor, Conference Room

3. Attendees Committee members Gohara, Nozato, Odo, Okubo, Nakachi

Observer: Yamazato (Cabinet Office)

#### 4. Summary of proceedings

#### **Opening**

■ Change of chairperson and co-optation

Committee member Gohara made motion to resign as chairperson of the Contract Review Committee with a view to balancing duties as advisor to the Ministry of Internal Affairs and Communications. This motion was approved by the committee meeting. Pursuant to the stipulations of Article 3, Paragraph 2, of Detailed Stipulations for the Contract Review Committee, by co-optation of the committee members, committee member Nozato was elected as the new chairperson.

Committee member Nozato will separately appoint a deputy chairperson. Committee member Gohara will for the time being continue as a committee member.

# **Meeting proceedings**

1. Plan for the review of negotiated contracts (draft)

(The secretariat gave an explanation on how and where the implications of the results of the 1st examination apply.)

- The plan for the review of negotiated contracts (draft) poses no issues.
- In order to realize the ideal outcome ("Best in the world") for the OIST project, flexible procurement schemes are considered necessary. On the other hand, with respect to the bidding criteria, etc., national contract regulations provide uniform stipulations. It was suggested that, for matching procurement methods for the purposes of OIST with the national regulations, a review should be conducted and the results clearly put into words.
- To a certain extent local business operators have to be involved, also from the perspective of regional development in Okinawa.
- Concerning procurement related to OIST, in particular with respect to construction work orders, are there any policies that, from the perspective of contributing to the regional development in Okinawa, externally indicate special consideration of local businesses? If

not, would it be possible to formulate such policies?

(According to explanations from the Cabinet Office, although there exist no specific policies under the Okinawa Promotion Plan, national institutions and independent administrative institutions have been sent notifications and requests concerning "Policies of the national government for contracts with small and medium-sized enterprises" and "Special consideration of small and medium-sized enterprises as recipients of orders," and national efforts are being made to increase order receipts of small and medium-sized enterprises; pertinent requests have been made also to OIST.)

(According to explanations from the secretariat, based on the intent of promoting the development of Okinawa, terms and conditions for eligibility to bid have been established with full consideration of contract substance, technology, and scope of contract value, and special consideration is being given to small and medium-sized enterprises.)

- Although it is not possible to use national funds to benefit specific local companies, it is
  desirable as an outcome that, in the interest of the region, orders are received by local
  companies.
- 2. Concerning the status of contract examinations and reviews in fiscal year 2009

(From the secretariat an explanation was given and accepted by the committee that a categorization into the same types has been used as at the 1st committee meeting.)

- No issue exists if a reasonable explanation can be provided.
- With respect to public institutions, utmost efforts must be made to source new companies.
- If general market prices decline, this must be reflected also in the contract value.
- For leasing and maintenance, etc., multi-year contracts should be used as much as possible.
- With respect to systems and services, it is well understood that a thorough inspection and evaluation is performed when orders are issued and contracts signed. However, in the case of public institutions, generally no arrangements exist for measuring the effects and results after the procurement (contract conclusion). Going forward, deliberations will be held to create arrangements to enable reviews of the effects and results that ensue after the procurement (contract conclusion).
- 3. Concerning "Urgent examinations regarding the preservation of genuine competitiveness" (The secretariat gave individual explanations of 11 relevant instances.)
  - As mentioned in an earlier agenda point, in the cases of goods procurement at issue in this
    examination, since the businesses that supply the goods have in many instances been fixed,
    the preservation of competitiveness is essential.
  - · The method for preserving competitiveness must be judged consistent with the

characteristics of the goods concerned (e.g., whether general purpose goods or specialized research equipment, etc.).

- The contract price must be open to reasonable and objective explanation.
- With regard to improving procurement methods, the work of the Ministry of Education,
   Culture, Sports, Science and Technology (for consumables used in research) can partly be applied as reference also to OIST procurement. This point should be considered.
- New agencies should be proactively sourced.
- The appropriateness of prices should be verified not only based on written estimates but also by checking market prices, for example, on the internet.

#### 4. Other matters

Since goods and services comprise a variety of items, cases should be referred to this
committee with the focus on instances that display, for example, high successful bid rates or
high value, etc.

#### 5. Schedule for the next meeting

The next meeting is scheduled for around June. The place will be determined in consultations between the chairperson and deputy chairperson.

#### 第4回契約監視委員会議事要旨

1. 日時 2010年3月30日(火曜)午前9時30分~11時30分

2. 場所 三菱ビル(東京・丸の内) コンファレンススクエア

10F 会議室

3. 出席 野里委員長、渡邊委員、小渡委員、楠委員、勝野委員、

中地委員

オブザーバー:山里(内閣府)

# 4. 議事概要

#### 開会

#### ■ 委員長代理の指名

契約監視委員会細則第3条第3項の規定に基づき、野里委員長が委員長代理として渡邊委員を指名した。

### 議事

1. タイプ分け・案件振り分けの適切性について

野里委員長から、タイプ分けと個別案件の振り分けについて、委員長見直し案の提示があった。変更点を事務局から説明した。

# タイプの統合:

「供給者が1つに限定されるもの」として、「外国雑誌の購入」、「研究交流センター電気料」及び「官報公告掲載料」は1つのタイプとして統合して、⑤ とした。

#### タイプの分離:

「専門的な研究機器の購入」をその内容に鑑み、⑨「研究機器」、⑨—2「試薬・消耗品」及び⑨—3「研究機器以外の物品購入」の3つに分離した。

「研究機器・システム等の保守契約」を、⑩「研究機器・システム等の保守契約」と ⑩—2「研究機器以外の保守契約」とに分離する。

# タイプの新設:

「その他の類型」の中から、4件の同種業務があったことから、これを⑭「DNA 解析等の外部委託」として新設した。

各委員の意見・コメントは、次のとおり。

	意見・コメント	事務局説明等
勝野委員	統合、分離、新設については	コメントのとおり整理し直
	了解。	すこととする。
	専門的な研究機器から分け	
	たカテゴリは、タイプの性質	

	が異なるので、枝番ではな	
	く、先頭から振り直したらど	
	うだろうか。	
小渡委員	変更案と新たなタイプ番号	
	を付与することで合意する。	
渡邊委員	「外国雑誌の購入」につい	このケースは、実質的な独占
	て、その供給を独占している	である。「実質的に」を加え
	という状況は理解できる。完	ることとする。
	全な独占とは異なるので、	
	「実質的に」を付加した方が	
	よい。	
野里委員長	まとめると次のとおり。旧⑦	今回見直した類型を基に対
	と⑧を統合する。旧⑨「専門	象の全案件を整理し、委員へ
	的な研究機器の購入」は3つ	確認依頼を行うこととする。
	に分離する。旧⑩の保守契約	
	を2つに分離する。その他の	
	類型から、「DNA 解析等の外部	
	委託」として新設する。	
	見直し案は、16の類型とす	
	る。この類型を基に、対象案	
	件の再確認を持ち回りによ	
	り行う。	

# 2. 研究棟1・センター棟実験室実施設計業務について

施設予算超過問題に係る点検対象案件として、事務局から内容の説明を行った。委員の意 見コメントは次のとおり。

	意見・コメント	事務局説明等
勝野委員	平成 16 年の内閣府発注の際	そのとおり。
	も、この同じ JV と公募型プ	このような研究施設がよい
	ロポーザルで契約をしたの	のではないかかという提案
	か。	形式であり、5~6社の中か
	その時の選定事由は?経	ら選定されたと聞いている。
	緯・背景は?公募期間は?	本案件は、引き続き、当該 JV
		が依頼するのが一番妥当と
		考え、参加者確認公募型方式

		をとったもの。
		公募期間は、機構のガイドラ
		インに基づき、20 日間をとっ
		た。
	 事業者特定理由書について、	 この契約をするにあたり出
		ていない。
	出しているか。	<b>3.0 3</b> .0
		そのとおり。
	選んで、それ以外の方で手を	4 / 201 / 0
	挙げる方がいないかどうか	
	募ったということか。	
   楠委員	もし手を挙げる業者がいた	
		となる。
	競争となるのか。	
   勝野委員	参加意思を表明するところ	照会はなかった。
	がなかったが、照会は何回か	2013
	あったのか。	
   楠委員	この JV がマスタープランを	設計料に関しては、国交省の
	策定し、一番よくわかってい	ガイドラインを参考にし、エ
	るわけだから、ずっと入って	事金額をもとに積算してい
	くるのは合理的ではあるが、	る。
	外部の人間がみると、同じ業	
	者が繰り返し入っていると	
	いうところに説明が必要。な	
	ぜ、この業者になったかはこ	
	の説明で理解できる。	
	次は、契約内容が合理的か、	
	予定価格を組むときの根拠	
	をどこから持ってきたのか。	
	先に工事の金額が決まって、	
	それを設計してもらう、定額	
	の労力がかかる、このぐらい	
	のスキルの人に依頼する、そ	
	うすると金額が固まる。そこ	
	が説明されているなら、契約	
	内容も合理的だということ	

	になる。	
野里委員長	楠委員からの質問に対する	関連書類を記録としてとし
	事務局の回答は、関連書類を	て残す。
	きちんと記録として残して	
	おくこと。	
	本件については、競争的な手	
	続きをとってみたが、1 者し	
	かこなかったので、当該 JV	
	と契約した。形態としては随	
	意契約となったとい <b>う</b> 説明	
	か。	

# 3. 契約監視委員会発足後の契約案件について

事務局から、以下の説明を行った。

- ・ 第3回(3月1日)の委員会では、平成21年度の11月までに契約した案件の審議 をいただいた。
- ・ 今回は、契約監視委員会発足後に契約した案件の説明となる。
- ・ 今後、再度事後的な点検をお願いすることになるが、基本的には、これまでの委員 会の提言や指摘事項を契約事務に反映しているところ。
- ・ 入札公告よりも早い段階での調達予定のホームページへの公表、科学新聞など理化 学機器取扱業者向けの専門紙への掲載、電子入札登録の促進等を行っている。

# 委員の意見コメントは次のとおり。

	意見・コメント	事務局説明等
楠委員	18 番の化学発光検出器一式	機器の場合は、定価があり、
	の購入、これは一般競争入札	それに対して、他機関(大学)
	で応札が2者だが、1円単位	へ購入実績(掛け率)照会、
	まで合致している。なぜか。	機構の過去実績、参考見積も
		りの取得等を行い、妥当な額
		を予定価格として設定して
		いる。
小渡委員	これは一度で落札したのか。	これは1回の入札で落札決定
	それとも、2回、3回と入札	となった。
	したのか。	
楠委員	1 者で応札した場合に 100%	背景、経緯を別途報告する。
	ぴったりというのは理解で	

	きるが、2者は競争となるの	
	でこの表だけをみるわかり	
	   難いので、背景を説明できる	
	こと。	
├────────────────────────────────────	このような注目を引く案件	同上
	   については、事実関係をきち	
	│ │んと整理して記録しておく	
	こと。	
—————————————————————————————————————	項番20のバイオハザード	通常、理化学機器は、相当品
	キャビネットは、3 者で 58%	A と仕様書に書くが、2 社は A
	となっているが?	という製品で応札し、最低価
		格提示者の1社はBという製
		品で応札した。
	58%の低価格で大丈夫なの	落札後に要請部署で製品の
	か。本当に信頼できるのか。	チェックを行い、仕様書との
		適合が確認された時点で契
		約という形とした。
渡邊委員	これは結果として良い競争	この業者が応札しているこ
	事例ということになるのか。	とは想定していなかった。要
	一種の VE に相当するのか。	請部署はAというドラフトチ
	当初の仕様を最低価格提示	ャンバーを想定していたが、
	者は満たしていなかったが、	Bが提示されてきた。そこで、
	機構と協議したのか。それと	現場に連絡を取って、設置が
	も、当初から機構の仕様は満	確認できるか否かを確認し
	たしていたが、違うやり方で	た。
	満足したということか。	
楠委員	残り2社は想定したもので応	そのとおり。
	札してきたのか。	
勝野委員	バイオハザード対策キャビ	つくり付けの実験台で、常
	ネットとは、わかり易く言う	時、排気し続けているもの。
	と、どのようなものか。	局所の排気施設で、上半分に
		ガラス戸が付いており、その
		中で試薬を混ぜたりする。研
		究者が手をキャビネットの
		中へ入れて作業をする。
楠委員	先ほどの渡邊委員の質問に	工事契約の総合評価方式は

	る。	
	でこれらの案件は了承とす	
	いては、記録をしておくこと	
野里委員長	委員から出された意見につ	
		安くなった。
		提供できるので、入札価格が
		格提示者は自社製の製品を
		権限を持っているが、最低価
		とメーカーが価格を決める
		全て満たしていた。代理店だ
		機構で要求していた機能は
	らないのか。	るものだった。
	くするときは何か部品が足	社は自社製のものを提供す
	どのように評価するのか。安	供する。最低価格提示者の1
	かかるものか。そういうのは	でメーカーから仕入れて提
中地委員	補足的なパーツは、コストが	このケースは、2 社は代理店
	しては VE ではない。	
	のかもしれないが、手続きと	
<u></u> │楠委員	このケースだと、VE には近い	
		するという手続きがある。
		要請部署が事前にチェック
		もらうケースがある。これを
		応札書を開札前に提出して
		は、カタログ等の添付された
		るかという照会がある。また
		けれども、受け入れてもらえ
	07/3 <sup>1</sup> ° <sub>0</sub>	可能であり、若干寸法が違う
	のか。	ば、うちはこのタイプを提供
	9 ると女くなるという提案を受け入れるケースもある	質問が来る場合がある。例え
	すると安くなるという提案	を公示した後、業者の方から
	関連するが、こういうふうに	VE 付きである。物品は、仕様

# 4. 指摘事項に関するフォローアップ

事務局から、これまでの委員会で指摘された事項に対する作業状況を口頭で報告した。

・ 専門的な機器等の購入の場合、1者応札が多い。東京や関西の業者を積極的に開拓

するようにとの指摘に基づき、機構から声をかけ電子入札システムへの登録を促している。今後は、業界紙等を活用する。

- ・ 保守については、単年度ではなく、複数年としてトータルのコストを下げるとの指摘があり、これは来年度の新キャンパスの保守案件に適用し、初年度から競争環境を構築している。
- ・ 高額な機器については、その仕様の適切性や妥当性をチェックするよう指摘があり、 これについては、代表研究者とアドミニで委員会を作り、研究室の共同購入のルー ルと併せ、どのような手続きとすべきか検討に入っているところ。

委員の意見コメントは次のとおり。

	意見・コメント	事務局説明等
渡邊委員	委員として出席して、少しで	次回、具体的なフォローアッ
	も機構の調達の効率化とか、	プ報告をする。
	有効性の向上に役に立てれ	
	ばと考える。その意味で、こ	
	の委員会で提言されている	
	内容が、どのように反映され	
	て、どの程度効果が生まれて	
	いるのかをこの委員会で共	
	有することが大切。	
勝野委員	それは当然であるので、細則	検討する。
	にそれが入っていなければ、	
	明確にすればよいこと。	
野里委員長	今後、引き続き、委員から出	引き続き適正な入札手続
	された意見を参考にして、適	き・契約の遂行に努めていき
	正な入札手続き・契約を遂行	たい。
	すること。	

#### 5. 次回日程

事務局から、10年度6月ごろを予定。場所は沖縄を想定。最終決定は委員との調整としたい旨を説明した。

以上

Summary proceedings of the fourth meeting of the contract review committee

- 1. Time: 9:30 11:30 AM, 30 (Tues.) March 2010
- 2. Place: Conference Room, 10F, Conference Square, Mitsubishi Building (Marunouchi district of Tokyo)
- 3. Attendees
- Committee Chairman Nozato
- Committee members Watanabe, Odo, Kusunoki, Katsuno, and Nakachi
- Observer: Yamazato (Cabinet Office)
- 4. Outline of proceedings

## **Opening**

Designation of chairman proxy

In accordance with the provisions of Paragraph 3, Article 3 of the detailed stipulations of the contract review committee, Chairman Nozato designated Committee Member Watanabe as the proxy chairman.

#### **Proceedings**

1. Appropriateness of the categories and case categorization

Chairman Nozato presented a proposal for review of categories of type and categorization of specific cases. The secretariat made an explanation of the items of revision.

#### Consolidation of types

In the proposal, "purchase of foreign magazines", "fees for electricity at the research interchange center", and "fees for placement of notices in official gazettes" were integrated into a single category of type (5') as cases in which the number of suppliers was limited to one.

#### Separation of types

In light of the differences of content, "purchase of specialized research equipment" was broken up into the three categories of "research equipment" (9), "reagents and expendables" (9-2), and "purchase of goods other than research equipment" (9-3).

Similarly, "contracts for maintenance of research equipment and systems" was separated into "contracts for maintenance of research equipment and systems" (10) and "contracts for maintenance of items other than research equipment" (10-2).

#### Establishment of new types

Because there were four cases of the same type of work in the category of "other types",

these were placed together in a new category, "outsourcing of DNA analysis etc." (14). The opinions and comments of the committee members were as follows.

	Opinions and comments	Explanation etc. by the
		secretariat
Katsuno	I understand about the	We shall make the revision
	consolidation, separation,	in line with the comment.
	and new establishment of	
	categories.	
	Categories established	
	through division from that of	
	specialized research	
	equipment are marked by a	
	difference of qualitative type.	
	Considering this difference,	
	how about making a new	
	distribution from the top as	
	opposed to one based on	
	the branch code?	
Odo	I consent to the proposal for	
	revision and the allocation of	
	new type (category)	
	numbers.	
Watanabe	Regarding "purchase of	This case is one of an
	foreign magazines", I can	effective monopoly.
	understand the situation of	Therefore, we will add the
	supply being monopolized,	words "in effect".
	but the words "in effect"	
	should be added, because	
	the status is not the same as	
	a complete monopoly.	
Chairman Nozato	In sum, the revision shall be	All subject cases will be
	as follows. The former	rearranged on the basis of
	categories 7 and 8 will be	the revised categories, and
	consolidated. The former	the committee members will
	category 9 ("purchase of	be requested to confirm the
	specialized research	results.

equipment") will be divided into three categories. former 10 category (maintenance contracts) will be divided into two categories. The new category "outsourcing of DNA analysis etc." will be established from that of "other types". The revision proposal will consist of 16 types. The reconfirmation of subject cases based on this categorization will be made by handing the related materials around the committee members.

2. Design work to be implemented for the Research Building 1 and Center Building laboratory

The secretariat made an explanation on the cases subject to checking in connection with the problem of facility expenditures exceeding the budget. The opinions and comments of the committee members were as follows.

	Opinions and comments	Explanation etc. by the
		secretariat
Katsuno	Was a contract concluded	Yes, a contract was
	with the same JV based on a	concluded with the same JV.
	call for proposals when the	The scheme was based on
	order was placed by the	submission of proposals for
	Cabinet Office in 2004?	the research facility. We
	What was the reason for	understand that a selection
	selection at that time?	was made from five or six
	Please describe the	candidate companies. It
	particulars, background	was considered best to
	factors, and the proposal	continue having the JV in

	submission period.	question perform the work.  It was therefore decided to adopt the form of a call for proposals with confirmation of participants. Proposals were accepted for a period
		of 20 days, in accordance with the Institute guidelines.
Watanabe	In relation to the sheet for reasons for enterprise specification, I would like to know if this JV submitted a proposal.	No proposal was submitted in connection with the current contracting.
	Was this JV selected as a specified enterprise? Was an attempt made to see if any other enterprises were interested?	Yes, the JV was selected as a specified enterprise.
Kusunoki	If there is another business interested in participating, will a shift be made to a proposal format and competitive tender?	Yes, such a shift will be made.
Katsuno	While there was no other enterprise that expressed a desire to participate, how many inquiries were received by other enterprises?	There were no such inquiries.
Kusunoki	This JV formulated the master plan and has the best understanding of the project, so it makes sense to have it participating throughout.  But an outsider would want	In regard to the design fee, we referred to the guidelines of the Ministry of Land, Infrastructure and Transport, and added up the component costs based on

to know why the same the construction cost figures. enterprise is continuously chosen to take part. This explanation would have to give them an understanding why this particular enterprise is the one. Next, there are the questions of whether or not the contract conditions make good sense and of the nature of the grounds for the The projected price. construction cost is fixed first, and then it is decided to have a business do the design. The design cost projection is solidified upon estimates of the requisite fixed-cost labor and the requisite level of skills. If a rational explanation can be provided for these areas, then the contract conditions will also be rational. Chairman Nozato The related documents shall In connection with the secretariat's reply to the be kept as a record. question by Committee Member Kusunoki, all of the related documents shall be securely kept as a record. In this case, the Institute applied

competitive procedure, but there was only one entrant, and so we contracted with

the JV in question. From		
the explanation, I take it that		
the format is one of		
negotiated contracts.		

# 3. Contract cases after inauguration of the contract review committee

The secretariat explained certain matters, as follows.

- At the third meeting of the committee (on March 1), the members deliberated on cases of contracting up to November 2009.
- At the current meeting, explanations will be made for cases of contracting after inauguration of the contract supervision committee.
- From now on rechecks will be requested after the contract. The recommendations and indications by the committee member have been reflected in the contracting work.
- We have been carrying out public activities, including website display of the schedule for procurement at a stage preceding notice of the tender, placement of notices in scientific journals and other specialized journals directed to businesses handling physicochemical apparatus, and promotion of electronic registration for tenders.

The opinions and comments of the committee members were as follows.

	Opinions and comments	Explanation etc. by the
		secretariat
Kusunoki	The open competitive tender	In the case of equipment,
	for purchase of a	there is a fixed price. In
	chemiluminescence	addition, we made inquiries
	detection system (No. 18)	to determine the record
	attracted two entrants, but	(discount rates) for sale to
	the price offered by both was	other institutions
	the same right down to the	(universities) as well as to
	yen. Why was this?	obtain data on matters such
		as the past record at the
		Institute and reference
		estimates. The findings
		were used to arrive at a
		reasonable figure taken as

after only one tender, or were there second or third tenders held?  Kusunoki  I can understand how the figure would match to a tee in the case of a single bidder, but with two bidders, the situation is hard to understand based solely on this table. The secretariat must be able to explain the background factors.  Katsuno  For notable cases such as this one, the related documents must be put strictly in order and kept as records.  Kusunoki  For the biohazard cabinet (No. 20), the rate is 58 percent for three bidders.  For however, two companies made bids with product A, and the contrace was awarded to a third tha			the projected price.
were there second or third tenders held?  Kusunoki  I can understand how the figure would match to a tee in the case of a single bidder, but with two bidders, the situation is hard to understand based solely on this table. The secretariat must be able to explain the background factors.  Katsuno  For notable cases such as this one, the related documents must be put strictly in order and kept as records.  Kusunoki  For the biohazard cabinet (No. 20), the rate is 58 percent for three bidders.  For hysics and chemistry apparatus, the ordinary practice is to write a product A equivalent on the specification sheet. In this case, however, two companies made bids with product A, and the contract was awarded to a third tha	Odo		It was awarded after one
Kusunoki  I can understand how the figure would match to a tee in the case of a single bidder, but with two bidders, the situation is hard to understand based solely on this table. The secretariat must be able to explain the background factors.  Katsuno  For notable cases such as this one, the related documents must be put strictly in order and kept as records.  Kusunoki  For the biohazard cabinet (No. 20), the rate is 58 percent for three bidders.  For physics and chemistry apparatus, the ordinary practice is to write a product A equivalent on the specification sheet. In this case, however, two companies made bids with product A, and the contract was awarded to a third tha		_	tender.
Kusunoki  I can understand how the figure would match to a tee in the case of a single bidder, but with two bidders, the situation is hard to understand based solely on this table. The secretariat must be able to explain the background factors.  Katsuno  For notable cases such as this one, the related documents must be put strictly in order and kept as records.  Kusunoki  For the biohazard cabinet (No. 20), the rate is 58 percent for three bidders.  For physics and chemistry apparatus, the ordinary practice is to write a product A equivalent on the specification sheet. In this case, however, two companies made bids with product A, and the contract was awarded to a third tha			
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bidder, but with two bidders, the situation is hard to understand based solely on this table. The secretariat must be able to explain the background factors.  Katsuno  For notable cases such as this one, the related documents must be put strictly in order and kept as records.  Kusunoki  For the biohazard cabinet (No. 20), the rate is 58 percent for three bidders.  For physics and chemistry apparatus, the ordinary practice is to write a product A equivalent on the specification sheet. In this case, however, two companies made bids with product A, and the contract was awarded to a third tha		figure would match to a tee	report on the background
the situation is hard to understand based solely on this table. The secretariat must be able to explain the background factors.  Katsuno  For notable cases such as this one, the related documents must be put strictly in order and kept as records.  Kusunoki  For the biohazard cabinet (No. 20), the rate is 58 percent for three bidders.  For physics and chemistry apparatus, the ordinary practice is to write a product A equivalent on the specification sheet. In this case, however, two companies made bids with product A, and the contract was awarded to a third that		in the case of a single	factors and particulars.
understand based solely on this table. The secretariat must be able to explain the background factors.  Katsuno  For notable cases such as this one, the related documents must be put strictly in order and kept as records.  Kusunoki  For the biohazard cabinet (No. 20), the rate is 58 percent for three bidders.  For physics and chemistry apparatus, the ordinary practice is to write a product A equivalent on the specification sheet. In this case, however, two companies made bids with product A, and the contract was awarded to a third that		bidder, but with two bidders,	
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strictly in order and kept as records.  Kusunoki  For the biohazard cabinet (No. 20), the rate is 58 percent for three bidders.  For physics and chemistry apparatus, the ordinary practice is to write a product A equivalent on the specification sheet. In this case, however, two companies made bids with product A, and the contract was awarded to a third that		this one, the related	
Kusunoki  For the biohazard cabinet (No. 20), the rate is 58 apparatus, the ordinary percent for three bidders.  percent for three bidders.  A equivalent on the specification sheet. In this case, however, two companies made bids with product A, and the contract was awarded to a third that		documents must be put	
Kusunoki  For the biohazard cabinet (No. 20), the rate is 58 apparatus, the ordinary percent for three bidders.  percent for three bidders.  A equivalent on the specification sheet. In this case, however, two companies made bids with product A, and the contract was awarded to a third that		strictly in order and kept as	
(No. 20), the rate is 58 apparatus, the ordinary practice is to write a product A equivalent on the specification sheet. In this case, however, two companies made bids with product A, and the contract was awarded to a third that		records.	
percent for three bidders.  practice is to write a product A equivalent on the specification sheet. In this case, however, two companies made bids with product A, and the contract was awarded to a third that	Kusunoki	For the biohazard cabinet	For physics and chemistry
A equivalent on the specification sheet. In this case, however, two companies made bids with product A, and the contract was awarded to a third that		(No. 20), the rate is 58	apparatus, the ordinary
specification sheet. In this case, however, two companies made bids with product A, and the contract was awarded to a third that		percent for three bidders.	practice is to write a product
case, however, two companies made bids with product A, and the contract was awarded to a third that			A equivalent on the
companies made bids with product A, and the contract was awarded to a third that			specification sheet. In this
product A, and the contract was awarded to a third that			case, however, two
was awarded to a third that			companies made bids with
			product A, and the contract
made a hid with product E			was awarded to a third that
			made a bid with product B
· · · · · · · · · · · · · · · · · · ·			and offered the lowest price.
	Katsuno	Is a low price level only 58	After the bidding, the product
percent as high okay? Can was checked by the		percent as high okay? Can	was checked by the
you really trust this product? department that requested it		you really trust this product?	department that requested it
and confirmed to be in			and confirmed to be in
conformance with the			conformance with the
specification sheet. The			specification sheet. The

		contracting was done only
		after this confirmation.
Watanabe	Does this case exemplify a	We did not expect this
	good result from	enterprise to make a bid.
	competition? Is it	The requesting department
	equivalent to a type of value	anticipated draft chamber A,
	engineering (VE)? Was it a	but B was proposed. In
	case of consultation with the	response, the department
	Institute even though the	contacted the on-site people
	lowest bidder did not satisfy	and confirmed whether or
	the initial specifications?	not they could confirm
	Or was it one of satisfaction	installation.
	of the Institute's	
	specifications right from the	
	start, but by a different	
	approach?	
Kusunoki	So the other two enterprises	Yes.
	made bids that were	
	anticipated?	
Katsuno	In simple terms, just what is	It is a laboratory table that
	a biohazard cabinet?	constantly continues to vent.
		It is a local ventilation facility
		with a glass door on its
		upper half. Reagents are
		mixed inside it.
		Researchers perform
		procedures by putting their
		hands into the cabinet.
Kusunoki	In regard to the question by	The OGVM in construction is
	Watanabe a little earlier, do	made through a VE
	you sometimes accept	procedure. In
	proposals for lowering	goods/services, opon
	costs?	notification of the
		specifications, the
		enterprises may come
		around with questions about

		the goods/services. For example, they may tell us they are capable of supplying a certain type of model with a little difference in size, and ask us if it would be acceptable to us. In some cases, we have them submit bidding sheets with catalogues or other documents attached in advance of the start of the tender. In such cases, we apply a procedure in which the requesting department makes an advance check of
Kusunoki	That case may be close to VE, but not in respect of the procedure.	the sheets.
Nakachi	Is there a significant cost for supplemental parts? How are such areas assessed? Can a shortage of parts arise if the price is lowered?	In this case, the other two enterprises were agencies that provide the parts after requisitioning them from the manufacturer. The one offering the lowest price provided parts of its own manufacture. The product met all of the Institute's functional requirements. With an agency involved, the manufacturer has the authority to determine the price. The lowest bidder was able to provide products of its own make, and this

		enabled it to offer a lower
		price.
Chairman Nozato	These cases shall be closed	
	upon making a record of the	
	opinions expressed by the	
	members.	

#### 4. Follow-up on the items of indication

The secretariat made an oral report on the status of work on the items of indication at the committee meetings to that point.

- In the case of purchase of specialized equipment and other such goods, bids are
  often made by only one enterprise. In accordance with the instruction for more
  active efforts to cultivate enterprises in Tokyo and the Kansai region, the Institute is
  encouraging bids and promoting registration with the electronic bidding system.
  Future plans include also more active use of industry journals and other media.
- On the subject of maintenance, it was pointed out that the total cost could be reduced by multiple-year contracting as opposed to single-year contracting. The Institute intends to apply this approach for maintenance work on the new campus beginning next fiscal year, and is preparing a climate for competition right from that year.
- For high-cost equipment, it was noted that checks should be made of the appropriateness and propriety of the related specifications. On this front, a committee has been instituted with a membership of representative researchers and administrators. It has just embarked on examinations aimed at determining the kind of procedures that should be taken, together with the rules for joint purchase by laboratories.

The opinions and comments of the committee members were as follows.

	Opinions and comments	Explanation etc. by the
		secretariat
Watanabe	My aspiration in attending	We will make a more specific
	this meeting in my capacity	follow-up report beginning
	as a member is to help to	with the next time.
	increase the efficiency and	
	effectiveness of procurement	
	by the Institute, if only a little.	

	As such, it is vital for	
	information on how the	
	proposals made in this	
	committee are being	
	reflected and what results	
	are being obtained to be	
	shared in this committee.	
Katsuno	This is a matter of course.	We shall consider this step.
	If it is not stipulated in the	
	detailed stipulations, it	
	should be explicitly inserted.	
Chairman Nozato	The Institute should continue	We intend to continue to
	to properly execute tender	strive for proper execution of
	procedures and contracting	tender procedures and
	while heeding the opinions	contracting.
	expressed by the committee	
	members.	

# 5. Schedule for the next meeting

The secretariat is planning to have the next meeting held around June 2010. The prospective site is Okinawa. The secretariat noted its desire to make the final decision upon coordination with the committee members.

# 第5回契約監視委員会議事要旨

1. 日時 2010年4月9日(金)~4月13日(火)

2. 場所 持ち回り開催

3. 出席 野里委員長、渡邊委員、郷原委員、小渡委員、楠委員、

大久保委員、勝野委員、中地委員

#### 4. 議事概要

以下の事項について、契約監視委員会へ持ち回りにより、点検・確認を要請したところ、 委員の了解を得た。

# 点検・確認事項

- (1) 第4回(3月30日東京開催)の議事要旨
- (2) 第4回委員及び点検作業の残課題について
  - ① 変更した分類方法について
  - ② 平成20年度対象案件の再点検について
  - ③ 平成 21 年度対象案件の分類について
  - ④ 第4回委員会の指摘事項について
  - ⑤ 新たに設定した類型の典型例について
  - ⑥ 随意契約見直し計画について

#### 持ち回り資料

- 第4回契約監視委員会議事要旨(案)
- ・ 第5回契約監視委員会(持ち回り)資料
- 委員長による分類の点検結果(最終案)
- 点検の様式集
- 随意契約見直し計画

Summary proceedings of the fifth meeting of the contract review committee

1. Time: 9 (Fri.) - 13 (Tues.) April 2010

2. Place: Rotation

3. Attendees

- Committee Chairman Nozato

- Committee members Watanabe, Gohara, Odo, Kusunoki, Okubo, Katsuno, and Nakachi

# 4. Outline of proceedings

Information on the following items was handed around to the members of the contract review committee, who were requested to check and confirm said items. The members gave their approval to the same.

# Items for checking and confirmation

- (1) Summary proceedings of the fourth committee meeting (held in Tokyo on March 30)
- (2) Issues remaining from the fourth committee meeting and inspecting work
  - 1) Revised method of categorization
  - 2) Re-inspection of subject cases in FY2008
  - 3) Categorization of subject cases in FY2009
  - 4) Items of indication in the fourth committee meeting
  - 5) Typical examples of newly established types
  - 6) Plan for revision of negotiated contacts

#### Materials handed around

- Summary proceedings of the fourth meeting of the contract review committee (draft)
- Materials for the fifth meeting of the contract review committee (held by handing around documents)
- Results of the inspection of categorization by the committee chairman (final draft)
- Collection of specifications for inspection
- · Plan for revision of negotiated contracts