



Tendering & Procurement Policy

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Contents:

Statement of intent

Procurement Act 2023: policy background

Definitions

1. Legal framework
2. Roles and responsibilities
3. Pre-procurement research and preparation
4. Finding the route to buy
5. Contracts
6. Tender Waiver
7. Assessment of goods
8. Invoices
9. Risk management
10. Conflicts of interest
11. Fraud
12. Managing assets
13. Monitoring and review

Appendices: routes to buy

- A. Route 1: Using a framework agreement
- B. Route 2: Using catalogues to find low value good
- C. Route 3: Getting at least three quotes for low to medium value purchases
- D. Route 4: Advertising a contract and running a buying process for high value purchases **under** the public procurement thresholds
- E. Route 5: Running a process compliant with the Procurement Act 2023 for high value purchases **over** the public procurement thresholds
- F. Tender Waiver form

Statement of intent

Carmel College aims to achieve value for money on all its tendering and procurement activities while complying with all statutory requirements. This policy has been created to establish procedures to ensure that all members of staff involved in tendering and procurement are aware of the appropriate procedures and requirements.

During the college's tendering and procurement processes, the college aims to fulfil the following objectives:

- Delivering value for money
- Maximising public benefit
- Being transparent about policies and decisions
- Acting and being seen to act with integrity
- Treating all potential suppliers the same
- Avoiding putting suppliers at an advantage or disadvantage
- Consider social value as part of any procurement decision-making process
- Considering the environmental, social, and ethical implications of contracts in order to support sustainable practices
- Address the risks identified in Tackling Modern Slavery in Government Supply Chains

Procurement Act 2023: policy background

The Procurement Act 2023 came into force on 24 February 2025, bringing with it changes in procurement regulation and practices; however, this will only affect purchases which are over the public procurement thresholds set out below:

- Supplies & Services: £214,904
- Works: £5,372,609

Due to the transitional and saving arrangements set out in the regulations, procurements that started before 24 February 2025 must continue to be procured and managed under the previous legislation.

The college is exempt from the below-threshold requirements of the new legislation, meaning that the process of making any purchases which are below the threshold remains unchanged.

Definitions

Procurement: The award, entry into and management of a contract.

Procurement thresholds: the financial threshold at which The Procurement Act 2023 sets certain obligations on contracting authorities according to the value of the procurement.

Contracting authority: A public authority that is wholly or mainly funded out of public funds, or subject to public authority oversight, and does not operate on a commercial basis.

Covered procurement: The award, entry into and management of a public contract.

Conflict of interest: Where someone involved in the procurement process has a personal or professional interest that could influence, or be seen to influence, their decisions.

Public contract: Any contract for the supply, for pecuniary interest, of goods, services or works to a contracting authority with a value above the relevant threshold that is not exempted by Schedule 2 of the Procurement Act 2023.

Centralised procurement authority: A contracting authority that is in the business of carrying out procurement for or on behalf of other contracting authorities, e.g. via a framework agreement such as CPC

Central digital platform: this platform is an enhancement of the existing Find a Tender service that makes it easier for suppliers to find and bid for contracts, allow notices and documents to be published and enable contracting authorities to meet their transparency responsibilities.

Standstill period - the period between announcing which supplier is to be awarded the contract and entering into that contract. It provides unsuccessful suppliers the opportunity to raise any potential claims before the new public contract is entered into. The standstill period is a minimum of eight working days, beginning with the day on which the contract award notice is published.

Clarification stage – A time when suppliers can ask questions.

Framework agreement: A buying process wherein colleges buy goods and services from a centralised list of pre-approved suppliers without having to complete a full procurement process e.g. CPC

Fraud: A deliberate deception intended to make a financial gain or cause a loss.

Fixed assets: Items of value that will be used for a long time, such land, buildings, office equipment and IT etc.

1. Legal framework

This policy has due regard to all relevant legislation and statutory guidance including, but not limited to, the following:

- Procurement Act 2023
- The Public Contracts Regulations (PCR) 2015
- Equality Act 2010
- Data Protection Act 2018
- The UK General Data Protection Regulation (UK GDPR)
- The Procurement Regulations 2024

The policy operates in conjunction with the following college policies:

- Business Continuity and IT Disaster Management Plan
- Data Protection Policy
- Financial Regulations
- Reserves Policy
- Treasury Management Code of Practice
- Anti-fraud and Bribery Policy
- Counter Fraud Policy
- Records Management Policy
- Value for Money Policy

2. Roles and responsibilities

Governing Body

The governing body has overall responsibility for overseeing the financial performance and financial health of the college and in ensuring effective controls are in place to manage available resources and ensure regularity, propriety, and value for money.

Governors are responsible for:

- Ensuring awareness of its responsibilities under financial regulations.
- The sound, proper and effective use of the college's financial resources.
- Monitoring and overseeing the financial health of the college.

- Having a regular cycle of meetings and appropriate processes to:
 - Support business and financial planning.
 - Manage the college within the available resources.
 - Ensure regularity, propriety and value for money.
- Ensuring that staff involved with procurement undertake appropriate training for the Procurement Act 2023 which is suited their role.
- Acting with integrity, objectivity and honesty and in the best interests of the college.
- Being open about the decisions they make and the actions they take and be prepared to explain their decisions and actions to interested parties.
- The management of the college's delegated finances, including the setting of the college budget
- Making sure its budget reflects the college's educational objectives and is linked to the college Strategic Plan.
- Ensuring money is spent for the educational benefit of students attending the college,
- Developing a financial plan.
- Demonstrating compliance with the value for money requirements of college funding contracts.
- Identifying and requesting the financial information needed to ensure spending is in line with projections.
- Considering information presented by the Principal, college finance committee and Vice Principal (Finance, Resources and Systems) about financial matters.
- Maintaining an up-to-date register of pecuniary interests annually - each governor and attendee will declare any interests at the beginning of any full governing body or committee meeting.
- Delegating financial responsibilities to the Finance and Resources Committee and Principal as appropriate.
- Ensuring that everyone on the governing body has:
 - A basic understanding of the college's financial cycle and legal requirements on accountability and spend.
 - An oversight of college spending.
 - An understanding of the college's financial position.

Principal

The Principal is responsible for:

- Serving in the best interests of the college's students.
- Ensuring that the college effectively and efficiently operates within the required regulatory frameworks and meets all statutory duties.
- Prioritising and allocating financial resources appropriately, ensuring efficiency, effectiveness, and probity in the use of public funds.
- Upholding and demonstrating the Seven Principles of Public Life at all times.

Vice Principal (Finance, Resources and Systems)

The Vice Principal (Finance, Resources and Systems) is responsible for:

- Establishing and overseeing systems, processes and policies that enable the college to operate effectively and efficiently.
- Establishing and sustaining professional working relationship with those responsible for governance to implement the decisions of the governing body.
- Ensuring that all monies controlled by the college are handled in accordance with financial regulations and sound financial practice.
- Overseeing staff dealing with finances and ensuring that procedures are carried out accurately.
- Making monthly checks of procedures.
- Upholding and demonstrating the Seven Principles of Public Life at all times.
- Advise the Principal on matters of financial administration or maladministration.

The administration of financial procedures may be delegated the Finance Manager and other members of staff, and the details of this delegation will be recorded in the Finance Regulations.

Finance Manager

The Finance Manager will:

- Control, monitor and evaluate the college's finances, ensuring compliance with financial requirements and regulations.
- Work with and maintain administrative systems, ensuring that maximum efficiency is achieved.
- Provide reports, as requested, on current college accounts to the finance committee and governing body.

- Ensure that orders, invoices, and other financial documents are processed according to established procedures.
- Be responsible for checking the accuracy of information and providing regular reports to the Principal and governing body.
- Be responsible for the financial management system and all financial papers. They will ensure that only authorised staff members have access to finance files
- Be responsible for maintaining a list of all assets.
- Advise the Vice Principal (Finance Resources and Systems) on matters of financial administration or maladministration.
- Register the college on the central digital platform to allow notices and documents to be published.

3. Pre-procurement research and preparation

The business case

Prior to purchasing goods and services the college will always undertake appropriate research and preparation to ensure it is able to get the best deal and save money.

Staff will be expected to check there is available budget for any purchase.

When preparing the business case the college will:

- Talk with the people who will use the goods or services to ensure their needs can be met.
- Talk with the people who will approve the purchase.
- Talk with suppliers, to get an idea of prices and what is available. Note, staff will only speak to potential suppliers if they are authorised to do so.
- Think about whether expert help is needed with writing the specification, or with the whole buying process.

Once these issues have been resolved, the college will prepare and write a business case to outline:

- What is required, why it is required and by what date.
- What level of approval is needed.
- The college's decision-making process.
- A draft of the specification.
- The estimated cost.
- Whether there are any opportunities to work with other colleges.

- Who should be involved in the process, e.g. the governing body, suppliers, technical experts

When writing a business case, the college will consider:

- The total cost of the contract across its lifetime.
- The price of the goods or services, including VAT.
- Any delivery charges.
- Any ongoing maintenance costs.
- Any running costs.
- The cost of removing or disposing of an item that is no longer needed.
- The availability of the budget.

The college will also consider working with other colleges to save time and money and will consider:

- Borrowing equipment.
- Sharing resources and staff expertise.
- Sharing knowledge of markets.
- Comparing prices and experiences from previous purchases.
- Pursuing a joint venue.

Procurement and spending decisions

In all procurement decisions the college will ensure that:

- Spending is for the purpose intended and there is probity in the use of public funds.
- Spending decisions represent value for money.
- Internal delegation levels exist and are applied.
- The appropriate route to buy is used in accordance with PCR procurement rules.
- Professional advice is obtained where appropriate.

In all procurements, a written specification will outline the college's requirements and include the following details:

- A precise description of the goods, work or services required and what it should do
- The amount required and when it is needed
- The expected quality of the goods, work or services

Conflicts of interest

To ensure the integrity of the procurement process the college will be proactive in ensuring that anybody involved is unable to influence, or be seen to influence, college decisions.

4. Finding the right route to buy

The college is aware of the statutory procurement regulations in place and understands that there are separate procedures that it must follow for the five different buying procedures (routes) and that these differ according to the value of the procurement being sought:

Route 1: Use a framework agreement ([appendix 1](#))

Route 2: Use catalogues to find low value goods ([appendix 2](#))

Route 3: Get at least three quotes from suppliers for low to medium purchases ([appendix 3](#))

Route 4: Advertise a contract and run a buying process for high value purchases **under** the public procurement threshold ([appendix 4](#))

Route 5: Run a process compliant with the Procurement Act 2023 for high value purchases **over** the procurement thresholds – either ‘**open procedure**’ or ‘**competitive flexible procedure**’ ([appendix 5](#))

When undertaking any of these routes, the college will follow the guidelines set out by the government and ensure that it complies with the latest procurement regulations and legislation.

Procurement thresholds

The following thresholds are in place in relation to how goods, works or services can be procured:

Order value	Routes available
Low - under £5,000	Route 1: Framework agreement Route 2: Use catalogues
Medium - £5,000 to £40,000	Route 1: Framework agreement Route 3: Get at least three quotes from suppliers
High - over £40,000 and up to procurement thresholds	Route 1: Framework agreement Route 4: Advertise a contract and run a buying process

Over procurement thresholds:**Supplies & Services:** £214,904**Route 1:** Framework agreement**Works:** £5,372,609**Route 5:** Run a process compliant with the Procurement Act 2023 – either ‘**open procedure**’ or ‘**competitive flexible procedure**’Services covered by the ‘light touch regime’ – £663,540**5. Tender Waiver**

If requirement to obtain a competitive tender or quote is requested to be waived, the single tender/quotation waiver should be completed. This should be approved by the Vice Principal (Finance, Resources & Systems); one Assistant Principal and the Chair of the Finance and Resources Committee.

6. Contracts

The college will seek legal advice before entering a contract. Non-routine tenders or purchases, such as leases, are subject to a contract, which will be signed before the work begins or goods are delivered.

Once contracts have been signed by both parties the college will arrange a meeting with suppliers to finalise the management and payment arrangements, clarify key performance indicators, and agree how both parties will work together.

All contracts will include the following details:

- A detailed description of the goods, works or services the college has agreed to buy, linked to the specification
- A pricing schedule – what will be paid when
- Terms and conditions
- The level of service you want – this may include service level agreements (SLA) and/ or ‘key performance indicators’ (KPIs)
- Any contract management arrangements, such as regular meetings or contact
- An ‘implementation plan’ saying who is responsible for what – for example, if buying ICT equipment, who will do the cabling and install it
- What happens at the end of the contract
- The written specification, as an appendix to the contract

- The timeline and completion date of the work
- An exit process
- The requirements for any companies being employed by the supplier

The college will ensure that it holds regular meetings with your supplier to discuss:

- Their progress with any work.
- Where they are doing well.
- Any problems and what to do about them.
- Any changes that are needed.
- Planned maintenance.
- Upgrades or improvements.

Notes of these meetings should be kept and shared with the supplier.

Copies of all contracts will be securely stored in the central contracts folder.

The college will use a variation agreement if changes to the contract are required at any point.

The college will set the option to extend a contract in its invitation to tender, if required, and specify a timeframe. Any extended contracts will adhere to the timeframe set in the invitation to tender, using a variation agreement.

The college will seek legal advice or contact the DfE if a contract needs to be extended but was not an option included on the initial invitation to tender.

The end of a contract

The college will plan for the end of a contract in advance by:

- Returning the supplier's equipment, where required.
- Terminating any joint arrangements.
- Disposing of or removing any unwanted items.

The college will follow its exit process where a contract needs to end prematurely.

Sub-contractors

If the supplier is employing another company to undertake some, or all, of the work, or to provide goods, it is the supplier's responsibility to ensure the company has the requirements listed below in place – these requirements will be made clear in the contract:

- Health and safety policies in place

- The relevant insurance
- The required professional qualifications
- Proof of certification

Where appropriate and necessary, the college will seek further legal advice on sub-contractor warranties.

7. Assessment of goods

Goods will be inspected by the purchaser upon delivery. Any items that are not part of the order, damaged, or not fit for purpose will be returned as soon as practicable.

When goods are returned, purchaser will record:

- The name and product code of the item.
- The cost of the item.
- Photographic proof, if required.
- Details of the item.
- The reason for rejecting the item.

A record of goods that have been accepted or rejected will be kept by the purchaser.

All receipts and invoices will be kept in finance for a period of six years after the initial purchase, in line with the Records Management Policy. The Finance Officer will process each receipt and ensure they are available for inspection where necessary.

8. Invoices

All invoices will be recorded and stored for future reference, with checks on the following information:

- The mathematical validity.
- The purchase ledger.
- The goods or services ordered and delivered.
- Any difference between the agreed and delivered price.
- The authorisation for payment.
- The amount paid in VAT.
- The total payment made.

The Finance team will be responsible for processing and receiving invoices and will create weekly invoice reports which will be submitted to the Vice Principal. The invoice reports will be kept for the current financial year plus an additional six years, and in line with the Records Management Policy.

9. Risk management

The college will maintain a risk register which considers to the procurement of goods and services and manage risks to ensure its effective operation.

The college's risk management for the procurement of goods and services will include contingency and business continuity planning. The governing body will retain the ultimate oversight of the risk register, drawing on advice from the audit committee. The governing body will review the risk register.

The college will be protected by adequate insurance cover in compliance with legal obligations.

The college will cooperate with risk management auditors and risk managers, implementing any reasonable risk management audit recommendations to ensure the procurement of goods and services does not negatively impact the college.

To address the risks identified in Tackling Modern Slavery in Government Supply Chains, the College will ensure due diligence in respect of modern slavery risks and ensure these are factored in to both new and existing procurement activity and contracts. At the selection stage of new procurement activity (particularly those designated as high risk such as cotton, PPE and polysilicon) information should be provided by the supplier.

To cover rare occasions where the college may need to stop a bidding process, the college will ensure that its tender documents clearly state that the college has the right to abandon the bidding process at any time without any liability to the bidders.

10. Conflicts of interest

The Vice Principal (Finance Resources and Systems) will be responsible for ensuring that none of the members of staff involved in the tender process are subject to conflicts of interest in line with the Conflicts of Interest Policy. Members of staff who are involved in decision making will not accept gifts or hospitality from suppliers. A full record of the evaluation process will be maintained by the Finance Team.

The governing body will avoid any conflicts of interest, declare their interest in proposed transactions and arrangements, and will not accept benefits from third parties.

All members of the governing body and any relevant members of staff will complete the register of interests. No employee or volunteer will use their connection to the college for personal gain.

Personal relationships with related parties will be managed in a manner that avoids both real and perceived conflicts of interest.

The college will be aware of relationships with related parties that may attract greater public scrutiny, such as:

- Transactions with individuals in a position of control and influence.
- Payments to organisations with a profit motive, as opposed to those in the public or voluntary sectors.
- Relationships with external auditors beyond their duty to deliver a statutory audit.

The college will keep a record of any related party transaction, including:

- The value of the contract.
- The person's interest which makes it a related party transaction.
- Details on the procurement was handled.

The college will keep a register of interests and manages related party transactions in line with the Business Continuity Policy.

The college will try to identify and remove potential conflicts before the start of any procurement process; however, where this is not possible, the college will consider:

- Having everyone involved in the process complete and sign forms declaring any interests.
- Using staff from a different office to assess the bids.
- Withholding the names of the companies when their bids are assessed.

11.Fraud

The college will remain vigilant for fraudulent activity during the procurement process and will aim to avoid this by:

- Adhering to the procedures outlined in this policy and government guidance.
- Maintaining clear records.
- Running a transparent buying process.
- Ensuring all relevant parties are well informed of the process.
- Implementing a selection stage in the procurement process to exclude fraudulent offers.
- Researching the estimated cost of a purchase before starting the procurement process.
- Adhering to the Counter-fraud and Anti Corruption and Bribery Policy.
- Conducting fraud risk assessments.

The college will remain vigilant for:

- Price fixing – where suppliers work together to raise process or decide who wins the bid.

- Cover pricing – where suppliers send in excessively high bids to make other bids seem low, or where they do not want the work but do not want to seem unwilling to do similar work in the future.
- Overcharging.
- Suppliers charging for work or goods that are not provided or required.

The college may halt the procurement process if it suspects there is fraudulent activity, and reports this to the relevant authority in line with the Anti-fraud and Corruption Policy.

12. Managing assets

The Finance team will maintain a comprehensive and accurate list of the college estate's fixed assets on the college's Fixed Asset Register (FAR). The Finance Manager and the Vice Principal (Finance Resources and Systems) will use the FAR to ensure the college effectively utilises its assets and plans for replacements, as necessary.

13. Monitoring and review

This policy will be reviewed every three years by the Finance Manager and the Vice Principal (FRS). The scheduled review date for this policy is November 2028. Any changes to this policy will be communicated to the relevant stakeholders.

Route 1: Using a framework agreement

The college is aware that it is possible to use a framework agreement to purchase goods, works or services of all values. Where appropriate and possible, the college will therefore use a framework agreement as a quick and easy procurement process, as agreements have:

- Already been through a full competitive tender process.
- Been quality checked.
- Been checked to make sure they comply with the law.
- Draft specifications and help available.
- An agreed pricing structure.

When using a framework agreement, the college will have two options:

1. Select a supplier direct from a framework agreement.
2. Run a mini competition - the college will ask all suppliers on the list to send a bid, and the college will choose the best one.

The framework agreement will state whether the college can select a preferred supplier itself or if a mini competition must be run. If the college can select a supplier itself, it will follow the framework agreement setting out the rules for doing so.

Running a mini-competition

When running a mini competition, the college will:

- Comply with the terms of the framework agreement.
- Decide how it will assess bids, following any rules the framework has.
- Decide the level of service required.
- Decide if it wants to run an expression of interest process.
- Send an invitation to tender to all suppliers who can provide what the college needs.
- Fairly assess all bids received.
- Choose the supplier that offers the best value for money.
- Award the contract to the winning supplier.

The tendering process

Preparing the invitation to tender

The college will make all necessary invitation to tender documents available online. These will include the following:

- A covering letter: including all the information people need to submit a bid.
- A timetable
- How to ask questions
- How to submit a bid
- The specification
- The award criteria
- Specific levels of service wanted
- Terms of appointment
- Timeline: setting deadlines for:
 - The clarification period – when suppliers can ask you questions
 - When suppliers must submit their bid
 - The 'standstill period' if you have one
 - When you intend to enter into the contract

The college will ensure it gives suppliers enough time to:

- Understand the colleges needs
- Ask questions and use the information in your reply
- Respond to your questions and pricing requirements

The college will ensure that it sends the invitation to tender to every supplier on the framework agreement who can meet the college's needs, unless an expression of interest process has been undertaken.

Assessing bids

Before sending invitations to tender the college will formulate the 'award criteria' it will use to decide which bid best meets specification and is the 'most economically advantageous' – the one that best combines price and quality.

Each criterion will be given:

- A range of scores – such as 1 to 5, with 5 highest.
- A weighting – a figure you multiply the score by depending on how important the criteria is.

Use an expression of interest to cut the number of bidders

In circumstances where the college wishes to ascertain the number of suppliers who are interested in bidding it will send an expression of interest (EOI) to them all, including the following details:

- An overview of the college's needs
- The size of the college
- How long the contract will last, with any important deadlines
- When they must respond by

Invitations to tender will only be sent to suppliers who responded to the EOI.

The college is aware that not all framework agreements allow the use of EOIs and will therefore check the framework's agreements before considering this option.

Answering questions from suppliers

The college will arrange a time when suppliers are able to ask the college any pertinent questions about the tender and specification i.e. a 'clarification stage'.

The college will ask for consent from suppliers asking questions to publish their queries and answers. If they decline, the college will consider their request and may ask them to withdraw the question.

In all cases the college will:

- Ask suppliers to email the questions.
- Keep a log of the questions and the answers given.
- Send the question and reply to **all** the bidders with the same information.
- Anonymise the question, so no one knows who asked it.

The college will ensure that it does not reveal any copyrighted or sensitive information during the clarification stage.

Deciding the winning bid

Bids will be assessed using the award criteria sent out in the invitation to tender.

The college will:

- Not open any bids before the deadline.
- Treat all bids fairly and equally.
- Record how decisions have been made, so they can be defended if necessary.

- Keep confidential, secure, auditable records.
- Award the contract to the highest scoring bidder.

At least two people will be involved in assessing and moderating each bid. Where necessary, the college will enlist the support of a specialist.

Where appropriate, the college will ask the framework owner when a financial check was last undertaken on a supplier, and, where it is felt necessary, ask them to run a new one.

The college will keep records of all scores, comments and moderation decisions - frameworks usually have a system for this, though the college may also employ its own.

Notifying suppliers and awarding contracts

Once a procurement decision has been made, the college will send a letter to all bidders, at the same time, including the following information:

- The name of the winning bidder
- The award criteria used
- The scores for the winning bid
- The relative advantages of the winning bidder
- When the standstill period ends, if there is one
- Their scores and feedback – for unsuccessful bidders

Feeding back to unsuccessful bidders

The college is aware that it does not have to give any further feedback to an unsuccessful bidder; however, in circumstances where it chooses to do so it will only comment on their bid and try to give positive feedback.

The feedback will consist of a written response - the college will not attend or organise feedback meetings.

Standstill period

The college will implement a standstill period of at **eight** days between informing bidders of its decision and formally awarding the contract. This will give any unsuccessful supplier sufficient time to challenge the college's decision if they believe it is unfair.

Awarding the contract

Following the standstill period, the college will inform the successful supplier of its decision and sign the contract.

The college is aware that the contract's terms and conditions - or 'service order terms' - will have generally been set as part of the framework agreement and it will therefore not seek to change them. The college will only add in those things that were agreed as part of the buying process.

Route 2: Using catalogues to find low value goods

To buy in this way the college will compare similar products and prices and choose the supplier that offers best value for money through the college's own research or by using catalogues that have been selected by the college such as:

- ESPO
- YPO procurement product catalogue

When deciding which goods meet the college's requirements and give best value for money the college will consider:

- Price and ongoing costs.
- Quality.
- Deals.
- Ability to deliver on time.
- Customer service.
- After care.

Once a decision has been made the college will place an order with the chosen supplier directly, in accordance with the college's Financial Regulations.

Route 3: Getting at least three quotes from suppliers for low to medium value purchases

To buy in this way the college will:

- Decide how it will assess the bids.
- Get quotes from at least 3 suppliers.
- Assess all the quotes you get fairly.
- Choose the supplier that offers best value for money.

Getting quotes

All suppliers will be sent the same information, as follows:

- The specification.
- The deadline to submit the quote.
- When a decision will be made.
- How the supplier can ask questions about what the college is buying and the process.
- A link to the college's terms and conditions, if needed.

Assessing quotes

Before contacting suppliers, the college will formulate the 'award criteria' it will use to decide which bid best meets specification and is the 'most economically advantageous'– the one that best combines price and quality.

Each criterion will be given:

- A range of scores – such as 1 to 5, with 5 highest.
- A weighting – a figure you multiply the score by depending on how important the criteria is.

Deciding the winning quote

The quotes will be assessed using the award criteria sent to the suppliers. To avoid legal challenges, the college will:

- Not open any quote before the deadline.
- Not open any late bids.
- Have at least two people assess each quote, where possible.
- Treat all quotes fairly and equally.
- Record how decisions are made.

- Keep confidential, secure and auditable records.
- Award the contract to the highest scoring bidder.

Placing an order

The college will send a contract, e.g. a purchase order, to the successful supplier including the following:

- Product details
- Price
- Delivery address, or where any work should be carried out
- Delivery date, and any other important dates
- Payment date

Route 4: Advertising a contract and running a buying process for high value purchases under the public procurement threshold

The college is aware that any purchase or service estimated to cost over **£40,000** is considered to be high value. When making high value purchases the college will seek legal advice.

Where possible, the college will use a framework agreement to purchase high value goods, works or services which are under the public procurement thresholds set out below:

- Supplies & Services: £214,904
- Works: £5,372,609

Where it is not possible or appropriate to use a framework agreement the college will advertise a contract and run a buying process. To ensure the college gets good value, it will follow a structured process which is proportionate to the identified requirements. As part of this process the college will:

- Assess the market.
- Check the college's governance processes.
- Prepare contract and tender documents.
- Advertise requirements.
- Consider using an expression of interest to cut the number of bids that will need to be assessed later.
- Send an invitation to tender to people who reply to the advert.
- Fairly assess all the bids received, using the same process.
- Choose the bid that offers best value for money.
- Award the contract to the highest scoring bidder.

Assessing the market

Prior to advertising the college will undertake some 'soft market testing' by undertaking the following activities:

- Accessing the [find a DfE approved framework tool](#) to establish procurement availability
- Assessing how many possible suppliers there are
- Identifying the best places to advertise
- Speaking to potential suppliers
- Asking for advice from other colleges
- Considering whether to ask suppliers to submit an expression of interest

If the college does speak to suppliers, it will make sure that any information given to them at this stage is given to all later bidders.

The college will ensure that written specifications do not unnecessarily favour suppliers who have been consulted.

Asking suppliers to submit an expression of interest (EOI)

In certain circumstances the college may advertise, asking suppliers to submit an EOI.

The college is aware that running an EOI will increase time spent on the procurement process and will therefore consider carefully whether this is necessary, or if it will save time or money. The college may consider running an EOI if it:

- Wants to establish how many bids are likely – this will inform staff of how much work will be involved in assessing them later.
- Are buying something unusual and need to know if there are people who can supply it.

Invitations to tender

The college will send an invitation to the people who reply to the advert including the following:

- A covering letter
- A timeline
- How to ask questions
- How to submit a bid
- Specification
- A list of things you want prices for
- Award criteria
- Contract terms – including the level of service desired and any contract management arrangements, such as regular meetings
- Any mandatory requirements for suppliers and, if needed, an invitation for suppliers to give a demonstration

Timeline

The college will set deadlines for:

- The clarification period – when suppliers can ask you questions
- When suppliers must submit their bid
- When the contract will be awarded

When setting deadlines, the college will ensure that it will give enough time for suppliers to:

- Understand the college's needs.
- Ask questions.
- Write a detailed proposal with costs.
- Submit their bids.

Assessing quotes

Before sending out invitations to tender the college will formulate the 'award criteria' it will use to decide which bid best meets specification and is the 'most economically advantageous'– the one that best combines price and quality.

Each criterion will be given:

- A range of scores – such as 1 to 5, with 5 highest.
- A weighting – a figure you multiply the score by depending on how important the criteria is.

Advertising

The college will ensure that procurement advertisement:

- Clearly explain the product or service required.
- Inform suppliers of the information required by the college.
- Explain how to get an invitation to tender.
- Set timelines.
- Explain the college will be using award criteria to give the contract to the most advantageous tender.

The college will ensure that adverts are placed in places where suppliers are likely to see them, such as the following:

- The central digital platform.
- Newspapers.
- Education publications or websites.
- Trade magazines.

Answering questions from the suppliers

The college will arrange a time when suppliers are able to ask the college any pertinent questions about the procurement ire. a 'clarification stage'.

The college will ask for consent from suppliers asking questions to publish their queries and answers. If they decline, the college will consider their request and may ask them to withdraw the question.

In all cases the college will:

- Ask suppliers to email the questions.
- Keep a log of the questions and the answers given.
- Send the question and reply to **all** the bidders with the same information.
- Anonymise the question, so no one knows who asked it.

The college will ensure that it does not reveal any copyrighted or sensitive information during the clarification stage.

Deciding the winning bid

Bids will be assessed using the award criteria sent out in the invitation to tender.

The college will:

- Not open any bids before the deadline.
- Treat all bids fairly and equally.
- Record how decisions have been made, so they can be defended if necessary.
- Keep confidential, secure, auditable records.
- Award the contract to the highest scoring bidder.

At least two people will be involved in assessing and moderating each bid. Where necessary, the college will enlist the support of a specialist.

Informing the winning bidder

The college will write a letter to the winning bidder inviting them to finalise the contract. The letter will include information on the following:

- The award criteria used
- Their scores
- The reasons why their bid is the most advantageous
- Feedback

The college will make it clear in the letter that, until both parties have signed the contract, there are no commitments on either party, and no work should begin.

Challenges from unsuccessful bidders

In the event of an unsuccessful bidder challenging the fairness of the contract award decision or process, the college will contact them, explaining that a fair assessment process has been conducted and that comprehensive records have been kept of all stages and decisions.

If a formal challenge is made, the college will seek legal advice and delay finalising any contracts until the matter is satisfactorily resolved.

Awarding the contract

If there are no legal challenges, the college will inform the successful supplier and arrange the signing of contracts.

Staff will ensure that, if they have agreed to use the college's terms and conditions, the signed copy returned is the same as the copy sent and no changes have been made.

The college will ensure that, when signing contracts, it is the last to sign as the last copy of the terms and conditions sent by either side will be the one that is legally binding.

In circumstances where an advert has been placed in Contracts Finder, the college will place a notice of the contract award there too.

The college will then set up a meeting with the supplier to finalise the management and payment arrangements, clarify key performance indicators and agree working arrangements. There should be no changes from what was in the original invitation to tender.

Abandoning

The college is aware that occasions may arise where it is compelled to stop the bidding process.

If the process is stopped while suppliers are preparing, or have submitted their bids, the college will inform them as soon as is reasonably practicable, with the reasons for doing so.

The college is aware that, the later in the process the procurement is abandoned, the greater the risk of receiving a legal challenge, where bidders may seek reimbursement of their bid costs.

The college will ensure that tender documents include text detailing the college's right to abandon the process at any time without any liability to the bidders.

The college will not abandon the process merely because the highest-scoring bidder is not the preferred supplier.

Route 5: Running a process compliant with the Procurement Act 2023 for high value purchases over the public procurement threshold

The college is aware that for any purchase or service estimated to cost above the public procurement thresholds set out below it is legally required, unless using a framework agreement, to run a process compliant with the Procurement Act 2023:

- Supplies & Services: £214,904
- Works: £5,372,609

For procurement process that began before 24 February 2025, the procurement and contract management will continue to be run under The Public Contracts Regulations 2015. The college will seek legal advice in situations where it is unsure whether this applies.

Where possible, the college will use a framework agreement to purchase high value goods, works or services which are valued above the public procurement thresholds.

Register on the central digital platform

The college is aware that, as part of The Procurement Act 2023 there will be a central digital platform to allow notices and documents to be published. This platform is an enhancement of the existing Find a Tender service, designed to make it easier for suppliers to find and bid for contracts, and for colleges to meet their transparency responsibilities.

The college will register on the platform using the instructions on Government Commercial College.

The college is aware that free and impartial help and support from procurement specialists is available when running its procurement; however, it is also aware that, to access this service, the college will be asked to complete the free Procurement Act 2023 training being provided by the government.

Procurement Act 2023 training

The college is aware that the Cabinet Office have provided free Transforming Public Procurement (TPP) training for all operational procurement staff. The college will follow the advice of the DfE and ensure that all college staff who are involved with procurement and buying take the time to access and complete this free training by registering with the Government Commercial College (GCC).

Overview

When running a process compliant with the Procurement Act 2023 the college will, from the outset, show regard for:

- Delivering value for money.
- Maximising public benefit.
- Sharing information and being transparent.
- Integrity.
- Treating suppliers the same.
- Not putting a supplier at an unfair advantage or disadvantage.
- Small and medium enterprises.
- National Procurement Policy Statements

The college will ensure that it acts in compliance with each of the following requirements:

- Publishing notices at each stage of the process using the central digital platform.
- Transparency.
- Keeping records of material decisions for 3 years.
- Supplier exclusions.
- Conflict of interests assessment.
- Assessment of conditions of participation.
- Making your invitation to tender and all other documents available electronically.
- Criteria for assessing all the bids you get fairly and using the same process.
- Choosing the supplier that offers the most advantageous bid.
- Awarding the contract to the highest scoring bid supplier.

The college is aware that there are two types of buying procedure it can use for high value purchases above the public procurement thresholds – ‘**open**’ or ‘**competitive flexible**’.

Open procedure

The college is aware that the open procedure allows anyone to bid for the college’s identified requirement. The college will use an open procedure when what is needed is:

- A known requirement.
- A simple requirement.

- Suitable for emerging markets and small and medium-sized enterprises (SMEs).
- Suitable for small markets.
- Suitable for established or known market where there is no need to assess conditions of participation before inviting a tender.

When using this procedure, the college is aware that:

- There is one stage of bidding to a specific specification.
- The college must consider exclusion grounds.
- Conditions of participation are the minimum standards that a supplier must satisfy in order to be awarded a contract - they cannot be used to shortlist suppliers.

Competitive flexible procedure

The college is aware that the competitive flexible procedure entails the college designing its own procurement through a number of stages, using evaluation at each stage to restrict the number of bids. The college will use the competitive flexible procedure when what is needed is:

- An unknown solution.
- A complex requirement.
- For novel or innovative goods and services.
- Suitable for a large market.
- Formal engagement with suppliers during the process such as negotiation or dialogue.
- Suitable for a small specialist market.
- To assess conditions of participation before inviting a submission.

When using this procedure, the college is aware that:

- It can run a multi-stage process, using the appropriate notice to detail what the plan is.
- The multiple stages allow the reduction of the number of bidders at each stage.
- It will need to evaluate each stage to reduce the number of bidders. The college will provide feedback at each stage and build this requirement into the timeline.
- It can use conditions of participation:
 - Prior to award.
 - As a separate condition of the participation stage at the start of the tendering procedure, which is used to pre-select participants or limit the number of suppliers in an initial tendering round.

- As a separate stage at any point in the tendering procedure, to limit or reduce the number of participants who progress to the following stage i.e., scoring and down-selection.

Assessing the market

When conducting any pre-market engagement the college is aware that it is mandatory to publish a 'preliminary market engagement notice'. If, for whatever reason, the college does not publish this notice, it understands that it will need to justify, in the tender notice, why this was not published. The college will ensure, when published, that the notice contains the:

- Initial scope of the requirement or outcome the college is intending to achieve.
- Nature of the engagement.
- Deadlines for participating.

The college understands that assessing the market allows it to:

- See how many possible suppliers there are.
- Speak to potential suppliers.
- Ask other colleges what they have done.
- Consider whether to conduct an open or competitive flexible procedure.

To ensure fairness and transparency the college will ensure that any pre-market information given to suppliers at this point is also given to suppliers who bid later, and that the specification, contract and tender documents do not favour any particular supplier.

Invitation to tender

When inviting suppliers to tender for a contract, the college is aware that it must publish a tender notice on the central digital platform. When doing so, the college will ensure that all appropriate documents are available online from the date at which the tender notice is posted, including information on the following:

- A timeline
- How to ask questions
- How to submit a bid
- Your specification
- A list of things for which prices are needed
- The award criteria
- the level of service you want

- Any contract management needs, such as regular meetings or contact
- An invitation for suppliers to give a demonstration, if needed
- The process and stages to be followed if undertaking a competitive flexible procedure
- The proposed draft of the contract

Assessing bids

Before sending invitations to tender the college will formulate the 'award criteria' it will use to decide which bid best meets specification and is the 'most economically advantageous' – the one that best combines price, quality and other factors such as social value.

The college is aware that, as a contracting authority, social value considerations should be built into the award criteria for contracts. These should contribute to the successful delivery of the contract whilst also aligning with public sector priorities.

Each criterion will be given:

- A range of scores – such as 1 to 5, with 5 highest.
- A weighting – a figure you multiply the score by depending on how important the criteria is.

The college will seek further advice and support when compiling award criteria to ensure all the required aspects of the Procurement Act 2023 are adhered to.

Timeline

The college will set deadlines for:

- The clarification period – when suppliers can ask questions.
- The length of competitive flexible stages and assessments.
- When suppliers must submit their bid.
- When the contract will be awarded.
- The start and end dates of the standstill period.

When setting deadlines, the college will ensure it gives enough time for suppliers to:

- Understand the college's procurement needs.
- Ask questions.
- Write a detailed proposal with costs.

The college will ensure that its timeline adheres to the specific minimum timescales outlined in the Procurement Act 2023.

The college will seek further advice and support when compiling procurement timelines to ensure all the required aspects of the Procurement Act 2023 are adhered to.

Tender notice

It is a statutory requirement to publish tender notices on the central digital platform as set out below:

Open procedure: the tender notice must set out:

- The subject matter and description of the requirement.
- How the tenders will be assessed including any conditions of participation and the criteria for awarding the contract.
- The timescales for both the procurement process and delivery of requirements.

For transparency, CAs must also provide the reasons for any decisions taken, e.g. if the college has undertaken any pre-market engagement and not published a notice or chosen not to award by lots.

The college must also provide confirmation that a conflicts assessment has been undertaken.

Competitive flexible procedure: the same requirements apply as for the open tender notice, as above, however colleges must also:

- Set out how the process will be designed and carried out.
- Include a clear description of the procedure, including the different stages and how they will be assessed.
- Be clear about whether the award criteria may be refined during the procedure.

Answering questions from suppliers

The college will ensure that it implements a clarification stage which complies with the following requirements:

- Questions and replies are sent to all bidders
- Questions are anonymised
- Information provided does not reveal copyrighted or sensitive information.
- Suppliers requested to send questions through an e-tendering solution or by email
- Keep a log of the questions and the answers given

The college will ask for consent from suppliers asking questions to publish their queries and answers. If they decline, the college will consider their request and may ask them to withdraw the question.

Deciding the winning bid, or choosing the bidders to be taken through to each stage of the competitive flexible procedure

Bids will be assessed using the award criteria sent out in the invitation to tender.

The college will:

- Not open any bids before the deadline.
- Treat all bids fairly and equally.
- Record how decisions have been made, so they can be defended if necessary.
- Keep confidential, secure, auditable records.
- Award the contract to the highest scoring bidder.

Where necessary, the college will contact suppliers to clarify details of the bid which are unclear e.g. if a supplier has an abnormally low price, college staff will clarify the accuracy of the details provided before discarding the bid.

The college will not negotiate over bids when following the **open procedure**.

When following the **competitive flexible procedure** the college will assess each stage of the process and notify the suppliers about whether they were successful or unsuccessful. As part of the procedure, the college is aware that it can have a negotiation stage if this was specified in the tender notice.

At least two people will be involved in assessing and moderating each bid. Where necessary, the college will enlist the support of a specialist.

Informing bidders whether they were successful or not and providing assessment summaries

The college will provide written information to the successful and unsuccessful bidders, on the same day, to:

- Inform them the college is publishing the contract awards notice.
- Inform them of the standstill end date – standstill should last eight calendar days.
- Provide an assessment summary.

Assessment summaries give an explanation to each supplier, whether successful or unsuccessful, of the reasons behind the contract awarding decisions. The Procurement Act specifies the specific information the summary should contain.

Unsuccessful suppliers will receive, in writing:

- Their own tender assessment summary.

- A copy of the successful supplier's assessment summary, redacted where appropriate to remove any commercially sensitive information.

The college will not arrange or attend any feedback meetings with unsuccessful bidders.

Informing the winning bidder

The college will write a letter to the winning bidder informing them of their successful bid and inviting them to finalise the contract. The letter will include:

- An assessment summary.
- Details of when the standstill period will end.
- Confirmation that the contract will only be awarded if the standstill period passes without a challenge from another supplier.
- A disclaimer stating that until both parties have signed the contract, there are no commitments on either party, and no work should begin.

The college is aware that if it decides not to go ahead with the contract it can either:

- Award the contract to the second-highest scoring bidder, if this right was reserved in the original tender documents
- Rerun the process

Challenges from unsuccessful bidders

In the event of an unsuccessful bidder challenging the fairness of the contract award decision or process during the standstill period, the college will contact them to explain that a fair assessment process has been conducted and that comprehensive records have been kept of all stages and decisions.

If a formal challenge is made, the college will seek legal advice and delay finalising any contracts until the matter is satisfactorily resolved.

Awarding the contract

After the standstill period the college will inform the successful supplier that it will be placing the contract with them and arrange the signing of contracts.

Staff will ensure that, if they have agreed to use the college's terms and conditions, the signed copy returned is the same as the copy sent and that no changes have been made.

The college will ensure that, when signing contracts, it is the last to sign as the last copy of the terms and conditions sent by either side will be the one that is legally binding.

The college will place a contract details notice on central digital platform within 30 days of awarding the contract.

The college will then set up a meeting with the supplier to finalise the management and payment arrangements, clarify key performance indicators and agree working arrangements.

Abandoning

The college is aware that it must publish a procurement termination notice for any procurement that is not awarded any time after publishing the tender notice. If this happened very late in the process, from the evaluation period onwards, the college understands that it may be at risk of receiving a legal challenge.

The college will not abandon the process merely because the highest-scoring bidder is not the preferred supplier.

Equality Impact Assessment

Question	Response
1. Name of policy being assessed	Tendering and Procurement Policy
2. Summary of aims and objectives of the policy	<p>The college aims to achieve value for money on all its tendering and procurement activities while complying with all statutory requirements. This policy has been created to establish procedures to ensure that all members of staff involved in tendering and procurement are aware of the appropriate procedures and requirements.</p> <p>The college aims to fulfil the following objectives:</p> <ul style="list-style-type: none"> • Delivering value for money • Maximising public benefit • Being transparent about policies and decisions • Acting and being seen to act with integrity • Treating all potential suppliers the same • Avoiding putting suppliers at an advantage or disadvantage • Consider social value as part of any procurement decision-making process • Considering the environmental, social, and ethical implications of contracts in order to support sustainable practices • Address the risks identified in Tackling Modern Slavery in Government Supply Chains
3. What involvement and consultation has been done in relation to this policy? (e.g. with relevant groups and stakeholders)	<p>Feedback from SLT.</p> <p>Feedback from staff representatives.</p> <p>Feedback from the College's Equality Diversity and Inclusion Manager.</p>
4. Who is affected by the policy?	Carmel staff / students / governing body/ others with an interest in the College
5. What are the arrangements for monitoring and reviewing the actual impact of the policy?	This policy will be the basis for staff training and update and will be reviewed formally every three years.

Protected Characteristic Group	Is there a potential for positive or negative impact?	Please explain and give examples of any evidence/data used	Action to address negative impact (e.g. adjustment made

Disability	Positive Impact	The policy allows all members of the college community to be fully informed and updated on their responsibilities about tendering and procurement and to the legal requirements of procurement are properly implemented. .	N/A
Gender reassignment	Positive Impact	As explained for disability	N/A
Marriage or civil partnership	Positive Impact	As explained for disability	N/A
Pregnancy and maternity	Positive Impact	As explained for disability	N/A
Race	Positive Impact	As explained for disability	N/A
Religion or belief	Positive Impact	As explained for disability	N/A
Sexual orientation	Positive Impact	As explained for disability	N/A
Sex (gender)	Positive Impact	As explained for disability	N/A
Age	Positive Impact	As explained for disability	N/A

Evaluation:

Question	Explanation / justification	
Is it possible the proposed policy could discriminate or unfairly disadvantage people?	The procedures are applicable to all to follow. There is no perceived discrimination or unfair disadvantage to any individual or group.	
Final Decision:	Tick the relevant box	Include any explanation / justification required
1. No barriers identified; therefore, activity will proceed .	✓	The procedure is consistent in its approach to receiving and responding to complaints.
2. You can decide to stop the policy or practice at some point because the data shows bias towards one or more groups		
3. You can adapt or change the policy in a way which you think will eliminate the bias		

<p>4. Barriers and impact identified, however having considered all available options carefully, there appear to be no other proportionate ways to achieve the aim of the policy or practice (e.g. in extreme cases or where positive action is taken). Therefore, you are going to proceed with caution with this policy or practice knowing that it may favour some people less than others, providing justification for this decision.</p>		
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