

APPENDIX 2

13.1 Purpose and Significance

- 13.1.1

These Procurement and Contract Rules and Procedures (“PCRPs”) provide a compliance framework for managing the Council’s expenditure on goods, services and works and are, in effect, the instructions of the Council to ALL officers for undertaking expenditure on behalf of the Council. For the avoidance of doubt: responsible individuals ([Rule 13.2.3.1](#)) must not commit to expenditure unless these PCRPs have been followed.

These procurement rules and procedures are made in accordance with section 135 of the Local Government Act 1972

All references to GPA refer to the Government Procurement Agreement of the World Trade Organisation, of which the UK is now a member in its own independent right. All references to FTS refer to the Find a Tender Service, the UK’s procurement portal for international advertising of contract opportunities. equivalent of OJEU.

- 13.1.2

d) is open, fair, transparent and fully compliant with ~~EU public procurement legislation~~ and UK Law, as laid out in the Public Contracts Regulations 2015 (“PCR2015”) and associated policy notes

13.3 The Procurement and Contract Rules

- 13.3.1.1 (* under table)

*These figures are aligned to the ~~OJEU~~ **GPA** Threshold Values (as set out in Appendix One) and will be amended as and when the Threshold Values change.*

- 13.3.2.1

<i>Goods & Services Contract Value</i>	<i>Below OJEU GPA Threshold</i>			<i>Above OJEU GPA</i>
	<i>< £5k</i>	<i>£5k - £50k</i>	<i>£50k – OJEU £189k</i>	<i>➤ OJEU £189k</i>
<i>Approved business case for the procurement at the appropriate level</i>			<i>✓</i>	<i>✓</i>
<i>Fully compliant OJEU PCR process Any applicable process may be utilised.</i>				<i>✓</i>
<i>Pre-qualification questionnaire (SQ) (Restricted Process)</i>	<i>prohibited</i>	<i>prohibited</i>	<i>prohibited</i>	<i>✓</i>
<i>Invitation to Tender (ITT)</i>			<i>✓</i>	

Open (single step) process				
Quick Quotes process ¹ , with credit check & references		✓ (min 3 quotes)		
Simple quotation and Purchase Order	✓			
Support teams to be notified before start of procurement undertaking			Relationship Managers & if >£100k SLS	SLS & Procurement
Formal specification & evaluation criteria			✓	✓
Simplified specification & evaluation	(if necessary)	✓		
All documents available on the date of publication of notice or advertisement		if advertised	✓	✓
Publish in OJEU FTS ²				✓
Advertise in Contracts Finder ² (within 24 hrs of 1 st advert anywhere else)		>£25k if advertised anywhere	✓	✓
Formal tender evaluation process			✓	✓
Award notified in FTS ² / OJEU ^A				✓
Award notified in Contracts Finder ²		if >£25k	✓	✓
Signed contracts lodged with SLS			✓	✓
Standstill period			recommended	✓
Complete Reg84 Report				✓

- 13.3.2.1

Schedule 3 Services Contract Value	Below OJEU GPA			Above OJEU GPA
	< £5k	£5k - £50k	£50k to OJEU £663k	> OJEU £663k
Light Touch Regime ("LTR")				✓
Any appropriate process may be used			✓	✓

¹ If you wish to advertise your Quick Quote, use the 'Create Project', 'Advertised Quotation (<50K)' process

² Handled automatically by the e-Procurement system

^A Any procurement that was advertised on OJEU prior to 31 December 2020 23:00 must have its award notice and all subsequent notices of amendment etc. also published in OJEU, despite formal transition from the EU being completed

Quick Quotes Process³, with credit check and references for selected supplier		Min 3 Quotes		
Formal <u>specification & evaluation criteria</u>		✓	✓	✓
Simple quotation and Purchase Order	✓			
Support teams to be notified before start of procurement undertaking			Relationship Managers & if >£100k SLS	SLS & Procurement
All documents available on the date of publication of notice or advertisement		if advertised	✓	✓
Advertise in ØJEU FTS – contract notice or PIN ⁴				✓
Advertise in <u>Contracts Finder</u> ⁴ (within 24 hrs of 1st advert anywhere else)		> £25k, if advertised anywhere	✓	✓
Pre-qualification questionnaire (SQ) (Restricted Procedure)	prohibited	prohibited	Optional (but prohibited below £189k)	✓
Invitation to Tender (ITT)			✓	
Formal tender evaluation process			✓	✓
Publish contract award notices ⁴ (can publish notices grouped quarterly)		If > £25k	✓	✓
Standstill period			recommended	✓
Complete Reg84 Report				✓

- **13.3.2.3**

Works Contract Value	Below ØJEU Threshold GPA			Above ØJEU GPA
	< £5k	£5k - £50k	£50k – ØJEU £4,733k	> ØJEU £4,733k
Approved business case for the procurement at the appropriate level			✓	✓
Full ØJEU PCR process				✓
Invitation to Tender (ITT)			✓ (if not Construction Line)	✓
Optional Constructionline “Tender”		✓	✓ (if no ITT)	n/a

³ If you wish to advertise your Quick Quote, use the ‘Create Project’, ‘Advertised Quotation (<50K)’ process

⁴ Handled automatically by the e-Procurement system

Pre-qualification questionnaire (SQ) (Restricted Process)		prohibited	Optional (but prohibited below £189k)	✓
Quick Quotes process ³ , credit check and references for selected supplier		Min 3 Quotes		
Simple quotation and Purchase Order	✓			
Support teams to be notified before start of procurement undertaking			Relationship Managers & if >£100k SLS	SLS & Procurement
Formal <u>specification & evaluation</u> criteria			✓	✓
Simplified specification & evaluation	(if necessary)	✓		
All documents available on the date of publication of notice or advertisement		if advertised	✓	✓
Publish in <u>OJEU FTS</u> . ⁵				✓
Advertise in <u>Contracts Finder</u> ⁵ (within 24 hrs of 1st advert anywhere else)		> £25k, if advertised anywhere	✓	✓
Formal tender evaluation process			✓	✓
Award notified in <u>FTS</u> ⁵ / <u>OJEU</u> ^B				✓
Award notified in <u>Contracts Finder</u> ⁵		If > £25k	✓	✓
Signed contracts lodged with <u>SLS</u>			✓	✓
Standstill period			recommended	✓
Complete Reg84 Report				✓

⁵ Handled automatically by the e-Procurement system

^B Any procurement that was advertised on OJEU prior to 31 December 2020 23:00 must have its award notice and all subsequent notices of amendment etc. also published in OJEU, despite formal transition from the EU being completed

13.4 Overview of Procurement Process Selection

- 13.4.2

1	2	3	4	5				
Type	Above / below OJEU GPA	Procurement Size	Available Corporate Contract	Available Framework Agreement	Default Process	Optional Processes available		
Goods & Services	Above	> £189k	Yes	n/a	Corporate Contract			
			No	Yes	Framework Contract			
				No	Full OJEU PCR Process	①②[③④]		
			Below	£50k – £189k	Yes	n/a	Corporate Contract	
					No	Yes	Framework Contract	
						No	Above £50k Process	①⑤[③④]
	£5k - £50k	Yes			n/a	Corporate Contract		
		No			Yes	Framework Contract		
					No	Above £5k Process	Table 3.2.1	
	£0k - £5k	Yes	n/a	Corporate Contract				
		No	Yes	Framework Contract				
			No	< £5k Process	⑥			

1	2	3	4	5		
Type	Above / below OJEU GPA	Procurement Size	Available Corporate Contract	Available Framework Agreement	Default Process	Optional Processes available
Schedule 3 Services	Above	> £663k	Yes	n/a	Corporate Contract	
			No	Yes	Framework Contract	
				No	Light Touch Regime	

	Below	< £663k	Yes	n/a	Corporate Contract	
			No	Yes	Framework Contract	
				No	Tender Process	①②③④⑤
					Approved Supplier List	⑥

1	2	3	4	5			
Type	Above/below OJEU GPA	Procurement Size	Available Corporate Contract	Available Framework Agreement	Default Process	Optional Processes available	
Works	Above	> £4,733k	No	Yes	Framework Contract		
				No	Full OJEU PCR Process	①②[③④]	
	Below	£5k – £4,733k	No	Yes	n/a	Corporate Contract	
				No	Yes	Framework Contract or > £50k Process	①②③④⑤ Table 3.2.3
					No	> £50k Process £5k - £50k Process	
				< £5k	Yes	n/a	Corporate Contract
No	n/a	Purchase Order	⑥				

No.	Optional Processes
①	Open Procedure
②	Restricted Procedure (above OJEU Goods and Services Threshold £189k £189k only)
③	Competitive Procedure with Negotiation (by exception only)
④	Competitive Dialogue (by exception only)
⑤	Framework or Dynamic Purchasing System (DPS)
⑥	Approved Supplier / Provider List

• **APPENDIX ONE – OJEU THRESHOLD VALUES**

Threshold	Euro	GBP (2020 conversion)	Display Value	Bookmark name
Goods & Services	€ 214,000	£ 189,330	£189k	GSthold
Schedule 3	€ 750,000	£ 663,540	£663k	S3thold
Works (Schedule 2)	€ 5,350,000	£ 4,733,252	£4,733k	WORKSthold
Concessions	€ 5,350,000	£ 4,733,252	£4,733k	Cthold

*The ~~EG~~ **GPA** procurement thresholds for application of the Public Contracts Regulations 2015 are fixed for a 2 year period (1st January – 31st December); the values are subject to change on the 1st January of every even year (i.e. 2020, 2022, 2024...).*

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