

DUNSTABLE TOWN COUNCIL

PROCUREMENT POLICY

1. Background to Procurement Policy

Procurement is a complex function guided by numerous policies and statutes. A comprehensive Procurement Policy is critical to ensuring that all stakeholders involved in procurement follow the proper procedures and rules, and that there is a clear and consistent understanding of the regulations and organisational approach in relation to procurement.

This policy will be monitored and reviewed by the Council's Finance and General Purposes Committee periodically, or in response to changes in legislation.

2. Purpose

Dunstable Town Council's (The "Council") Procurement Policy has five main purposes:

1. To obtain best value in the way the Council spends money, so that it may in turn offer better and more cost-effective services to the public.
2. To support the ability of the Council's officers to procure and manage goods, services and suppliers effectively, including informing all Council staff of the appropriate procedures and responsibilities.
3. To enable the Council to comply with legal obligations that govern the spending of public money such as the Public Contracts Regulations 2015.
4. To support the delivery of the Council's Environment and Sustainability Policy and specifically support the Council's aim of achieving carbon neutral status by 2030.
5. Wherever possible, practicable and financially viable, support the local economy by prioritising local procurement of goods and services within a five-mile radius of Dunstable.

3. Scope

Every individual involved in procurement and contract management processes within the Council falls within the scope of this policy.

The Town Clerk and Chief Executive and Heads of Service will be responsible for ensuring that their staff comply with this policy. The Responsible Financial Officer and/or Corporate Compliance Manager will co-ordinate all procurement practices helping to ensure compliance with this policy as well as being responsible for providing all associated advice.

The policy governs the method by which the Council spends money on goods and services which the Council needs to deliver its services. It does not apply to internal

purchases or service provision, and only applies to external purchases from outside the Council.

4. **Related policies**

Every contract made by or on behalf of the Council shall comply with:

- This policy
- The Council's Financial Regulations, in particular Chapter 10 "Orders for work, goods and services" and Chapter 11 "Contracts"
- The Council's Standing Orders, in particular Chapter 18 "Financial Controls and Procurement"
- The Council's Environment & Sustainability Policy
- All relevant statutory provisions including in particular the Local Government Act 1988 Part II, Local Government Act 1999, Local Government Act 2000, the Public Contracts Regulations 2015 and the Local Government (Contracts) Act 1997

5. **Procurement principles**

When procuring goods and services, the Council, where possible, will aim to meet the following principles:

- a) The Council shall only enter into a contract with a supplier if it is satisfied as to the supplier's suitability, eligibility, financial standing and technical capacity to undertake the contract by carrying out appropriate due diligence.
- b) The Council recognises the benefits to the economy of using local businesses and will seek out local contractors and suppliers wherever possible, practicable and financially viable.
- c) All contractors and suppliers working on Council sites will be required to comply with the Council's Health & Safety policy and any rules specific to the site of operation, for example Cemetery Regulations. Provision of suitable risk assessments and safe working method statements will be a condition of all such contracts.
- d) The Council requires all contractors working on Council sites and projects to maintain adequate insurance, including but not limited to Public Liability insurance for £10 million.
- e) All procurement will be in accordance with the Council's Equality Policy and in line with our legal obligations under the Equalities Act 2010 which makes it generally unlawful to discriminate on the grounds of colour, race, nationality, ethnic or national origins, sex or marital status, disability and on the grounds of age.

- f) The Council recognises the importance of sustainability and will take into account the environmental, social and economic impacts of its purchasing decisions, in line with the Environment & Sustainability Policy. The Council will encourage the purchase of locally sourced products and, where possible, ensure that products and materials originate from sustainable sources and accredited sustainable companies. In order to:
- Minimise waste and maximise efficiency
 - Minimise travel
 - Minimise energy consumption
 - Promote greater use of new sustainable technologies
 - Keep material consumption to a minimum.
- g) The Council will, wherever possible, purchase goods that meet international Fairtrade standards (or similar).

6. **Procurement Process**

There are various stages involved in the procurement of goods or services. This section provides an overview of these stages. Note that project/expenditure approval should be obtained for orders over £10,000 before commencement of the procurement process

Stage	Description
Specification	A statement of requirements; identify and define the need and estimate of costs
Supplier Selection	Identify potential suppliers who have the capability, capacity and commitment to meet the requirement within the required timescale and/or commencement date/s required (considering existing contract end dates) OR advertise using relevant media platforms, including Contract Finder
Quotations/Tendering	Having established a list of potential suppliers and a robust specification, suppliers are invited to tender or quote for provision of the goods or services, giving opportunity for presentation time or site visits if required.
Tender Evaluation	Most tenders/quotations awarded will be on best/lowest price quoted/tendered, however, in many cases, other factors are taken into consideration and the best value for money tender/quotation is accepted. Sealed Tenders are to be opened in the presence of the Town Clerk and Chief Executive and/or the Responsible Financial Officer, at least one Councillor and a designated manager.

Post-Tender Negotiation	Once suppliers submit tenders or quotations, there may be opportunities to negotiate unless the specification is based on sealed tenders
Contract Award	Committee approval is required before contracts can be awarded for goods or services not previously approved – in line with Standing Order 18.d.vi
Contract Management	Ensure that the goods or services detailed in the specification are provided to the appropriate quality, timescale and price agreed.
Post approval	Add successful tender information to Contract Finder within 3 months of awarding: Winning contractor, date of contractor, total value, if SME or social enterprise

Additional Information:

IF advertising a contract opportunity over £30,000 this will be published on Contracts Finder within 24 hours of advertising.

Advertising is anything that places the contract opportunity within the public domain or brings the attention of contractors generally.

An advertising exemption is if specific individual contractors are invited to tender.

7. **Register of approved contractors**

The Council needs to have access to pre-approved contractors to supply routine services or who can be called on to provide emergency services, including but not limited to:

- Electricians, general builders, glaziers, grass and hedge cutting contractors, grave diggers, groundworkers, locksmiths, memorial masons, plant hirers, play equipment repairers, plumbing and heating engineers, tree surgeons, vehicle and machinery service engineers

Contractors wishing to be included on the Council's register of approved contractors will be required to complete a registration form (See Appendix A). Contractors which will be scored against relevant criteria to provide a basis for inclusion on the Council's approved list. The register of approved contractors will be periodically reviewed.

8. **Thresholds and procedures for procurement**

The table below sets out the actions to be followed when the Council intends to enter into a contract for minor, medium, and major spend commitments for the supply of goods or materials or for the execution of works or specialist services. Reference is to be made to the Council's Financial Regulations for the full procedure and list of exceptions.

Expenditure value	Action
Minor spend commitments For expenditure of £10,000 or less in value	Town Clerk and Chief Executive, the duly authorised Head of Service or the Budget Manager with level of delegated authority shall have executive power
Medium spend commitments Expenditure exceeding £10,000 but less than £50,000	Quotations from at least three suppliers shall be invited
Major spend commitments For expenditure exceeding £50,000	A minimum of three tenders shall be invited
Additional requirements: Public supply contract, public service contract or public works contract as defined by The Public Contracts Regulations 2015 ("the Regulations") which is valued at £25,000 or more	The Council shall comply with the relevant requirements of the Regulations.
Public supply contract, public service contract or public works contract which exceed thresholds, the Regulations set by the Public Contracts Directive 2014/24EU which may change from time to time. (Footnote 2 Thresholds currently applicable are: a) For public supply and public service contracts £214,904 b) For public works contracts £5,372,609	The full requirements of the Regulations, as applicable, shall be followed in respect of the tendering and award

Whilst every effort will be made to adhere to this policy, circumstances may arise where officers must act outside the policy, whilst within the Financial Regulations point 11.

9. **Exclusions**

- Purchase of land, buildings or related rights
- Legal services
- Contracts based on an exclusive legal right
- Contracts between public bodies

Appendix A

Dunstable Town Council Approved Supplier/Contractor Questionnaire			
1.0	Proposed Suppliers / Contractors		
1.1	Application form for contractors wishing to be included on the Council's register of approved contractors.		
2.0	Details of Supplier / Contractor		
	Name of Company		
	Type/Nature of business		
	Contact Name		
	Address		
	Telephone No		
	Email Address		
	Business Website		
3.0	Health and Safety at Work Act – Policy Statement		(Criteria 1)
3.1	Copy of your Health and Safety policy and organisational arrangement. (Employ four (4) or less people a policy statement will suffice)	YES/NO	Comments:
4.0	Safe Systems of Work		(Criteria 2)
4.1	Suitable risk assessments and/or method statements supplied.	YES/NO	Comments:
5.0	Environment and Sustainability Policy		(Criteria 3)
5.1	Supply copy of company Environmental & Sustainability Policy.	YES/NO	Comments:

	If cannot provide statement how they will comply with the Town Council's Environment and Sustainability policy																		
6.0	Specialist Service Knowledge and Experience			(Criteria 4)															
6.1																			
7.0	Membership of professional bodies/accreditations/qualifications			(Criteria 5)															
7.1																			
8.0	Liability & Insurance			(Criteria 6)															
8.1	Holds Public Liability Insurance of £10m or greater	YES/NO	Comments:																
9.0	Testimonials / Case Study / References			(Criteria 7)															
9.1	Supply evidence of testimonials or case study	YES/NO	Comments:																
10.0	Location Proximity to Dunstable			(Criteria 8)															
10.1	Within Dunstable ☐	Up to 20 mile radius ☐																	
	20- 40 mile radius ☐	40 Plus miles ☐																	
11.0	Documents Supplied																		
11.1	Details of the documents supplied:																		
	Provided by Contractor: <table> <tr> <td>Statement of Intent</td> <td>YES</td> <td>☐</td> </tr> <tr> <td>H & S Policy</td> <td>YES</td> <td>☐</td> </tr> <tr> <td>Employer's Liability Insurance</td> <td>YES</td> <td>☐</td> </tr> <tr> <td>Professional Indemnity Insurance</td> <td>YES</td> <td>☐</td> </tr> <tr> <td>Welfare provisions</td> <td>YES</td> <td>☐</td> </tr> </table>				Statement of Intent	YES	☐	H & S Policy	YES	☐	Employer's Liability Insurance	YES	☐	Professional Indemnity Insurance	YES	☐	Welfare provisions	YES	☐
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Welfare provisions	YES	☐																	

	Example Risk Assessment YES ☐ Example Toolbox talk YES ☐ Contact list YES ☐														
12.0	Other Relevant Information														
12.1	Is there any other information we should have to assist us in the assessment of your capabilities to work effectively on health and safety?														
13.0	Scoring														
13.1	0 Does not meet all requirements, no evidence 1 All requirements met, but missing some evidence. 2 All requirements met and evidence provided. Evidence of meeting some of the Value & Behaviours. 3 All requirements met and all evidence provided. Evidence of meeting all Value & Behaviours.														
13.2	<table border="1"> <thead> <tr> <th>Criteria</th> <th>Score (out of 3)</th> </tr> </thead> <tbody> <tr> <td>1</td> <td></td> </tr> <tr> <td>2</td> <td></td> </tr> <tr> <td>3</td> <td></td> </tr> <tr> <td>4</td> <td></td> </tr> <tr> <td>5</td> <td></td> </tr> <tr> <td>6</td> <td></td> </tr> </tbody> </table>	Criteria	Score (out of 3)	1		2		3		4		5		6	
Criteria	Score (out of 3)														
1															
2															
3															
4															
5															
6															

	7	
	8	
	TOTAL	
14.0	Decision	
14.1	Added to Approved Contractor List	YES / NO
		Comments:

15.0	Price	
15.1	Indicative Call Out Charge <i>(if applicable)</i>	£
	Any other related costs <i>(if applicable)</i>	£

	Questionnaire completed by (Office use only):	
	Name:	Position:
	Signature:	Date: