



*Achieving together in faith*

# **Holy Cross Catholic Multi-Academy Company**

## **Procurement and Tendering Policy**

### **2023 - 2024**

Responsible for Policy	Martyn Alcott
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## **PROCUREMENT AND TENDERING POLICY**

### **GENERAL**

This Policy is the Procurement and Tendering Policy for the Holy Cross Catholic MAC (MAC). It sets out the principles which staff, Directors and Local Governing Body members must follow when considering procurement on behalf of the MAC, including awareness of related party transactions; it also sets out procedures for Procurement and Tendering; and responsibilities for implementation. This Policy must be read in conjunction with the HCC MAC Financial Procedures.

### **PRINCIPLES**

As the MAC is in receipt of public funds all procurement and tendering processes must be completed in a manner which is fair, transparent and ensures value for money.

The Board of Directors recognises that when acquiring goods, works and services for the MAC, transparency is particularly important. Directors, senior staff and Local Governing Body members are required to declare business interests and conflicts of interest during Committee meetings and the Board of Directors maintains a Register of Business Interests for Directors, senior staff and Local Governing Body members.

Senior staff, Directors and Local Governing Body members are made aware of the EFA requirements concerning related party transactions.

### **PROCEDURE FOR QUOTATIONS AND TENDERING**

All expenditure regardless of amount must be within budget allocations, or with appropriate prior approval, from reserves.

The Holy Cross MAC Financial Scheme of Delegation defines the 'decision levels' for each school dependent on its size.

The values are for single items or groups of items, which must not be disaggregated artificially. These values come into force from 1<sup>st</sup> September 2023 and will remain in place until the end of August 2024.

## FOR CLARITY FOR 2023/24

School	1% GAG
Cardinal Newman	£86,579
Bishop Ullathorne	£66,418
Christ The King	£19,247
St Augustine's	£17,185
St Thomas More	£14,546
St John Vianney	£9,949
St Elizabeth's	£11,659

### LOWER VALUE PURCHASE ORDERS.

These are authorised by the local Headteacher.

Up to £5,000 in Primaries

Up to £20,000 in Secondaries

All purchases should conform to the following procedure:-

1. Internal purchase order requisition to be completed by the originator, supplier quotations and comparison quotes attached with reason for choice of supplier.
2. 3 quotes must be obtained for order values over £5,000 in Primaries and over £10,000 in Secondaries. However, It is also best practice to obtain three quotes for significant purchases below this level.
3. Completed requisition to be sent to the relevant Headteacher / SLT member for approval.
4. Once final authorisation has been obtained from Headteacher / SLT, the order will be passed to the Finance/Admin Department of the School for the order to be raised on PSF.

### MEDIUM VALUE PURCHASE ORDERS

These are recommended by the Local Governing Body and authorised by the CFOO.

These are defined as:

Primaries : Greater than £5,000 but less than 1% of GAG Funding.

Secondaries : Greater than £20,000 but less than 1% of GAG Funding or £50,000, whichever is lower.

## **Orders under £50,000**

All purchases should conform to the following procedure:-

1. Quotes and Expenditure to be taken to the Local Governing Body. Supplier quotations and comparison quotes attached with reason for choice of supplier for prior approval.
2. Once final authorisation has been obtained from LGB, the order will be passed to the Finance/Admin Department of the School for order to be raised on PSF.
3. The CFOO will oversee all transactions/tenders over £25,000.
4. Those orders are approved by the CSEL (or delegated to CFOO as appropriate).

## **HIGHER VALUE PURCHASE ORDERS**

These must be authorised by the MAC Board of Directors.

These are defined as:

Primaries : Greater than 1% of GAG Funding.

Secondaries : Greater than 1% of GAG Funding or £50,000, whichever is lower.

All purchases with a value of less than £50,000 should conform to the following procedure:

1. Quotes and Expenditure to be taken to the Holy Cross MAC Full Board of Directors. Supplier /quotations and comparison quotes attached with reason for choice of supplier for prior approval.
2. Once a authorisation has been obtained from Board of Directors, the order will be passed to the Finance/Admin Department of the School for order to be raised on PSF.
3. All requests must be supported by the Local Governing Body.

## **ORDERS OVER £50,000**

These must be authorised by the MAC Board of Directors. All requests must be supported by the Local Governing Body.

All purchases with a value greater than £50,000 must be put out to formal tender.

The following procedures must be followed in such circumstances:

A specification will be prepared, authorised by the CFOO and CSEL and sent to at least three suppliers. It is anticipated that for any major building works the services of an architect or accredited CDM would be engaged to deal with the handling of specifications and suitability to tender.

Where appropriate, the suppliers invited to tender should be drawn from an approved list **or** from those agreed with the architect/CDM. Otherwise, invitations to submit tenders will be advertised in local newspapers and trade journals if appropriate. The invitations to tender will include:

- (a) an introduction/background to the project;
- (b) the scope and objectives of the project;
- (c) any technical requirements;
- (d) implementation details for the project;
- (e) the terms and conditions of the tender; and
- (f) the form and date of response to the MAC, or in the case of building works, to the architect/CDM or quantity surveyor.

All replies, if to the MAC, should be addressed to the CFOO in a plain sealed envelope marked 'Tender' to reach her by a specified date. All replies must be kept sealed and secure until opening. A separate record should be kept of the date and time of receipt.

All tenders will be opened at the same time and details of the contractor, tender value and any other details recorded at the time of opening. Tenders should be opened by 2 people. Tender documents should be initialled and dated at the time of opening; and the people opening the tenders must sign the tender receipt log. No contractor will be allowed to amend the tender after the time fixed for receipt.

The CFOO will open a separate correspondence file for each tender which will contain copies of all correspondence or other relevant information.

For purchases exceeding £50,000, provided the expenditure has been budgeted for, a decision will be recommended by the Full Board of Directors.

The reasons for accepting a particular tender must be documented, especially if it is decided to accept other than the lowest tender.

#### **PURCHASES OF ABOVE THE 'Find A Tender service' THRESHOLD.**

The revised threshold for supply and service contracts for schedule one bodies is £ 213,477

For tenders expected to exceed the Find A Tender thresholds, advertisements must also be placed with the Find A Tender service.

#### **ACCEPTANCE OF TENDERS**

Evaluation of tenders should be undertaken by at least two members of staff, where external special advice is not being utilised.

The following points will be considered when deciding which tender to accept:

1. The overall price and the individual items or services which make up that price.
2. Whether there are any 'hidden costs'; that is additional costs which the MAC will have to incur to obtain a satisfactory product.
3. Whether there is scope for negotiation, while being fair to all tenderers.
4. The qualifications and experience of the supplier, including membership of professional associations.
5. Compliance with the technical requirements laid down by the school and whether it is possible to obtain certificates of quantity.
6. The supplier's own quality control procedure; pre sales demonstrations, after sales service and, for building works, a six month defects period and insurance guarantees.
7. The financial status of the supplier including the acid test ratio where possible: References from other establishments.
8. Understanding & compliance with Health & Safety at Work legislation, Construction, Design and Maintenance Regulations and Child Protection legislation related to working on a school site and any other relevant MAC policies.

In the case of building works, where the tendering process is being carried out by the architect/CDM or quantity surveyor, they will be responsible for checking the documents of the lowest tender before making a recommendation to the MAC.

Once a tender is accepted an order should be issued immediately to the supplier in the normal way.

### **THIRD PARTY PROCUREMENT**

Where a third party undertakes a procurement process on behalf of the MAC e.g. (architect/CDM or SLA service provider) the third party must show due diligence has been undertaken to ensure compliance with relevant MAC policies.

### **RETENTION OF TENDER DOCUMENTS**

Tender documents must be retained, in accordance with the MAC document retention procedure, for six years following the contract termination date.

*Policy to be renewed annually*

### **HIRE PURCHASE OR LEASING AGREEMENTS.**

All Hire Purchase or Operating Leasing agreements require approval of the MAC Resources Committee.

Finance Leases are not permitted under any circumstances.

**NB: URGENT HEALTH AND SAFETY CONCERNS**

**Where an urgent order is required to meet an immediate Health and Safety concern, priority is to be given to addressing the immediate health and safety concern. Any such concerns should be raised immediately with the CESL/CFOO.**

## Section 49. FINANCIAL SCHEME OF DELEGATION

Revenue Orders	Delegation – Decision (D)/Recommendation (R) Levels							
	Full Board	Resources	CSEL	CFOO	LGB	Head	School BM	Budget holder
Curriculum budget holder (within budget)*						D	D/R*	R
Primary up to £5,000						D		
Primary between £5,000 and 1% GAG				D	R	R		
Primary between 1% GAG and £50,000		D	R	R	R	R		
Primary over £50,000	D	R	R	R	R	R		
Secondary up to £5,000							D	
Secondary between £5,000 and £20,000						D	R	
Secondary between £20,000 and 1% GAG OR £50,000 (whichever is lowest)				D	R	R	R	
Secondary over £50,000 OR over 1% GAG (whichever is lowest)	D	R	R	R	R	R	R	
MAC up to £20,000				D				
MAC between £20,000 and £50,000			D	R				
MAC over £50,000	D	R	R	R				
All leases and hire purchase agreements		D				R		
**All site structural works (regardless of funding source)				D		R		

- Note:** - 3 quotes required for all orders over £5000 for Primaries and £10000 for Secondaries. Tenders required over £25000.
- \*Items may be delegated to staff within the School unless otherwise indicated. Schemes of Financial Delegation should exist within each School.



- Any expenditure can be overruled by MAC Board /Resources Committee.
- \*\*All site structural works require prior approval. MAC (and if required Diocese/CCC) approval must be obtained for all structural site works even when financed by revenue funding and within a headteachers delegation limits. Structural works include any amendments to buildings or playing fields.