

# Tendering Procedure

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# Tendering Procedure

## 1 Purpose

The procedure is intended to:

- 1.1 Ensure contract procedures are in accordance with standards of public accountability.
- 1.2 Ensure those submitting tenders are treated fairly and impartially.
- 1.3 Ensure the College complies with its legal obligations concerning EU procurement legislation.

## 2 Scope

- 2.1 The procedure applies to all Perth College staff.
- 2.2 The procedure applies to the provision of goods, services and works where the purchasing transaction is in excess of £15,000 (ex VAT).

## 3 Definitions

- 3.1 Unless otherwise stated, all monetary figures exclude VAT at the prevailing rate.
- 3.2 Current (February 09) EU thresholds are:

Supplies and Services - £**156,442** (one hundred and fifty six thousand, four hundred and forty two pounds).

Estates and Capital Works - £**3,927,260** (three million, nine hundred and twenty seven thousand, two hundred and sixty pounds).

## 4 Responsibilities

- 4.1 The Director of Resources will authorise an appropriate senior manager to manage a competitive tender exercise.
- 4.2 The Director of Resources is responsible for ensuring that the College complies with its legal obligations concerning EU procurement legislation.
- 4.3 The Procurement Office will advise managers on any change to the thresholds that are currently in operation.
- 4.4 It is the responsibility of managers to ensure that their staff comply with EU regulations by notifying the Procurement Office of any purchase that is likely to exceed the thresholds. This will be done sufficiently in advance in order to permit advertisements in journals such as the Official Journal of the European Union (OJEU).
- 4.5 Those responsible for procuring, managing or delivering major construction projects<sup>1</sup> should follow the policy and procedural framework set out in the Scottish Construction Procurement Manual, use of which is mandatory throughout the Scottish Government, its Agencies and those contracting authorities which are subject to the Scottish Public Finance Manual. Scottish Procurement Directorate's

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<sup>1</sup> Major projects are defined in the Construction Procurement Manual as those with a total budget exceeding £2 million inclusive of professional fees and VAT.

Construction Advice and Policy Division (CAPD) provide guidance and advice on construction procurement procedures and best practice.

## 5 Procedure

- 5.1 All intended purchases that may exceed £15,000 must be subject to competitive tendering except where there is an approved framework agreement in place, whereupon the terms of the agreement must be adhered to. This may require a mini-competition.

Proposed expenditure on items in excess of £50,000 will require the approval of the Board of Management.

- 5.2 Notice of tender should be prepared detailing all pre-qualification and other relevant criteria and uploaded to the Public Contracts Scotland portal by an appropriate person. The portal will contain all of the necessary detail related to issue of tender.

Where the thresholds deem it necessary, the portal management system will automatically deal with publication of tenders to the European Journal.

- 5.3 All tenders will be recorded by the responsible manager and remain unopened until the appointed date.
- 5.4 At least 3 authorised persons will be present at the opening of tenders. Where appropriate, consultants may also be present.
- 5.5 It may be necessary to circulate opened tenders to a design team or committee for a technical appraisal. The outcome of any such appraisal will be reported in writing to the responsible manager.
- 5.6 The Director of Resources or project manager will make the decision on which tender to accept. The selection of the tender will be based on best value, which may take into account other factors as well as price.

The basis for selecting the chosen supplier and the name of the senior college manager making the decision will be recorded. If a tender is selected on some other basis than lowest tender, then a detailed note setting out the key considerations will be prepared by the senior manager responsible for making the decision. This note will be retained with tender documentation and be available for audit inspection.

- 5.7 The senior manager responsible for the tender exercise will advise the successful and unsuccessful tender respondents accordingly.
- 5.8 Information relating to competitive tenders must be retained for 6 years following the end of the contractual period.

## 6 **Linked Policies/Related Documents**

- 6.1 Procurement Strategy.
- 6.2 Procurement Policy.
- 6.3 Procedure for Tendering.

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