





EPA Procurement Policy

consistent with Academies Handbook 2021

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CHAIR OF TRUSTEES:	
CEO:	

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1. Introduction

- 1.1. This policy sets out the principal guidelines detailing Eynsham Partnership Academy Trust (EPA) approach to procurement. The document rationalises the EPA's approach to the purchase of goods, works and services for its schools (the academies or Academy).
- 1.2. EPA ensures compliance with the Academies Handbook, Funding Agreements with the Department for Education (DfE), any DfE guidance (including the Academies Procurement Resources) and the Public Contracts Regulations 2015 (the Regulations). It also adheres to the Transforming Public Procurement Act which took effect from 28th October 2024.
- 1.3. As defined within our Funding Agreements and as a registered charity, the EPA's board of trustees have specific obligations to ensure value for money and to ensure public funds have been used as intended by Parliament. This duty is communicated and embedded throughout EPA and its academies.
- 1.4. EPA is committed to ensure that through its governance the highest standards of integrity, probity and openness are adhered to and EPA and its academies conduct themselves in an appropriate manner to allow for this.
- 1.5. This policy aims to allow EPA to demonstrate that contracts entered into by EPA or its academies, are done so with fairness and transparency, avoiding the opportunity for private gain and ensures value for money is sought.
- 1.6. It is essential that the correct level of authority is sought and obtained before entering in to any contract as set out in this document. These guidelines apply to everybody within EPA and its academies who is responsible for purchasing, whether as an employee or contractor.
- 1.7. This Procurement Policy should be read in conjunction with the EPA Finance Policy.

2. Definitions

- 2.1. *"Supply"* includes buying, leasing, hiring or any form of credit arrangement.
- 2.2. *"Quotation"* means a written offer for supply without needing to use the formal procedures of tendering.
- 2.3. *"Tendering"* means a formal procedure for getting written offers (tenders) for supply. Under this policy there are two tendering procedures - the full and the shortened procedure.
- 2.4. A *"Pecuniary Interest"* is where a member, director member of staff or LAB members has an interest in a person or business that could benefit from a procurement process.
- 2.5. A *"Contract"* is a legally binding agreement between two or more people or organisations.

3. Responsibilities

- 3.1. The Trustees are responsible for contracts covered by this policy. Responsibility is delegated to the Finance and Resources Committee, CEO, CFO, Head Teachers, and other staff as appropriate.

- 3.2. This policy applies to any contract for services, supplies or works, which results in payment for said items being made by EPA or an academy.
- 3.3. Every procurement should deliver value for money to EPA ensuring the purchase is considered to be good use of public money. Achieving value for money is not always accepting the lowest price, other factors such as, quality, timing and whether the contract is fit for purpose should also be considered.
- 3.4. Consideration as to the procurement method and the estimated value of contract, should be made before any purchase is agreed. The Academies Handbook should be consulted in relation to some types of leasing arrangements and novel/contentious transactions as special rules apply to some of these transactions, which require Secretary of State consent. Where appropriate, advice and guidance is also available from the CFO and EPA Facilities.
- 3.5. Care will be taken to ensure that a contract is not disadvantageous to EPA. Care and consideration will be given to all procurement exercises, ensuring where possible that significant payment in advance is avoided for goods or services.
- 3.6. Repeatedly rolling over a single year contract, is unlikely to allow best value to be achieved. Any contracts procured on this basis should be reviewed and where appropriate re-procured.
- 3.7. Anyone bidding in a competition ("Bidders") should be treated in a way which ensures equality of treatment, non-discrimination and transparency, for example:
 - All Bidders must be given the same information at the same time, and no Bidder should be treated more favourably than another; and
 - There must be clear and transparent timescales, requirements, specifications and deadlines to comply with any competition.

4. Budget expenditure and contract approval

- 4.1. EPA policy is to delegate budgets to individual academies, where their financial risk assessment allows. However, not all employees of EPA are authorised to purchase on behalf of EPA. The details of those individuals with delegated authority (and the maximum threshold value of the contract(s)) are set out at in the EPA wide scheme of delegation.
- 4.2. For contracts involving more than a single academy and for all High Value and Upper Threshold Contracts (as set out below in Purchasing thresholds), prior approval must be sought from the CFO or CEO and, where required, from the Finance and Resources committee/Trust Board.
- 4.3. All contracts must be signed by the Head (CEO for central team) and CFO. For contracts over £75,000 these must be signed by the Chair of the Directing Board and the CFO/Company Secretary or CEO/Accounting Officer.

4.4. The thresholds for purchase orders and /or contract approval are as follows:-

Threshold for purchase orders / contract approval	Primary schools	Secondary/ All through schools	Central team
Under £5,000	Heads	Heads	CEO
Over £5k under £25k.	Heads	Heads	CEO
Over £25k under £50k	LGB approval	Heads	CEO
Over £50k under £75k	LGB & FRC	LGB & FRC	FRC approval

	approval	approval	
Over £75k	Tender and EPA FRC approval		

5. Procedures

- 5.1. Wherever practical, for any purchase above £10,000 checks should be made with the Director of Facilities to check whether the same purchase is required elsewhere within EPA. If so, the spend should be included within the same contract/purchase.
- 5.2. When addressing any procurement need it is essential to consider how the purchase is to be sourced:
- What is the estimated level of spend?
 - Due to the procurement thresholds, how many quotes are required?
 - Is a formal tender exercise required? Can EPA/Academy use an existing framework agreement (see section 6 below), or can another Academy provide the requirement?
 - Is an OJEU compliant procurement necessary?
- 5.3. As set out below, if suitable, existing framework agreements (particularly for Upper Threshold Contracts) can be used.
- 5.4. As part of any procurement exercise, as a minimum requirement, what is to be purchased must be clearly identified. This means knowing in advance what is expected to be delivered from the goods, works or services, together with the quantity, maximum cost and delivery / completion requirements.
- 5.5. For projects over £75,000 please contact the CFO and see appendix A for a guide to carrying out a tender and what information will be required at each stage of the process.

6. Contract Values

- 6.1. Contract values must be decided as follows:
- If the contract is to purchase a single item, which is not related to purchasing other items, the value of the contract is the price, or estimated price of the item, including all related fees. A single contract must not be broken down into smaller contracts to avoid contract value thresholds.
 - If the contract is for specific services, the value of the contract is the price, or estimated price, of the services.
 - If the contract is for a fixed term with an option to extend, the value of the contract is the total price over the whole life of the contract, i.e. the initial term plus the extension period.
 - If the contract is for goods or services to be provided by lease or hire, the value of the contract is the capitalised value of the goods or services to be provided. This can be worked out by multiplying the regular payment to the lease or hire company by the minimum number of payments to be made under the contract.
 - Academy trusts must not enter into certain types of finance leases without the prior written agreement of the Secretary of State for Education. However, since 1st September 2024 many finance leases have been granted prior consent by the Secretary of State for Education. These include items such as IT equipment,

telephony, LEDs, catering equipment minibuses etc. The CFO should be involved in all procurement activities.

- If the contract is a framework agreement, (also known as call-off agreement) the value of the contract is the expected total value of goods or services taken under that contract during the life of the contract.

6.2. If the contract is entered into by a group of schools/academies through “collaborative purchasing” the value of the contract is the total price of all the schools/academies within the group over the whole life of the contract.

6.3. The value of a contract does not include VAT unless VAT cannot be reclaimed (Academies should assume that VAT can be reclaimed on all purchases).

7. Purchasing Thresholds

7.1. Procurement thresholds for Academy buying decisions are set in line with guidance from the ESFA – “Buying for Schools” with the introduction of low, medium and high thresholds.

7.2. Trust approved purchasing thresholds

Purchasing Threshold	Value (excl VAT)	Quotes and Tenders
Low	£0 - £9,999	Evidence of Price
Medium	£10,000 - £49,999	Written quotes from at least 3 suppliers
High	£50,000 +	Written Tenders from at least 3 suppliers, (where practicable) one of which must be through a recognised school framework agreement.

8. Low and medium level transactions (Goods and services from £0 - £49,999)

8.1. The process of how EPA obtains goods, works or services with a contract value below £50,000 must be documented, this documented evidence must include:

- A minimum number of 3 quotations to be gathered (where above £9,999);
- The method to be used for inviting quotations;
- The method for choosing suppliers or contractors; and
- Details of the staff authorised to accept quotes.

8.2. For low value (<£10,000) items, it is possible to show that value for money has been achieved by comparing prices across several suppliers using catalogues or the internet. For more significant purchases, it is possible to demonstrate value for money by getting alternative quotations. There may be occasions when it is beneficial to use the tendering procedure for some contracts below £50,000 if this is likely to provide best value for money.

9. High value transactions (goods/services between £50,000 and the current World Trade Organisation (WTO) Government Procurement Agreement (GPA) threshold and works up to that threshold

9.1. Prior to undertaking any High Value transaction, a business case for the purchase must

be produced.

9.2. The business case will be considered by the CFO or delegated person and must include as minimum:

- Why there is the need to spend - identify the need.
- Best value for money.
- Benefits to the Organisation (Financial/Non-Financial);
- Specification of the requirement.
- Market Testing; and
- Procurement Strategy – including whether an external consultant should be used.

9.3. Bidders requesting information regarding any procurement exercise must be sent a tender pack. This should contain the information about the requirement and needs, together with the information required from bidders. This will need to be bespoke in each case but could include, for example:

- details of pricing.
- details of method statements.
- details of product characteristics.
- the evaluation criteria which will be used to evaluate the tenders received, including disclosure of the criteria, sub criteria and weightings that will be applied to select the best Bidder(s). This is a complex area, and you must check with the CFO; and
- a draft set of terms and conditions.

9.4. It is expected that a minimum of three suppliers/contractors would be approached to submit tenders for procurements of this value.

9.5. Once the tender process has been completed, tenders must be opened and approval for the procurement made in accordance with the agreed tender process.

10. Transactions above current World Trade Organisation (WTO) Government Procurement Agreement (GPA) Thresholds

10.1. Post Brexit the EU Procurement Thresholds have been replaced by WTO set thresholds. This is also followed by OJEU tenders, so thresholds remain largely the same.

10.2. Thresholds indicate at what minimum value, a contract for goods, works or services must be advertised.

10.3. It is mandatory for public sector contracting authorities to adhere to these regulations. However, it is important that suppliers are also aware of advertising thresholds.

10.4. The Procurement Policy Note – Requirements for contracts covered by the WTO Government Procurement Agreement (GPA) and the UK-EU Trade and Cooperation agreement (TCA) (PPN 02/21) applies to public authorities including, amongst others, government departments, local authorities and NHS Authorities and Trusts.

10.5. The WTO GPA and the TCA set out detailed procedures for the award of contracts whose value equals or exceeds specific thresholds. Details of the thresholds, applying from 1 January 2024 until January 2026 are given below. Thresholds are now inclusive of VAT.

10.6. The WTO GPA thresholds are

	Supply, Services and Design Contracts¹	Works Contracts²	Social and other specific services³
Central Government	£139,688	£5,372,609	£663,540
Other Contracting Authorities (Multi Academy Trusts)	£214,904	£5,372,609	£663,540
Small Lots	£70,778	£884,720	n/a

10.7. Upper threshold procurements should not be undertaken by individual academies and must be referred to the CFO or Accounting officer.

10.8. Prior to undertaking any upper threshold transaction, a business case must be completed for the purchase. The CFO will review the business case and will notify the Academy on the decision to procure and the most appropriate way to make the purchase. This will be in line with normal thresholds for contracts.

10.9. This document does not set out the detailed process which must be followed whenever the total value of the contract exceeds the Upper Threshold. This covered by WTO GPA and TCA.

10.10. It is expected that a minimum of five suppliers/contractors would be approached to submit tenders for procurements estimated to be above the EU procurement threshold.

10.11. Once the tender process has been completed, Tenders must be opened in accordance with the tender Opening Form (Appendix C) and any approval for the procurement made via the Tender Acceptance form (Appendix D).

11. Procurement via Framework Agreements

11.1. Framework contracts are those where a number of suppliers have been pre-procured with all public sector rules complied with. Due to this it is possible to purchase directly from a framework without the need to complete a further procurement exercise, irrespective of the value being procured. In appropriate circumstances, this can be an efficient way of procuring goods and services as it reduces administration costs on the procurement as well as potentially securing value for money through pre-tendered low prices.

11.2. A framework agreement (or call-off agreement) is one where the terms of supply are fixed but it does not involve the supply of goods or services until an order is placed for the supply.

11.3. If appropriate, in accordance with the Academies Handbook and DfE policy, EPA may choose not to run its own procurement processes, and instead use an existing framework arrangement.

11.4. EPA may also set up its own framework agreements which can be used by all academies. Such frameworks will be notified to academies as appropriate.

11.5. There are several organisations that offer a wide variety of framework agreements,

these include:

- Crown Commercial Services (CCS)
- Crescent Purchasing Consortium (CPC)
- Eastern Shires Purchasing Organisation (ESPO)
- Yorkshire Purchasing Organisation (YPO)
- Fusion 21

11.6. Registration is usually required in order to access these framework providers. As per the requirements of section 3 are adhered to when deciding the procurement route.

11.7. Throughout the process of each procurement exercise, it is important to ensure that:

- EPA is entitled to call off from the arrangement. You should check in each case;
- The specification and the contract terms are suitable for your particular needs. The terms and conditions from frameworks are generally set in advance and cannot be changed beyond the mechanism set out in the framework; and
- The framework's guidance must be adhered to, particularly about how orders should be placed. This will either generally permit (1) direct awards of contracts to a supplier and/or (b) mini competitions between all suppliers with capacity to deliver the requirement on the framework.

11.8. Different rules apply depending on the value of the purchase you want to make. EPA's current spend thresholds are set out below.

11.9. If your contract is of a value which exceeds the Upper Threshold, the Regulations will apply, and you must follow the procedure set out in section 10 of this document.

11.10. Frameworks can be an attractive way to procure, however, it is advisable to carry out some open market testing, especially in markets where the value can fluctuate over time to ensure best value is sought.

12. TUPE

12.1. Some contracts will involve provision of services to EPA where members of staff are employed by a contractor to specifically support EPA and/or its academies. Examples of these contracts include Catering and Cleaning services. Due to this, these employees may have employment rights when these contracts are re-negotiated.

12.2. Any consideration of tendering these contracts should be done in consultation with the CFO and advice sought on the TUPE (Transfer of Undertaking Protection of Employment) transfer process. Any procurement exercise that involves TUPE is likely to prolong the period of the procurement due to the complexity and nature of it.

13. Tender opening procedures and rules

13.1. The procedures will differ when opening bidder's proposals during procurement exercises. If it is estimated that the procurement value is likely to be below £50,000. The bidder's quotes/return documentation may be opened at any point and the contents assessed.

13.2. Bidders, Contractors and suppliers may submit their quotations for values under £50,000 by the following methods:

- Hard copy
- Email
- Via procurement portal

- 13.3. If the procurement value is estimated to exceed £49,999, the tender process detailed in appendix A should be followed.
- 13.4. Where the value exceeds £50,000, only tenders will be accepted and can be submitted via the following methods.
- Hard copy*
 - Via procurement portal

*In the case of hard copies, the envelope/package should bear no external markings identifying the tenderer.

- 13.5. An appointed officer from EPA or the Academy to which the purchase relates must ensure to keep any tenders received, secure, until the specified tender opening meeting. Any tenders received via the Procurement portal should remain on the portal and must not be downloaded until the Tender opening meeting.
- 13.6. If an external E-tendering platform is to be operated for any the procurement exercise above the EU threshold this will help ensure compliance.
- 13.7. If a formal tender exercise is required and sealed submissions are received, a formal tender opening meeting should be called to ensure all potential suppliers are treated fairly. The formal tender opening form found at appendix C should be used when completing this stage of the tender exercise, this will allow for a clear audit trail to be presented.

14. Audit and Record Keeping

- 14.1. For all purchases, regardless of the contract length or procurement type or method and clear audit trail should be kept. The level of detail required for this audit trail will depend on the value of the purchase and will increase proportionately. The details within the written record should include:
- Details of the purchase, e.g., what was purchased, who the supplier was and the cost of item or value of contract.
 - Information on the procurement method used and why it was suitable for this purchase/contract. e.g. was a framework used and why, if not then copies of the quotations or tenders submitted attached.
 - If appropriate, how the supplier complies with the data Protection Act 2018, with particular regard for the General Data Protection Regulation (GDPR).
 - Full minutes of any meeting where the procurement was discussed (if applicable).
 - Who was responsible for evaluating the tenders, along with any details of the evaluation scoring (if applicable).
 - Who was responsible in deciding to procure, and rationale behind the reason to procure.
 - Where the lowest cost is not the driver behind the successful bidder, reasons for this must be documented.
 - Where the procurement is for a lease agreement, evidence that the agreement has been authorised at the correct level must be documented.

15. Exemptions

- 15.1. There are instances where a tender process has already been carried out on behalf of public/education sector. It is not necessary to get alternative quotations or carry out a tender procedure for these contracts, although it is still important to ensure EPA is

achieving value for money: instances where this may apply are:

- Central/Local Government or Public Sector Buying organisations have setup a framework agreement.
- Local Authority Framework or Approved Contractor List agreed.

15.2. Where EPA had previously carried out a procurement exercise (e.g., a contract for 3 years) and EPA wishes to continue using the supplier by means of a contract extension, there are circumstances where a quotation waiver/tender waiver may not be required, as detailed in section 17.

15.3. For all levels of new procurement, this policy must be followed in all but exceptional circumstances.

15.4. If the exceptional circumstances described in this section apply, the delegated authority to decide not to quote or tender for bids are as follows:

Quote threshold	Authority to waiver quotes or tender
£10,000- £49,999	CEO and CFO
£50,000-£100,000	EPA Finance and Resources Committee
Over £100,000	Board of Directors

15.5. If the CEO uses the powers described above, the Chair of Finance and Resources Committee must be informed, and a report provided to the next Finance and Resources Committee meeting explaining why the decision was made not to tender and providing full details of the contract.

15.6. Trustees may grant an exception to these regulations. Under normal circumstances, this must be taken to a Finance and Resources Committee meeting for approval and appropriately recorded before any contract may be entered into.

However, it is acknowledged that this may cause unnecessary delay for some projects (e.g., where an order needs to be placed quickly so work can be completed during a school holiday).

Under these circumstances, the decision can be made by the Chair of the Board of Directors and reported to the next Finance and Resources Committee.

15.7. It is not necessary to quote or tender if there is an unexpected emergency involving danger to life or health or serious damage to property, if the goods, work or services are needed more urgently than would be possible if the tender or quotation procedure were followed.

15.8. It is not necessary to quote or tender if you can achieve value for money by buying used vehicles, equipment or materials. However, there may be hidden costs in purchasing used goods and the decision to do so must take account of these.

15.9. It is not necessary to quote or tender if for technical reasons, the goods, work or services can be bought from only one provider. This must be justified – EPA must be able to demonstrate that it has tried various providers.

15.10. Some other types of arrangements fall outside of the procurement rules, such as employment contracts. This may also include some types of Special Education Needs provision. For any clarifications needed please see the CFO.

15.11. Any exemptions should only be relied upon with express written consent from the

CEO, the Finance and Resources Committee or the Board of Trustees. You should check with the CFO or Facilities Lead if you are unsure about any procurement and before any orders placed, or any contracts signed.

15.12. In summary the thresholds for seeking quotes or going to tender are:

Purchasing Threshold	Value (excl VAT)	Exemption (waiver)
Medium	£10,000 - £49,999	CEO on recommendation from the CFO
High	£50,000 +	<£100,000 – Finance and Resources Committee on recommendation from the CEO/CFO
		>£100,000 – Board of Directors on recommendation from the CEO (Usually following consideration by the Finance and Resources Committee)

16. Conflicts of Interest (Pecuniary Interests)

16.1. The Academies Handbook puts strict obligations on EPA to ensure that conflicts of interest in procurement are managed. Identifying and mitigating conflicts of interest has always been an important part of the procurement process.

16.2. The procurement act creates a new duty for a conflicts assessment to be prepared and revised throughout the course of the procurement and the management of any resulting contracts.

16.3. There is individual responsibility for employees, trustees and consultants involved in the process to declare any actual or potential conflict of interest.

16.4. Any supplier where there is a conflict of interest that puts it at an advantage, and this cannot be mitigated or avoided then the supplier must be excluded from the procurement.

16.5. All trustees and Local Governing Bodies (LGB) members must complete the register of business interests and keep this updated at least once per year.

Under the Academies Handbook EPA must not pay any more than “cost” for goods and services provided to it by a member, trustee or connected party of a member or trustee. Rules on this are very specific and if any doubts exist over a connection to a member or trustee then this must be referred to the CFO prior to any procurement decision being made.

16.6. There are rules in the Academies Handbook in relation to payments to individuals/organisations which are "connected" to a member or trustee. In any such case the CEO and CFO must be informed before any such payments are made.

16.7. A record of all such declared conflicts of interest must be sent to the CFO who will determine what if any action can be taken to seek to remedy any such conflict of interest.

16.8. No gifts or hospitality should be accepted by any service provider as an inducement to award a contract to that supplier. This may be an offence under the provisions of the

Bribery Act 2010, this includes free IT equipment. You must inform the CFO immediately on becoming aware of any such gifts or hospitality. See EPA Gifts and Hospitality Policy for more details.

17. Management of Contracts

- 17.1. Following the procurement of any service contract it is vital to ensure the contract is appropriately and effectively managed, the method for doing so will be dependent on the size and complexity of the contract.

It is important to hold regular contract management meetings to:

- Ensure all parties understand their role and responsibilities within the contract and to fulfil them effectively.
 - Ensure progress is made within the contract on a day-to-day management basis and against any agreed KPIs. Ensuring any issues preventing these being met are discussed and resolved; and
 - Ensure that notice of termination or the requirement to re-negotiate is given on all contracts in plenty of time. Most contracts have a minimum notice period of three months. Ensure to have served written notice as per the terms and conditions of the contract to ensure an auto-renewal of the contract on a rolling basis is not enforceable.
- 17.2. Contract variations and extensions – best practice dictates that all contracts should be re-negotiated or put to the market at the end of each term. However, it may be appropriate to extend an existing contract.
- 17.3. Any contract variation or extension should be agreed by EPA (or Academy) and the supplier by mutual consent. If the original contract is under the WTO GPA threshold the contract may be extended by a maximum of 1 year, or in the case of existing multi-year deals, 67% of the original contract length (where a multi-year contract was procured) without the need for tendering. If the contract value is expected to be over the WTO GPA threshold, then a new procurement exercise should be entered into. To enable the new procurement to be completed, it is possible to allow short extensions to the existing contract.
- 17.4. In line with the provisions set out in paragraph 17.3 situations where it may be appropriate to extend an existing contract without going to market would be; Where EPA had previously carried out a procurement exercise to procure goods or services and wishes to continue beyond the end date of the current term. This option will be afforded, provided the service continues to offer value for money, satisfactory service levels have been maintained throughout the contract and the price offered for the new/extended term does not increase by more than inflation.

18. Sustainability

- 18.1. EPA is committed to ensuring sustainability in its contracts and will endeavour to comply with the Academies Buying Resource to include relevant sustainability criteria in its contracts.

Appendix A – Aide Memoir: Stages of a tender process

The EPA will consider the use of an external consultant in significant tenders and/or where technical skills are required.

Invitation to Tender

An invitation to tender allows potential suppliers to gather all the information they need to bid for the product, work or service being procured. The EPA will be mindful of the procurement act which encourages contracting authorities are encouraged to undertake pre-market engagement with suppliers to help develop the tender approach. It should also result in a tender process that provides value and achieve organisational and social benefits. In order to ensure all bidders are treated the same are clear of expectations and what is required, the tender information pack contents should include:

- An introduction to EPA and/ or the Academy
- Detailed process for the procurement
- A precise description of the goods, works or services required.
- If appropriate, an explanation of what the goods, works or services should do to meet the requirements. It may be necessary to include an output specification or Schedule of Works
- The quantity required.
- The quality required.
- The length of the contract being procured.
- Required delivery dates or draft programme of works/timeline.
- Data sharing requirements under GDPR
- Implementation requirements for the project
- The KPIs that will measure performance of the contract.
- The terms and conditions of the contract
- TUPE information (if relevant)
- The criteria by which tenders will be evaluated including information on how the various criteria will be weighted.
- Precise details about how the tender should be submitted and the closing date.
- The form of response

Advertise an open tender

In open tenders, all potential suppliers are invited to tender. This is the most flexible route.

Advertisements can be placed in trade journals (costs may apply), websites, advisers' websites and on EPA's website to invite interested suppliers to make contact and tender. Taking account of the changes to public procurement small and medium sized businesses will be encouraged to apply.

Open tender is considered to be the most open and competitive method for receiving tenders. The decision as to where to advertise should be taken on a case-by-case basis and should be proportionate and reasonable with the aim to elicit a good response from qualified suppliers. A sensible amount of time should be left from the advert for interested parties to respond.

A restricted tender

Specific suppliers are identified and asked to bid by completing a tender. This method avoids the cost of advertisement and can be useful where previously successful

contractors/suppliers can be used, and best value demonstrated. It would also be appropriate where there are a limited number of specialist suppliers.

In exceptional circumstances, where there is only one or few suppliers or extreme urgency exists, the terms of the contract may be negotiated with one or more chosen suppliers.

Acceptance of tenders

Invitations for tender must always state the date and time the completed tender documents are to be received and the method for the tenders to be received. e.g., sealed envelope, email, procurement portal.

All tenders must be clearly marked upon arrival and securely stored. Tender documents received after deadlines are not considered unless the supplier provides proof of exceptional circumstances.

Opening of tenders

The following procedure ensures that all potential suppliers are treated fairly and in the same way:

- All offers for tender are opened at the same time, with a minimum of two members of staff present. The required staff members present will depend on the value of the tender and should be appointed proportionately.
- A record is to be kept of all the suppliers who submitted tenders, along with the amount tendered and any significant information noted at the time of opening.
- The record is signed by all members of staff who are present at the opening of a new tender.

Evaluation of tenders

The tenders are to be evaluated against the criteria and weighting stipulated in the original tender document. Such criteria should include:

- Price and value for money
- Public benefit
- Opportunities for SMEs
- Financial stability of the supplier
- Insurance cover
- Ability to supply the contract.
- Best match of the goods or services to the specification required.
- Quality control procedure
- Conformity with required standards
- References from current or previous customers
- Helpdesk or other responsive services
- How well supplier can match timescales.
- The procurement act specifies that tenders should be awarded on the basis of the most advantageous tender not necessarily the cheapest.

At least 2 people should independently evaluate the submitted tenders and their combined scores should be moderated to award the contract to the highest scoring bidder.

Full records should be kept of criteria used for evaluation.

Feedback to Suppliers

The procurement act requires an 'assessment summary' to be provided to each supplier that has had their tender assessed along with the successful supplier's assessment summary. This should ensure that assessment is useful and clear. There is a mandatory contract award notice stating intent to award the contract starting from after 8 working days from the issue of assessment summaries.

Once the contract has been entered a mandatory Contract Detail Notice has to be published within 30 days. For large contracts over 5 million redacted contract documents and 3 KPIs.