

NEW COLLEGE LANARKSHIRE

FIN07 TENDERING POLICY

All College policies and procedures adhere to the guidelines and ethos of Equality and Diversity.

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Date Origin	Last Updated	Proposed Review Date	EQIA Date	Responsibility for Review
Jan 2014	September 2020	July 2021	TBC	Financial Controller

1. Purpose

This policy refers to the procurement of all goods, services and works on behalf of the College. The policy and associated procedures ensure all procurement of goods, services and works are achieved at competitive prices, and are governed by the EU Principles of equal treatment, non-discriminatory, mutual recognition, transparency, proportionality and compliance with the sustainable procurement duty, and other relevant statutory requirements. In adherence to the regulations the College can demonstrate its accountability for, and good stewardship of the funds at its disposal.

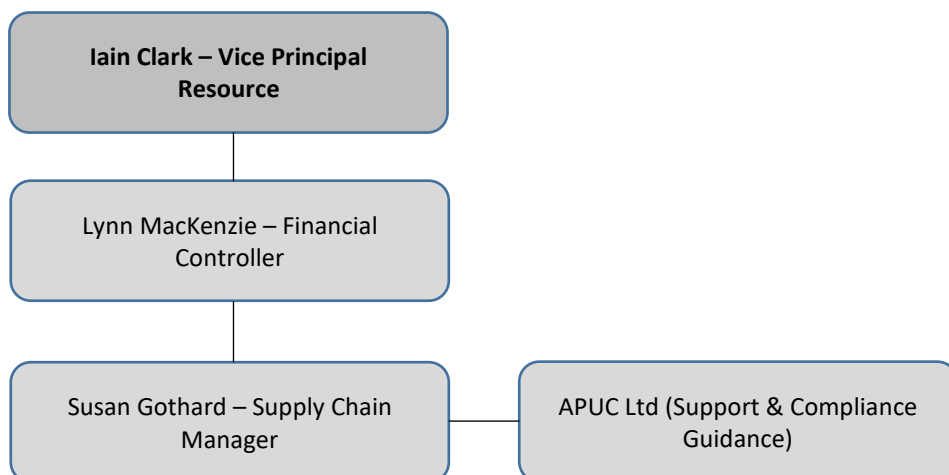
This policy is, therefore intended to:

- Ensure that procedures are in accordance with standards of public accountability;
- Ensure that the College is compliant to its obligations under the Public Contracts (Scotland) Regulations 2015, the Procurement Reform (Scotland) Act 2014, Procurement (Scotland) Regulations 2016 and all subsequent amendments; and
- To promote equality, diversity and sustainability through procurement matters.

2. Scope

This policy applies to all College staff and to the provision of goods, services and works where the procurement value is in excess of £5,000 (excluding VAT).

3. Procurement Team



4. Inclusions

- 4.1 A formal Request for Quotation must be issued for all goods and services which is equal to or greater than £5,000 (excluding VAT) and does not exceed £49,999 (excluding VAT) in aggregate value of the contract term or a one off purchase.
- 4.2 A formal Request for Quotation must be issued for all works which is equal to or greater than £5,000 (excluding VAT) and does not exceed £1,999,999 (excluding VAT) in aggregate value of the contract term or one off purchase.
- 4.3 A formal Tendering process must be followed for procurements which are greater than £50,000 (excluding VAT) in aggregate value of the contract term or a one off purchase for goods and services and £2,000,000 for works.

5. Exclusions

- 5.1 The formal request for quotation or tendering process as detailed in section 4 of this document, is not necessary in the following circumstances:
 - 5.1.1 The goods, service or works can be directly procured from an existing contract entered into by the College and where compliance is mandatory.
 - 5.1.2 The terms required have already been subject to a College request for quotation or tender procedure within the last 3 months and where the price obtained is the same as that arrived at in the previous exercise.

6. General Principles

- 6.1 The tendering procedure must ensure that, not only are the College procurements are legitimate and represent value for money, but also that they are seen to be so. (College Value for Money Policy FIN11)
- 6.2 The tendering procedure must be consistently applied and all staff involved with tendering must be able to verify that during their involvement, the tendering procedure has been adhered to.
- 6.3 Any person involved in the tender process who has a personal interest in any tender must declare a conflict of interest at the start of their procedure. Failure to do so will result in disciplinary action.

- 6.4 During the tendering procedure, the details of any tender from a contractor or supplier are confidential and must not be disclosed to anyone out with the project team or College.
- 6.5 At the end of the tendering procedure, a contract may be let. However, details of the successful tenderer must remain confidential to the College until a formal award notice is posted on Public Contracts Scotland website.
- 6.6 Feedback to the unsuccessful Suppliers must only be carried out by a member of the Procurement team.
- 6.7 The College is committed to Sustainable Procurement and the APUC Ltd Sustainable Procurement Test shall be carried out for all procurements in excess of £50,000 (College Policy Procedures documents FIN07.0 or FIN07.3)
- 6.8 In the event only one Supplier can provide your requirements a Sole Source Justification form should be completed and sent to the Supply Chain Manager for authorisation.
- 6.9 In emergencies the policy can be over-ridden with the express written approval of any member of the Senior Management team.

7. Responsibilities

- 7.1 The Vice Principal, Resources is responsible for ensuring that the College complies with its legal obligations concerning EU Procurement legislation and the Reform Act duties.
- 7.2 The Supply Chain Manager is responsible for managing above threshold tender exercises and training and support of any procurement activity.

8. Linked Policies/Related Documents

- 8.1 College Financial Regulations (FIN01)
- 8.2 College Value for Money Policy (FIN11)
- 8.3 College Delegated Financial Authority Policy
- 8.4 College Tendering Procedures (FIN07.1)

9. Useful Links

- 9.1 Current EU Directives thresholds and Reform Act thresholds
<https://www.gov.scot/publications/new-eu-procurement-thresholds-from-1-january-2020/>
- 9.2 APUC Ltd – Advanced Procurement for Universities and Colleges which is the Scottish Government centre of expertise for procurement for the sector.
<http://www.apuc-scot.ac.uk/>
- 9.3 PCS – Public Contracts Scotland – The Scottish Government’s official national portal for advertising public sector contract opportunities.
<http://www.publiccontractsscotland.gov.uk/>
- 9.4 Scottish Government Procurement Journey – Guidance and Templates issued to assist Procurement/Tendering processes -
<https://www.procurementjourney.scot/procurement-journey>
- 9.5 Official Journal of the European Union - <http://www.ojeu.eu/>

Version Control

Version	Version date	Sections updated
V1	April 1999	Original version of document
V2	January 2014	Section 3 - amendment to the Supplementary EC Procurement Rules thresholds for Supplies and Works, in line with recently published revised limits.
V3	July 2015	<ul style="list-style-type: none"> • Split of document into Tendering Policy and Tendering Procedures. • Throughout document - remove reference to Senior Executive Team (Motherwell College legacy) and replace with Senior Management team.
V4	May 2016	<ul style="list-style-type: none"> • Review of Policy in accordance with new Procurement Legislation <ul style="list-style-type: none"> ○ Updated Purpose to reference correct legislation ○ Procurement Team Update ○ Amended the thresholds in Section 4 ○ Amended the timeframe in Section 5 from 6 months to 3 months ○ Section 4 updated with reference to Supply Chain Manager and Sole Source Justification. ○ Section 7 updated with reference to Supply Chain Manager ○ Section 9 updated with additional useful links
V5	July 2017	<ul style="list-style-type: none"> • No Changes
V6	January 2019	<ul style="list-style-type: none"> • Change to link to EU Thresholds – page 4
V7	September 2019	<ul style="list-style-type: none"> • Removal of Assistant Principal – Finance to Financial Controller
V8	January 2020	<ul style="list-style-type: none"> • Update of Procurement Thresholds
V9	September 2020	<ul style="list-style-type: none"> • Section 1- Addition of ‘all subsequent amendments’ to procurement legislation

		<ul style="list-style-type: none">• Section 1 – amended ‘Public Procurement (Scotland) Act 2015 to ‘Public Contracts (Scotland) Regulations 2015’• Section 1 - Removal of reference to Supplier Charter• Section 3 - Change to Supply Chain Manager name• Section 4 – Addition of process for works between £50,000 and £1,999,999• Section 9 – Removal of reference to Supplier Charter
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