

# Together Learning Multi Academy Trust

## Procurement Policy



<b>Version</b>	<b>1.0</b>
<b>Name of Policy Writer</b>	<b>J Kendall</b>
<b>Date Written</b>	<b>November 2020</b>
<b>Last Updated</b>	
<b>Next Review Due (every 2 years)</b>	<b>November 2024</b>

## Quotation and Tendering

The minimum required numbers of tenders or quotations from appropriate contractors for a given estimated value of contract are:

- Above £1,000 and up to £3,000 two oral quotations. However it is good practice to get quotes, where practical, on amounts below £1,000.
- Between £3,000 and £10,000 at least two written quotations
- Above £10,000 and up to £50,000, at least three written quotations, a specification to be supplied to the company.
- Above £50,000 and up to Government High Value tenders limit (currently £118,000 at 1.1.21) at least three tenders.
- Above £118,000 (Government High Value Tenders Limit), to be sent out to more than three tenders. The previous EU thresholds have been replaced with the Government (Gov.uk) Find a Tender service from 1/1/21.

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

More information on the Find a Tender site (Gov.uk) will follow in due course.

### Exceptions to the requirement of Quotes/Tenders

- Examination Fees: these are stipulated by the examination boards and regulated by OFQUAL.
- PFI Contract: Honley High and Ryburn Valley High are bound by their own PFI contract. This includes utility services and catering services for Ryburn.
- Services from Local Authorities: where schools have opted into joint agreements with other schools/organisations. Eg Careers service
- There may be other reasons as to why more than one quotation/tender is not achievable by the school/trust, e.g. specialist products/services, time constraints, etc. Where this is the case a written reason should be recorded and given to the appropriate authorised person (in line with the approval limits, see financial authorisation levels).

## **Procedures**

### **Quotations**

Although the minimum requirements of quotations/tenders are shown above, it is good practice to always try and achieve Value for Money. In some instances, it may be beneficial, to obtain more than the minimum requirement of quotes for the specified value.

### **Framework Agreements**

A Government framework agreement is a type of 'umbrella' agreement negotiated with suppliers by Crown Commercial Service (CCS), on behalf of the public sector. Because so many organisations buy through these agreements the suppliers can offer competitive prices. Each framework agreement comes with standard terms and conditions. Where there is only one supplier on the agreement, or if there is an option for direct award within the guidance notes for the agreement, you can place an order directly with the supplier. Further competition against an existing agreement can be made through the CCS e-sourcing tool. (see government site on procurement)

Wherever possible the Trust should use framework agreements and/or compare quotes with these agreements. Using Framework agreements replaces the need for schools in the trust to manage formal tendering for services included in the framework. The companies in the framework agreement have already tendered for their specific area of supply and competitive prices have been obtained. Examples of other framework agreements are: Crescent Purchasing Consortium (CPC), Yorkshire Purchasing Organisation (YPO),

### **Tenders**

All purchases with a value greater than £50,000 should be put out to tender (over £118,000 formal tender) unless there are special circumstances to not use the tendering process, this would have to be agreed by the Trust Board.

The following procedures must be followed for tenders:

1. A specification will be prepared, authorised by the chair of the relevant committee and Headteacher and sent to at least three suppliers. It is anticipated that for any major building works of a value greater than £118,000 the services of an architect may be engaged to deal with the handling of specifications and suitability to tender.
2. Where appropriate, the suppliers invited to tender should be drawn from an approved list or from those agreed with the architect. 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.
3. All replies, if to the school, should be addressed to the Business Manager in a plain sealed envelope marked 'Tender' to reach him/her by a specified date. For tenders between £50,000 and £118,000 email tenders will also be accepted (unopened), followed up with a written tender.
  4. For Tenders under £118,000, these will be opened at the same time in the presence of the Business Manager/Headteacher for school tenders, CEO/CFO for Trust tenders.
  5. For formal tenders over £118,000 all replies must be kept sealed until that date and opened by the chair of the relevant committee in the presence of the Headteacher or CEO. The Trust board may agree to accept emailed tenders if they do then a new email address should be created with the title tender@school email address and unopened until the elected date and time for opening of tenders.
  6. All tenders will be opened at the same time and details of the contractor, quotation and any other details recorded at the time of opening,
  7. No contractor/supplier will be allowed to amend the tender after the time fixed for receipt.
  8. The Business Manager will open a separate correspondence file for each tender which will contain copies of all correspondence or other relevant information.
  9. For purchases up to £50,000, provided the expenditure is included in the budget, the decision as to which quotation/tender to accept will be taken by the Headteacher, in consultation with the Business Manager/CEO.
  10. For purchases between £50,000 and £118,000, provided the expenditure has been budgeted for, a decision to accept which tender will be taken by the CEO, in consultation with the Headteacher. The Local Governing Body/Trust board will ratify the decision.

11. For purchases over £118,000, provided the expenditure has been budgeted for, a decision to accept which tender will be taken by the Trust Board. For purchases from school budgets this will be in consultation with the Headteacher/Local Governing Body. For purchases from the Trust Central budget this will be in consultation with the CEO.
12. Where expenditure is not included in the budget or anticipated expenditure exceeds the budget allocation, the decision as to which tender to accept will be taken by the Local Governing Body or Trust Board
13. The reasons for accepting a particular tender must be documented, especially if it is decided to accept other than the lowest tender. All decisions must be reported to the Local Governing Body/Trust Board

The following points will be considered when deciding which tender to accept:

- The overall price and the individual items or services which make up that price.
- Whether there are any 'hidden' costs; that is additional costs which the school will have to incur to obtain a satisfactory product.
- Whether there is scope for negotiation, while being fair to all tenderers.
- The qualifications and experience of the supplier, including membership of professional associations.
- Compliance with the technical requirements laid down by the school.
- Whether it is possible to obtain certificates of quantity.
- The supplier's own quality control procedure; pre sales demonstrations, after sales service and, for building works, a six month defects period and insurance guarantees.
- The financial status of the supplier.
- References from other establishments.
- Understanding & compliance with Health & safety, CDM regulations and Child Protection issues related to working on a school site

In the case of building works, where the tendering process is being carried out by the architect or quantity surveyor, they will be responsible for checking the documents of the lowest tender before making a recommendation to the school/trust.

Once a tender is accepted an order should be issued immediately to the supplier in the normal way.

The successful contractor should be informed that the school is a Non Smoking site.

The Schools' Funding Agreement should be considered when applying this policy.