

## PROCUREMENT REGULATIONS (FLOWCHART)

**NOTE:** Procurement options available depend on the value or type of contract (Goods & Services, Works or Utilities) and must offer best value for SCC. This may include collaboration purchasing/partnership or Buying Solutions arrangements. Options chosen must comply with EU Procurement Rules (where applicable) and Procurement Regulations.

**Low value**, low risk procurement will usually follow simplified Tender Toolkit template and use standard Purchase Order terms and conditions (T&C) or, if appropriate, the applicable Model Contract (follow blue route).

**Larger value contracts** (£100,000+ or those that are considered 'high risk' MUST BE undertaken with the assistance of a Procurement Adviser. Contracts above the EU threshold i.e. £173,934 (for goods and for services) or £4,348,350 (for works), MUST follow the full EU procurement route with the assistance of a Procurement Adviser (follow yellow route)

Reduced requirements apply for **EU Part B**, other exempt contracts or Buying Solutions arrangements (follow pink route).

The **Gateway process** (or similar) may apply to contracts of £1m+).

This chart is intended to offer guidance for the various procurement routes available but is no substitute for obtaining advice from PA/LSU.

KEY	
<b>Client</b>	= Business Unit/school, etc.
<b>LSU</b>	= Legal Services Unit
<b>Buying Solutions</b>	= includes other Framework arrangements
<b>OJEU</b>	= Official Journal of the European Union
<b>PQQ</b>	= Pre-Qualification Questionnaire
<b>Procurement Adviser (PA)</b>	= The designated adviser, e.g. Staffordshire Procurement
<b>Risk Assessment</b>	= As detailed in Procurement Regulations (includes CRB and Business Case decisions)
<b>SCC</b>	= Staffordshire County Council
<b>PR</b>	= Procurement Regulations
<b>SP</b>	= Staffordshire Procurement
<b>Waiver</b>	= Includes exemptions to tendering (see standard form for process) – on Procurement website

**Roles**

**Procurement Adviser** responsible for ensuring that contract letting/renewal/retendering commences in an efficient and timely manner. Advice on choice of procurement process – Tender Toolkit; EU; Timescales; PIN; Scoping exercise, Risk Assessment – may refer to LSU.

**Client** to instruct and liaise with Procurement Adviser (including LSU for assistance). Client HOS responsible for Risk Assessment and decision making including waiver to Procurement Regulations under £100K.

**LSU** to provide advice and assistance to bespoke contracts, general advice including EU Law And Procurement Regulations and waiver/approvals requests over £100K.

**Effective liaison**

# START POINT

Procurement need identified/justified (See Procurement website for details of existing contracts). Does a centrally negotiated contract/framework already exist? If not, refer to procurement adviser and decide appropriate procurement route i.e. Toolkit/Buying Solutions/Framework etc.

**Is value below £100k/low risk?**

£100K + (or high risk identified). Client **MUST** consult with Procurement Advisor at earliest stage. Identity procurement route (including exceptions). Consider issuing a PIN – see advice from PA.

For EU Procurement options – must consult with SP/PA.

Obtain waiver where required (in accordance with Procurement Regulations)

Responsibility of the Client liaises with Procurement Advisor and to draw up:-

- detailed technical specification
- CRB/insurance risk assessment
- Health and Safety
- TUPE implications – refer to LSU
- Selection/Evaluation criteria inc. weightings
- Identify timetable (inc. evaluation/clarification)

EU Part B/Exempt/Buying Solutions (follow pink route) reduced competitive requirements may apply Procurement advisor to assist and advise which stages apply.

Prepare tender pack and use appropriate Model Contract or request Bespoke Contract from LSU. Agree appropriate.

Invite tenders by relevant process – advertisement (website, local paper, trade magazine & OJEU. For contracts over £1 million/High Risk 'Gateway' may apply – refer to SP – (see Procurement Regulations).

No

Yes

Refer to SP who will negotiate contact on your behalf, or .....

Follow Tender Toolkit – on procurement website or draft tender documentation.

Answer all risk questions (CRB/insurance/TUPE). Answer YES to all risk questions – refer to SP for advice. Answer NO to all risk questions – continue with toolkit/process.

Choose appropriate contract type and tender exercise

Under £15K – Best value rules apply  
£15 - £100K – 3 Tenders/Quotes – Model contracts appropriate (on website)  
Over £100K - Formal tender process as detailed in Procurement Regulations  
Over EU Threshold – Follow appropriate EU Procedures  
Obtain waiver from HOS, where appropriate (in accordance with Procurement Regulations).

Arrange

- Return tender/quote date
- Evaluation
- Contract award

As per Procurement Regulations

Once Procurement completed contract documentation to be kept securely (see Procurement Regulations).

**End**

Option to extend or vary – Seek Procurement advice.



