

PROCUREMENT PROTOCOL

1. Purpose

The purpose of this Procurement Protocol is to outline how procurement at the university will operate in order to:

- Ensure legal compliance with all relevant EU, UK, Scottish Government and UWS procurement rules and regulations including but not limited to:
 - Procurement Reform (Scotland) Act 2014
 - Public Contracts (Scotland) Regulations 2015
 - Procurement (Scotland) Regulations 2016
 - Equality Act 2010
 - Modern Slavery Act 2015
 - UWS Financial Regulations
- Deliver value for money (VfM) in terms of ensuring efficiency, effectiveness and economy in all procurement issues and ensuring costs are evaluated on the basis of whole life costs.
- Secure maximum social value from UWS spend with suppliers by embedding the consideration of social (including equal rights and non-discrimination), environmental and economic wellbeing in procurement.
- Support the delivery of the UWS Corporate Strategy 2014/20

More detailed information is provided in the supporting Procurement Guidelines

2. Purchasers Responsibilities

It is the purchaser's responsibility to ensure that:

- there is a genuine need and the specification is not higher than required
- full compliance has been made with sustainability, equality, health & safety and Data Protection (GDPR) requirements or other appropriate legislation
- existing contracts/frameworks /approved suppliers are used where available
- where a framework agreement is being used that any call-off's comply with the call-off arrangements contained in the Framework Agreement
- appropriate competition procedures have been followed correctly
- the total cumulative value over period of up to 4 years is aggregated to calculate the contract value
- where the total expenditure for supplies and/or services exceeds £50,000 (excluding VAT) or for works £350k (excluding VAT) over a period of up to four years, the tender exercise shall be carried out by Procurement
- the procurement of any IT equipment/software has been agreed with ITD&S
- the procurement of any FFE has been agreed with Estates & Buildings
- Prior to purchasing consultancy services then the process for buying consultancy shall be followed using the Checklist

3. Use of Existing Framework Agreements

UWS has access to numerous APUC and Crown Commercial Framework Agreements and these must be used, wherever practicable. Budget Holders are responsible for ensuring that these existing agreements are utilised.

Any procurement carried out with an existing Framework Agreements shall follow the UWS procurement threshold rules.

4. UWS Procurement Threshold Rules

Commodity	Cumulative Value Excl. VAT	Open Procedure/Procurement Route	Competition Route	Procurement Procedure carried out by
Goods, Services & Works	Up to £1k	Procurement Card		Purchaser
Goods, Services incl. Consultancy, Works	< £10k	At least 1 written quotation required email acceptable - in response to clearly defined specification.		Purchaser
Goods, Services incl. Consultancy	£10k - £50k	Quotation (min 3 written quotations) - in response to a clearly defined specification.		Purchaser/Budget Holder
Works	£10k - £350k	Quotation (min 3 written quotations) - in response to a clearly defined specification.		Estates Solutions
Goods, Services incl. Consultancy	£50k- £181.3k	Non-OJEU Tender via PCSt		Procurement
Works	£350k- £4.551m	Non-OJEU Tender via PCSt		Procurement
Goods, Services incl. Consultancy	> £181.3k	OJEU Tender via PCSt		Procurement
Works	> £4.551m	OJEU Tender via PCSt		Procurement

5. Public Contracts Scotland

The principles of transparency, non-discrimination and proportionality must be adhered to. UWS tenders must be given adequate publicity and should be advertised in such a way that they attract the attention of an appropriate range of suppliers. Public Contracts Scotland-Tenders (PCS-T) portal should be utilised for the procurement of goods and services of cumulative value > £50k over period up to 4 years excluding VAT and for works of cumulative value >£350k.

6. Major Construction Projects

Those who are responsible for procuring, managing or delivering major construction projects (>£2m) should follow the policy and procedures framework set out in the Scottish Construction Procurement Manual.

7. Consultancy Services

Prior to purchasing consultancy services then the process for buying consultancy shall be followed using the Checklist

8. Non Competitive Action

There are a limited number of situations where competition is not applicable and a Non Competitive Action (NCA) may be justified. NCA approval is required before any commitment can be made to the supplier.

Where the value of the NCA is greater than £50k (Goods/Services) or £350k (works) a Voluntary Ex Ante Transparency (VEAT) notice will be required to be published on Public Contracts Scotland stating the technical reasons why no competition has been sought and the name of the proposed supplier/contractor.

9. Lease/Hire Agreements

Lease/Hire agreements should not be signed by Budget Holders. Such agreements must be referred to Procurement for checking who in turn will submit them to the Director of Finance for approval/ signature.

10. Contract Award Thresholds

Value	Approver
<£5k	Delegated to a member of staff by the Dean of School, Director/Head of Department.
5k to <£20k	A members of the Senior Management Team
£20k to < £100k	A member of the Executive Group
£100k to <£500k	Depute Principal or Chief Finance and Information Officer
>= £500k (not acquisition, disposal and leasing of estates and capital projects)	Principal and Vice-Chancellor
£500k to £2m (acquisition, disposal and leasing of estates and capital projects)	VCEG
>= £2m (acquisition, disposal and leasing of estates and capital projects)	Policy and Resources Committee (PRC)

11. Disposals

All disposals must be notified to and authorised by the Director of Finance.

12. Government Data Protection Regulations (GDPR)

The member of staff responsible for the disposal of an item must ensure that any data which falls under the GDPR is removed from the equipment prior to disposal or that any external agency that is involved in the disposal is licenced to comply with GDPR.

13. SMEs, Third Sector Organisations & Supported Business's

There is a duty, where practicable, to include and support the involvement of SMEs, Third Sector Organisations and Supported Business's in the procurement process.

14. Declaration of Interest

Purchasers and other UWS staff must declare and record any personal interest that might influence, or be seen by others to influence, their impartiality in arriving at a purchasing decision. Those who have business or personal relationships with, or friends/relatives employed by, external organisations bidding for UWS contracts must inform their own line manager and the Senior Procurement Business Partner at the outset.

15. Further information and Contact Information

Further Information is available from the [Procurement website](#) or by contacting Procurement@uws.ac.uk