

# Purchasing and Procurement Policy

Financial Policies and Procedures Manual, Section 7

## Contents

Main Phases of Public Procurement .....	3
STEP 1 – Identifying requirement, conducting preliminary market consultation, and timelines .....	4
STEP 2 – Preparation of Tender Documentation .....	5
STEP 3 – Publication of Tender .....	8
STEP 4 – Evaluation of Tender .....	9
STEP 5 – Notification to successful and unsuccessful tenderers .....	10
STEP 6 – Award of contract .....	11
STEP 7 – Management and monitoring of awarded contract .....	11
BIM Procurement Thresholds .....	13
Competitive Procedures .....	13
Tendering Phase Above Threshold – EU Rules .....	14
Authorised Approval Limits .....	14
General Procurement Guidelines .....	15
Thresholds and Applicable Procedures .....	16
Framework Arrangements .....	16
Framework Types .....	16
Applicable Procedures .....	17
Purchase Orders .....	17
Maintenance of a Corporate Procurement Plan/ Contracts Register .....	18
Value For Money (VFM) Reviews .....	18
Public Spending Code Assessment .....	19

## Scope

The Office of Government Procurement (OGP) has published the Public Procurement Guidelines for Goods and Services (the “OGP Guidelines”) which provide detailed guidance on the procurement policy in the Public Sector including conducting national and EU advertised tenders and OGP frameworks. In order to discharge public procurement with probity, transparency and accountability and in a manner that secures best value for money, BIM has established and implemented policies for the purchase of goods and services using best practice over all levels of procurement.

This policy applies to purchasing and procurement of all non-petty cash/direct payment items, and to all BIM staff and any third parties (including BIM contractors) that may be directly involved in procurement on behalf of BIM.

## Objectives

The objective of this policy is to outline the different levels of procurement and the governing rules and requirements for each level to ensure that:

- The underlying procurement process complies with the requirements set out by the OGP, including the relevant EU, National and local directives.
- Expenditure is incurred only on approved goods or services.
- Value for money is achieved on all purchases of goods or services.
- Approved creditor invoices are paid and accounted for on the BIM FIS.

## Policy

BIM’s policy for procurement is to implement the OGP’s guidelines and comply with all required legislation covering BIM procurement transactions of goods and services.

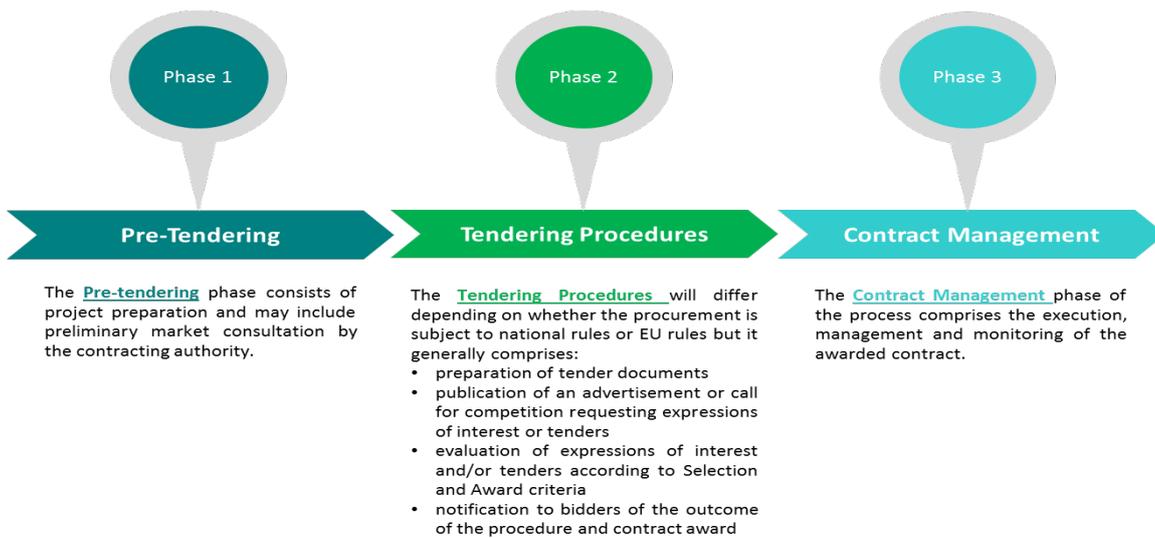
BIM must ensure that, in all respects, procurement transactions and decisions are fair, equitable and ensure value for money. BIM must be able to justify procurement decisions made and actions taken.

BIM is responsible for establishing arrangements for ensuring the proper conduct of its affairs, including conformance to standards of good governance and accountability with regard to procurement.

BIM must ensure appropriate separation of duties within the procurement cycle (i.e. insofar as possible, ordering and receiving goods and services should be separate from payment for goods and services).

## Main Phases of Public Procurement

The main phases of public procurement procedures are detailed in this document and summarised, as follows:



The following Procurement steps are summarised below.



## Pre-Tendering Phase

### STEP 1 – Identifying requirement, conducting preliminary market consultation, and timelines

#### Identify the need

BIM buyers should first establish whether there is a clear business need for the goods or services for example, by way of preparation of a business case. The procurement should be essential for the conduct of normal business or to improve performance. Buyers should ensure that the business case addresses future phases of the service or purchase of goods that may be required.

Part B of the Public Spending Code provides guidance on the Appraisal and Planning Stages of public projects before expenditure is incurred and should be referred and adhered to by BIM buyers.

#### Preliminary Market Consultation

The conduct of market consultations with suppliers and expert bodies before the start of a procurement process which may facilitate improved specifications, better outcomes and shorter procurement times is explicitly allowed in the [S.I. No. 284/2016 - European Union \(Award of Public Authority Contracts\) Regulations 2016](#) (“2016 Regulations”).

Market consultations may prove to be of relevance where:

- There are complex procurements that require significant preparation or not enough information available to develop a robust specification.
- There is a sufficient number of players/options in the market to guarantee effective competition.
- There are procurements of innovative solutions.
- The market is constantly changing.
- Delivery of optimal solution is paramount.

#### Timelines

BIM buyers should ensure that there is an adequate amount of time in the procurement programme and take account of the nature of the specifications and the complexity of the contract when fixing the timescale for submitting responses. This should allow suppliers reasonable and sufficient time for submitting the necessary information and preparing the tenders (taking into account holiday periods etc.).

In the case of contracts for goods or services above the EU financial thresholds, contracting authorities must also ensure that the timescale complies with the minimum periods specified in OGP Guidelines.

## Tendering Procedures Phase

### STEP 2 – Preparation of Tender Documentation

BIM Procurement Team should prepare tender documents, setting out Selection Criteria and Award Criteria and ensure compliance with the procurement rules, and should carefully check all documents for completeness, accuracy, and consistency prior to issuing. Clarity and completeness at this stage will help eliminate the need for clarifications later. BIM Procurement Team must set out all the criteria that will be applied in the award process, together with the relative weightings of each. These criteria will form the basis against which tenders will be comparatively evaluated and are the key to an objective, transparent award procedure. Tender documentation typically includes the following elements:

#### Specification

BIM should base its specifications on the needs identified in the business case and ensure that the specifications are clear and comprehensive and not discriminatory. In particular, specifications should use generic technical specifications and avoid proprietary brand names.

A detailed specification of requirements along with the general overview of the tender requirements, the format and structure for submission of tenders, how tenders will be examined and the criteria on which they will be evaluated, and some general conditions of tendering are documented in RFTs. The RFT should normally include a set of conditions for a contract which will be concluded with the successful tenderer.

#### Selection Criteria

Selection criteria are concerned with the qualities of the contractor, rather than the work to be carried out under the contract to be awarded. EU and domestic legislation set out the instances where potential tenderers must be excluded from the full tender evaluation process. These can be broadly divided, as follows:

#### *Economic operators that are specifically excluded from the competition process*

- Personal situation of the candidate

Any tenderer who has been the subject of a conviction in respect of participation in a criminal organisation, corruption, fraud, terrorist offences, money laundering or terrorist financing or child labour or other forms of trafficking in human beings is excluded from involvement in a public contract. A similar exclusion applies to those who are / have been bankrupted, have been convicted of professional misconduct or have not fulfilled obligations in respect of social insurance and /or taxation.

- Suitability to pursue the professional activity

Any tenderer may be asked to produce evidence that they are members of a professional organisation or trade register. This may require a declaration on oath or a certificate details of which are set out in the EU directive.

*Candidates may be required to meet minimum capacity levels*

– Economic and financial standing

Proof of the economic entity's standing may be furnished by one or more of the following and must be stated in the contract notice or invitation to tender:

- Banker's reference and / or professional indemnity insurance.
- Published balance sheet or extract thereof.
- A statement of undertakings, overall turnover, or turnover in the area covered by the contract for the last three years.

– Technical and/or professional ability

Evidence that the economic entity has the ability to perform the contract shall be gathered from one or more of the following means according to the nature or importance of the contract:

- Skills, efficiency, experience and reliability as measured by track record in delivering previous contracts.
- Educational and professional qualifications.
- Details of plant and equipment.
- References.
- Quality assurance system.
- Details of order book.
- Health and Safety record.
- Average annual manpower.

Prior to advertising the tender or the invitation of expression of interest a minimum requirement must be set and stated for the selection criteria. These must be proportionate to the value of the contract being awarded. Selection Criteria are used differently depending on the procedure being used.

Selection Criteria are addressed in Section 3.2 of the Standard Template RFTs for Goods and Services which are available to download on the Office of Government Procurement's website at [www.ogp.gov.ie](http://www.ogp.gov.ie)

## Award Criteria

Where a tenderer meets the Selection Criteria, and otherwise meets the requirements set out in the RFT (i.e., a compliant tender) then their tender is entitled to be given due consideration under the Award Criteria.

In contrast to selection criteria, award criteria are concerned with the nature of the work to be done or the manner in which it is done, to the exclusion of any considerations in relation to the contractor. BIM buyers are encouraged to choose award criteria that allow them to obtain high-quality works, supplies and services that are optimally suited to their needs.

The 2016 Regulations provide that the contract should be awarded to the Most Economically Advantageous Tender (MEAT). To identify the most economically advantageous tender, the contract award decision should be based on:

- price, or
- cost, using a cost-effectiveness approach such as life-cycle costing, or
- the best price-quality ratio to be assessed on the basis of criteria including qualitative, environmental or social aspects, linked to the subject matter of the contract, or
- quality only where the cost element is fixed price.

Where BIM intends to use life-cycle costing in its procurement process it must indicate in the procurement documents the data which tenderers must provide and the method that the contracting authority will use to determine the life-cycle costs.

Award criteria may use lowest cost alone particularly in the case where the estimated value is low and the goods and services to be provided are not complex. In relation to quality, BIM buyers are required to adopt criteria linked to the subject matter of the contract, which might include:

- delivery date or period of completion,
- delivery process,
- running costs,
- cost effectiveness,
- aesthetic and functional characteristics,
- accessibility,
- design for all users,
- technical merit,
- after-sales service, (e.g., the extent of advisory and replacement services),

- organisation, qualifications, and experience of staff assigned to performing the contract where the quality of staff assigned can have a significant impact on the level of performance of the contract,
- social, environmental, and innovative characteristics, and
- any other relevant factors chosen by the awarding body.

BIM buyers must state in the procurement documents the relative weighting which they give to each of the criteria. Where it is not possible to provide weightings, the Award Criteria must be indicated in descending order of importance. Objectivity and transparency are best achieved by the use of a scoring system or marking sheet based on the weighted criteria, indicating a comparative assessment of tenders under each criterion.

### STEP 3 – Publication of Tender

All advertised tendering will be published by the Procurement Office. However, the onus is on the requestor/technical specialist to complete the tender template. Procurement will help with any queries that requestors may have on compiling in the required documentation for publication.

Prior to the publication of any advertised procurement, all requests for tenders must follow the additional protocols:

- A summary of the project (specification of requirements) must be sent to the CEO of BIM for prior authorisation. The onus is on the requestor to seek approval directly from the CEO and tenders may not proceed until this authorisation has been received.
- The OGP now require sight of all tenders prior to publication. This is to ensure there is no duplication of any frameworks that are already in place. The OGP cannot give a timeframe on the turnaround of getting tender approval back to BIM however this is not anticipated at being more than a few days. A request form, in addition to the tender document must be sent to [support@ogp.gov.ie](mailto:support@ogp.gov.ie). This request form can be downloaded from One BIM.

### General Guidelines on Advertised Procurement

- All advertised tendering is overseen and run by the Procurement Office. No attempt to advertise on the eTenders website must be made by any BIM staff member without prior consultation with the Procurement Office.
- The Technical Specialist/ goods and services requestor must recognise the importance of contacting the Procurement Office at least two weeks in advance of the planned procurement procedure. The main

reason is that the Procurement Office may be able to give advice on alternative methods of tendering such as using a framework agreement as opposed to a once of contract.

- All Tenders must be advertised for a minimum of twenty-one (21) calendar days.
- All Tenders greater than €25,000 (exclusive of VAT) must be advertised on eTenders.
- All Tenders greater than €215,000 (exclusive of VAT) must be advertised on the OJEU in addition to eTenders.
- No solicited communication between any potential suppliers and BIM can take place during the tender process. Please do not speak with any potential tenderers directly during this time.
- All queries must be directed through the Q&A section of the website.
- Completed tenderers can only be accepted through the eTenders website – save in exceptional circumstances (please contact Procurement for details).
- An evaluation form must be completed for every tender assessment. A copy of the evaluation template can be downloaded from One BIM.
- All tender evaluations must be completed and signed by the required number of members per RFT level.
- A memo must be completed by the evaluation team to the Finance Manager informing him of the process and the outcome. This must be signed before any contract can commence.
- There must be a cooling off period of fifteen (15) calendar days from the time of intent/regret letters being posted out before any contract with a successful tenderer can be signed.
- A contract must be put in place for all services tendered for.

#### STEP 4 – Evaluation of Tender

In relation to larger contracts (with an estimated value of €25,000 and above), tender evaluation should be carried out by a team with the requisite competency. The team may include independent representation. External experts can be used in complex evaluations to provide advice or recommendations on the technical aspects of the tenders to the evaluation team. External experts should sign confidentiality and non-disclosure agreements and comply with any other security or confidentiality requirements of the contracting authority and should return to the contracting authority all documentation, materials and notes received or made during the evaluation.

Tenders must be evaluated against the pre-stated award criteria and weightings, which appeared in RFT document. Once the criteria have been announced, no new criteria can be introduced, unless the market is given sufficient notice of the change in criteria, either by an amended notice/advertisement and/or by amended tender documents. All tenderers should be informed of the result of a tendering process without delay.

## STEP 5 – Notification to successful and unsuccessful tenderers

Before notifying successful and unsuccessful tenderers, any approvals that may be required for the award of the contract must be obtained as set out in Step 6.

As soon as possible after the award decision has been taken, BIM buyers must inform all tenderers of the outcome using a “standstill letter” for above threshold procurements. A compliant standstill letter must include the following information:

- the Award Criteria,
- the name of the successful tenderer,
- the score of the recipient,
- the score of the successful tenderer,
- details of the reason for the decision, including the characteristics and relative advantages of the successful tender, and
- confirmation of the date before which the contracting authority will not enter into the contract or Framework Agreement (i.e., the date after the end of the standstill period).

It is not enough to state in a general way that the successful tenderer’s response was superior to that of the unsuccessful tenderer; rather the letter should contain reference to specific matters, examples or facts which explain why the decision about relative advantage was made.

*The set of Model Letters for use in relation to above EU threshold - Open Competitions are provided in the OGP Guidelines.*

### Standstill

A standstill period should be put in place before a contract is awarded to allow unsuccessful tenderers time to appeal. For procurements published on eTenders that are over the EU threshold the standstill period is 14 days for notification via email or 16 days for notification via post. For procurements published to eTenders but under the EU threshold there is no requirement for a standstill period but a standstill period of 14 days is recommended. For lower value procurements procured via RFQ a few days or up to one week is

recommended. The standstill period starts when the outcome of the tender process has been notified to the tenderer.

## STEP 6 – Award of contract

For transparency purposes buyers should ensure that documentation for all competitions include a copy of the final contract that will or may be awarded to the successful tender as a result of the competition. This provides tenderers with a clear understanding of what they will be contractually bound to deliver and facilitates clarification if a question arises regarding modification to a contract post award. Contracts must be completed before any works commence.

### Negotiating of Service Contracts

- No service contract should be negotiated for a time period longer than one year.
- A file should be opened for each contract negotiated.
- The Business Unit seeking the contract must raise a request for tender. This request must be sent to the services division for delivering to suppliers.
- The services division must distribute the request to at least three suppliers. Where it is not possible to get quotes from three suppliers an explanation must be placed on the file.
- Upon receipt of tenders by the services division, they should be distributed to the division seeking the contract for authorisation.
- All contracts must be authorised in line with the authorised approval limits.
- The authorised tender document must be returned to the services division where an official purchase order can be raised. The procedures for purchasing services as set out in this document must then be followed.

## Contract Managements

### STEP 7 – Management and monitoring of awarded contract

The following are standard steps that should be followed in managing a contract:

- Have a programme of checking goods or services against the contract specification.
- Ensure that there are regular procedures for reporting and for identifying inadequacies/poor performance and appropriate remedial action.
- Maintain a record of supplier performance.

- Review the whole procurement process at the conclusion of the contract, not just the supplier's performance but also the effectiveness of the earlier stages. This review process can provide information for future procurements in respect of developing and specifying needs, supplier selection and contract management.

Contract managers should also refer to *Section C of the Public Spending Code* for guidance on how to manage and evaluate contract performance.

It is imperative that contract managers engage properly with contractors who fail to deliver on the specifications of the contract awarded. Such engagements should occur immediately once issues arise clearly and formally outlining the contractor's failings and requesting the contractor to formally outline how they propose to remedy these failings.

If the contractor fails to take the necessary remedial actions the contract should be terminated in accordance with the contract with advice from the Legal Counsel. The Procurement Officer should also be informed as such contract failures can form a basis for exclusion from subsequent competitions.

### Modifications to contracts

A substantial modification of the provisions of a public contract or Framework Agreement during its term will be considered a new award for the purposes of the 2016 Regulations and will require a new procurement procedure.

Substantial modifications are those where the modification renders the contract or Framework Agreement materially different in character from the contract or Framework Agreement initially concluded. One or more of the following conditions must be met for a modification to be substantial:

- The modification introduces conditions which, had they been part of the initial procurement procedure, would have allowed for the admission of other candidates than those initially selected, allowed for the acceptance of a tender other than that originally accepted, or attracted additional participants in the procurement procedure.
- The modification changes the economic balance of the contract or Framework Agreement in favour of the contractor in a manner which was not provided for in the initial contract or Framework Agreement.
- The modification extends the scope of the contract or Framework Agreement considerably.
- A new contractor replaces the one to which the contracting authority had initially awarded the contract in cases other than a review clause or universal or partial succession.

- The 2016 Regulations sets out a list of changes which are specifically permitted during the life of a contract without a new procurement procedure.

## BIM Procurement Thresholds

The steps for the procurement of goods/services below thresholds are summarised, as follows:

Contract Threshold Value	Tendering Procedure	Tendering Requirements	Award Criteria	Documentation Link	Approval Process
Under €1,000 (Ex. VAT)	Direct invitation (best practice to use email)	Minimum of 1 verbal quotation (best practice to use email)	Lowest price or Most Economically Advantageous Tender (MEAT)		Purchase Order - HEO/Manager/Budget Holder
Over €1,000 and under €5,000 (Ex. VAT)	Direct invitation (best practice to use email)	Minimum of 1 verbal quotation (best practice to use email)	Lowest price or Most Economically Advantageous Tender (MEAT)		Purchase Order - HEO/Manager/Budget Holder
Over €5,000 and under €25,000 (Ex. VAT)	Direct invitation (Email)	Three (3) written quotations based on a clear written tender specification document	Lowest price or Most Economically Advantageous Tender (MEAT)		Purchase Order - Manager/Budget Holder
Over €25,000 and under €215,000 (Ex. VAT)	Via - <a href="http://www.etenders.gov.ie">www.etenders.gov.ie</a>	Advertised on <a href="http://www.etenders.gov.ie">www.etenders.gov.ie</a>	Lowest price or Most Economically Advantageous Tender (MEAT)		Tender Approval Report - BU Director + Corporate Services Director (+ CEO above €100k)
Over €215,000 (Ex. VAT)	Official Journal of the EU (OJEU) via <a href="http://www.etenders.gov.ie">www.etenders.gov.ie</a>	Advertised in the Official Journal of the EU (OJEU) via <a href="http://www.etenders.gov.ie">www.etenders.gov.ie</a>	Lowest price or Most Economically Advantageous Tender (MEAT)		Board approval required

## Competitive Procedures

For contracts or purchases below the EU threshold values (which are not “call- off” contracts under a Framework Agreement or Dynamic Purchasing System) the specific procurement procedures set out in the 2016 Regulations do not apply and, BIM should be guided by the following less formal procedures (all amounts below are exclusive of VAT):

- Less than €5,000

Contracts for goods and services with an estimated value of less than €5,000 can be purchased on the basis of verbal quotes from one or more competitive suppliers (OGP recommended best practice is to seek a minimum of three quotes confirmed by email – BIM strives to implement this in line with the above matrix).

– €5,000 - €25,000

Contracts for goods and services with an estimated value between €5,000 and €25,000 (exclusive of VAT) can be awarded on the basis of responses to written specifications (e.g., sent by email) to at least three suppliers or service providers (the Quick Quotes facility on eTenders allows BIM to search for appropriate suppliers using CPV codes which match their particular procurement needs and may facilitate this process).

– €25,000 – €215,000 (National)

Contracts for goods and or services with an estimated value of over €25,000 (exclusive of VAT) and up to the value of the EU thresholds should normally be advertised as part of a formal tendering process on the Government eTenders website using the Open Procedure. This includes all ICT procurement opportunities with a value of €25,000 or greater in line with [DPER Circular 02/2016](#)<sup>1</sup>.

## Tendering Phase Above Threshold – EU Rules

### Over €215,000 (EU)

For contracts over €215,000 (revised EU threshold effective 1 January 2022), and where no existing contract or OGP framework exists for the required goods or services, a formal competitive tendering procedure must take place with an advertisement on [www.etenders.gov.ie](http://www.etenders.gov.ie) There is a legal obligation to advertise contracts above the EU threshold in the OJEU.

*Appendix B - Financial Policies and Procedures Manual* sets out the thresholds (exclusive of VAT), above which advertising of contracts in the Official Journal of the EU is obligatory.

## Authorised Approval Limits

The Board of BIM approved the following maximum expenditure limits (exclusive of VAT) on delegated procurement sanction for single procurements/purchases that may be authorised by relevant BIM grades without reference to a direct superior:

Authorisation Limit (ex. VAT)	Authoriser
€215,000 +	Board
€100,000 - €215,000	CEO + Director Corporate Services

<sup>1</sup> [chrome-extension://efaidnbnmnibpcajpcgclclefindmkaj/https://circulars.gov.ie/pdf/circular/per/2016/02.pdf](https://circulars.gov.ie/pdf/circular/per/2016/02.pdf)

Up to €100,000	Business Unit Director + Director Corporate Services
Up to €25,000	Section Manager
Up to €5,000	Team Leader, HEO, Eng. II or equivalent

This means that effectively all procurements in excess of €25,000 will be reviewed and approved by the Director of Corporate Services which will provide a high level of assurance to both the Audit and Risk Committee and the Board. The Board threshold is set at EU tender level and therefore the Board would be considering and approving all contracts proposed to be awarded following an EU tender process.

## General Procurement Guidelines

- All contract award procedures should be transparent and include a verifiable audit trail.
- All quotation back-up and tender award documentation must refer to the award criteria, i.e., the basis on which the decision to award the purchase/contract will be made. There are two options available:
  - Lowest tender price.
  - Most Economically Advantageous Tender (MEAT) in terms of pre-stated criteria (e.g., cost, delivery, quality of resources, technical merit, etc.).
- Evaluation of offers must take account of all relevant costs relating to operational needs, acquisition, servicing, performance, and disengagement/disposal. While there is no obligation to accept the lowest quotation, rationale for this decision must be recorded in the FIS and notified to the Procurement Team to ensure a complete audit trail on all procurements.
- Per Government policy, an established OGP framework should be used and if not, then a value for money justification should be provided.
- In determining the procurement method to be applied the maximum possible monetary value of a contract must be taken into account.
- Tenderers should be invited to express tender prices exclusive of VAT.
- Tax Clearance – Before a contract is awarded the successful tenderer must hold valid tax clearance from the Revenue.
- A Purchase Order (PO) is in place before goods or services are ordered.
- Payment policy is 15 days from receipt of a valid invoice from a supplier.
- Where an invoice is incorrect or not valid it shall be returned to the supplier for correction in a timely fashion in line with the Prompt Payments Act;

A checklist which outlines the workflow through the RFT process and indicates who is responsible for each task is available in [SharePoint \(Level 4 and 5 Checklist\)](#).

## Thresholds and Applicable Procedures

Different procurement methods/procedures are followed depending on the estimated value of contracts and whether there is an existing contract or an OGP Framework in place that is suitable to use.

[Appendix C](#) sets out the summary table of the relevant thresholds (exclusive of VAT) and the applicable procedures and requirements.

All IT work/equipment must be approved through BIM ICT. Please contact IT ([ithelpdesk@bim.ie](mailto:ithelpdesk@bim.ie)) or Procurement for more information.

## Framework Arrangements

A framework is an agreement, put in place with a provider (single supplier) or range of providers (multi-supplier), to establish terms governing contracts that may be awarded during the life of the agreement. In other words, it is a general term for agreements that set out terms and conditions for making specific purchases (call-offs).

Frameworks are established on foot of a tender competition most commonly run under the Open or Restricted procedures and can be used for supplies, works or services. Frameworks are based on large volume buying and are therefore used at both National and EU levels. Once established correctly Procurement Framework Agreements are procurement compliant, removing the need to independently undertake a full tender process, as this has already been done as part of setting up the framework. Agreed terms and conditions are provided so buyers can simply 'call-off' the framework to meet their own local requirements.

## Framework Types

If a suitable OGP framework is in place it should be used unless a different procurement method is approved by the Procurement Officer and Corporate Services Director. The OGP has established a number of frameworks for services and supplies. Buyers can put in place frameworks that operate in a number of different ways as follows:

- Single Supplier – this is when a single supplier is selected as the preferred tenderer to supply the goods/service for the duration of the agreement.

- Multi Supplier – this is where a number of suppliers, specified at tender stage, are admitted to the framework. The framework agreement sets out the conditions under which call-off contracts will be awarded through a number of methods as follows:
  - Mini-Competition – Competition is run between the various Framework Operators based on price.
  - Cascade - Under this method, the award of a contract will be made on the basis of the ranking of tenders on foot of the framework competition. Starting with the highest ranking Framework Member, the Contracting Authority will request in writing a statement of their capability and interest for the Contract. If this Framework Member is not interested in or incapable of carrying out the contract, the Contracting Authority will proceed in ranking order to the next Framework Member.

## Applicable Procedures

There are various options available when tendering for goods/services in BIM. Most of BIMs' tenders are via the "open procedure", however there are other options available.

Generally, tenders fall into two basic categories standard procedures and procedures available with justification as follows:

Free Choice	Specific Circumstances
<ul style="list-style-type: none"> <li>– Open</li> <li>– Restricted</li> </ul>	<ul style="list-style-type: none"> <li>– Competitive Procedure with Negotiation</li> <li>– Competitive Dialogue</li> <li>– Innovation Partnership</li> <li>– Negotiated Procedure Without Prior Publication</li> </ul>

If Buyers wish to consider any of these procedures aside from Open Procedures, consultation with the Procurement Office and Corporate Services Director must be sought. Guidelines on the use of these types of procedures are set out in the OGP Guidelines.

## Purchase Orders

All staff are obligated to ensure, in advance of an order being placed, that a corresponding [Purchase Order](#) has been released via the BIM FIS.

The exceptions are:

- Travel and subsistence expenditure (an Advance Travel Form must be approved in lieu of a PO).
- Orders for couriers or taxis (managed and approved by the Facilities Team, and on account via a preferred supplier only).
- Supplies of utilities, whether they be continuous or otherwise, where those goods and/or services are procured by way of a valid executed contract or agreement e.g., electricity, gas etc.

Purchase orders will be requested via a Purchase Quote (PQ) by the requisitioner and authorised at the appropriate level. PQs must clearly indicate the nature, unit of measure, quantity of the goods or services required, and the agreed price. If exact pricing is not possible, then estimated costs must be indicated including unit of measure and quantity.

For detailed procedures, please refer to [BIM's User Guide on Purchase Quote to Receipt of Purchase Order](#)

## Maintenance of a Corporate Procurement Plan/ Contracts Register

BIM must maintain a Corporate Procurement Plan including a Contracts Register. This document details the purpose, scope, objectives, roles, structure, capacity and governance, systems, processes, spend analysis, and risks in relation to all procurement requirements.

For OGP template and guidance on Corporate Procurement Plan, refer to [OGP Information Note](#).

## Value For Money (VFM) Reviews

VFM reviews aim to analyse BIM's spending in a systematic manner and provide a basis on which more informed decisions can be made on priorities within and between programmes.

It is the policy of BIM to include VFM considerations within all operational areas and to perform VFM reviews or assessments for targeted areas of significant projects/expenditures to ensure that objectives are met, expected benefits are obtained, and any lessons learned are identified.

The conduct of VFM reviews (e.g., methodology, review plans, timelines, criteria, etc.), including reporting and monitoring to SLT and the Board shall be the responsibility of each Business Unit in coordination with the Project Office and Finance Team. Reporting templates have been developed to support these processes.

For more guidance on main elements involved in undertaking a VFM review, including the steps to be taken and the various analytical approaches, refer to [Public Spending Code VFM Guidelines](#).

## Public Spending Code Assessment

The Code of Practice and the Public Spending Code require that organisations in receipt of government grants to annually confirm its compliance with the Public Spending Code. It is the policy of BIM to perform a self-assessment with the Public Spending Code on an annual basis.

The self-assessment will be methodical, evidence-based, and guided by the approved work programme. Results from the self-assessment will be made available within three months after the financial year end and will be reported to the SLT.

## Roles and Responsibilities

Roles	Responsibilities
Board and CEO	Reviews and approves procurement based on the authorisation matrix and limits in line with policy.
SLT	Identifies procurements for inclusion in the Corporate Procurement Plan; allocates budgets for goods/services requiring procurement; liaises with Procurement Officer on methods of procurement; prepares specifications for requests for quotations, tenders and proposals.
Procurement Officer (or support)	Provides advice and direction on procurement matters to BIM; leads the procurement process including preparation and review of tender documents, utilising sound sustainable procurement practices, while adhering to all procurement policies and legislation; provides assistance to business units throughout the procurement process; monitors Corporate Procurement Plan to ensure timely activation of procurements as required; prepare procurement reports, as required to the SLT and Board.
Business Units	Initiates the procurement process in line with the policy; coordinates with the Procurement Officer.

## Summary Controls

Controls	Description
Segregation of Duties	<p>Requisition preparation, approval, and receipting should be completed by a minimum of two staff (i.e. one staff to initiate a PQ and, at a minimum, another to approve it before Procurement release the PO).</p> <p>PO should be properly raised and approved before goods and services are ordered.</p> <p>No one staff must be responsible for receipting, processing of supplier invoices and accounts payable.</p>
Physical Control	All procurement reports and documentation must be securely stored at all times to prevent misuse, damage, theft, etc.
Accounting Control	<p>Regular procurement checks and reviews (i.e., via Internal Audit function), and to the OC&amp;AG to ensure compliance.</p> <p>Internal reporting via SLT/ARC for any non-compliance.</p>
Management Control	BIM has established control systems that are operating effectively and are being followed by all BIM staff. Appropriate information is identified, captured, and communicated in a form and timeframe that enable all BIM staff to carry out their responsibilities.
Controls	Description
Supervisory Control	There are separate review functions within the procurement processes to ensure that reporting requirements and controls are in place.
Organisation Control	Roles and responsibilities, policies and procedures, reporting lines, and organisation structure are formally established and clearly communicated within BIM.
Authorisation and Approval	All procurement authorisation and approval limits in line with this policy must be followed at all times.
Personnel	BIM staff involved in the procurement process must have proper training and required knowledge and skillsets.