

	CORPORATE POLICY & STRATEGY Providence Row Housing Association	Tendering Procedures for Procurement including Maintenance & Development Work VERSION: 5b
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Tendering Procedures for Procurement including Maintenance & Development Work

1. INTRODUCTION

1.1 Approved suppliers, contractors and consultants:

- 1.2** All suppliers, contractors and consultants (hereafter referred to collectively as contractors) must be approved by a member of the Senior Leadership Team before use. Information required will include tax and relevant insurance details, declarations of interest and code of conduct compliance. Where appropriate for the type /volume of work (as determined by the relevant SLT member) other information may be required including annual accounts and health and safety policy. Where any declaration of interest is made there must be specific approval from the Chief Executive before any engagement takes place.
- 1.3** A report on the quantity of work awarded to each contractor for the year and an evaluation of the quality of the work provided will be submitted annually to the Management Board for review and approval.
- 1.4** Contractors may be removed from the list by the Senior Leadership Team if their work has been considered unsatisfactory or if they fail to comply with any of the procurement criteria (e.g. relevant qualifications, insurance and tax status, breach of the Code of conduct or unsatisfactory performance).

2. PROCUREMENT STRATEGY & PROCEDURES

- 2.1** All contracts and other work will be awarded in line with the Procurement Strategy as agreed by the Board and with the procurement procedures. In particular the criteria for procurement will form the basis for evaluation of all tenders and other applications for work.
- 2.2** Some ongoing services will be procured through fixed term contracts. These contracts will be procured at least once every 3/5 years as agreed with the Senior Leadership Team. These may be procured through the tendering process outlined below or through use of an agreed framework.

In these cases additional works may be procured under the terms of the agreement from the appointed contractors /suppliers without further tendering requirements. Further approval must however be sought in these circumstances from SLT (up to £10000), Chief Executive (up to £50000) or Board (over £50000). Approval will only be granted on receipt of a written request specifically addressing the rationale and a value for money analysis.

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- 2.3** Telecoms, mobile phones, vans/vehicles, utilities and other specialist suppliers of services will be procured through the use of specialist brokers or suppliers. These services will be negotiated employing the specialised knowledge that the brokers/suppliers bring. These contracts will be tendered at least once every 2/5 years unless longer term agreements have been approved by the Board.

Where best value can be obtained by purchasing premises, products or goods separately to services/consultancy these can be procured through a negotiated process subject to approval by SLT (up to £10000), Chief Executive (up to £50000) or Board (over £50000).

- 2.4** Where the Board has agreed that PRHA can access an approved procurement framework then the requirements of this policy do not apply. However at all times good practice and procurement regulations must be complied with.

3. WORKS / SERVICES VALUED AT £0 to £4999

- 3.1** Orders for work up to a value of up to £4999 (not including VAT) may be placed by duly authorised officers with a selected contractor from the appropriate approved list with no requirement for competitive tenders.
- 3.2** Where works are not anticipated to be over £5,000 but subsequently it is found that the cost does exceed the limit, this must be notified immediately to the SLT.
- 3.3** In some cases such as the employment of solicitors it is not possible to determine precisely the cost of any piece of work until it has concluded and tendering is not appropriate on a case by case basis. In these cases fees shall be sought for expected costs over £4999 and the solicitors advised that if any works are likely to go over the limit this must be approved. Nevertheless it is expected that managers will ask for an estimate of work to be undertaken before the engagement commences. Where possible framework fee structures will be accessed.

4. WORKS/SERVICES VALUED AT £5,000 to £9999

- 4.1** All works valued at between £5,000 & £9999 may be placed by authorised officers with a selected approved contractor on receipt of one written quotation and approval being given by the relevant Head of Service/ Director or, in his/her absence, another member of SLT.

5.0 WORKS /SERVICES VALUED AT £10,000 -£19999

- 5.1** All works valued at between £10,000 & £19999 may be placed by authorised officers with a selected approved contractor on receipt of two written quotations and approval being given by the relevant Head of Service/ Director

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or, in his/her absence, another member of SLT (not from the relevant department).

6.0 WORKS /SERVICES VALUED AT £20000 -£59999

- 6.1** All works valued at between £20,000 & £59999 may be placed by authorised officers with a selected approved contractor on receipt of three written quotations and approval being given by the CEO or Director of Operations/Deputy CEO.

7.0 WORKS /SERVICES VALUED AT £60000 or above

- 7.1** All work with a value in excess of £60,000 (not including VAT) must be competitively tendered or accessed through an approved framework (eg the NRA or SEC). Where this results in new contractors being selected they must be approved through the usual procedures.
- 7.2** Where works are being carried out on PRHA's behalf by a development agent which is also an RP the tendering procedures /framework agreements of that agent may be used in place of PRHA's provided that evidence is produced for PRHA that the appropriate procedures have been used.
- 7.3** It should be noted that where PRHA believes that the tendering or letting of contracts comes within the scope of the UK Procurement Policy, arrangements will first be made to place an advertisement on the Find a Tender service (FTS) and other appropriate media.
- 7.4** The Associations prime objective in letting a contract is to obtain value for money. This will most often mean that contracts are awarded to the tenderer offering the lowest price. However, price is one of a number of factors, and the tender evaluation process must involve full consideration of all relevant matters including quality, in determining which tender gives best all round value for money in meeting the Associations requirements.

8.0 TENDER PROCESS

- 8.1** The value of the work will determine the number of contractors to be invited. This will be in accordance with the following schedule

60,000 - 199,000	Sealed competitive tender 4 contractors CEO/DOO approval
200,000 and above	Sealed competitive tender 5 contractors Board approval UK Procurement Procedures if applicable

Service Contracts above £189,330

UK Procurement policy applies

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Works Contracts above £4,733,252 UK Procurement policy applies

Where less than 50% of invited contractors fail to return tenders the process will be reviewed before the tender envelopes are opened. These can be stored sealed in the Association's safe /electronically while the additional numbers of contractors are asked to submit tenders. In the event that the 50% figure is not reached on a second occasion the Board/Chair may approve a waiver to this requirement.

- 6.2** All invitations for sealed bids must include details of all of the following:
- Written specification of works or bills of quantity as appropriate.
 - Appropriate drawings as needed
 - The form of contracts to be used and details of prelims. (works over £20,000 only)
 - Arrangements for inspecting the site
 - Instructions stating that:
“Tenders must be received at: (PRHA head office address)
By noon on (the specified date for submissions).

Tender submissions / Quotations should be in a sealed envelope marked:
“TENDER DOCUMENT - NOT TO BE OPENED”.

- Tenders received after 12 noon on the specified date will be excluded from consideration.

6.3 Electronic Tenders

- Tenders may be sought electronically where appropriate and the interested contractors/suppliers must be provided with all the information as if preparing postal tenders.
- Tenders will be sent to all tender applicants using the BCC for the addresses. Tenders **MUST NOT** be sent to tenderers using the CC bar.
- Tenders must be allowed to be returned by post by providing an address sheet along with the date and time of return.
- For tenders submitted by e-mail the tenderer must be informed;
 - Returning tenders should state in the subject bar the project title.
 - E-mailed tenders are to be received before 12 noon on the final date for submissions.
 - E-mail submissions shall be sent to tenders@prha.net or to the relevant consultants email address/portal
- On receiving tender returns by e-mail:
 - Tenders **MUST NOT** be opened before the closing date.
 - E-mails will transferred to a dedicated folder and held until the after the tender closure.
 - All submissions including postal submissions will only be opened in the presence of the Chief Executive and one other member of

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the Senior Management Team (not to include the manager responsible for the tendering process).

- 6.4** All tenders with a value of above £60,000 (not including VAT) may only be opened in the presence of the Chief Executive or Assistant Director Finance and one other member of the Senior Leadership Team (not to include the manager responsible for the tendering process).

If the work has been specified and tendered by an external consultancy the tenders will be opened as above and sent to the tendering consultant for analysis. A full, detailed tender report shall be prepared by the consultant for presentation to the Board.

- 6.5** The Association's prime objective in letting a contract is to obtain value for money. This will most often mean that contracts are awarded to the tenderer offering the lowest price. However, price is one of a number of factors, and the tender evaluation process must involve full consideration of all relevant matters, in determining which tender gives best all round value for money in meeting the Associations requirements.
- 6.6** For auditors and other major consultancy works (including IT) a two stage process will be followed whereby a written quotation is obtained and an interview is held to establish the other relevant credentials. The cost is only one of the relevant criteria. This process would be agreed by the Senior Leadership Team and reported to the Board. In the case of the auditors appointment there must be involvement from the Board in the process.

7.0 RECORDING THE TENDER PROCESS

- 7.1** Details of tenders received must be entered into the Tender Book, showing the name of the contractor, identification of the work, the price submitted and the date and time the quotation was opened. Each entry must be signed and dated by those attending the opening. The Tender Book must be kept in the main document safe at all times.
- 7.2** A file will be kept centrally for each tender process including the original details of contractors, specification of works, tender report & all opened envelopes. Originals of all tender submissions should also be placed in this file. Copies of the winning tender should also be kept by the relevant department.

All those who tender should be advised of the outcome of their submission.

8.0 EMERGENCY WORKS

- 8.1** Work of an emergency nature over £5,000 (for example major drainage problems, dangerous structures, works to repair damaged void properties) may be dealt with on the same basis as in 3.1 above, that is with no requirement for competitive tender. An order may be placed immediately with the verbal authorisation of the Chief Executive, Assistant Director Finance or Chair of the Association. This must be confirmed in writing immediately by the authorisee

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and then ratified at the next available full Board meeting. This authorisation must also be retained in the central tender copy file.

9.0 NEGOTIATED CONTRACTS

9.1 Under certain circumstances, it will be appropriate to negotiate a contract directly with one or more contractors/suppliers/consultants rather than seeking tenders/quotations. These circumstances will be as follows:

- a) A tendering exercise has been carried out but no tenders were received and it has been decided not to re-tender the contract; or
- b) There is only one contractor/supplier/consultant capable of providing the goods/works/services (for instance where PRHA requires a level of tenant involvement in the service); or
- c) There is an emergency brought about by events which could not have been foreseen and there is insufficient time to conduct a tendering exercise.
- d) Additional works or services are required from a contractor which through unforeseen circumstances had not been included in the original contract (e.g. works consequent to a routine inspection) or where the contractor has already won the tender for servicing/maintenance and the property/equipment being supplied will form part of that ongoing contract
- e) The contract is for the purchase of property; or
- f) The contract is for a package deal (e.g. purchase of land combined with contract with the seller to develop on site); or
- g) Where a consultant employed to manage a contract recommends that, by reason of special circumstances, the Association can obtain best value for money through direct negotiations with one or more contractor; or
- h) The contract concerns the provision of personal care services to individuals; or
- i) The contract is for the supply of IT / telecoms services and equipment; or
- j) The contract is for the supply of electricity, gas, water or any other utility supplied by a statutory supplier being managed on behalf of Providence Row Housing Association by a third party broker.

10.0 RATIFICATION & REPORTING OF CONTRACTS

10.1 All decisions to accept quotations and/or tenders shall be strictly in accordance with the authorisation levels within this policy & the delegated authorities and according to the criteria as laid out in the procurement strategy and policy.

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- 10.2** Reports of all contracts over £100,000 placed and executed will be reported to the next Board meeting. Both the Board and SMT will regularly review the tender book and the supporting files.

Tender Requirements

0 - 4,999	No quotations required
5,000 - 9999	1 written quotation & SLT approval
10,000 -19999	2 written quotations & SLT approval
20,000 – 59,999	3 written quotations CEO/DOO approval
60,000 - 199,000	Sealed competitive tender 4 contractors CEO/DOO approval
200,000 and above	Sealed competitive tender 5 contractors Board approval EU Procurement Procedures if applicable

11.0 CONTRACT AUTHORISATION LIMITS

See delegated authorities
All contracts over £100k must go to Board

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