

TENDERING REQUIREMENTS, PROCUREMENT PROCEDURES AND GRANT DEFRAYL ARRANGEMENTS – Stronger Towns Fund

Full guidance to Managing Public Money can be seen in supporting documentation to this paper.

Body governed by public law or contracting authority

1. If You are a body governed by public law or a contracting authority, You are required by this Agreement to follow all United Kingdom procurement legislation and any other legislation and statutory obligations in respect of any procurement of goods, services or works in relation to the Project for which the value is above the current OJEU contract value advertising thresholds.
2. If You are a body governed by public law or a contracting authority then, in respect of below current OJEU contract value advertising thresholds, You are required by this Agreement to follow all United Kingdom procurement legislation and any other legislation and statutory obligations in respect of any procurement of goods, services or works in relation to the Project, as well as, to the extent they do not conflict with all United Kingdom procurement legislation and any other legislation and statutory obligations, Your internal below OJEU contract value advertising threshold rules.
3. If You are a body governed by public law or a contracting authority and You do not have internal below OJEU advertising value threshold rules, then, in respect of below OJEU contract value advertising threshold contracts, You are required by this Agreement to follow all United Kingdom procurement legislation and any other legislation and statutory obligations in respect of any procurement of goods, services or works in relation to the Project, then, to the extent they do not conflict with all United Kingdom procurement legislation and any other legislation and statutory obligations,

You must follow the rules set out below in section 6, 7 & 8 of this paper with respect to the following values:

Low Value (£0 - £25,000),
Medium value (£25,001 - £75,000)
High value (£75,001- EU thresholds)

Not a body governed by public law or contracting authority

4. If You are not a body governed by public law or a contracting authority, You are required by this Agreement to follow all United Kingdom procurement legislation (with the exception of Chapters 7 and 8 of the Public Contracts Regulations 2015 (as amended)) and any other legislation and statutory obligations as if you were a body governed by public law or contracting authority in respect of any procurement of goods, services or works in relation to the Project for which the value is above the current OJEU contract value advertising thresholds.
5. If You are not a body governed by public law or a contracting authority and if the value of the goods, services or works procurement is below the current OJEU contract value

advertising thresholds, then You are required by this Agreement to follow the rules set out in section 6, 7 & 8 of this paper in respect of the following values:

Low Value (£0 - £25,000),
Medium value (£25,001 - £75,000)
High value (£75,001- EU thresholds)

6. Low value Contracts (£0 - £25,000)

Best value must be demonstrated.

This might be a comparison of costs for services that you have procured previously and where you understand and can evidence the costs.

Or, where you have been able to compare costs with information published such as catalogues or framework pricing.

- Consider local suppliers and/or local voluntary, charity and social enterprise (VCSE) sector interest.
- Otherwise, identify at least three suppliers to obtain a simple written quote.

7. Medium value (£25,001 - £75,000)

A minimum of 4 competitive quotes sought from appropriately qualified and competent suppliers.

- Include at least two suppliers within the county and/or local VCSE and /or SME sector interest where appropriate.

- Where 4 suppliers cannot be identified, the opportunity must be:

Openly advertised or

Procured via a compliantly let framework agreement. (Note: framework agreements must have more than one supplier).

Where the opportunity is being openly advertised and is above £25,000, the opportunity must also be advertised on Central government's Contracts Finder. Advertising in trade journals and other local publications if appropriate (recommended).

Where the opportunity is above £25,000 you must publish a contract award notice on Central government's Contracts Finder

8. High value (£75,001 – EU thresholds)

Open tendering procedures must be followed.

- The opportunity must be advertised using the Invitation to Tender template to the open market or
- Make the purchase via a compliantly let framework agreement. (Note: framework agreements must have more than one supplier).
 - The opportunity must also be advertised on Central government's Contracts Finder.
 - Where the opportunity is above £25,000 you must publish a contract award notice on Central government's Contracts Finder.

Values over £189,330 (goods and services) • £4,733,252 (works)

Make the purchase via a compliantly let framework agreement. (Note: framework agreements must have more than one supplier).

- The opportunity must also be advertised on Central government's Contracts Finder and the UK Find a Tender service (FTS). Contract award notices must also be published on these portals.

9. Procurements must not be artificially split with the intention of avoiding a contract threshold. Procurements must ensure that they cover all of the expected goods or services to deliver the whole project.
10. The Council may require copies of procurement records and undertake spot checks on procurement processes including how tenders have been evaluated and awarded.
11. If the procedures detailed in this paper are not followed, the Council may decline to defray the expenditure.

Grant defrayal process

To follow S31 grant conditions which are not yet received – to be added in.