



Organisational Policy

PROCUREMENT POLICY

Our Commitment

The Argyll Community Housing Association Group is committed to provide equal opportunities across all services and to avoid discrimination. This document is intended to assist the Group in putting this commitment into practice. Compliance with this policy should also ensure that governing body members do not commit unlawful acts of discrimination.

This document can be made available in other formats, for example in large print, audio-format, or Braille: the document may also be available in other languages, in full or summary form, as appropriate.



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Section 1 – Context

- 1.1 Argyll Community Housing Association Ltd (ACHA) is the registered social landlord for nearly 5500 properties within the Argyll & Bute area. ACHA undertakes procurement of goods, services, and property across the business.

Section 2 – The Law and Best Practice

- 2.1 ACHA is a registered social landlord (RSL) registered with the Scottish Housing Regulator (SHR) and an industrial and provident society registered with the Financial Conduct Authority (FCA) and a charity registered with the Office of the Scottish Charity Regulator (OSCR). ACHA's Constitution is its Rules.

This Policy extends to Argyll Homes for All Ltd (AHFA) which is a subsidiary of Argyll Community Housing Association Ltd (ACHA).

Therefore, all legislation relevant to this policy is included.

- 2.2 European Community (EC) Treaty applies to all public procurement activity and is supported by EU Procurement Directives.

Fundamental principles from the Treaty include:

- transparency – contract procedures must be transparent and contract opportunities should be publicised;
- equal treatment and non-discrimination – potential suppliers, contractors, and consultants must be treated equally;
- proportionality – procurement procedures and decisions must be proportionate.

- 2.3 European Union (EU) Procurement Directives and implementing Scottish Legislation:

EU Regulated Procurements: EU legislation must be complied with for contracts over the thresholds set out in **Appendix A**. The procurement of contracts above these values will be termed 'EU Regulated Procurements'.

Lower Value Regulated Procurements: The EU Directives are given effect in Scots law by The Procurement Reform (Scotland) Act 2014 which came into force on 18th April 2016. This legislation has introduced lower thresholds for contracts procured by public bodies, which are set out in **Appendix A**. The procurement of such contracts is termed 'Lower Value Regulated Procurements'.

Other Procurements: Contracts that fall below the value for 'Lower Value Regulated Procurements' do not need to comply with EU or Scottish procurement

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legislation. However, there is an over-arching requirement of EU Directives that probity be demonstrated at all times when public bodies procure services, supplies, and works.

2.4 European Court of Justice and national case law

Decisions of the European Court of Justice and the UK and Scottish national courts provide interpretation of the requirements of the EC Treaty and the EC Procurement Directives and can establish precedents which must be observed. This is constantly evolving, and ACHA must ensure that it has appropriate arrangements in place to ensure that members of staff involved in procurement activity are kept up to date with developments in the legal framework.

2.5 The Scottish Housing Regulator

The Scottish Social Housing Charter is aimed at helping to improve the quality and value of the services that social landlords provide. The Charter includes key outcomes relating to procurement:

- Outcome 13 – Value for Money - Social landlords manage all aspects of their businesses so that:
 - *tenants, owners, and other customers receive services that provide continually improving value for the rent and other charges they pay.*

2.6 Scottish Government Guidance

The Scottish Government has developed comprehensive procurement guidance for public bodies to improve the quality of and value delivered through procurement of public contracts in Scotland. This guidance can be accessed on the following website through the Procurement Journey:

<https://www.procurementjourney.scot>

This policy should be read in conjunction with the following related Group Policy documents:

2.7 Corporate Strategic Plan

ACHA prepares a 5 Year Strategic Plan, which is updated annually and set out:

- The vision, aims and key strategic objectives for ACHA;
- The main actions to be completed in the first years of the plan and how these complement the relevant key strategic objectives.

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The approved business plan and budget sets out the expenditure levels for all functions within ACHA.

2.8 Schedule of Delegated Authority (**Appendix E**), Purchasing Procedure and Financial Regulations

These documents set out authorisation levels and procedures for:

- The appointment of suppliers, contractors, and consultants;
- Payment.

2.9 Risk Management Policy

ACHA recognises that risk is an inevitable part of our work, and effective risk management optimises the balance between risk and control. The Risk Management Strategy sets out:

- Risk management process;
- Key roles and responsibilities;
- Procedures for assessment, evaluation, monitoring and reporting.

2.10 Asset Management Strategy

The Asset Management Strategy sets out how ACHA will ensure the long-term sustainability of all housing stock. It sets out, but not limited to:

- Details of our housing and non-housing stock;
- Investment plans for existing stock;
- Regeneration plans for new build projects;
- Risk Assessment specific to these activities;
- An 'Options Appraisal' process to be followed where significant issues are identified with any of the housing stock.

2.11 Payment and Benefit Policy

This policy describes the payments or benefits that ACHA employees, Board members and Area Committee members are able to receive. It also describes what is not permitted and the arrangements that ACHA has in place to ensure that the requirements of this policy are met.

Section 3 – Policy Objectives

3.1 The objectives of this policy are to ensure that we are able to demonstrate that:

- Value for money has been achieved, both in the commissioning of individual contracts, and as an organisation as a whole;

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- All suppliers, contractors, and consultants appointed are qualified and competent, have sufficient resources and arrangements in place, and are committed to improving the services provided to customers;
- We are committed to protecting the health and safety of our employees, customers, members of the public, and suppliers/contractors/consultants and employees;
- We promote both continuous improvement and innovation in the delivery of services to customers;
- We are committed to improving equalities, and the social and economic prosperity of the communities in which we work;
- We ensure equal treatment of all suppliers, contractors, and consultants, providing confidentiality of all information received from them, transparency, and proportionality for all aspects of the procurement process.

Section 4 – Implementing Policy Objectives

4.1 ACHA must fully comply with both EU and Scottish Government Public Procurement Regulations which are;

- European Union Public Contracts Directive 2014/24/EU1
- Procurement Reform (Scotland) Act 2014;
- Public Contracts (Scotland) Regulations 2015;
- Procurement (Scotland) Regulations 2016;

Due to the minor differences between the legislation for 'EU Regulated Procurements' and Scottish 'Lower Value Regulated Procurements', it is our intention, as far as practicable, and in order to avoid confusion, to follow the full EU compliant processes for all contracts above the 'Lower Value Regulated Procurement' thresholds. See **Appendix A** for the procurement levels.

4.2 Contracts below the 'Lower Value Regulated Contracts' threshold will be procured in accordance with the Procurement Policy following the same overall principles in terms of demonstrating probity and value for money, and in a manner proportionate to the nature of such smaller contracts. See **Appendix A**.

4.3 Procurement Strategy

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Procurement includes the acquisition of goods, services, and works from third parties, whether under formal contract or otherwise. ACHA procures a wide range of goods, services and works.

The total value of contracts procured by ACHA is above the £5 million threshold for which a Procurement Strategy is required by legislation.

In terms of the planning and delivery of the procurement of goods, services and works, we will prepare and maintain a Procurement Strategy, which will be reviewed annually and submitted to the Board for approval and will be approved prior to the start of each financial year. This will contain, as a minimum, information on planned 'Regulated Procurements':

- being undertaken in compliance with EU Treaty Principles of equal treatment, non-discrimination, transparency, proportionality, and mutual recognition;
- being undertaken in compliance with the sustainable procurement duty;
- contribute to the carrying out of our functions and the achievement of our key strategic objectives;
- delivering value for money;
- prompt payment compliance.

In addition, our Procurement Strategy will set out our general policy on:

- Community benefit requirements;
- Consulting and engaging with those affected by our procurements;
- The payment of a living wage to persons involved in producing, providing, or constructing the subject matter of regulated procurements;
- Promoting compliance by suppliers, contractors (and sub-contractors), and consultants with the Health and Safety at Work etc. Act 1974 and any provision made under that Act;
- The procurement of fairly and ethically traded goods and services;
- Ensuring prompt payment within 28 days of invoices for goods and services.

We will complete and submit an Annual Report on our Procurement Strategy, which will report on compliance with these factors. This will be published as soon as practicable after the end of each financial year.

We will maintain a Contract Register for regulated procurements covering goods, services and works procured by the organisation, the value and duration of the contract, and the supplier, contractor and consultants appointed. This will be made available on request.

4.4 Roles and Responsibilities

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The key roles and responsibilities in relation to the procurement of contracts by ACHA are illustrated below:

Board of Management	Provide appropriate governance and organisational arrangements. Ensure sufficient skilled resources and that the procurement function is recognised in wider organisational policies.
Relevant Departmental Director	Ensure that the function is appropriately staffed, organised and supported to deliver procurement requirements.
Managers & Officers	Deliver user requirements whilst ensuring compliance with legislation and achieving Best Value.

The procurement function will be led by the Director of the relevant department responsible for procurement of the contract, whose primary role will be to:

- develop, promote, and implement appropriate procurement strategies and plans, including authority to procure;
- assess procurement competencies and establish training needs;
- ensure professional, qualified procurement advice;
- contribute to the aims and objectives of ACHA, and take account of business needs and wider policy requirements;
- ensure value for money is achieved;
- ensure adherence to this procurement policy, current legislation, and best practice;
- support sustainability and corporate social responsibility throughout the procurement process;
- measure and report on procurement performance.

4.5 Compliance with Procedures

ACHA will comply with the Scottish Governments procurement journey and the use of dynamic purchasing systems or frameworks.

The supporting Procurement Procedure (FIT_04) document contains the requirements and guidance for the use of both regulated and unregulated routes.

4.6 Central Purchasing Bodies (Framework or DPS providers)

We will consider procuring contracts through a 'Central Purchasing Body' provided that Value for Money can be demonstrated through this method of procurement. A

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Central Purchasing Body is a public body that has procured a contract for specific works, services or supplies on behalf of themselves and/or other public bodies.

ACHA will satisfy itself that all EU and Scottish procurement legislation has been complied with by the Central Purchasing Body prior to entering into any contract through this alternative route.

Section 5 – Performance Management

- 5.1 ACHA operates within a performance management framework which reports to and aims to meet the requirements of our tenants, factored owners, Board of Management, the Scottish Housing Regulator, and the Scottish Social Housing Charter.
- 5.2 As required by Section 31 of the Housing (Scotland) Act 2010, the Scottish Social Housing Charter sets out the standards and outcomes that all social landlords should aim to achieve when performing their housing activities.
- 5.3 Internally, performance will be monitored regularly by ACHA's Senior Management Team. The Annual Procurement Strategy sets out the arrangements and monitoring commitments, along with reporting periods to the Board and our tenants.

Externally, the Scottish Housing Regulator will monitor performance in terms of outcomes and standards achieved in line with the requirements of the Scottish Social Housing Charter. We will, annually, submit key performance information on our achievements to the Regulator.

Section 6 – Development and Training

- 6.1 Staff involved in procurement will be suitably qualified and trained.
- 6.2 All ACHA staff will undertake mandatory Customer Care and Diversity training.
- 6.3 We will ensure that all suppliers, contractors, and consultants working for ACHA are qualified to supply all the goods and services relevant to a procurement in a compliant and safe manner at all times.

Section 7 – Dealing with Complaints

- 7.1 We value complaints from customers, suppliers, contractors, and consultants, ACHA will endeavour to use information from them to help improve our services. All complaints will be dealt with through our Complaints Handling Procedure.

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Section 8 – Review Procedures

- 8.1 This policy will be reviewed annually as a minimum and will be updated based on substantive changes in legislation or regulatory requirements.

Section 9 – Confidentiality and Data Protection

- 9.1 We will ensure that we meet the requirements of The Data Protection Act 2018.

APPENDIX A – PROCUREMENT THRESHOLDS

1.0 EU Regulated Contract Thresholds:

Supplies	£189,330
Services	£189,330
Works	£4,733,252

N.B All figures are current as at 1st January 2020 and are exclusive of VAT.

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2.0 Scottish Government (Lower Value) Regulated Contract Thresholds:

Supplies	£50,000
Services	£50,000
Works	£2,000,000

N.B All figures are current as at 1st January 2020 and are exclusive of VAT.

3.0 ACHA Procurement Limits:

Below £5,000	<p>The relevant authorised staff members have discretion to decide whether competitive quotations are obtained.</p> <p>Good practice must be observed where possible and competitive quotations must be sought, using the Unregulated Schedule of Works document.</p> <p>Direct Awards are permitted where the works are classed as an emergency or pose a Health & Safety Risk.</p>
Between £5,000 and £49,999	<p>At least three competitive quotations must be sought and a record maintained of all quotations received or the tendering procedures followed.</p> <p>Procurement process which fall within this category, must be issued using the Unregulated Schedule of Works document. At minimum of three competitive quotations must be sought and a tender opening record complete for all quotations received or the tendering procedures followed.</p>
£50,000 and above	<p>Regulated tendering procedures must be followed.</p> <p>Procurement Processes which are valued between £50,000 and £249,999, the Regulated Schedule of Works document should be used. Procurement Processes above £250,000, the DPS Tender document should be used.</p>

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Exceptions to the above are as follows:

- where a developer, or other party, brings a unique opportunity to ACHA and the terms of the proposed arrangements will require ACHA to contract with them or another named company;
- where works of the same scope or similar nature are added to existing contracts, based on a schedule of rates or model contract, as long as they do not exceed 50% of the original value;
- where works and services are procured where no satisfactory alternative is available, which results in a single-source procurement;
- where works and services are only available from a limited number of providers due to the specification requirements, in which case, a minimum number should be invited to quote or tender;
- where goods and materials are of a proprietary nature, and no alternative is available;

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APPENDIX B – BUILDING (DEVELOPMENT) PROCUREMENT

1.0 Introduction

The procurement of building works and services constitutes the major part of ACHA's investment and the particular requirements related to this procurement are set out in this appendix.

2.0 Selection and Appointment of Consultants

2.1 Approved list of consultants

ACHA are moving towards the use of a Dynamic Purchasing System for Consultants (Professional Services etc.) from the end of 2020, early 2021. The existing arrangements below will continue to apply until they are replaced.

ACHA operate and maintain an Approved List of Consultants. The minimum entry requirements will be set within the 'Procedures for Approved List of Consultants'.

A standard application form will be used for all consultants who wish to join the approved list. The minimum criteria for inclusion on the Approved List will include technical capabilities, appropriate experience, suitable professional indemnity insurance, equality of opportunity, a health and safety policy and references. All professional and technical services, including the design services provided by Design & Build Contractors, will be provided by chartered members of the appropriate professional bodies, able to produce a certificate of Professional Indemnity Insurance.

Applications will be considered for a full range of consultancy services, including, but not limited to; architectural, quantity surveying, building surveying, civil and structural engineering, mechanical and electrical engineering, employer's agent and CDM co-ordinator. The list will remain permanently open and the approval of additions and suspensions will be delegated to the Director of Investment and Regeneration or an authorised deputy.

Removal from the list will be subject to the approval of the Board of Management and at least three years must elapse before this decision is reviewed.

ACHA operate an in-house technical team, all projects or programmes will be considered for the in-house team where appropriate skills and capacity are available before the use of external consultants is considered.

2.2 Selection of Consultants

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All consultant appointments above the Regulated limits will follow the Regulated Procedure, except where the consultant is part of a project sponsored by a 'design and build' developer.

Appointments below the Regulated limits will be based on the Approved List of Consultants, except where it has been agreed that the in-house technical team will undertake the consultant role or the consultant is part of a project sponsored by a 'design and build' developer.

The selection process for consultants from the "Approved List" will consider the following matters:

- Specification of the planned works;
- Options for the procurement route;
- Estimated contract values and associated fees.

The tender lists for projects will be approved by the Investment Manager or Regeneration Manager, Director of Investment and Regeneration, or CEO, which will be based on the commitment levels set out in the 'Commitment and Payment for Supplies and Services'.

2.3 Follow-on appointments

Where a consultant is required to undertake follow-on work directly related to a previous contract, which was awarded on a competitive basis, and the consultant is the best equipped to carry out the required work, reappointment without competitive tender is permitted subject to:

- prior written approval of the Director of Investment and Regeneration or authorised deputy;
- not exceeding the Regulated Procurement threshold;
- the negotiated fee offering value in comparison with a competitive fee.

2.4 Conditions of Appointment

All consultant appointments will be made in writing with reference to the standard terms of engagement as recommended by their professional membership bodies. Terms of appointment will include the detail of the services required, the fee payable and a schedule of interim payments related to the completion of agreed work stages.

3.0 Appointment of Contractors

3.1 I+R Dynamic Purchasing System (DPS) – Addition of contractors:

ACHA operate and maintain a live DPS List of Contractors for the period 2020 – 2025 (+ 5-year extension option), which cover the following Lots:

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- Lot 1 - New Build
- Lot 2 - Whole House
- Lot 3 - Demolition and Ground Works
- Lot 4 - Heating, Electrical and Mechanical
- Lot 5 - Renewables and New Emerging Technology
- Lot 6 - Kitchens and Bathrooms
- Lot 7 - Windows and Doors
- Lot 8 - Energy Efficiency, Roofing and Roughcast
- Lot 9 - Planned, Cyclical and Reactive Repairs and Maintenance

The minimum entry requirements will be the completion of European Single Procurement Document (ESPD) which is a pass / fail and scored, Financial Assessment Review, along with a Lot Selection Form.

The DPS will remain open for this period, with additions being approved by the Investment Manager or Regeneration Manager, or a Director.

Suspension from the DPS will be subject to the approval of the Director of Investment & Regeneration and / or Board of Management, and will be for a set period of time, or number of projects based on the severity of the infringement.

All contractors will fully comply with ACHA's "Code of Conduct" for Contractors, along with all applicable policies and or procedures identified as part of the mini-tender.

3.2 Appointment of Contractor(s)

All contractor appointments above the regulated threshold will follow the regulated procedure and be tendered using the PCS Quick Quote system on a Quality and Price basis, except where it has been agreed that the 'Repairs Subsidiary' can offer value for money, or where a contractor is the sponsor or land owner of a design and build project.

Appointments below the Regulated limits will be based on the non-regulated procedure, except where it has been agreed that the 'Repairs Subsidiary' can offer value for money, or where a contractor is the sponsor or land owner of a design and build project.

The selection process for contractors below the threshold will be based on:

- Specification of the planned works;
- Qualifications, certification, and relevant experience;
- Capacity;
- Current and / or prior performance

The performance of appointed contractors to projects or programmes will be monitored and reviewed at the end of each contract, or annually for longer term contracts.

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4.0 Financial Thresholds

ACHA will use the Public Contracts Scotland portal to tender all commissions and contracts over the value of £50,000 for goods and services, and £2m for construction / development works. The contract opportunities will be directed to approved contractors on the DPS applicable Lot (s) or openly advertised and will be subject to either a one stage process if under the I+R DPS, or a two-stage process if not. The portal and advertising regime may be used for lower value contracts, where appropriate, with the option to direct award contracts under the DPS for non-regulated procurements based on specification and / or urgency. The Director of Investment and Regeneration or an authorised deputy will approve the publication of all notices through the portal.

The tender lists for projects out with budget will be presented to the Board for approval.

4.1 Expenditure below £5,000.00

Does not require competition, but staff and consultants, acting on behalf of ACHA, have a duty to achieve value for money and must retain appropriate evidence of this. Three written quotations are the minimum where time limits allow.

4.2 Expenditure in excess of £5,000 and below £50,000

This may take the form of *written* quotations, where a formal competitive tender, would result in disproportionate administration costs, unacceptable delays, or inefficiencies. At least three quotations should be sought using the Unregulated Schedule of Works.

4.3 Non-Regulated Procurement Expenditure of £50,000 to £2,000,000 (Construction / Development Works Only)

- Requires a minimum of three formal competitive tenders to be invited.
- The selection of Contractors must come from the I+R DPS and be procured using the PCS portal using either a one or a two-stage selection procedure.

4.4 Regulated Procurements

Procurement must be in accordance with the EU and Scottish Public Procurement Regulations and Legislation.

5.0 Single tender action

Exceptionally, where tender or competitive quotation is not practical (e.g. for the supply of specialist equipment or services), fixed price services or in cases of extreme emergency (e.g. to remove a risk to public safety), single tender procurement may be authorised by the Director of Investment & Regeneration or the Chief Executive up to £50,000. Above this level, any proposal for single tender will require the prior approval of the Board.

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6.0 Follow-on appointments

Where a contractor is required to undertake follow-on work directly related to a previous contract, which was awarded on a competitive basis, and the contractor is the best equipped to carry out the required work, reappointment without competitive tender is permitted subject:

- prior written approval of the Director of Investment and Regeneration or authorised deputy;
- not exceeding the Regulated Procurement threshold;

The possibility of a follow-on appointment should be considered at the time of the original competitive tender and, if appropriate, provision for an extension option should be made in the contract.

7.0 Contractual Arrangements

All instructions to Contractors to undertake work will be in writing and will include as a minimum a description of the works, the agreed price, timescale for completion, and terms and conditions.

Building work will be instructed on the basis of a formal exchange of letters referring to the contract documents.

Where a partnering arrangement is the chosen procurement route then the main contractor will be party to the partnering charter. Sub-contractors may be invited to become parties to the partnering charter, which must be approved prior to commencement.

8.0 Payment of Contractors and Consultants

ACHA will ensure that all payments are made promptly within the period stated in the contract. Where there is no contract or the contract does not stipulate the payment period, then all valid invoices for work satisfactorily completed will be paid within 30 days of receipt.

9.0 Code of Conduct for Contractors

We will expect all of its Contractors to follow the Code of Conduct for Contractors and will assess compliance with the Code when undertaking a review of the performance of a contractor.

10. Emergencies

Where, in exceptional circumstances, due to emergency or special circumstances, it is necessary to make a quick decision, the Senior Officer / Manager shall have the authority



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to appoint consultants or contractors out with the Procurement Policy and this action will be presented to the next board meeting for homologation.

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APPENDIX C - OTHER PROCUREMENT

1.0 Introduction

The procurement of supplies and services, other than building / construction works, which involves significant expenditure, ACHA must demonstrate both value for money and compliance with procurement regulations. The particular requirements related to these procurements are set out in this appendix.

ACHA must comply with the following:

- European Union Public Contracts Directive 2014/24/EU1
- Procurement Reform (Scotland) Act 2014;
- Public Contracts (Scotland) Regulations 2015;
- Procurement (Scotland) Regulations 2016;

ACHA will, as far as practicable, follow the full EU compliant processes for all contracts above the 'Lower Value Regulated Procurement' thresholds. See **Appendix A** for the procurement levels.

Contracts below the 'Lower Value Regulated Contracts' threshold will be procured in accordance with Procurement Policy following the same overall principles in terms of demonstrating probity and value for money, and in a manner proportionate to the nature of such smaller contracts. See **Appendix A**.

Before tendering for the supply of goods and services there are several issues to consider:

- Does the officer have the authority to procure goods and or services;
- Is the procurement necessary, and is there budget available;
 - Is it essential?
 - Have alternatives options been considered?
 - Is there a robust and approved business case?
- The third issue to consider is the availability of an existing Contract Agreement (in accordance with its terms & conditions) which meets the procurement regulations, and thus avoids a separate additional procurement.

2.0 Financial Thresholds

The tender lists for projects in budget will be approved based on the commitment levels set out in the 'Commitment and Payment for Supplies and Services'.

ACHA will use the Public Contracts Scotland portal to tender all commissions and contracts over the value of £50,000 for goods and services, and £2m for construction /

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development works. The contracts will be openly advertised and will be subject to either a one stage process if under the I+R DPS, or a two-stage process if not. The portal and advertising regime may be used for lower value contracts, where appropriate. The Director of Investment and Regeneration or an authorised deputy will approve the publication of all notices through the portal.

The tender lists for projects out with budget will be presented to the Board for approval.

2.1 Expenditure below £5,000

Does not require competition, but staff and consultants, acting on behalf of ACHA, have a duty to achieve value for money and must retain appropriate evidence of this. Three written quotations are the minimum.

2.2 Expenditure in excess of £5,000 and below £50,000

This may take the form of *written* quotations, where a formal competitive tender, would result in disproportionate administration costs, unacceptable delays, or inefficiencies. At least three quotations should be sought using the Unregulated Schedule of Works.

2.3 Regulated Procurements (those in excess of £50,000)

Procurement must be in accordance with the EU and Scottish Public Procurement Regulations and Legislation.

3.0 Single Tender Action

Exceptionally, where tender or competitive quotation is not practical (e.g. for the supply of specialist equipment or services), fixed price services or in cases of extreme emergency (e.g. to remove a risk to public safety), single tender procurement may be authorised by the Director of Investment & Regeneration or the Chief Executive up to £50,000. Above this level, any proposal for single tender will require the prior approval of the Board.

4.0 Follow-on Appointments

Where a contractor is required to undertake follow-on work directly related to a previous contract, which was awarded on a competitive basis, and the contractor is the best equipped to carry out the required work, reappointment without competitive tender is permitted subject:

- prior written approval of the Director of Investment and Regeneration or authorised deputy;
- not exceeding the Regulated Procurement threshold;

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The possibility of a follow-on appointment should be considered at the time of the original competitive tender and, if appropriate, provision for an extension option should be made in the contract.

5.0 Contractual Arrangements

All procurements must be subject to placing of an order, written instruction, or form of contract where subject to tendering.

6.0 Payment of Suppliers

ACHA will ensure that all payments are made promptly within the period stated in the contract. Where there is no contract or the contract does not stipulate the payment period, then all valid invoices for work satisfactorily completed will be paid within 28 days of receipt.

7.0 Emergencies

Where, in exceptional circumstances, due to emergency or special circumstances, it is necessary to make a quick decision the Senior Officer, Manager will have authority to procure supplies and services out with the Procurement Policy and this action will be presented to the next board meeting for homologation.

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APPENDIX D - TENDERING PROCEDURES

1.0 Public Contracts Scotland (PCS)

PCS will be used for all procurements, where possible. All tender invitations will be electronic and all tender returns will be electronic.

2.0 Tender Invitation

Will be through PCS, or by direct contact.

3.0 Late Tenders

PCS tender box will not accept any tenders posted after the tender return date. Any competitive tenders received after the time specified for the receipt of tenders will be rejected and will be returned promptly to the tenderer unopened.

Where a tenderer experiences technical difficulties with the PCS portal and makes contact with the Association before the deadline, a late submission will be accepted. If contact is made after the deadline, it will be rejected.

4.0 Tender Evaluation

The method for evaluating tenders will be set out in writing within the tender documents, including the scoring system. This to be agreed before the tenders are invited. No qualifications to the tender documents will be accepted.

5.0 Procedure for Opening Formal Tenders

PCS allows for the opening of the tender post box after the return date. A minimum of two staff will be nominated to open the tender post box electronically.

After receipt of bids from tenderers, a formal system of opening and evaluating formal tenders will be followed. The tender award decision will be made by the responsible Director for the Contract.

6.0 Tender Opening

A Tender Opening Team will be agreed comprising at least three members of staff. Normally it will include a Director, Manager and the Project Officer unless agreed otherwise. A Director will be required for project values of >£250k.

Tender Opening Team will open the tenders and record the following details on the Tender Form:

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- Name of Project
- Estimate of tenders
- List of Tenderers Issued
- List of Tenderers Returned
- Date of Tender Issue
- Date of Tender Return
- Name of Contractors
- Amounts of Tenders
- form part of tender report
- sign the Tender Form, noting any discrepancies;
- ensure that the opened tenders are held secure until handed to the evaluation panel.

7.0 Tender Evaluation

The Tender Panel will normally comprise of the relevant Project Officer, Manager, and suitably qualified persons from within the Association. A Director unless agreed.

The role of the Tender Panel is to:

- convene within 5-7 days of the opening of the tenders or receipt of tender report
- review the opened tenders;
- use the criteria already established to evaluate the bids commercially, technically, financially and compare the most favourable bid (MEAT – Most Economically Advantageous Tender) with the target price and budget;
- arrange for appraisal (if necessary) within the validity period;
- the examination of tenders will be carried out in accordance with the principles of the Code of Procedure for Single Stage Selective Tendering published for the National Joint Consultative Committee for Building in force for the time being, and JCT Tendering Practice Note 2017 edition;
- carry out post tender clarifications and/ or negotiations as appropriate;
- make a recommendation for award (or not) within the validity period;
- complete and sign off the tender evaluation;
- if within budget, the relevant Director will approve the tender award;
- if above £500,000 and not within budget, prepare a report for the Board of Management approval.

8.0 Tender Board

A Director will approve all procurement of **£50,000** or over, exclusive of VAT when “within” the agreed budget.

The Board of Management will approve all procurement of **£50,000** or over, exclusive of VAT which is “not included” or accounted for within the current budget.

Organisational Policy

9.0 Notification to Successful and Unsuccessful Tenderers

As soon as possible after the contract award has been made to the successful tenderer, ACHA will advise all unsuccessful tenderers in writing.

For contracts subject to Regulated Procurement, dispatch, within the appointed time period, a notice for publication in the OJEU of the contract award; and notify successful and unsuccessful tenderers with appropriate de-brief information.

10.0 Tender Acceptance

Tenders will be accepted in writing under the hand of a Director or Manager / Senior Officer with reference to the final agreed tender amount and any agreed amendments.

11.0 Tender Register

The Senior Officer / Manager will maintain a register of all tenders received.

Department	Job Title	Grade	Place Orders										Authorisation			BACS			
			Purchase Order Requisition (POR)	Purchase Order raised in E-Purchasing	Works Order Requisition Academy (WORA)	Order Commitments I+R	Contract Payments	Special Payments Requests	Invoices / Credit Card Statements (includes orders raised in E-Purchasing)	Payroll	Special Payments Requests	Special Payments	Stundry Debt Invoices and Credit Notes	Payments	Payments Non Payroll	Payments Payroll			
Different Person			A	A	A	A	A	B	B	B	B	C	C	C					
Chief Executive Department	Chief Executive	ACHAG 1	Within Budget	Unlimited	Within Budget	Within Budget	Within Budget	Within Budget	Within Budget	Within Budget	Within Budget	Within Budget	Within Budget	Within Budget	Within Budget	Within Budget			
	Two Directors in Combination	ACHAG 2	Within Budget	Unlimited	Within Budget	Within Budget	Within Budget	Within Budget	Within Budget	Within Budget	Within Budget	Within Budget	Within Budget	Within Budget	Within Budget	Within Budget			
	PA to Chief Executive	ACHAG 9	£ 5,000.00	Nil	Nil	Nil	£ 5,000.00	£ 5,000.00	Nil	£ 5,000.00	£ 5,000.00	Nil	Nil	Nil	Nil				
Department of Finance +	Director of Finance + IT	ACHAG 2	Within Budget	Unlimited	Within Budget	Within Budget	Within Budget	Within Budget	Within Budget	Within Budget	Within Budget	Within Budget	Within Budget	Within Budget	Within Budget	Within Budget			
	Finance Managers	ACHAG 4	£ 10,000.00	Unlimited	Nil	£ 10,000.00	£ 10,000.00	£ 10,000.00	£ 500,000.00	£ 10,000.00	£ 10,000.00	£ 10,000.00	Within Budget	Within Budget	Within Budget				
	IT Managers	ACHAG 5	£ 10,000.00	Unlimited	Nil	£ 10,000.00	£ 10,000.00	£ 10,000.00	Nil	£ 10,000.00	£ 10,000.00	Nil	Nil	Nil	Nil				
	Assistant Managers	ACHAG 6	£ 5,000.00	Unlimited	Nil	£ 7,500.00	£ 5,000.00	£ 7,500.00	Nil	£ 7,500.00	£ 5,000.00	Within Budget	Within Budget	Within Budget	Within Budget				
	Senior Officers	ACHAG 7	£ 5,000.00	Unlimited	Nil	£ 7,500.00	£ 5,000.00	£ 7,500.00	Nil	Nil	£ 5,000.00	Nil	Nil	Nil	Nil				
	Officer	ACHAG 10	£ 2,500.00	Unlimited	Nil	£ 5,000.00	£ 2,500.00	£ 5,000.00	Nil	Nil	£ 2,500.00	Nil	Nil	Nil	Nil				
	Others	ACHAG 11	£ 1,000.00	Unlimited	Nil	Nil	Nil	Nil	Nil	Nil	£ 1,000.00	Nil	Nil	Nil	Nil				
Department of Housing + Neighbourhood Services	Director of Housing + Neighbourhood Services	ACHAG 2	Within Budget	Unlimited	Within Budget	Within Budget	Within Budget	Within Budget	Within Budget	Within Budget	Within Budget	Within Budget	Within Budget	Within Budget	Within Budget	Within Budget			
	Regional Managers	ACHAG 4	£ 10,000.00	Unlimited	£ 10,000.00	£ 10,000.00	£ 10,000.00	£ 10,000.00	Nil	£ 10,000.00	£ 10,000.00	Nil	Nil	Nil	Nil				
	Local Managers	ACHAG 6	£ 5,000.00	Unlimited	£ 7,500.00	£ 7,500.00	£ 5,000.00	£ 7,500.00	Nil	£ 7,500.00	£ 5,000.00	Nil	Nil	Nil	Nil				
	Officers	ACHAG 7	£ 2,500.00	Unlimited	£ 5,000.00	£ 5,000.00	£ 2,500.00	£ 5,000.00	Nil	£ 1,000.00	£ 2,500.00	Nil	Nil	Nil	Nil				
	Property Relocation Assistants	ACHAG 9	£ 1,000.00	Unlimited	£ 2,500.00	£ 2,500.00	£ 1,000.00	£ 2,000.00	Nil	Nil	£ 1,000.00	Nil	Nil	Nil	Nil				
	Others	ACHAG 10	£ 1,000.00	Unlimited	£ 2,500.00	£ 2,500.00	£ 1,000.00	Nil	Nil	Nil	£ 1,000.00	Nil	Nil	Nil	Nil				
Department of Human Resources + Corporate Services	Director of Human Resources + Corporate Services	ACHAG 2	Within Budget	Unlimited	Within Budget	Within Budget	Within Budget	Within Budget	Within Budget	Within Budget	Within Budget	Within Budget	Within Budget	Within Budget	Within Budget	Within Budget			
	Managers	ACHAG 4	£ 10,000.00	Unlimited	Nil	£ 10,000.00	£ 10,000.00	£ 10,000.00	£ 500,000.00	£ 10,000.00	£ 10,000.00	Nil	Nil	Nil	Nil				
	Officers	ACHAG 7	£ 2,500.00	Unlimited	Nil	£ 5,000.00	£ 2,500.00	£ 5,000.00	Nil	Nil	£ 2,500.00	Nil	Nil	Nil	Nil				
	Others	ACHAG 9	£ 1,000.00	Unlimited	Nil	£ 2,500.00	£ 1,000.00	Nil	Nil	Nil	£ 1,000.00	Nil	Nil	Nil	Nil				
Department of Investment + Regeneration	Director of Investment + Regeneration	ACHAG 2	Within Budget	Unlimited	Within Budget	Within Budget	Within Budget	Within Budget	Within Budget	Within Budget	Within Budget	Within Budget	Within Budget	Within Budget	Within Budget	Within Budget			
	Investment Manager	ACHAG 4	£ 49,999.99	Unlimited	£ 49,999.99	£ 250,000.00	£ 10,000.00	£ 49,999.99	Nil	£ 49,999.99	£ 10,000.00	Nil	Nil	Nil	Nil				
	Regeneration Manager	ACHAG 4	£ 49,999.99	Unlimited	£ 49,999.99	£ 250,000.00	£ 10,000.00	£ 49,999.99	Nil	£ 49,999.99	£ 10,000.00	Nil	Nil	Nil	Nil				
	Warm Homes Fund Project Manager	ACHAG 4	£ 49,999.99	Unlimited	£ 49,999.99	£ 250,000.00	£ 10,000.00	£ 49,999.99	Nil	£ 49,999.99	£ 10,000.00	Nil	Nil	Nil	Nil				
	Senior Regeneration Officer	ACHAG 5	£ 49,999.99	Unlimited	£ 49,999.99	£ 250,000.00	£ 10,000.00	£ 49,999.99	Nil	£ 49,999.99	£ 10,000.00	Nil	Nil	Nil	Nil				
	Architect + Quantity Surveyor	ACHAG 5	£ 49,999.99	Unlimited	£ 49,999.99	£ 250,000.00	£ 10,000.00	£ 49,999.99	Nil	£ 49,999.99	£ 10,000.00	Nil	Nil	Nil	Nil				
	Repairs Managers	ACHAG 6	£ 10,000.00	Unlimited	£ 10,000.00	£ 10,000.00	£ 5,000.00	£ 10,000.00	Nil	£ 10,000.00	£ 5,000.00	Nil	Nil	Nil	Nil				
	Professional Officers	ACHAG 7	£ 10,000.00	Unlimited	£ 10,000.00	£ 10,000.00	£ 5,000.00	£ 10,000.00	Nil	£ 10,000.00	£ 5,000.00	Nil	Nil	Nil	Nil				
	Repairs Officers / Officers	ACHAG 7	£ 5,000.00	Unlimited	£ 5,000.00	£ 5,000.00	£ 2,500.00	£ 5,000.00	Nil	Nil	£ 5,000.00	Nil	Nil	Nil	Nil				
	Trainee Officers	ACHAG 8	£ 5,000.00	Unlimited	£ 5,000.00	£ 5,000.00	£ 2,500.00	£ 5,000.00	Nil	Nil	£ 2,500.00	Nil	Nil	Nil	Nil				
	Senior Administration Assistants	ACHAG 9	£ 2,500.00		Unlimited	£ 2,500.00	£ 2,500.00	£ 2,500.00	£ 2,500.00	£ 2,500.00	£ 2,500.00	Nil	Nil	£ 2,500.00	Nil	£ 2,500.00	Nil	Nil	Nil
Others	ACHAG 10	£ 1,000.00	Unlimited	£ 2,500.00	£ 2,500.00	£ 1,000.00	£ 1,000.00	Nil	Nil	£ 1,000.00	Nil	Nil	Nil	£ 1,000.00	Nil	Nil	Nil		

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