



Amethyst
Academies Trust
Providing our students with the best life chances

Amethyst Academies Trust

PROCUREMENT & TENDERING POLICY

1. General

- 1.1 This Policy sets out the principles to which all staff of the Trust must follow when considering procurement on behalf of one of the Academies including awareness of connected party transactions. It also sets out procedures for procurement and tendering.

2. Principles

- 2.1 The Board of Trustees acknowledge that the Trust is in receipt of public funds and must undertake its procurement and tendering processes in a manner which is fair, transparent and ensures value for money.
- 2.2 The Board of Trustees recognises that when acquiring goods, works and services for one of the Academies, transparency is particularly important. Trustees and the Senior Leadership Team are required to declare their business interests and conflicts of interest during Committee and Full Governing Body meetings. A register of business interests is maintained.
- 2.3 The Board of Trustees and the Senior Leadership Team are made aware of the EFA requirements concerning connected party transactions.

3. Price comparisons, quotations and tendering

- 3.1 The minimum required numbers of like for like price comparisons, quotations and tenders from appropriate suppliers and contractors for a given estimate value are:

Up to £1,000 – none required.

£1,001 to £5,000 – 3 like for like price comparisons.

£5,001 to £20,000 – 3 written like for like quotes.

£20,000 - £50,000 – 3 written like for like quotes following approval from the Finance & General Purposes Committee (F&GPC). The Executive Principal has the authority to spend up to £20,000 before seeking F&GPC approval.

£50,000 to EU threshold – following approval by the F&GPC, a formal tender process with 3 written quotations to be submitted in writing by a specified date and time and based on a written specification and evaluation criteria.

Above EU thresholds – formal tendering procedures in accordance with EU procurement directives.

Notes

The values are for single items or groups of items which must not be disaggregated artificially.

The sterling equivalent of EU thresholds (net of VAT) are changed on 1st January of each even-dated year and must be referred to accordingly.

For tenders expected to exceed EU thresholds, advertisements must also be placed in OJEU (the Official Journal of the European Union) and must follow EU procurement requirements with particular regard to be given to the timescale for such tenders.

4. Procurement procedures

- 4.1 Up to £1,000. An internal requisition must be fully completed and forwarded to Finance Staff who will check for completion and the balance available of the nominated budget and will note the requisition accordingly. The requisition is then forwarded to the Business Director for consideration. If the nominated budget has a sufficient balance the Business Director will authorise the requisition and forward it to the Executive Principal for a final review and authorisation. All requisitions, whether authorised or not, are returned to Finance Staff for processing accordingly.
- 4.2 £1,001 to £5,000. As 4.1 above. In addition, Finance Staff will check that 3 like for like price comparisons have been provided or a written statement has been provided as to why 3 like for like price comparisons were not acquired. In the event of the cheapest price comparison not being used, a written statement as to why will be required from the originator.
- 4.3 £5,001 to £20,000. As 4.1 above. In addition, Finance Staff will check that 3 like for like written quotes have been provided or a written statement has been provided as to why 3 like for like written quotes were not acquired. In the event of the cheapest quote not being used, a written statement as to why will be required from the originator.
- 4.4 £20,000 - £50,000. As 4.1 above. In addition, Finance Staff will check that 3 like for like written quotes have been provided or a written statement has been provided as to why 3 like for like written quotes were not acquired. In the event of the cheapest quote not being favoured, a written statement as to why will be required from the originator. The 3 like for like quotes will be reviewed by the F&GPC to assist in their decision and approval.
- 4.5 £50,000 to EU threshold. All purchases with a value greater than £50,000 must be put out to formal tender. The following procedures must be followed in such circumstances:
 - 4.5.1 A specification will be prepared, approved and authorised by the Executive Principal and the F&GPC and sent to at least 3 suppliers. It is anticipated that for any major building works of a value greater than £5,000 the services of an architect and/or quantity surveyor would be engaged to deal with the handling of specifications and suitability to tender.

4.5.2 Where appropriate, the suppliers invited to tender should be drawn from an approved list or from those agreed with the architect (if employed). Otherwise, invitations to submit tenders will be advertised in local newspapers and trade journals if appropriate. The invitations to tender will include:

- An introduction/background to the project.
- The scope and objectives of the project
- Any technical requirements
- Implementation details for the project
- The terms and conditions of the tender, and
- The form and date of response to the Academy, or in the case of building works, to the architect or quantity surveyor.

Restricted or negotiated tenders will be considered where open tenders, as above, are deemed inappropriate.

4.5.3 All replies, if to the Academy, should be addressed to the Business Director in a plain sealed envelope marked 'Tender' to reach him/her by a specified date. All replies must be kept sealed and secure until opening and a separate record kept of the date and time of receipt.

4.5.4 All tenders will be opened at the same time and details of the contractor, tender value and any other details recorded at the time of opening. Tenders should be opened in the presence of at least 2 people. Tender documents should be initialled and dated at the time of opening and the people present must all sign the tender receipt log.

4.5.5 No contractor will be allowed to amend their tender after the fixed date and time for receipt.

4.5.6 The Business Director will open a separate correspondence file for each tender which will contain copies of all correspondence or other relevant information.

4.5.7 The choice of tender will be recommended by the F&GPC and ratified by the full Governing Body. Where expenditure is not included in the annual budget, or the allocated budget may be insufficient, the impact of the additional expenditure will be addressed and accommodated in the annual budget review following the decision to proceed with the chosen tender.

4.5.8 The decision for accepting a particular tender must be documented. In addition, if the chosen tender is not the lowest, this must also be justified and documented.

5. Acceptance of tenders

5.1 Evaluation of tenders must be undertaken by at least 2 members of staff. The following points will be considered when deciding which tender to accept:

5.1.1 The overall price and the individual items or service which make up that price.

5.1.2 Whether there are any 'hidden' costs – additional costs which the Academy will have to incur to obtain a satisfactory product.

5.1.3 Whether there is scope for negotiation while being fair to all tenderers.

5.1.4 The qualifications and experience of the supplier, including membership of professional associations.

5.1.5 Compliance with the technical requirements laid down by the Academy.

5.1.6 Whether it is possible to obtain certificates of quantity.

5.1.7 The supplier's own quality control procedure – pre sales demonstrations, after sales service, 6 month defects period (for building works) and insurance guarantees.

- 5.1.8 The financial status of the supplier.
- 5.1.9 References from former customers.
- 5.1.10 Understanding and compliance with Health & Safety at Work legislation, Construction, Design and Maintenance regulations, Child Protection legislation related to working on a school site and any other relevant Academy policies and procedures.

- 5.2 In the case of building works, where the tendering process is being undertaken by an architect and/or quantity surveyor, they will be responsible for checking all tenders before making their recommendation to the F&GPC.

- 5.3 When a tender is accepted an official Academy order will be issued immediately to the supplier in the usual manner.

- 5.4 The successful contractor will be informed that the Academy operates a no smoking policy on the site.

June 2017

We have carefully considered and analysed the impact of this policy on equality and the possible implications for pupils with protected characteristics, as part of our commitment to meet the Public Sector Equality Duty (PSED) requirement to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations.