

# STOWEY SUTTON PARISH COUNCIL

# Procurement Policy

This Procurement Policy was adopted by the Council at its Meeting held on 15<sup>th</sup> May 2019.

## Review

Date	Changes
2 <sup>nd</sup> May 2018	Approved and adopted by the Parish Council
15 <sup>th</sup> May 2019	Approved and adopted by the Parish Council
May 2020	Review date

This policy will be reviewed in line with the above schedule or in the event of any change in legislation.

## PARISH COUNCIL PROCUREMENT VALUES

The Council will strive to attain best value for all goods, materials, and services which it purchases. “Best Value” will be defined as a balance of price, quality of product and supplier services. The Council will operate a transparent procurement process in accordance with its Financial Regulations and Standing Orders for all procurement.

- The Council will purchase locally wherever possible and where best value can be satisfied. The Council will primarily make purchases within the Parish of Stowey Sutton, and the B&NES District.
- In evaluating “best value”, the past record of the supplier will be taken into account and this does not always mean that the Parish Council should select the lowest quotation.
- The Council will purchase Fair Trade goods where possible.
- The Council will purchase re-cycled goods or less environmentally damaging materials where they meet the required functional standard and will have regard to protect and sustain the environment.
- Procurement activities will comply with the Council's Financial Regulations and follow guidance in the NALC Procurement Toolkit where possible.
- Tender opportunities will be promoted on the Councils website to encourage tenders from local community and voluntary organisations and the local SME sector.
- The Council will look favourably to organisations that pay the Living Wage as set by the Living Wage Foundation.

## THRESHOLDS & PROCEDURES

Estimated contract value	Contract requirements
<b>£500 - £9,999 (excluding VAT)</b>	<ul style="list-style-type: none"> <li>• The Clerk / RFO shall strive to obtain 3 estimates detailing priced descriptions of the proposed supply.</li> </ul>
<b>£10,000 – £24,999 (excluding VAT)</b>	<ul style="list-style-type: none"> <li>• A formal tender process shall be followed.</li> <li>• A contract shall be advertised on the Parish Council website and/or other public advertisement as determined by the Parish Council.</li> <li>• The contract shall be advertised as an invitation to tender on the Government's Contracts Finder Website.</li> <li>• Where specialist trades or materials are required or there is likely to be an insufficient response to advertisement, in consultation with the Responsible Financial Officer, it may be agreed to approach suppliers (preferably local) on an ad hoc basis. When inviting</li> </ul>

	expressions of interest, 3 written quotes shall be sort. This does not change any requirement to advertise on Contract Finder.
<b>£25,000 – OJEU threshold (excluding VAT)</b>	<ul style="list-style-type: none"> <li>• A formal tender process shall be followed.</li> <li>• A contract shall be advertised on the Parish Council website and/or other public advertisement as determined by the Parish Council.</li> <li>• Where the council intends to procure, or award a public supply contract, public service contract or public works contract as defined by (“the Regulations”) within The Public Contracts Regulations 2015 which is valued at £25,000 or more, the council shall comply with the relevant requirements of the Regulations. The regulations set out that:  <i>The Council must (within 24 hours) also advertise an invitation to tender on the Government's Contracts Finder Website and must then have the contract details available on the internet AND there must be no pre-qualification stage in such a contract. After the contract has been awarded, whether or not it has been advertised it on Contracts Finder at the Invitation To Tender stage, the Council must publish on the UK Government's Contracts Finder Website: the name of the contractor; the date on which the contract was entered into; the value of the contract; and whether the contractor is an SME or a VCSE. Every public contract which a local council awards must contain the following 'suitable provisions': The authority must pay the contractor within 30 days of getting a valid and undisputed invoice. (And undue delay in considering and verifying an invoice is not to be regarded as sufficient justification for failing to regard an invoice as valid and undisputed.) Every contract which permits sub-contracting must contain similar 30-day-payment provisions - and the same for sub-sub-contracts.</i></li> </ul> <p>• The Parish Council shall refer to The Public Contracts Regulations 2015 for all contracts over £25,000 to ensure requirements are followed.</p>
<b>Over OJEU threshold</b>	<ul style="list-style-type: none"> <li>• OJEU thresholds – European legislation must be followed.</li> <li>• Professional support required by procurement regulations to do a full tender according to the EU/UK regulations.</li> <li>• EU Procurement Directive thresholds at 1st January 2016: Supplies &amp; Services: £164,176.00, Works : £4,104,394.00</li> </ul>

### **FORMAL PROCESS FOR CONTRACTS EXCEEDING £10,000**

Subject to additional requirements in the financial regulations of the Council, the tender process for contracts valued at over £10,000 for the supply of goods, materials, services or the execution of works shall include, as a minimum, the following steps:

1. A specification for the goods, materials, services or the execution of works shall be drawn up;
2. An invitation to tender shall be drawn up to confirm (i) the Council’s specification (ii) the time, date and address for the submission of tenders (iii) the date of the Council’s written response to the tender and (iv) the prohibition on prospective contractors contacting Councillors or staff to encourage or support their tender outside the prescribed process;
3. **The invitation to tender shall be advertised** for all contracts over £10,000 on the Parish Council Website, and **on Contracts Finder website** along with any other manner that is appropriate including local press or news circulation;
4. Tenders are to be submitted in writing in a sealed marked envelope addressed to the Parish Clerk;
5. Tenders shall be opened by the Parish Clerk in the presence of at least one Councillor after the deadline for submission of tenders has passed;
6. Tenders are to be reported to and considered by the appropriate meeting of the Parish Council or a Working Group with delegated responsibility. Decisions on contracts awarded over £10,000 must be made by the full Parish Council.

7. Neither the Council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.
8. **Where the value of a contract is likely to exceed £164,176 (or other threshold specified by the Office of Government Commerce from time to time) the Council must consider whether the Public Contracts Regulations 2006 (SI No. 5, as amended) and the Utilities Contracts Regulations 2006 (SI No. 6, as amended) apply to the contract and, if either of those Regulations apply, the Council must comply with EU procurement rules.**
9. When applications are made to waive procedures relating to contracts to enable a price to be negotiated without competition the reason shall be embodied in a recommendation to the council.