

Procurement Policy

2025 – 2027

Introduction

Causeway Coast and Glens Borough Council (the Council) is committed to securing the maximum return for its financial and human resource investment when procuring works, goods and services.

The Council recognises the profile and potential impacts that procurement has within the local economy and is committed to protecting public money and maximising benefits to the rate payer.

The council is committed to ensuring that all procurement procedures are fair, transparent, non-discriminatory, compliant (where relevant) with the requirements of the Procurement Act 2023 and applied consistently.

This policy is to be followed by all Council staff in procuring works, goods and or services regardless of expenditure level.

Policy Statement

All council staff are required to act with honesty and integrity and to take all steps necessary to ensure that public funds for which they are responsible are safeguarded and used to maximum benefit to the rate payer, obtaining best value from all resources.

Policy Aims and Scope

The policy applies to all Council staff (temporary, permanent, part time and full time) and any agency staff, volunteers or consultants carrying out procurement activities on Councils behalf.

This policy seeks to explain Councils approach to procurement, the policy specifically is intended to ensure that:

- 1) The procedures used to purchase works, goods and services are fair, consistent, transparent, non-discriminatory, equal and legally compliant.
- 2) Council staff operate within clearly defined delegated authority.
- 3) Procurement activities are the most efficient, economical and effective possible.

- 4) Works, goods and services are of specified quality and quantity and received within agreed timeframes.
- 5) Where appropriate, lessons are learned.
- 6) The opportunity for legal challenge or negative publicity is minimised and if it arises, can be successfully defended.

This policy also applies to the procurement of all works, goods and services, however, in exceptional circumstances, the requirement will be procured in a manner which does not allow the strict implementation of the procurement procedures detailed in this policy.

Where such a requirement arises, it must be supported by an authorised direct award contract, DAC, this must be discussed with the procurement department prior to approval by Head of Service or SMT dependent on value, a DAC above £ 30,000 can only be authorised by Council.

Governance

The Councils procurement activity will be carried out in accordance with the principals of transparency, non-discrimination, equal treatment and proportionality.

Council officers will endeavour where appropriate to comply with the NI Executives 12 guiding principles of public procurement which represent best practice.

- 1) Accountability
- 2) Competitive Supply
- 3) Consistency
- 4) Effectiveness
- 5) Efficiency
- 6) Integration
- 7) Integrity
- 8) Informed decision making
- 9) Legality
- 10) Responsiveness
- 11) Transparency
- 12) Not to impose unnecessary burdens or constraints on suppliers

Roles and Responsibilities

- Members should familiarise themselves with and observe this policy during their participation at Council and committee meetings.
- Officers administering and supporting Council and committee meetings should advise chairs on the application of this policy.
- Senior Management Team must familiarise themselves with and should, bar in exceptional circumstances, which must be documented, observe this policy and ensure that it is understood and observed by their subordinate staff.
- Heads of Service must familiarise themselves with and should, bar in exceptional circumstances, which must be documented, observe this policy and ensure that it is understood and observed by their subordinate staff.
- The procurement department shall, without diminishing the responsibility of the officers requesting the procurement exercise to deliver an appropriate specification etc., be responsible for the control and delivery of all procurement with an anticipated value over £ 30,000 (excluding VAT). Where external funding is involved, the Service Area can lead on any necessary procurement in order to ensure adherence to the funders requirements and the eligibility of and safeguarding of the awarded funds.

Support and Advice

- Advice and guidance in relation to this policy can be obtained from the procurement department and training in relation to the implementation of the policy will be delivered on request.
- Responsibility for staff training rests with the relevant Heads of Service, who will be supported by the procurement department as required.

Monitoring and Review arrangements

Adherence to this policy will be managed primarily by Heads of Service with procurement support, staff should also be aware that monitoring will be undertaken by Councils internal audit department and Local Government Auditors.

Equality

Section 75 of the Northern Ireland Act (1988) requires the Council to comply with two statutory duties.

Section 75 (1) In carrying out our functions, powers and duties, we are required to have due regard to the need to promote equality of opportunity between:

- Persons of different religious beliefs, political opinion, racial group, age, marital status or sexual orientation.
- Men and women generally.
- Persons with a disability and persons without.
- Person with dependants and persons without.

Section 75 (2) In addition, without prejudice to the obligations above, in carrying out our functions, powers and duties, we are required to have regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group.

Procuring departments should ensure they are complying with our section 75 duties regarding all procurement, in particular those that are above UK Procurement Thresholds.

Introduction and General Principles

All staff involved in procurement activity and/or carrying out procurements must comply with the requirements of the procurement policy.

These are the general principles that apply when carrying out procurements regardless of the value:

- Procurement should be conducted in accordance with the principles of fairness, transparency, equal treatment, non-discrimination and impartiality.
- The award of contracts should be in accordance with the principles outlined in this policy.
- Specifications should be clear and not written in a way to restrict or distort competition or create unjustified obstacles for participation, all specifications should incorporate "or equivalent".
- The number of suppliers invited to tender can be limited, provided this is done in an open and transparent manner, for example objective factors such as experience of suppliers and technical or professional abilities may be applied.
- All suppliers must know the rules in advance and the same rules apply to everybody in the same way.
- The impartiality of the procurement process should be open to review.

All staff should note that in some instances, third party funding arrangements may require an alternative procurement procedure than those set out in this policy, the officer requesting the tender process should refer to the thresholds outlined in the funders Letter of Offer or obtain written confirmation from the funder as to how this should be procured, the more stringent process should be used.

Procurement thresholds

Table 1 presents a range of procurement values, the procurement process and approval levels that apply, staff should note that thresholds will be automatically updated to

reflect threshold increases/decreases without the need for formal ratification by Council.

Estimating the value of a procurement – guidance

- All values must be estimated inclusive of VAT.
- The contract must be estimated over the lifetime of the contract, this should include possible extensions. The possibility of extension or enhancement of any contract should be included in the specification/terms of Reference otherwise it may not be possible to extend or enhance contracts awarded. Officers should always seek guidance from the Procurement Department before enhancing or awarding any contract.
- When estimating the value, it is necessary to aggregate all amounts potentially payable to estimate the total contract value.
- Any increases in value of works during the lifetime of contracts must be the percentages stated by the Office of Budget Responsibility (OBR) and Consumer Price Index (CPI).
- Further guidance <https://www.gov.uk/government/publications/procurement-policy-note-0921-thresholds-and-inclusion-of-vat>

UK Procurement Thresholds

Type of Purchase	UK Procurement Thresholds (including VAT)	Net Value (information only)
Goods	£ 214,904	£ 179,086
Services	£ 214,904	£ 179,086
Light Touch	£ 429,809	£ 358,174
Works	£ 5,372,609	£ 4,477,174
Concessions	£ 5,372,609	£ 4,477,174

- All above threshold projects must be entered on Find a Tender Service (FTS) <https://www.gov.uk/find-tender>
- All threshold projects that receive EU funding must be advertised on Tenders Electronic Daily (TED) [Home | eNotices2](#) consideration must also be given to print media advertisements for cross border projects
- EU Thresholds are:
 - 1) Goods, Services and Supplies € 221,000
 - 2) Works € 5,538,000
- Any funded projects should refer to the funders preferred procurement path for guidance on the preferred route, the more stringent process should be used.

- For SEUPB funded projects a copy of the invitation to tender, contract award notice and a procurement report must be retained for audit purposes

Social Value

Council spends in excess of £ 35,000,000 per year on goods, works and services, by spending money differently council can develop and deliver better social, environmental and economic outcomes for people and communities.

Council is committed to ensuring that projects provide the maximum benefit to the borough through adding social value clauses to above threshold contracts, allocating a minimum of 10% of the total award criteria to social value.

Council is currently working on introducing a new and innovative social value project in addition to the current social value system.

Approval Limits

Procurement Limit	Approval Required	Process Required
£ 0 - £ 4,999	Budget holder	<p>Low value requirements - up to and including £999.99 require no formal evidence</p> <p>Low value requirements - for procurements between £ 1,000 and £ 4,999.99 should evidence how value for money has been achieved i.e. officers should seek two prices by email or an internet search.</p>
£ 5,000 - £ 19,999	Head of Service	<p>Medium Value Requirements – A minimum of 3 quotes must be obtained any tenders, over £ 5,000 must, as a minimum, be returned to tenders@causewaycoastandglens.gov.uk</p> <p>Procurement would encourage as many quotations as possible be administered using the online procurement portal</p>
£ 20,000 - £ 49,999	SMT or Chief Executive	<p>Request for Quotation – A minimum of 5 quotes must be obtained any tenders, over £30,000 must as a minimum, be</p>

		returned to
		tenders@causewaycoastandglens.gov.uk
		however Procurement would encourage
		as many quotations as possible be
		administered using the online procurement portal
£ 50,000 and over	Council	Tender process managed by Procurement department on Councils procurement portal. PEACEPLUS tenders above £30,000 will be managed by Council's Funding Unit.

Bodies which sit outside of council approval structure should follow councils' procurement policy for guidance, the following partnership areas do not require council approval, approval is granted by director/SMT.

- Labour Market Partnership
- Grant Funding Unit
- Police and Community Safety Partnership

Procurement Timeframes

It is important, when seeking quotations and tenders, that the suppliers are provided with a reasonable amount of time to prepare and to submit their bids, consideration should be given to the complexity of the project/service, if a project is complex or requires elements that may not be "off the shelf" please use the below as guidance, extended submission times can be applied.

For procurements with a value above UK procurement thresholds, the Procurement Act 2023 set out minimum time periods as:

Value	Timeframe
£ 1,000 to £ 9,999	5 Working Days
£ 10,000 to £ 29,999	10 Working Days
Single Stage tender via Procurement Portal	25 Working Days
Two Stage Combined via Procurement Portal	35 Working Days

Whilst setting minimum time periods for participation and tendering, council must, where relevant have regard to the following factors

- A. The nature and complexity of the contract.
- B. The need for site visits, physical inspections and other practical steps.
- C. The needs for sub-contracting.

Any funded projects should refer to the funders preferred procurement path, for tenders above the EU Threshold, lead partners and project partners must ensure that tender opportunities are published to [Home | eNotices2](#)

Evaluation

All tenders will be evaluated according to the evaluation criteria set out in the tender documents, evaluation will generally include pre-qualification criteria and assessment criteria (usually cost and quality) but also, for example, timescales and other relevant factors.

The procurement section is available to support an Officer when developing pre-qualification and assessment criteria and setting them out clearly in the procurement documents.

Evaluations must be documented, and a signature is required for all panel members as well as date and confirmation of attendance via email to the procurement department.

Evaluators must record their individual comments and reasoning for scoring, the panel moderator will have the deciding vote if an agreement cannot be reached between the group.

In the case of a two stage tender process, once the non-financial assessment of a tender has been completed, the procurement department will release the financial elements of the submission.

- Submissions must be checked for completeness; the non-financial and price scores will be aggregated, and the highest scoring tender will be identified as the winner.
- **Most Advantageous Tender (MAT)** has replaced MEAT, this allows more scope for ascertaining which submission provides the most value which is not necessarily the lowest priced submission.

Price only tenders will use the following formula when scoring

$$\text{Tender Price score} = \frac{\text{Lowest Tender Price} \times 100}{\text{Tenderer's Tender Price}}$$

Post Evaluation – Contract awards

Quotations £1,000 - £ 49,999.99

- Seek approval to award a contract as set out in the approvals table, the award decision must remain confidential.
- When approval has been obtained, the service area will notify suppliers via email
- The service area must then raise a purchase order for the requirement and attach the tender documents and all other documentation required to raise a purchase order and enable payment.

Tenders £ 50,000 to Thresholds

- Seek approval to award a contract as set out in the approvals table, the award decision must remain confidential.
- When approval has been obtained, the procurement department will then notify the outcome to the suppliers via [the procurement portal](#)
- The service area must then raise a purchase order for the requirement and attach the tender documents and all other documentation required to raise a purchase order and enable payment.

When approval has been obtained, council must observe a standstill period of 7 days between notifying the winning party and entering into contract.

Standstill letters must provide feedback to the successful and unsuccessful parties, the letter must include:

- The criteria for award
- The reasons for the decision
- Name of the successful tenderer
- When the standstill period is expected to end and if relevant, how the timing of its ending might be affected by any and, if so what, contingencies.

Direct Award Contracts

Direct Award Contracts represent a deviation from the normal competitive procurement processes to be followed and should rarely be deployed.

A direct award contract is when a new contract is awarded without any prior procurement competition having been undertaken.

Below is an exhaustive list of situations which MAY justify not following “normal” procedures: -

- Where no tenders, suitable tenders, no requests to participate or no suitable requests to participate have submitted in response to an open procedure or a restricted procedure, provided that the initial conditions of the contract are not substantially altered.
- Where the works, supplies or services can be supplied by only one particular supplier.
- The procurement is in relation to creation or acquisition of a unique work of art or artistic performance (if external funding is being provided this must be agreed by the external funder in advance)
- Competition is absent for technical reasons.
- The protection of exclusive rights including, intellectual property rights, where no reasonable alternative exists, the absence of competition is not the result of artificial narrowing down of the parameters of the procurement.

When a DAC is above thresholds, based on legal advice, a VTN notice must be published.

Contract Modifications

A contract modification is different to a direct award, a contract modification refers to the situation where a contract has already been compliantly procured and is being modified in accordance with the grounds available under the Procurement Act 2023.

This is an important distinction as the grounds for making a direct award contract and a contract modification is different, modifications to contract including extension of time provision are permitted, however, the contract cannot be modified from the original scope.

The following are grounds for modification of the contract: -

1. Where the modifications, irrespective of their monetary value have been provided for in the initial procurement documents in clear, precise and unequivocal review clauses.
2. For additional works, services or supplies by the original supplier that have become necessary and were not included in the initial procurement, where a change of supplier cannot be made for economic or technical reasons.
3. Where the modification has been brought about by circumstances which a diligent contracting authority could not have foreseen.
4. Any increase in price does not exceed 50% of the original contract value.

Contract Management

Once a contract has been awarded, its details must be registered on the Councils' Contracts Register.

It is important that, once a contract has been awarded, the supplier is held to account to ensure that it delivers the contract as set out in the procurement documents and the winning suppliers submission.

Where this does not happen, the Council will not receive value for money and may, in some instances, be open to criticism from rate payers, auditors and other suppliers.

1. Every contract should have a nominated contract manager.
2. Where the contractor is not delivering as expected, the department should keep a record of the issues, the agreed timeframe for correction and the outcome of those corrections.
3. Appropriate procedures should be included within the ongoing contract monitoring to ensure that the council obtains the requisite level of performance from all contractors/suppliers.
4. Issues should be recorded and reported to the procurement department.
5. Higher value tenders (above threshold) must include a contract initiation meeting prior to contract start and regular contract review meetings are scheduled.

Authorised signatories within the finance system

- Each directorate shall determine all authorised signatories (and limits of authority) in relation to procurement within their service area.
- It shall be the responsibility of each director to ensure details of all authorised signatories (and limits of authorisation) are accurate and recorded correctly within the finance system.
- All capital expenditure, regardless of spend, can only be approved by the service area director.
- Purchase orders which relate to a grant funded programme must have all documentation attached before being sent for approval.

Questions to be considered prior to completion of each procurement

- Has all necessary documentation been completed, authorised and retained within the relevant system?
- Are there any lessons to be learned, including the potential for legal challenge or action from any party as well as the things that have worked, been identified?

Links to relevant documents

[Procurement policy notes - GOV.UK](#)

[Procurement Act 2023](#)

[Social Value | Strategic Investment Board](#)

[Procurement policy notes - GOV.UK](#)

<https://www.finance-ni.gov.uk/articles/procurement-guidance-notes-pgns>

Annex A: Conflicts of Interest Declaration Form

Provision of: *[enter procurement title and reference]*

Introduction

This Declaration Form is intended to capture conflicts of interest relating to individuals involved in the aforementioned procurement in order to avoid any distortion of competition and to ensure equal treatment of all companies seeking to do business with the Contracting Authority.

Involvement, in the context of conflicts of interest, may relate to any stage in the commercial lifecycle including preparation and planning, publication, selection and award and contract implementation.

Individuals must avoid placing themselves in a position where there is a conflict between their personal and/or outside interest and their official duties in a procurement and must comply with internal policy relating to gifts, hospitality and conflicts of interest at all times.

Examples of conflicts of interest may include, but are not restricted to:

- if you are a current or previous employee of a company, or have a member of your family, your partner (married, civil partnership or not), your siblings, your children, or any close personal or professional relationships that are an employee of a company, that is seeking to do business with the Contracting Authority;
- if you, or a member of your family/friends (as set out above), has a financial interest in a company that is seeking to do business with the Contracting Authority;
- if you, or a member of your family/friends (as set out above), has a financial relationship of any kind with a company seeking to do business with a Contracting Authority.

This is a non-exhaustive list of examples and it is your responsibility to ensure that any and all actual, potential or perceived conflicts are disclosed prior to you being involved in the procurement.

If you are unsure whether your current or previous relationship or involvement with a company that is seeking to do business with the Contracting Authority constitutes a conflict of interest, you should seek advice from an Authorised Individual stated below.

This Form also includes a requirement for individuals involved in the procurement to treat information (including but not restricted to bid documents, supplier evaluations etc.) with the appropriate level of confidentiality, and not make any unauthorised disclosures of this information.

All individuals with access to procurement information must sign this Form.

Authorised Individuals

Authorised Individuals are responsible for managing the disclosure of procurement information and conflicts of interest. The Authorised Individuals for the procurement are:

[insert name and title of accounting officer and any person(s) to whom management has been delegated]

If conflicts of interest arise at any time during the commercial lifecycle, an Authorised Individual must be notified. Any disclosure of procurement information must also be approved by an Authorised Individual prior to disclosure.

Statements

1. I acknowledge that my official duties cause me to have access to documents or data pertaining to the above procurement. I am aware that unauthorised disclosure of information could damage the integrity of the procurement and that transmission or revelation of such information to unauthorised persons will subject me to disciplinary action.
2. I will not divulge, publish or reveal by word, conduct, or any other means such information or knowledge, except as necessary to do so in the performance of my official duties related to this procurement and in accordance with the laws of the United Kingdom, unless specially authorised in writing in each and every case by an Authorised Individual of the Contracting Authority.
3. I acknowledge that the information I receive will be given only to persons specifically granted access to the procurement, and it may not be further divulged without specific prior written approval from an Authorised Individual.
4. If at any time during the procurement my participation might result in an actual, potential or perceived conflict of interest, I will immediately report the circumstances to the appropriate Authorised Individual.

Declaration Guidance

Declaration A should be signed if there are no actual, potential or perceived conflicts of interest.

Declaration B should be signed if there are actual, potential or perceived conflicts of interest. The conflicts of interest and mitigation must be stated in Appendix 1 below, as must the role that the individual will be carrying out (where appropriate) within the procurement. An Authorised Individual must also sign Declaration B to confirm that they accept that appropriate mitigations have been put in place.

Declaration A (if no conflicts of interest)

By signing this Form, I declare that I have read and accept the Statements above, and that there are no conflicts of interest of any nature which would prevent me from participating in the procurement.

If any actual, potential or perceived conflicts of interest arise in the future, I will inform an Authorised Individual immediately.

Name:

Job Title:

Organisation / Department:

Signature:

Date:

Declaration B (if actual, potential of perceived conflicts of interest)

By signing this Form, I confirm that the conflicts of interest in Appendix 1 have been mitigated appropriately to allow me to participate in a suitable role within the procurement.

If any other actual, potential or perceived conflicts of interest arise in the future, I will inform an Authorised Individual immediately.

Name:

Job Title:

Organisation / Department:

Signature:

Date:

Appendix 1

My conflict(s) of interest, including mitigations, is/are:

Conflict of interest *[insert text]*

Mitigation *[insert text]*

[Delete as appropriate]

Therefore my role in the procurement will be *[briefly describe role]*

OR

Therefore I will not have a role in the procurement.

Authorised Individual

By signing this Form, I confirm that the conflicts of interest in Appendix 1 have been mitigated appropriately, and therefore the individual's role in the procurement, also stated in Appendix 1, is appropriate.

Name:

Job Title:

Organisation / Department:

Signature:

Date:

Request for approval of a Direct Award Contract (DAC)

To seek approval in respect of a DAC seek advice and the following form must be completed with all relevant details and be presented to the Senior Management Team for decision.

Section 1. Contact Details	
Name of Officer Requesting DAC	
Job Title	
Department	

Section 2. DAC Details	
Title of DAC requested	
What is the estimated value of this DAC?	
Is a Business Case required? No* NB: Business Cases must be produced for all new spend equal to or greater than £30,000. *Delete as appropriate	If 'yes', an approved business case must be attached.
Confirm budget exists for requirement if no business case is required.	Yes/No
Name, address and contact email of proposed supplier and length of contract as appropriate.	

Section 3. New Requirement

Is this a new requirement which has not been purchased before? (Please tick one of the options below)

Yes		No	
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If you ticked 'Yes' above, please proceed to Section 5.

Section 4. Previous Contract

Was the previous requirement subject to competition or tender or was it awarded directly to a supplier? (Please tick one of the options below)

Competition/Tender		Direct Award Contract	
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Please state the start and end dates of the previous Contract:

Start Date		End Date	
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If the Contract has been extended beyond the original end date stated above, please provide dates of any extensions:

Please state the total value of the previous contract	
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Section 5. DAC Justification

Please provide a detailed rationale to justify the request (i.e., ownership of any intellectual property or exclusive rights, sole provider, etc.)

By making a request and signing this form, the Requesting Officer will be deemed to have confirmed that they have no conflict of interest associated with the award of business that may result from this process.

Signature of Requesting Officer:

Name of Head of Department:

Signature of Director: