



AUDLEM
PARISH COUNCIL

Procurement Policy

Introduction

The Council from time to time needs to obtain quotes and tenders to complete its aims and objectives. The Council is committed to spending public money wisely, efficiently and to achieve best value. Neither the Council, nor any committee, is bound to accept the lowest tender. All issue and acceptance of tenders and quotes shall be subject to the overriding principal of “Best Value”. This policy will complement the Council’s Standing Orders and Financial Regulations.

The Procurement Act 2023 introduces important changes to public sector procurement in the UK. Legislation is presented in bold for clarity, and Audlem Parish Council will outline how this policy fulfils the principles below each objective.

Key Objectives and Principles

The Act emphasizes several core objectives that councils must follow:

1. Value for Money

- **Ensure public funds are used efficiently**
- **Consider both immediate and long-term cost implications**
- Audlem Parish Council will procure supplies, services and works that meet the defined and agreed essential needs of the Council as specified in the quotation or tender documents
- In all cases, a specification is produced and agreed prior to the quotation or tender documents being issued that clearly identifies the essential requirements (needs), along with the highly desirable (discretionary added value) and desirable (wants)
- The tender or quote is selected which offers the best value to the Council over the whole life of the project

2. Maximising Public Benefit

- **Focus beyond just cost considerations**
- **Consider wider benefits to the community**
- **Evaluate long-term impact of procurement decisions**
- The tender or quote is selected which offers the best value to the Council over the whole life of the project.
- Equality, diversity and sustainability consideration are embedded in the Councils tendering and quotation processes where possible

3. Transparency

- **Openly share procurement policies**
- **Document and publish decision-making processes**
- **Make contract details accessible**
- **Maintain clear evaluation records**
- The tendering process, selection of bidders and the award of contracts is fair, open and objective
- The selection criteria are clearly identified.

4. Integrity

- **Act ethically throughout the procurement process**
- **Maintain professional standards**
- **Avoid conflicts of interest**
- This policy will operate in conjunction with Standing Orders, Financial Regulations and the Code of conduct to ensure Councillors and staff are acting in a professional capacity.

5. Fairness

- **Treat all suppliers equally unless there's justified reason for difference**
- **Provide equal access to information**
- **Maintain consistent evaluation criteria**
- This policy will operate in conjunction with Standing Orders, Financial Regulations and the Code of conduct to ensure Councillors and staff are acting in a professional capacity.
- The tendering process, selection of bidders and the award of contracts is fair, open and objective
- The selection criteria are clearly identified

6. SME Accessibility

- **Actively remove barriers for small and medium-sized enterprises**
- **Consider splitting larger contracts into lots**
- **Simplify procurement processes where possible**
- Local companies should be encouraged to apply.
- Small and medium sized companies should be encouraged to apply and supported by the Clerk / RFO during the process.
- The procurement process will be simple and is outlined below.

A. Compliance with the Procurement Act 2023

The Procurement Act 2023 introduces important changes to public sector procurement in the UK. It applies above specified thresholds:

1. Works/Construction Threshold: £5,372,609 (including VAT)

- Applies to building new structures
- Renovating buildings
- Installing structures on land
- Land levelling or modification projects

2. Goods and Services Threshold: £214,904 (including VAT)

- Applies to purchasing goods
- Applies to service contracts

The thresholds apply to the total contract value over its full term.

When estimating contract values, councils must include:

- The full term of the contract
- Any potential extension periods
- All renewal options
- The total cost including VAT

B. Register of approved contractors

In respect of contracts that may be exempt from the Public Contracts Regulations 2015, the Council needs to have access to pre-approved contractors to supply routine services or who can be called on to provide emergency services, including but not limited to:

- Electricians
- General builders
- Grass and hedge cutting contractors
- Grave diggers
- Groundworkers
- Locksmiths
- Memorial masons
- Plant hirers
- Play equipment repairers
- Tree surgeons

Contractors wishing to be included on the Council's register of approved contractors will be required to complete a registration form (See Appendix A). The register of approved contractors will be reviewed periodically.

C. Obtaining quotations

The Act simplifies procurement procedures to two main types:

1. Open Procedure

- **Single-step process**
- **No restrictions on who can bid**
- **All information published at once**
- **Fully accessible and non-restrictive**
- **Electronic submissions: minimum 25-day timescale**
- **Paper submissions: minimum 30-day timescale**
- **Can be reduced to 10 days in genuine urgent situations**

2. Competitive Flexible Procedure

- **Allows multiple stages**
- **Can include pre-qualification steps**
- **More suitable for complex or technical projects**
- **Ability to set specific criteria**
- **Greater flexibility in structure**
- **Must comply with legal requirements and rules**

Quotations shall be sought by Audlem Parish Council for works that are considered “one-offs”, i.e. a stand alone project with a defined end point / a single large purchase / a onetime repair or re-build.

The formal quotation process shall comprise of the following steps:

- i) A specification of the goods, materials, services, and the execution of works shall be drawn up and approved by council.
- ii) For goods or services estimated to exceed £500.00 (up to £2,500) a quotation request will be compiled which will consist of a minimum of a job specification, health and safety requirements, a copy of the Council’s relevant policies, timescales and all appropriate deadlines.
- iii) A public notice for quotes estimated to exceed £500 will be placed on the Council’s website.
- iv) Once received the quotes will be assessed by the Full Council or relevant Committee.
- v) Once quotes have been discussed a contractor will be appointed by resolution of the Council/Committee.

D. Tendering for contracts

The tendering process shall be sought for works that are part of an **ongoing contractual need for services**.

The formal tender process shall be followed for all works or contracts likely to exceed £2,500.

The formal tender process shall comprise of the following steps:

- i) A specification of the goods, materials, services and the execution of works shall be drawn up.
- ii) A tender pack will be compiled which will consist of a minimum of a job specification, health and safety requirements, and any other appropriate policies. It will also contain relevant timescales and all appropriate deadlines, details of when, how and where to return the tender including how to mark the envelope that the quotation will be returned in. Any quotations received in an unmarked envelope will be excluded and not considered by the Council. A public notice of the tender will be placed on the Council's notice boards and website.
- iii) Tenders submitted are to be opened by two Councillors and the Clerk after the stated closing date and time, this opening will happen during a subsequent full council meeting or Finance Committee meeting. The Councillors will number and sign each tender opened.
- iv) Once opened the tenders will be assessed by the Full Council or relevant Committee.
- v) Once tenders have been discussed a contractor will be appointed by resolution of the Council/Committee.

E. If tenders/quotes not received or are all the same

- i) If no tenders or quotes are received the Council will:
- ii) Re-advertise using the methods already used.
- iii) Consider other methods of advertising i.e., newspaper, radio, other local media.
- iv) Review the tender/quotation documents.

Contact contractors who have requested the tender and quotation documentation and enquire as to why they did not submit a tender or quote. If the tenders or quotes received are nearly identical the Council will:

- i) Assess each quote or tender individually.
- ii) Consider 'Best Value'.
- iii) Consider requesting additional information from each contractor i.e. how they propose to complete the work, timescales, staffing etc.
- iv) Consider holding an interview with each contractor.
- v) Request copies of health and safety information and any other relevant information etc.
- vi) Reassess all of the tenders against the additional information and/or interview and Best Value.

F. Evaluation Criteria of quotations and tenders

All tender evaluations must be:

- **Proportionate to the contract**
- **Relevant to the subject matter**
- **Clear and measurable**
- **Published with explanations of weightings**
- **Documented with decision rationales**

G. Post-Tender Requirements

Once tenders are received, councils must:

- 1. Select the most advantageous tender (best overall for public benefit)**
- 2. Provide bidders with an assessment summary**
- 3. Publish a Contract Award Notice**
- 4. Observe an 8-working-day standstill period**
- 5. Publish a Contract Details Notice within 30 days**
- 6. For contracts over £5 million, publish the full contract**

The tender/quotation that offers best value to the Council shall be accepted. Each tender/quotation shall be evaluated for the price and quality to ascertain the most economically advantageous tender/quotation.

For procurements over £2,500 the questions and scoring systems used shall be written before tenders are received. The basis of this exercise shall be explained in any invitation to tender documentation.

Where the authorised person considers it in the best interest of the Council he/she may negotiate with the tenderers whose tenders are being considered for acceptance. No negotiation on contracts whose value is in excess of £2,500 can take place without reference to the Chair of the Council. Any negotiations which would distort competition is expressly forbidden.

Arithmetical errors found in any tender when checking shall be dealt with as follows:

- The tenderer shall have the error pointed out to them and be offered the opportunity to stand by their original tender, or their corrected tender, or withdraw it.

H. Signing and sealing of contracts

Every successful quotation/tender shall be accepted in writing.

I. Nominated sub-contractors and suppliers

Where a sub-contractor or supplier is to be nominated to a main contractor, the procurement of the services of the sub-contractor or supplier shall be subject to these Contract Procedure Rules.

J. Contracts record

A record of all contracts in excess of £2,500 in value placed by the Council shall be kept by the Proper Officer of the council. This record shall specify for each contract the name of the contractor, the works to be executed or the goods or services to be supplied, the contract value and the contract period. This is the responsibility of the appointed person authorising the contract to ensure that an accurate record is maintained.

K. Contract management

For contracts exceeding £25,000, project management may be adopted, using industry agreed project management framework and standards as appropriate to the work being undertaken (for example, but not limited to, PRINCE2, PMI, RIBA, RICA). This expertise may be purchased by the Council – e.g. quantity surveyors.

Suppliers will be expected to demonstrate their Project Management competency and qualifications.

L. Contract variations

Any necessary instructions to vary a contract shall be made in writing by the Proper Officer of the council or persons responsible for supervising the contract.

Where a variation occurs during the currency of the contract that is material and cannot be met from within the original contract sum an immediate report shall be made to the Council who shall decide what further action is necessary.

M. Termination of contracts

The Council reserves the right to terminate any contract immediately for any of the following reasons:

- i) Termination for cause – where a supplier commits a material breach of the agreement to deliver services, or fails to deliver agreed services, in the agreed timeframe without a plan to address the failings.

N. Compliance with legislation

In cases where any law, statutory instrument of Government regulation is found to be at variance with any section of this policy, then that shall be applied, and this document shall be amended accordingly.

O. Exclusion of contractors

The council reserves the right to exclude a contractor if:

- i) They do not continue to comply with all standards as set out in any contracts as and when agreed.
- ii) Are found to be in breach of policies of the council that apply to contractors, such as health and safety, vexatious communications, and legal statute (this is not an exhaustive list).

APPLICATION FOR INCLUSION ON AUDLEM PARISH COUNCIL'S APPROVED CONTRACTORS LIST

Business name

**Business address (plus
postcode)**

Telephone

Email

Services provided

Years in business

**Membership/professional
bodies**

Declaration

- I understand that the council requires me to hold Public Liability Insurance for contracts which involve working on council sites for a minimum of £10,000,000.
- I confirm that I will supply a copy of my PLI certificate to the council.
- I am aware that I am required to comply with the council's health and safety, equality and other policies

Signed

Date

Name

Position

Please return this form to: parishcouncil@audlempc.co.uk